

CANADIAN UNION OF PUBLIC EMPLOYEES

LOCAL 1851

BY-LAWS

(Revised March 3, 2019)



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BY-LAWS
CANADIAN UNION OF PUBLIC EMPLOYEES

LOCAL 1851
(School District #35, Langley, B.C.)

Preamble

In order to improve the social and economic welfare of its members without regard to race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person or because that person has been convicted of a criminal or summary conviction offence that is unrelated to the employment or to the intended employment of that person. , to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, this Local of the Canadian Union of Public employees (hereinafter referred to as CUPE) has been formed.

The following By-Laws are adopted by the Local pursuant to, and to supplement, Appendix "B" (By-Laws Governing Chartered Organization) of the CUPE Constitution, to safeguard the rights of all members, provide for responsible administration of the Local and to involve as many members as possible through the sharing of duties and responsibilities.

As a CUPE chartered organization Local 1851 shall respect and apply the CUPE National Equality Statement to all of its chartered organizations' activities. The CUPE National Equality Statement can be found in Appendix B of these bylaws. The Local Union Code of Conduct can be found in Appendix C to these bylaws, Articles referred to are from the CUPE National Constitution

Section 1 - Name

The name of this Local shall be:

Canadian Union of Public Employees, Local No. 1851
(School District #35, Langley, B.C.)

Section 2 - Objectives

The objectives of the Local are to:

- (a) Secure the best possible remuneration, benefits, working conditions, job security, and pensions for work performed and to generally advance the economic and social welfare of its members, retirees, and all workers.
- (b) Support CUPE in reaching the goals set out in Article II (goals) of the CUPE Constitution.
- (c) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism.
- (d) Encourage the settlement by negotiation and mediation of all disputes between the members and their employers;
- (e) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
- (f) Establish strong working relationships with the public we serve and the communities in which we work and live; and

Section 3 - Jurisdiction, Interpretation and Definitions

- (a) The Local Union shall be comprised of two (2) Occupational units:
 - 1. Custodial Unit
 - 2. Maintenance Unit and IT

- (b) Occupational units shall not take precedence over the general membership as a whole. Unit recommendations require approval of the general membership prior to enactment.

- (c) Numbers of Articles at the end of sections or sub-sections refer to relevant articles of The CUPE Constitution which should be read in conjunction with these By-Laws.

Section 4 - Membership Meetings**(a) Unit Meetings**

1. Unit meetings shall be held approximately two (2) weeks prior to the general membership meetings, at the call of the unit chair.
2. A quorum for the transaction of business at any unit meeting shall be ten (10) members, including the unit chair and steward.
3. The order of business at a unit meeting is as follows:
 - i. Roll call of officers
 - ii. Reading of Equality Statement and recognition of territorial land
 - iii. Reading of minutes of previous meeting
 - iv. Matters arising from minutes
 - v. Unit chair report
 - vi. Unit steward's report
 - vii. Nominations and elections
 - viii. Unfinished business
 - ix. New business
 - x.** Good of the unit
 - xi.** Adjournment

(b) Regular and Special Meetings

1. Regular membership meetings shall be held in the months of September, October, November, January, February, April, May and June.
2. Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than fifteen (15) members. The president shall immediately call a special meeting when so ordered or requested and shall see that members receive at least twenty-four (24) hours' notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

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3. A quorum for the transaction of business at any regular or special meeting shall be fifteen (15) members, including at least three (3) members of the Executive Board.
 4. The order of business at regular membership meetings is as follows:
 - (1) Roll call of officers
 - (2) Reading of Equality Statement and recognition of territorial land
 - (3) Voting on new members and initiation
 - (4) Reading of minutes of previous meeting
 - (5) Matters arising out of the minutes
 - (6) President Report and Update
 - (7) Secretary - Treasurer's Report
 - (8) Executive Board Report(s)
 - (9) Communications and bills
 - (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)

Section 5 - Voting of Funds

Except for ordinary expenses and bills as approved at regular membership meetings, no sum over one hundred dollars (\$100.00) shall be voted for the purpose of a grant or contribution to a member or any cause outside CUPE, except by a notice of motion given in writing and dealt with at the following regular membership meeting.

