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# Bylaws

## Local Union 1908

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***CUPE***

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## **INTRODUCTION**

Local 1908 of the Canadian Union of Public Employees has been formed to:

- Improve the social and economic well-being of all of its members;
- Promote equality for all members and to oppose all types of harassment and discrimination;
- Promote the efficiency of public services; and
- Express its belief in the unity of organized labour.

The following Bylaws are adopted by the Local 1908 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1) to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities. **(Article 13.3(a) & (b) & Appendix "B")**

## **SECTION 1 – LOCAL NAME**

The name of the Local shall be: Canadian Union of Public Employees, Local No. 1908 [hereinafter referred to as the "Local"].

- 1) 00 - City of Salmon Arm;
- 2) 01 - Columbia – Shuswap Regional District;
- 3) 03 - Sicamous and District Recreation Centre;
- 4) 04 - District of Sicamous, and
- 5) 05 - City of Enderby

## **SECTION 2 – OBJECTIVES**

The objectives of the Local are to:

- a) Secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- c) Encourage the settlement by negotiation and mediation of all disputes between the members and their employers.
- d) Establish strong working relationships with the public we serve and the communities in which we work and live; and
- e) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

## **SECTION 3 - REFERENCES**

Article numbers in brackets at the end of sections or subsections refer to relevant articles of the CUPE Constitution which should be read in conjunction with these bylaws.

## **SECTION 4 - MEMBERSHIP**

### **a) Membership**

An individual employed within the jurisdiction of Local 1908 can apply for membership in Local 1908 by signing an application and paying the initiation fee set out in Section 13(a) of these bylaws. **(Article B.8.1)**

### **b) Approval of Membership**

At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting object, the applicant(s) will be accepted into membership. **(Article B.8.2)**

### **c) Oath of Membership**

New members will take this oath:

*"I promise to support and obey the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union."* **(Article 11.6 (a))**

### **d) Continuation of Membership**

Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local unless the member loses good standing under the provisions of the CUPE National Constitution.

**(Article B.8.3)**

### **e) Member Obligations**

Members are obligated to abide by the CUPE National Constitution and these bylaws as amended from time to time.

Members will provide the Recording Secretary with their current address, home telephone contact number and where available, an e-mail address. The member will advise the Recording Secretary of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of mail, e-mail blasts or telephone town halls.

In the case of a telephone town hall, the telephone number may be shared with a service provider under contract to the Local to provide the technical equipment to support such a virtual meeting.

Upon request, the Local Union will share the telephone contact information with CUPE National or CUPE BC. The purpose of sharing this telephone contact information with CUPE National or CUPE BC is so that the National Union or Provincial Division can conduct a telephone town hall with members on important matters.

## **SECTION 5 - AFFILIATION**

In order to strengthen the labour movement and work toward common goals and objectives, Local 1908 shall be affiliated to and pay per capita tax to the following organization(s):

- CUPE BC Provincial Division
- Okanagan Mainline District Council
- BC Federation of Labour

## **SECTION 6 - MEMBERSHIP MEETINGS**

- a) Regular membership meetings shall be held every month (except July and August) on the third Thursday at 7:00 p.m. The Executive Board shall give a weeks' notice of any change in the date and/or time of the regular membership meeting.
- b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than eight (8) members. The President shall immediately call a special membership meeting when ordered or requested and shall post notice so that all members receive at least twenty-four (24) hours notification of the meeting and the subject(s) to be discussed. No business shall be transacted at the special membership meeting other than that stated in the notice.
- c) A quorum for the transaction of business at any regular membership or special membership meeting shall be at least eight (8) members in good standing, including at least three (3) members of the Executive Board.
- d) The order of business at regular membership meetings is as follows:
  - 1) Acknowledgement of First Nations Territory
  - 2) Roll Call of Officers
  - 3) Reading of Equality Statement
  - 4) Voting on new members and Initiation
  - 5) Reading of the minutes
  - 6) Matters arising from minutes
  - 7) Secretary-Treasurer's Report
  - 8) Communications and bills
  - 9) Executive Board Report
  - 10) Reports of committees and delegates
  - 11) Nominations, elections, or installations
  - 12) Unfinished business
  - 13) New business
  - 14) Good of the Union
  - 15) Adjournment

**(Article B.6.1)**

- e) Bargaining Unit Meetings

Bargaining unit meetings may be called by the Executive to deal with matters affecting only members of that bargaining unit. Such meetings do not replace regular membership

meetings. Decisions that affect the Local or another bargaining unit will be made at regular membership meetings only. The President shall advise members of a bargaining unit of the time, location and agenda seven (7) days in advance of a bargaining unit meeting.