(Article B.4.4)

- (a) Award two (2) five hundred dollar (\$500.00) scholarships each year based on criteria established by CUPE Local 1851.
- (b) Upon the death of a member in good standing, CUPE Local 1851 will pay a death benefit of five hundred dollars (\$500.00) to the member's surviving spouse or beneficiary and convey condolences from the members of the Local.
- (c) Upon retirement of a member in good standing, CUPE Local 1851 will pay the member a retirement honorarium and convey best wishes from the members of the local based on years of service as follows:
 - 1. One (1) to five (5) years of service one hundred dollars (\$100.00)
 - 2. Six (6) to ten (10) years of service one hundred twenty-five dollars (\$125.00)
 - 3. Eleven (11) to fifteen (15) years of service one hundred fifty dollars (\$150.00)
 - 4. Sixteen (16) to twenty (20) years of service one hundred seventy-five dollars (\$175.00)
 - 5. Twenty-one (21) to twenty-five (25) years of service two hundred dollars (\$200.00)
 - 6. Twenty-six (26) to thirty (30) years of service two hundred twenty-five dollars (\$225.00)
 - 7. Thirty-one (31) years of service or more five hundred dollars (\$500.00)

Section 6 - Officers

The officers of Local 1851 shall be:

- President
- Vice-President
- Chief Stop Steward
- Secretary-Treasurer
- Recording Secretary
- Unit Chair (Maintenance and IT) one (1)
- Unit Chair (Custodial) one (1)
- Sergeant-At-Arms
- Unit Steward (Maintenance and IT) one (1)
- Unit Steward (Custodial) one (1)
- Trustees (three (3))
(Articles B.2.1 & B.2.3)

Section 7 - Executive Board

- (a) The Executive Board shall comprise all officers except trustees and Sergeant-At-Arms. (Article B.2.2)
- (b) The Executive Board shall meet at least once every month during the school calendar year (September 1st to June 30th) and when necessary in July and August. (Article B.3.14)
- (c) A majority of the Executive Board constitutes a quorum.
- (d) The Executive officers shall hold title to any real estate of the Local as trustees for the Local Union. They shall have no right to sell, convey or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- (e) The Executive Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees. No committees or officers will have the authority to sign off or negotiate without delegation or consent of the board.
- (f) All allegations or complaints against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution. (Articles B.11.1. to B.11.5)
- (g)** Should any Executive Board member fail to answer the roll-call for three (3) consecutive membership meetings without having submitted reasons for those absences, their office shall be declared vacant and shall be filled by an election in accordance with these by-laws. (Article B.2.5)

Section 8 - Duties of Officers

(a) The president shall:

- Enforce the CUPE Constitution, these By-Laws and the equality statement;
- Interpret these By-Laws as required;
- Preside at all regular and special membership and Executive Board meetings and preserve order;
- Decide all points of order and procedure (subject always to appeal to the membership);
- Have a vote on all matters (except appeals against their rulings) and, in case of a tie vote on any matter, including elections, have the right to cast an additional vote to break the tie;
- Ensure that all officers perform their assigned duties;
- Fill committee vacancies where elections are not provided for;
- Introduce new members and conduct them through the initiation ceremony;
- May sign all cheques and ensure that the Local's funds are used only as authorized or directed by the constitution, By-Laws or vote of the membership;
- Be allowed necessary and reasonable funds, supported by expense vouchers, to cover expenses incurred on behalf of the Local;
- On termination of office, surrender all books, seals and other properties of the Local to the successor;
- Act as chairperson of the negotiating committee; and
- Have first preference as a delegate to conventions.
(Article B.3.1)

(b) The vice-president shall:

- Participate in the processing of all grievances;
- If the president is absent or not available, perform all duties of the president;
- Preside over membership and Executive Board meetings in the absence of the President;
- If the office of president falls vacant, be acting president until a new president is elected in accordance with these By-Laws;
- Render assistance to any member of the Board as directed by the Board;
- Performs other duties required by the Local Union, its bylaws or the National Constitution; and

- On termination of office, surrender all books, seals and other properties of the Local to the successor;
(Article B.3.2)

(c) Chief Shop Steward shall:

- Participate in the processing of all grievances;
- Represent the membership in assigned areas;
- Attend scheduled Shop Steward, Union meetings and report monthly to the President and Vice-President on activities and grievances;
- Act as general information officer with respect to grievances and the collective agreement to the membership, stewards and Unit-Chairs;
- When available, take education courses as required and approved;
- Be responsible to ensure grievances are submitted in accordance with the grievance procedure as outlined in the Collective Agreement;
- Be responsible for overseeing and ensuring tracking of filing of all grievances;
- Be responsible for overseeing and ensuring efficiency of the Grievance committee;
- Undertake research projects for the grievance committee as required;
- On termination of office, surrender all books, seals and other properties of the Local to the successor;
- Performs other duties required by the Local Union, its bylaws or the National Constitution.

(d) The recording secretary shall:

- Keep full and accurate account of the proceedings of all regular and 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;
- Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval prior to implementing;
- Answer all correspondence and fulfill other secretarial duties as directed by the Board;
- File a copy of all letters sent out and keep on file all communications;

- Prepare and distribute all circulars and notices to members;
- Have all records ready on reasonable notice for auditors and trustees;
- On termination of office, surrender all books, seals and other properties of the Local to the successor;
- On termination of office, surrender all books, seals and other properties of the Local to the successor;
- Performs other duties required by the Local Union, its bylaws or the National Constitution; and Preside over regular and special membership and Board meetings in the absence of both the president and the vice-president.
(Article B.3.3)

(e) The secretary—treasurer shall:

- Receive all revenue initiation fees, dues and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union;
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences; Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month;
- 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;
- Record all financial transactions in a manner acceptable to the Executive Board in accordance with good accounting practices;
- Be bonded for not less than five hundred dollars (\$500.00) (or any greater sum as may be decided at a 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;
- Pay no money unless supported by a voucher duly approved by the members of the Local;
- Make all books available for inspection by the auditors and/or trustees on reasonable notice. Ensure that the books are audited at least once each calendar

year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees;

- Provide the trustees with any information they may need to complete the audit report forms supplied by CUPE;
- The secretary-treasurer shall submit a written financial report to each regular membership meeting, detailing all income and expenditures for the period;
- Make a full financial report to meetings of the Local Union's Executive Board. Submit all financial obligations owing to CUPE each month;
- If the secretary-treasurer cannot qualify for a bond, then shall be disqualified from office and all properties and assets, including funds, books and records, shall be turned over to the successor;
- Performs other duties required by the Local Union, its bylaws or the National Constitution;
- On termination of office, surrender all books, seals and other properties of the Local to the successor; and
- Notify all members who are one (1) month in arrears and report to the Board all members two (2) or more months in arrears.
(Articles B.3.4 to B.3.9)

(f) The trustees shall:

- Act as an auditing committee on behalf of the members and audit the books and accounts of the secretary-treasurer, the recording secretary and the standing committees at least once every calendar year;
- Report their findings in writing to the first regular membership meeting following the completion of each audit;
- 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 Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner;
- Be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- Ensure that proper financial reports are made to the membership;
- Audit the record of attendance;
- Inspect at least twice a 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;

- Use audit forms supplied by the National Office and send a copy of each half-yearly audit to the National secretary-treasurer in accordance with the provisions of the CUPE Constitution;
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
 - i. Completed Trustee Audit Program
 - ii. Completed Trustees' Report
 - iii. Secretary-Treasurer Report to the Trustees
 - iv. Recommendations made to the President and Secretary-Treasurer of the Local Union
 - v. Secretary-Treasurer's response to recommendations
 - vi. Concerns that have not been addressed by the Local Union Executive Board.(Articles B.3.10 to B.3.12)
- Performs other duties required by the Local Union, its bylaws or the National Constitution; and
- On termination of office, surrender all books, seals and other properties of the Local to the successor.
(Articles B.3.10 to B.3.12)

(g) The sergeant-at-arms shall:

- Guard the inner door at regular and special membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the president or designate, and by consent of the members present;
- Assist in maintaining the record of membership attendance at regular and special meetings;
- Perform such other duties as may be assigned by the Executive Board from time to time, or required by the Local Union, its bylaws or the National Constitution; and
- On termination of office, surrender all books, seals and other properties of the Local to the successor.