The minimum number of members required for the transaction of business at any bargaining unit meeting shall be the lesser of eight (8) members or five (5%) of the bargaining unit. To achieve quorum at a bargaining unit meeting, the minimum number of members must include the Unit Chair or their designate. Members from other bargaining units in the Local may attend these meetings without vote but with voice and are not counted as part of quorum.

## **SECTION 7 - OFFICERS**

The Officers of the Local shall be the President, Vice-President, Recording Secretary, Secretary-Treasurer, Membership Officer, Chief Shop Steward, Bargaining Unit Chairs and three (3) Trustees. All officers shall be elected by the membership. **(Articles B.2.1 and B.2.2)**

## **SECTION 8 – EXECUTIVE BOARD**

- a) The Executive Board shall be comprised of all officers (except the Unit Chairs and Trustees). **(Article B.2.2)**
- b) The Executive Board will meet once monthly. For the months of July and August meetings will occur only if there is business to be dealt with. **(Article B.3.14)**
- c) For the purposes of continuity with all departments in the Local, the Chief Shop Steward, all the Shop Stewards and Bargaining Unit Chairpersons, will be allowed to attend all Executive Board meetings, unless requested by the Executive Board not to attend. Their status at these meetings will be voice but no vote.
- d) A majority of the Executive Board constitutes a quorum.
- e) The Executive Board shall hold title to any real estate of the Local as trustees of the Local. They shall have no right to sell, convey or encumber any real estate without first giving notice and then submitting the proposition to a regular membership or special membership meeting and having it approved.
- f) The Executive Board shall carryout the work required of it in these bylaws taking into consideration any direction from the membership.
- g) Should any Executive Board members fail to answer the roll-call for three (3) consecutive regular membership meetings or three (3) consecutive Executive Board meetings without having submitted good reasons for those failures, their office shall be declared vacant by the Executive and shall be filled by an election at the following regular membership or a special membership meeting in accordance with Section 12 (d). **(Article B.2.5)**

## **SECTION 9 – DUTIES OF OFFICERS**

Each Officer of Local 1908 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

All Officers must give all properties, assets, funds and all records of the Local to their successors at the end of their term of Office. **(Article B.3.9)**

All signing Officers of Local 1908 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority. **(Article B.3.5)**

a) The President shall:

- 1) Enforce the CUPE Constitution and these bylaws;
- 2) Be the chairperson at all regular membership, special membership and Executive Board meetings and preserve order at these meetings;
- 3) Decide all points of order and procedure in accordance with Appendix "A" of these bylaws (subject always to appeal by the membership);
- 4) Have a vote on all matters except appeals against their rulings;
- 5) Ensure that all officers perform their assigned duties;
- 6) Introduce new members and conduct them through the initiation ceremony;
- 7) Ensure that the Local's funds are used only as authorized or directed by the Constitution or bylaws, or vote of the membership;
- 8) Have first preference as a delegate to the CUPE National Convention and the CUPE BC Convention; and
- 9) Act as Bargaining Unit Chair for their Bargaining Unit; and
- 10) Be a signing officer for the Local. **(Article B.3.1)**

b) The Vice-President shall:

- 1) If the President is absent or incapacitated, perform all duties of the President;
- 2) If the office of President falls vacant, be Acting President until a new President is elected;
- 3) Render assistance to any member of the Executive Board as directed by the Executive Board; and
- 4) Be a signing officer for the Local. **(Article B.3.2)**

c) The Recording Secretary shall:

- 1) Keep full, accurate and impartial account of the proceedings of all regular membership or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (Membership Meetings) presented by the Secretary – Treasurer. The record will also include Trustees' reports;
- 2) Keep a record of all changes to the bylaws;
- 3) Answer correspondence and fulfill other secretarial duties as directed by the Executive Board;
- 4) File a copy of all letters sent out and keeps on file all communications;
- 5) Prepare and distribute all circulars and notices to members;



- 6) Have all records ready on reasonable notice for auditors and Trustees;
- 7) In the absence of both the President and the Vice-President, act as the chairperson at that regular membership, special membership or Executive Board meeting and preserve order at that meeting;
- 8) Subject to Section 15 - Expenditures and the approval of the Executive Board, be authorized to employ necessary clerical or other assistance to be paid for out of the Local's funds;
- 9) On termination of office, surrender all books, seals and other properties of the Local to his successor; and
- 10) Be a signing officer for the Local. **(Article B.3.3)**

d) The Secretary-Treasurer shall:

- 1) Receive and keep a record of all revenues and their source and all expenditures and their destination including a record of each member's payments to the Local;
- 2) Promptly deposit all revenues into the Local's account at a financial institution;
- 3) Prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month;
- 4) Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices;
- 5) Make a full written financial report to the membership at each regular membership meeting and Executive meeting detailing all income and expenditures for the period;
- 6) Be bonded for not less than five hundred (\$500.00) dollars (or a greater sum as may be decided at a regular membership or special membership meeting, taking into account the assets of the Local and the amount of cash and cheques handled by the Secretary-Treasurer) through the master bond held by the National Office. Any Secretary-Treasurer who cannot qualify for a bond shall be disqualified from office and a new election held;
- 7) Pay no money unless supported by voucher duly signed by the President and one (1) other member of the Executive Board or any two (2) other members of the Executive Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- 8) Make all financial records available for inspection by auditors and/or Trustees on reasonable notice, and have the financial records audited once each calendar year, respond in writing to any recommendations and concerns by the Trustees;
- 9) Provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- 10) Subject to Section 15 - Expenditures and the approval of the Executive Board, be authorized to employ necessary clerical or other assistance to be paid for out of the Local's funds;
- 11) On termination of office, surrender all financial records, records and other properties of the Local to his successor;

- 12) Prepare a budget of the predicted revenues and proposed expenditures of the Local annually for the period January 1<sup>st</sup> to December 31<sup>st</sup> and present it to the membership at a regular membership or special membership meeting for the approval of the Local;
  - 13) Be a signing officer for the Local and sign all cheques.
  - 14) Ensure that the Local's funds are used only as authorized or directed by the CUPE Constitution, Local bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences; and
  - 15) Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union. (Articles B.3.4 to B.3.9)
- e) The Membership Officer shall:
- 1) Guard the inner door at membership meetings and admit no one but members in good standing or Officers and officials of CUPE, except on the order of the President; with consent of the members present;
  - 2) Maintain the record of membership attendance at meetings; and
  - 3) Perform such other duties as may be assigned by the Executive Board from time to time.
- f) The Trustees shall:
- 1) Act as an auditing committee on behalf of the members and audit the financial records of the Secretary-Treasurer, the Recording Secretary, and the Standing Committees once each calendar year;
  - 2) Provide a written report of their findings to the first regular membership meeting following the completion of each audit;
  - 3) Be responsible for determining if all revenues were received and expenditures were made in compliance with the CUPE constitution and these Bylaws;
  - 4) Ensure that proper financial reports are made to the membership;
  - 5) Inspect at least once each calendar year any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership;
  - 6) Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the local funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct and proper manner; and
  - 7) Send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy to the local membership along with a copy of their recommendations and/or concerns to the President and Secretary-Treasurer and the Secretary-Treasurer's response, to the National Secretary-Treasurer of CUPE, with a copy to the assigned servicing representative. **(Articles B.3.10 to B.3.12)**

- g) The Chief Shop Steward shall:
- 1) Be the Chairperson and official spokesperson of the Grievance Committee;
  - 2) Conduct all investigations of Grievances after Step 2 of the Grievance Procedure;
  - 3) Arrange for any and all meetings held at Step 2 and after of the Grievance Procedure;
  - 4) Maintain the grievance files and report the status of all grievances to the Executive Board at the regular monthly Executive Board meetings and to the membership at the regular membership meetings;
  - 5) Assist the National Representative and/or Legal Counsel in the preparation of all Arbitration Cases; and
  - 6) Maintain Health and Safety Committees and Representatives; and
  - 7) On termination of office, surrender all grievance files and other property of the Local to his successor or the President.