(h) The unit Chair(s) shall:

- Act as unit chairperson and preside over all unit meetings and preserve order;

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- Decide all points of order and procedure at unit meetings (subject always to appeal to the unit membership);
 - Have a vote on all matters (except appeals against their rulings) and, in case of a tie vote in any matter, have the right to cast an additional vote to break the tie;
 - Performs other duties required by the Local Union, its bylaws or the National Constitution; and
 - On termination of office, surrender all books, seals and other properties of the Local to the successor.

(i) The unit stewards shall:

- Participate in the processing of all unit grievances, together with the vice-president or chief shop steward;
- If the unit member-at-large is absent or unavailable , perform all duties of the Unit Chair;
- If the office of Unit Chair falls vacant, be acting Unit Chair until a new Unit Chair is elected;
- Keep a full and accurate account of the proceedings of all unit meetings and submit to the Recording Secretary;
- Performs other duties required by the Local Union, its bylaws or the National Constitution; and
- On termination of office, surrender all books, seals and other properties of the Local to the successor.

Section 9 – Expenditures - Honorariums, Out-of-Pocket, and Expenses

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

- When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting;
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members present and voting at an executive board, regular or special membership meeting.

(a) The following honorarium allowances in accordance with CRA will be provided:

President	Five Hundred (\$ 500.00) annually
Vice President	Five Hundred (\$ 500.00) annually
Chief Steward	Five Hundred (\$ 500.00) annually
Secretary-Treasurer	Five Hundred (\$ 500.00) annually
Recording Secretary	Five Hundred (\$ 500.00) annually
Unit Chair (two 2)	Five Hundred (\$ 500.00) annually
Stewards (two 2)	Five Hundred (\$ 500.00) annually
Sgt-at-Arms	Thirty dollars (\$30.00) per membership meeting.
Trustees (3)	Fifty dollars (\$50.00) upon completion of bi-annual and/or annual audits.

In the event of an office above becoming vacant honorariums will be adjusted on pro rated basis.

Honorariums will be paid bi-annually in June and December.

(b) Per-diem and Out-of-Pocket expenses:

Cell Phone/internet reimbursement will be provided to officers up to a maximum amount and will be provided every 6 months upon submission as follows:

President	Seventy Five dollars (\$75.00)/month
Vice President	Fifty dollars (\$50.00) /month
Chief Steward	Fifty dollars (\$50.00)/month
Secretary-Treasurer	Fifty dollars (\$50.00)/month

Recording Secretary	Fifty dollars (\$50.00)/month
Unit Chair (two (2))	Fifty dollars (\$50.00)/month
Stewards (two (2))	Fifty dollars (\$50.00)/month

Meal Allowances for each member engaged in approved union business shall be entitled to maximum meal allowances of \$20.00 Breakfast, \$25.00 Lunch and \$30.00 Dinner.

Business requiring an overnight stay, shall be entitled to an additional twenty dollars (\$20.00) per day out-of-pocket expense not covered by receipts.

Members performing union business within the School District Boundaries per-diem meal allowances should not normally exceed the lunch rate of \$25.00. There may be occasions when all day and night meetings are attended, in which case other per diem rates may be claimed

A full day meal per diem (\$75.00) may be paid when travel requires a full day.

Each member attending approved union business for a meeting/workshop on behalf of the Local outside of the unit, regular and special membership meetings and beyond their regular working hours shall receive a \$17 per diem allowance. Any member attending such a meeting/workshop more than two and a half (2.5) hours duration shall receive an additional allowance of \$17, the daily allowance will not exceed \$34 per day

It is anticipated the meal per-diem claims are only submitted when meals are purchased and when meals are not provided

Travel and Mileage per-diem expenses for members traveling in their personal vehicle and on approved union business will be paid for the most reasonable and economical method of travel.

Mileage for members on approved union business are entitled to an allowance in accordance with current CRA maximum allowable per kilometre allowance.

Miscellaneous expenses incurred on union business (parking, tolls, and ferry fees) will be reimbursed with original receipts.

When accommodations for approved overnight union business are required it must be at the most economical rates. Where possible shared accommodations are encouraged, however members are entitled to single rooms.

Expense advances are not normally issued however in exceptional circumstances and with a minimum three (3) weeks notice to the secretary treasurer, expense advances will be provided to cover per diem allowances. If actual expenses do not exceed the advance than reconciliation is required.

- (c) Dependent Care Expenses while on approved union business, if required childcare will be paid outside of regular hours at a maximum rate of \$7.50 per hour, to a maximum of \$60.00 per day upon completion and submission of the Dependent care form.
(Article B.4.4)

Section 10 - 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 which shall be in addition to monthly dues. The secretary-treasurer shall issue a receipt. If the application is rejected the fee shall be returned.

(Articles B.4.1 and B.9.2)

(b) Re-Admittance Fee

The re-admittance fee shall be one dollar (\$1.00).

(Articles B.4.1 and B.11.2)

(c) Bi-Weekly Dues

The bi-weekly dues shall be:

All 1851 members shall pay dues based on a one point eighty-six percent (1.86%) of wages per two (2) week pay period.

(Article B.4.3)

(d) Changes in the levels of the initiation fee, the re-admittance fee, or the monthly dues can be affected only by following the procedure for amendment of these By-Laws (see Section 16), with the additional provision that the vote must be by secret ballot. (Articles B.4.1 and B.4.3)

(e) Notwithstanding the above provisions, if the CUPE convention raises minimum fees and/or dues above the level herein established these By-Laws will be deemed to have been automatically amended to conform to the new CUPE minima.

(f) Special assessments may be levied in accordance with Article B.4.2. of the CUPE Constitution

Section 11 - Non-Payment of Dues and Assessments

Any member in arrears for a period of three (3) months or more shall be automatically suspended and his suspension shall be reported to the Executive Board by the secretary-treasurer. The Executive Board shall report to the next membership meeting with a recommendation. Any member under suspension wishing to be reinstated shall, upon application, pay the re-admittance fee, plus any dues and assessments in arrears. This money will be returned if the application is rejected. If a member has been unemployed or unable to work because of sickness, he shall pay the re-admittance fee but may not be required to pay his arrears.

(Article B.10.1)

Section 12 - Nomination, Election and Installation of Officers

(a) Nomination

1. All officers, except Unit Chair and unit stewards:

Nominations shall be received at the regular membership meeting held in the month of April. To be eligible for nomination a member shall have attended at least fifty percent (50%) of the regular membership meetings held in the previous twelve (12) months or in the period he was a member, if less than a year, unless a valid reason, acceptable to the Local, has been given for non-attendance. No member shall be eligible for nomination if he is in arrears of dues and/or assessments.

2. Unit Chair and unit stewards:

Nominations shall be received at the unit membership meeting held in the month of April. To be eligible for nomination a member shall have attended at least fifty percent (50%) of the unit membership meetings held in the previous twelve (12) months or in the period he was a member, if less than a year, unless a valid reason, acceptable to the unit, has been given for non-attendance. No member shall be eligible for nomination if he is in arrears of dues and/or assessments.

(b) Elections

1. All officers except unit Chair and unit stewards:

(1) At a regular membership meeting at least one (1) month prior to election day the president shall, subject to the approval of the membership present, call for the nomination and election of an elections committee. The committee shall consist 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.

- (2) 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.
- (3) The returning officer shall be responsible for issuing, collecting and counting ballots. The Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
- (4) The voting shall take place at the regular membership meeting in May. The vote shall be by secret ballot.
- (5) Voting to fill one (1) office shall be conducted and completed and any recounts dealt with, before balloting may begin to fill another office.
- (6) 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. In case of a final tie vote, the presiding officer may cast the deciding vote.
- (7) 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 will be declared spoiled.
- (8) Any member may request a recount of the votes for any election and a recount shall be conducted.

2. Unit Chair and unit stewards:

- (1) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available.
- (2) The voting shall take place at the unit membership meeting in May. The vote shall be by secret ballot.

- (3) Voting to fill one (1) office shall be conducted and completed and recounts dealt with before balloting may begin to fill another office.
- (4) A majority of votes cast shall be required before any candidate 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. In case of a final tie vote, the presiding officer may cast the deciding vote.
- (5) Any member may request a recount of the votes for any election and a recount shall be conducted.