## **SECTION 10 – SHOP STEWARDS**

Each shop steward shall be elected every two (2) years prior to the elections defined by Section 12 of these Bylaws by the membership of their Bargaining Unit or Department. Should a Shop Steward position become vacant or not be filled at the annual election, the President may appoint a member to fill the vacant position.

Duties: The Shop Steward shall:

- 1) Police the Collective Agreement and report any violations of same to the President;
- 2) Investigate and process all grievances at Step 1 of the Grievance procedure; and
- 3) Be a member of each Grievance Committee in the bargaining unit or department by which they were elected by or to which they were appointed.

## **SECTION 11 - BARGAINING UNIT CHAIR PERSON**

- a) A Bargaining Unit Chairperson shall be elected by the membership of that bargaining unit every two (2) years at least one (1) week prior to the general membership elections.
- b) The Bargaining Unit Chairperson shall:
- 1) Be the chief spokesperson for their Bargaining Unit;
  - 2) Act as Shop Steward where necessary;
  - 3) Be the Chairperson of the bargaining unit's Grievance, Negotiation, and Labour Management Committees and Bargaining Unit meetings;
  - 4) Report the outcome of same to the Executive Board; and
  - 5) Attend Executive Board meetings.

## **SECTION 12 - NOMINATION, ELECTION & INSTALLATION**

### **a) Nomination**

Nominations for Officers shall be received at the regular membership meeting held in the month of October, in the election year for Local 1908.

All members eligible for nomination shall be members in good standing.

To be eligible for an Executive Board position, a member must be a member in good standing per the CUPE National Constitution.

No nominations shall be accepted unless the member is in attendance at the meeting or acceptance of the nomination is in writing duly witnessed by another member present at the meeting.

No member shall be eligible for nomination if they are in arrears of dues and/or assessments.

### **b) Election**

At a membership meeting, at least one (1) month prior to the Election Day, the President shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee shall include members of the Local who are neither officers nor candidates for office. It shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.

The Returning Officer shall be responsible for issuing, collecting and counting ballots. They must be fair and impartial and see that all arrangements are unquestionably democratic.

The voting shall take place at the regular membership meeting in November. The vote shall be by secret ballot.

Voting to fill one (1) office shall be conducted and completed, and recounts dealt with before balloting may begin to fill another office.

A majority of votes cast shall be required before any candidates can be declared elected, and second and subsequent ballots shall be taken, if necessary to obtain a majority. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. When two (2) or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot shall be declared spoiled.

Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Section 6 (c).

No member may be elected to more than one (1) office.

All bargaining units shall elect a Bargaining Unit Chair every two (2) years prior to the Election from among the members of their bargaining unit. Such elections shall take place prior to the November Election.

c) **Installation**

All duly elected Officers, Shop Stewards and Delegates shall be installed at the meeting at which elections are held and shall continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three (3) years. **(Article B.2.4)**

The terms of office for Trustees shall be as laid down in Article B.2.4 of the CUPE Constitution.

d) **By-Elections**

Should an office fall vacant pursuant to Section 8 (g) of these bylaws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this section. During the interim period, the Executive Board shall have the authority to fill such vacancy by appointment until the next regular membership meeting.