(c) Installation

- 1. All duly elected officers shall be installed at the regular membership meeting in May and shall continue in office for two (2) years or until a successor has been elected and installed.
(Article B.2.4)
- 2. No term of office shall exceed two (2) years except for trustees which shall be three (3) years.
(Article B.3.10)
- 3. To prevent the entire executive from being changed at one time, nomination, election and installation of officers shall be conducted on the following basis:

Odd Numbered Years

President
Chief Shop Steward
Recording Secretary
Unit Chairs

Even Numbered Years

Vice President
Secretary-Treasurer
Sergeant-at-Arms
Unit Stewards

(trustees are three (3) year terms each year one (1) is elected

(d) By-Elections

Should an office fall vacant pursuant to Section 7 (g) of these By-Laws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this section. Notwithstanding, in the event an office falls vacant within the last three (3) months, the local may elect to leave open until the regular election process.

Section 13 - Delegates to Conventions, Councils and Conferences

- (a) Except for the president's option 8 (a), all delegates to conventions, seminars, councils and conferences shall be chosen by the Executive Board in consideration of names put forward from the membership
- (b) Except for the president's option 8 (a), or designate, Delegates to the Fraser Valley District Council shall be appointed by the Executive Board annually.
- (c) Delegate Reports – All delegates sent to represent the local to conventions, seminars, councils and conferences shall provide a written report to the membership at the next membership meeting.
- (d) Delegates elected to the conventions seminars, councils and conferences, held outside the Langley School District Boundaries shall be paid expenses in accordance with these bylaws and the locals expense policies
- (e) Delegates to conventions, seminars, councils and conferences held within the Langley School District Boundaries , shall have no travel expense allowances. However, there shall be a per diem allowance of twenty dollars (\$20.00) and compensation for any loss of salary incurred by attendance at the conventions, seminars, councils and conferences.
- (f) Attendance at educational programs and seminars shall be determined by the Executive Board in accordance with the approved budget. Expenses and compensation will be in accordance with 13 (d) and (e) above.

Section 14 - Committees

(a) Standing Committees

The chairman of each standing committee except the negotiating committee shall be elected by the members at a regular membership meeting. The chairman and the Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a committee. The President or designate shall be a member ex-officio of each committee.

There shall be six (6) standing committees:

- 1) Negotiating Committee
- 2) Education Committee
- 3) Health and Safety Committee
- 4) Membership Support and Social Committee
- 5) By-laws Committee
- 6) Grievance Committee

1. Negotiating Committee

This committee shall consist of five (5) members, comprising the president and two officers appointed from the Executive Board, one (1) member elected at a Custodial Unit Meeting, and one (1) member elected at a Maintenance and IT Unit Meeting. In addition, one (1) alternate member will be elected at a Custodial Unit Meeting, and one (1) alternate member elected at a Maintenance and IT Unit Meeting.

The function of this committee is to prepare collective bargaining proposals and to negotiate amendments to the collective agreement. The CUPE representative assigned to the Local shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

2. Education Committee:

It shall be the duty of this committee to:

- Arrange for representation of the Local at any appropriate and available educational seminar or conference in accordance with Section 13 (f);
- Instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports;
- Co-operate with the Executive Board in preparing press releases and other publicity material;
- Co-operate with the Education and Public Relations Department of CUPE, and with the regional education representative in implementing both the Local's and CUPE's policies in these fields. The committee shall be comprised of two (2) members.

3. Health and Safety Committee

It shall be the duty of this committee to:

- Investigate and process complaints regarding health and safety conditions or practices;
- Represent the Local Union on the joint health and safety committee;
- Work with the education committee to publicize health and safety issues.

4. Membership Support and Social Committee

This committee may:

- Contact or visit members who are ill or injured as appropriate;
- If a member is sick or ill for more than a week, send a token of the Local's concern and desire to help not exceeding twenty five dollars (\$25) value, whether the member is at home or in hospital;
- Extend the Local's condolences in the event of the death of a member or one of his immediate family and take any other

appropriate gestures in accordance with custom or the wishes of the family concerned not exceeding fifty dollars (\$50) in value;

- The committee shall consist of two (2) members, one (1) from each unit; and shall be reimbursed for expenses incurred in the performance of their duties.
- Arrange and conduct all social, cultural, and recreational activities of the Local Union, either on the committee's own initiative or as a result of decisions taken at membership meetings. The committee shall submit reports and proposals to the Executive Board or to the membership as required.
- A budget for the committee will be fixed annually by the membership but, other than that, all social, cultural, and recreational events and activities shall be self-supporting.
- The committee members will be the chairperson who is appointed by the executive board and two (2) members.