### **SECTION 13 - FEES, DUES, AND ASSESSMENTS**

a) **Initiation Fee**

Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee of two (\$2.00) dollars which shall be in addition to the monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned. **(Articles B.4.1. & B.8.2)**

b) **Re-admittance Fee**

The re-admittance fee shall be two (\$2.00) dollars

c) **Monthly Dues**

The monthly dues shall be one point zero five (1.05%) percent of each member's regular monthly earnings plus CUPE National per capita, per capita of affiliates defined in Section 5 of these bylaws and Assessments. **(Article B.4.3)**

Changes in the levels of the Initiation Fee, the Re-admittance Fee, or the Monthly Dues can be affected by following the procedure for amendment of these bylaws (see Section 22), with the additional provisions that the vote must be by secret ballot. **(Article B.4.3)**

d) **Assessments**

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. Membership approval is required and the assessment will only be applied after the National President approves the assessment. **(Article B.4.2)**

### **SECTION 14 - NON-PAYMENT OF DUES AND ASSESSMENTS**

A member who fails to pay dues and assessments for three (3) months due to unemployment or for any reason other than those addressed in this section is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a readmission fee and any

other penalty set by the Local. The readmission fee cannot be less than the initiation fee of the Local.

A member who is periodically laid off or unable to work because of sickness shall not be required to pay the readmission fee or any other penalty.

## **SECTION 15 - EXPENDITURES**

### a) Payment of Local Funds

Funds can only be spent for valid purposes of the Local under the following circumstances:

- 1) When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting;
- 2) When these bylaws approve the expenditure; or
- 3) Through a vote of the majority of members present and voting at a regular or special membership meeting.

### b) Payment of Per Capita Tax and Affiliation Fees

Authorization to pay per capita tax to CUPE National, to CUPE BC Provincial Division, or any labour organization the Local is affiliated with, is not required.

### d) Payment of Local Funds to Members or Causes Outside of CUPE

In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than one hundred (\$100) dollars, a notice of motion must be made at a regular membership meeting and then approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven (7) days after the meeting where notice of motion has been given.

### a) No Officer or member of Local 1908 will be allowed to spend any Local funds without first having received authorization under Section 15 (a) of these bylaws.

## **SECTION 16 - OUT OF POCKET EXPENSES AND HONORARIUMS**

### **OUT-OF-POCKET EXPENSES**

Out-of-pocket expenses will be paid in accordance with the CUPE BC expense policy.

An honorarium will be provided as listed:

President	\$150.00 per month
Vice-President	\$100.00 per month
Recording Secretary	\$100.00 per month
Secretary-Treasurer	\$100.00 per month
Chief Shop Steward	\$100.00 per month
Unit Chair	\$75.00 per month
Membership Officer	\$50.00 per month

## **SECTION 17 - CHILD CARE, DEPENDENT CARE AND ELDER CARE**

Caring for children, dependents or the elderly are barriers to actively participating in the Union or to attending membership meetings. Local 1908 is committed to removing barriers within its control so that all members have equal access to participation.

- a) When it is practical and demand warrants, Local 1908 will provide on-site child care at all Local Union membership meetings. Where on-site child care is not provided, and in the case of dependent care or elder care, members will be reimbursed to a maximum of the living wage for the area for each hour of required care. Reimbursement will be provided upon proof of payment.
- b) Any member who is on authorized Local 1908 business shall be eligible for child care, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of the living wage for the area for each hour of care required.
- c) Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

## **SECTION 18 - DELEGATES TO CONVENTIONS (AND ATTENDANCE AT OTHER EVENTS)**

Except for the President's convention option (Section 9 (a)), all delegates to conventions, conferences and educational events shall be chosen by election at a membership meeting. To be eligible for a convention delegate, a member shall have attended at least one (1) of the membership meetings held in the previous twelve (12) months. Preference shall be given to Executive Board Members.

Delegates to the Okanagan Mainline District Council shall be elected every two (2) years at the local elections. An official reporter for these delegates shall be appointed annually by the Executive Board from among these delegates, and they shall be required to report at the membership meeting of the Local following the proceedings at the last meeting of the Council.

All delegates elected to conventions, shall be paid as per CUPE BC expense policy and any loss of salary incurred by authorized attendance at convention shall be paid upon invoice from the Employer.

### **Education**

To be eligible for education a member shall have attended at least one (1) of the membership meetings held in the previous twelve (12) months. Preference shall be given to members who are actively involved in the Local. All education opportunities must be voted on at a membership meeting.

## **SECTION 19 - COMPLAINTS AND TRIALS**

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

**(Articles B.11.1 to B.11.5)**

## **SECTION 20 - COMMITTEES**

No agreement shall be made or changed with any Employer until its provisions have been submitted to the Bargaining Unit membership for its acceptance, rejection, or amendment, which shall be voted on by secret ballot and adopted by a simple majority of that membership, either in attendance at a meeting at which the proposals are being considered, or by referendum ballot if so directed by the Executive Board. All collective agreements upon ratification shall be executed by the Local and signed by the signing officers of the Local. The CUPE National Representative assigned to the Local shall be a non-voting member of each committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

### **a) Negotiating Committee (City of Salmon Arm)**

The Negotiating Committee for the Local shall negotiate the collective agreement between the Local and the employer. The Negotiating Committee shall consist of three (3) members, consisting of the President, and two (2) members at large (City of Salmon Arm only) with one (1) alternate.

### **b) Negotiating and Labour Management Committees**

Bargaining Units shall, at the time of the election of Bargaining Unit Chair and Shop Steward(s), appoint or elect members of their Negotiating and Labour Management Committees. The President of Local 1908 shall be a member of these committees.

### **c) Special Committees**

A special ad hoc committee may be established for a specified purpose and period by the members at a meeting. The members shall be elected at the same or at another regular membership or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two (2) members of the Board may sit on any special committee as ex-officio members.

### **d) Standing Committees**

The Chairperson of each standing committee shall be elected by the members at a membership meeting. The Chairperson and the Executive Board, may, with the concurrence of the membership, jointly appoint other members to serve on a committee. The President shall be an ex-officio member of each committee. There shall be five (5) standing committees as follows:

#### **1) Grievance Committee**

The Grievance committee shall consist of Chief Shop Steward and all Bargaining Unit Chairpersons. This committee shall be called upon to adjudicate appeals from grievors or in other circumstances deemed necessary by the Chief Shop Steward and Executive Board.

#### **2) Social Committee**

The Social Committee shall be comprised of not more than two (2) members and upon notification by a member shall:

- i) Send get-well cards and/or flowers or fruit baskets to members who are sick or off work due to an accident;



- ii) Send flowers, fruit baskets or donations to a specified organization (such as the Heart Fund, Cancer Society, etc.) to any members who has had a death in their immediate family.

### 3) **Entertainment Committee**

The Entertainment Committee shall arrange and conduct all social and recreational activities of the Local. The Committee shall submit reports and proposals first to the Executive Board and then to the membership directed by the Executive Board. The Committee shall be comprised of no fewer than three (3) members. It shall also be a function of this Committee, as directed by the Executive Board, to ensure that retirees are invited to a gathering to receive a gift at a value of ten (\$10) for each year of service.

### 4) **Political Action Committee**

The Political Action Committee educates members about political issues at the municipal, provincial and federal level. It collaborates with fellow unions to achieve the election results which are beneficial to workers. The Committee shall be appointed by the Executive Board and be comprised of no more than five (5) members.

### 5) **Health and Safety Committee**

Joint Health and Safety Committees, or Worker Health and Safety Representatives will be established in all Local 1908 bargaining units as required by the Worker's Compensation Act Regulations. All Health and Safety Representatives shall be elected as follows.

- i) Members of joint committees and worker representatives will serve three (3) year terms. Terms will be staggered so that only one (1) member of each committee is changed annually.
- ii) All representatives will have an elected alternate to attend meetings when the worker representative is unable to attend. Joint committees will have at minimum of one (1) alternate. Additional alternates may be elected when there is a demonstrated need.
- iii) All members and alternates must attend a CUPE Health and Safety course and the Committee will strive to have the employer pay for this training.
- iv) Joint committee members who are in the final year of their term will be the co-chair of the committee unless that member chooses to decline. In the case a member declines the next senior member becomes the co-chair.
- v) In the event that a member resigns before a term is complete a new member will be elected to complete the term. If the member leaving was co-chair at the time of their departure, the next senior member will assume the duty of co-chair for the remainder of that term.
- vi) Elections will take place in November for new members. Bargaining Unit Chairs will conduct elections. Vacancies will be posted by the Communications Committee and in all work sites for two (2) weeks prior to elections. Elections will be conducted within each bargaining unit by secret ballot.