5. Bylaw Committee

This committee will:

- Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.
- Ensure that the Local Union's bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.
- The committee members will be the elected chairperson and two (2) members. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process as required.

6. Grievance Committee and Appeals:

This Grievance Committee will:

- Assist with the handling of all local grievances.
- Receive copies of all grievances.
- Prepare reports and files on the status of all decisions on grievances to be submitted to the Executive Board, the National Representative, and to the membership as required.
- When a grievance is not settled or resolved in the steps provided for in the collective agreement, a grievance committee meeting will be scheduled, and this committee will decide whether or not the grievance should proceed to arbitration.
- For each grievance file, a motion to further advance the grievance will be made. The deliberations on the grievance will include a review of all relevant facts and the file. If the motion is carried, then the file will be returned to the Vice President or Chief Shop Steward as applicable for action. If the motion is defeated the following will occur:
 - i. The grievance will be withdrawn by the local
 - ii. The grievor(s) will be advised in writing of the decision of the locals to withdraw the grievance. This letter will contain a summary of the Grievance Committee's finding and inform the grievor of their ability to appeal the decision per appeal process below.
- If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board.
- The Grievance Committee members will have a chairperson and members appointed by the President, in consult with the Vice President and Chief Shop Steward and will be made up of no less than four (4) appointed members or officers of the local including stewards. The committee shall appoint its secretary from among its members. When requested the National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted as required.
- If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board within thirty (30) days from the date of the withdrawal letter. The grievor will make a written submission, either electronically or through regular mail to the Local's Recording Secretary with copy to the Local's President. The submission will include all references and/or supporting material that the grievor believes supports the appeal.

- The Local's recording Secretary will acknowledge receipt of the appeal submission to the grievor. The Local's recording secretary will schedule the appeal to be discussed by the Executive Board. The review of the appeal will be based on the grievor's written submission and a file summary provided by the grievance committee.
- In the event the executive board determines that more information is needed from the grievor a subsequent meeting may be required in which the grievor may be required to appear.
- During the executive board appeal, a motion will be put forward to reconsider the decision of the Grievance Committee and a reasoned debate will occur. If the motion is carried, the file will be returned to the Vice-President for action. If the motion is defeated, the grievance will be withdrawn and the file closed.

(b) Special Committee

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

Section 15 - 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 By-Laws as Appendix "A". These rules shall be considered as an integral part of the By-Laws and may be amended only by the same procedure used to amend the By-Laws.

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 Order shall be consulted and applied.

Section 16 - Amendment

- (a) These By-Laws 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 By-Laws and the CUPE Constitution, the latter shall govern. Constitutional interpretation, including determination of conflict is the prerogative of the National President.
(Articles 9.2(c), 12.3 and B.6.1)
- (b) These By-Laws shall not be amended, added to or suspended except upon a majority vote of those present and voting at a regular or special meeting following at least seven (7) days' notice at a previous meeting or at least sixty (60) days written notice.
(Article B.7.1)
- (c) No change in these By-Laws 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 12.3 and B.6.1)

APPENDIX "A"
RULES OF ORDER

1. The president or, in their absence, the vice-president, shall take the chair 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 member, except the chairman of a committee making a report or the mover of a resolution, shall speak more than three (3) 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. Chairmen 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.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
5. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.
6. On motion, the regular order of business may be suspended by a two-thirds (2/3s) vote of those present to deal with any urgent business.
7. All resolutions and motions other than those named in Rule 17, 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.
8. 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.
9. 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.

10. 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 on a question of privilege, he shall not proceed further until recognized by the chair.
11. When two (2) or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
12. 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.
13. 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.
14. No religious discussion shall be permitted.
15. 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.
16. 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.
17. 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.
18. 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 resolution 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.
19. A motion to adjourn is in order except (1) when a member has the floor and (2) when members are voting.