- vii) Prior to April 15<sup>th</sup> of each year the members of all joint committees and all worker representatives will meet at the call of the Chief Shop Steward. All members of joint committees and worker representatives will make up the Health and Safety Committee of CUPE LOCAL 1908. At the first meeting a chairman will be appointed and a schedule of meetings set out.
- viii) The purpose of the Health and Safety Committee is to ensure that proper safety programs are being carried out in all of CUPE LOCAL 1908's bargaining units. This committee will also deal with any matters of safety that cannot be adequately addressed by the joint committees or worker representatives.
- ix) The committee chair or the Chief Shop Steward will report the committee's progress to the CUPE LOCAL 1908 Executive Board.

#### 6) **Communications Committee**

The Communications Committee shall be comprised of no more than three (3) members and shall be responsible for maintaining the Local's website and social media forums with approval from the Executive Board. All approved notices, including monthly meeting notices, shall be posted on the Local's website and social media forums.

### **SECTION 21 - RULES OF ORDER**

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these bylaws as Appendix "A". These rules shall be considered an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

In situations not covered by Appendix "A", the CUPE Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Orders shall be consulted and applied.

### **SECTION 22 - AMENDMENT OF BYLAWS**

These bylaws are always subordinate to the CUPE Constitution (including Appendix "B") as it now exists or may be amended from time-to-time, and in the event of any conflict between these bylaws and CUPE Constitution, the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President. **(Articles 9.2 (c), 13.3 & B.5.1)**

These bylaws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting provided that at least seven (7) days' notice at a previous meeting or at least sixty (60) days' written notice has been given. **(Articles 13.3 and B.5.1)**

No change in these bylaws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President. **(Articles 13.3 and B.5.1)**

## **SECTION 23 - PRINTING AND DISTRIBUTION OF BYLAWS**

Members will receive a copy of Local 1908 bylaws, either in paper format or via the Local website at [www.cupe1908.ca](http://www.cupe1908.ca). Members requesting a copy of these bylaws will be provided a copy in either French or English as requested. Members with special needs may request a copy of the bylaws in larger font.

## **SECTION 24 - OATH OF NOMINATION AND OFFICE**

- a) A candidate who accepts nomination for election must clearly and audibly take this oath:

*"I promise to support and obey the Constitution, goals, principals and policies of the Canadian Union of Public Employees."*

- b) A candidate who is elected to office must come forward to the podium and clearly and audibly take this oath:

*"I, \_\_\_\_\_, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for the term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term."*

**(Article XI 11.6)**

## **APPENDIX "A"**

### **RULES OF ORDER**

- 1) The President or, in his absence, the Vice-President, shall be the chairperson at all membership meetings. In the absence of both the President and Vice-President, the Recording Secretary shall act as President and in his absence a President pro-tem shall be chosen by the Local.
- 2) No members, except the Chairperson of a Committee making a report or the movers of a resolution, shall speak more than five (5) minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution shall be limited to fifteen (15) minutes except with the consent of the meeting.
- 3) The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: Is the Local ready for the question? Should no member rise to speak, the question shall then be put to a vote.
- 4) On motion, the regular order of business may be suspended, by a two-thirds vote of those present, to deal with any urgent business.
- 5) All resolutions and motions other than those named in Rule 15, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
- 6) At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
- 7) Any member having made a motion can withdraw it with the consent of the seconder, except that any motion once debated, cannot be withdrawn except by a majority vote of those present.
- 8) When a member wishes to speak on a question or to make a motion, he shall rise in his place and respectfully address the presiding officer, but, except to state that he rises to a point of order or a question of privilege, he shall not proceed further until recognized by the chair.
- 9) When two (2) or more members rise to speak at the same time, the chairperson shall decide which one is entitled to the floor.
- 10) Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Local or member thereof.
- 11) If a member, while speaking, is called to order, he shall cease speaking until the point is determined; if it is decided he is in order, he may again proceed.
- 12) No religious discussion shall be permitted.
- 13) The President shall take no part in debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.

- 14) The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he may in addition give a casting vote, or, if he chooses, refrain from breaking the tie, in which case the motion is lost.
- 15) When a motion is before the Local, no other motion shall be in order except (1) to adjourn, (2) to put the previous question, (3) to lay on the table, (4) to postpone for a definite time, (5) to refer, (6) to divide or amend, which motions shall have precedence in the order named. The first three (3) of these shall be decided without debate.
- 16) A motion for the previous question, when regularly moved and seconded shall be put in this form: Shall the main question be now put? If it is adopted, the President shall proceed to take the vote on the resolutions and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended shall be put to the Local.
- 17) A motion to adjourn is in order except: (1) when a member has the floor and (2) when members are voting.
- 18) A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen (15) minutes have elapsed.
- 19) After the chairperson declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.
- 20) If any member wishes to challenge (appeal) a decision of the chair he must do so at the time the decision is made. If the challenge is seconded the member shall be asked to state briefly the basis for his challenge. The Chair may then state briefly the basis for his decision, following which the chair shall immediately and without debate put the question: Shall the decision of the chair be sustained? A majority vote shall decide except in the event of a tie the chair is sustained.
- 21) After a question has been decided, any two (2) members who have voted in the majority may, at the same or next meeting move reconsideration thereof.
- 22) No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Sergeant-at-Arms.

## **APPENDIX "B"**

### **CUPE National 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 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.

## **APPENDIX "C"**

### **Code of Conduct**

Local 1908 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

Local 1908 strives to promote core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our Union, our communities, and globally.

Local 1908 is committed to creating a Union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 1908 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 1908 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 1908 sets out standards of behaviour for members at meetings, and all other events organized by Local 1908.

It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As members of Local 1908 we commit to one another and to the Union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement;
- Respect the views of others, even when we disagree;
- Recognize and value individual differences;
- Communicate openly;
- Support and encourage each other;
- Make sure that we do not harass or discriminate against each other;
- Commit to not engaging in offensive comment or conduct; and
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating; and take responsibility for not engaging in inappropriate behaviour due to abuse of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding this Code of Conduct will be handled as follows:

- 1) If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking the person to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
- 2) Once a complaint is received, a designated Officer of the Local will work to seek a resolution.
- 3) If this fails to resolve the matter, the designated Officer of the Local shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of Local 1908, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member's right to access the trial provisions of the CUPE National Constitution.



## APPENDIX "D"

### Solidarity Forever

*When the Unions inspiration through the workers blood shall run,  
There can be no power greater anywhere beneath the sun.  
Yet what force on earth is weaker than the feeble strength of one?  
But the Union makes us strong.*

*Chorus:*

*Solidarity Forever!*

*Solidarity Forever!*

*Solidarity Forever!*

*For the Union makes us strong.*

*It is we who ploughed the prairies, built the cities where the trade,  
Dug the mines and built the workshops, endless miles of railroad laid;  
Now we stand outcast and starving 'mid the wonders we have made;  
But the Union makes us strong.*

*Chorus:*

*They have taken untold millions that they never toiled to earn.  
But without our brains and muscle not a single wheel could turn;  
We can break their haughty power, gain our freedom when we learn  
That the Union makes us strong!*

*Chorus:*

*In our hands is placed a power greater than their hoarded gold,  
Greater than the might of armies magnified a thousand fold.  
We can bring to birth a new world from the ashes of the old,  
For the Union makes us strong!*

*Chorus:*

*Is there aught we hold in common with the greedy parasite  
Who would lash us into serfdom and would crush us with his might?  
Is there anything left to us but to organize and fight?  
For the Union makes us strong!*

*Chorus:*

*What is this the sound and fury, what is this that all men hear,  
Like the wind in hollow valleys when the raging storm is near;  
Like the falling on of ocean in the eventide of fear,  
It's the people marching on!*

*Chorus:*