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20. 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.
 21. After the presiding officer 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.
 22. 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 chairman may then state briefly the basis for his decision, following which the chairman shall immediately and without debate put the question: "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie the chair is sustained.
 23. 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.
 24. 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 vice-president.
 25. The Local's business and proceedings of meetings is not to be divulged to any persons outside the Local of the Canadian Union of Public Employees.

APPENDIX "B"
BARGAINING PROCESS

1. Within the negotiating committee, each unit will have veto power.
2. If a veto is exercised by a member within the committee, the committee is required to continue bargaining with the Employer on the item in dispute in an effort to achieve a settlement satisfactory to the committee.
3. The negotiating committee shall meet with each unit following each round of bargaining talks in order to make a full report to the members.
4. At these meetings, unit members have the right to vote on whether to authorize, sustain or withdraw any veto put forward by their representatives on the negotiating committee.
5. The chairperson of the negotiating committee may break a tie vote on any issue where the veto is not exercised.

APPENDIX "C"
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.

APPENDIX "D"
CODE OF CONDUCT

From APPENDIX E of the National Constitution
Applicable to all events organized by CUPE National

CODE OF CONDUCT

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our 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.

CUPE is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff and elected officers to carry out our work. CUPE's expectation is that mutual respect, understanding and co-operation will be the basis of all our interaction.

The Code of Conduct sets out standards of behaviour for participants at national convention, national conferences, schools, meetings, and all other events organized by CUPE National. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution. This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National. 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 CUPE members, staff, and elected officers, 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.
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating.
- 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 the 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 him/her 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. At national convention, national conferences, schools, meetings, and all other events organized by CUPE National, a complaint shall be brought to the attention of an ombudsperson.
3. If the complaint involves a staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement.
4. Once a complaint is received, the ombudsperson will work to seek a resolution.
5. If this fails to resolve the matter, the ombudsperson 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.
6. At CUPE National events where an ombudsperson is not available, a person properly appointed and designated to be in charge shall receive the complaint. Depending on the nature of the problem, the person in charge may attempt to resolve it through conflict resolution. If this fails to resolve the matter, the person in charge shall determine whether there is a need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.
7. If the person in charge is a party to the complaint, the director or designate shall assume that role.
8. In a case where a member has been expelled from an event, the National President shall receive a report on the matter.

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 CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

CUPE National encourages all chartered organizations to develop and adopt a Code of Conduct based on this model, to apply to conventions, conferences, schools and meetings which they organize.

APPENDIX "E"
RECORD OF AMENDMENTS

Adopted	May 9, 1983, and amended June 11, 1983
Approved	June 29, 1983 by National President, Grace Hartman
Amendment	To By-Laws Section 11 (c) 1., on February 11, 1986
Approved	On February 27, 1986 by National President, Jeff Rose
Amendment	To By-Laws (see file) on September 16, 1989
Approved	On September __, 1989 by National President, Jeff Rose
Amendment	To By-Laws Section 4 (b) 1., on March 9, 1991
Approved	On July 24, 1991 by National President, Jeff Rose
Amendment	To By-Laws Section 7 (a) on September 14, 1991
Approved	On January 6, 1992 by National President, Jeff Rose
Amendment	To By-Laws Section 4 (b) 1., Section 8 (e), Section 8 (g), add new Section 9 and re-number subsequent sections, Section 14 (a) 1. (formerly 13 (a) 1.), on May 17, 1993
Approved	On May 27, 1993 by National President, Judy Darcy
Amendment	To By-Laws Preamble and Section 3(d), 5(b), (c), 8(g), 10(b), (c), (f), 13(b), Appendix "A" on May 14, 1994
Approved	On May 31, 1994 by National President, Judy Darcy
Amendment	To By-Laws Section 5(a), 5(b) on November 16, 1996
Approved	On December 11, 1996 by National President, Judy Darcy
Amendment	To By-Laws Section 10(c) on January 17, 1998
Approved	On February 12, 1998 by National President, Judy Darcy
Amendment	To By-Laws Section 10(c) on June 18, 2011
Approved	On August 26, 2011 by National President, Paul Moist
Amendment	To bylaws on March 3, 2019
Approved	On February 3, 2020 by National President, Mark Hancock

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