

BYLAWS OF  
CANADIAN UNION OF PUBLIC EMPLOYEES  
LOCAL 1978

Endorsed by the membership: December 9, 2009

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**PREAMBLE**

In order to improve the social and economic welfare of its members without regard to sex, colour, race or creed, 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 bylaws adopted by Local 1978 are to supplement Appendix "B" of the National Constitution, to safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

## SECTION 1 - NAME

- 1.01 The name of the Local shall be: **Canadian Union of Public Employees Local 1978** (*hereinafter referred to as the Local*) – Representing members from four distinct components - Capital Regional District; West Shore Parks & Recreation Society; Greater Victoria Housing Society ; and Vancouver Island Health Authority (VIHA) – Health Science Professionals.

## SECTION 2 - OBJECTIVES

The objectives of this Local are to:

- 2.01 Secure adequate remuneration for work performed and generally advances the economic and social welfare of its members and all workers;
- 2.02 Support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- 2.03 Provide an opportunity for its members to influence and shape their future through free democratic trade unionism; and
- 2.04 Encourage the settlement by negotiation and mediation of all disputes between the Local and the employer and between the members and the employer.

## SECTION 3 – INTERPRETATION AND DEFINITIONS

- 3.01 Masculine pronouns shall be understood to include the feminine gender.
- 3.02 The current CUPE Constitution should be read in conjunction with these Bylaws.
- 3.03 The Executive Board shall mean the President, Vice-President, Recording-Secretary, Treasurer, Chairpersons (4), Coordinators (6), and Sergeant-at-Arms.
- 3.04 Ex-Officio President shall mean the Immediate Past President.
- 3.05 Byelection shall mean an election of an Officer in the middle of a term.

## SECTION 4 – MEMBERSHIP MEETINGS

- 4.01 **Regular Membership Meetings** shall be held in February, April, June and November on the ~~third~~ fourth Wednesday of the month. The Executive Board shall determine the hour and place of such meetings. There shall be two draw prizes at all Regular Membership Meetings; one (1) of \$20 and one (1) of \$30. Refreshments will be supplied.
- 4.02 **Annual General Membership Meeting** shall be held on the ~~third~~ fourth Wednesday of the month of September at an hour and place of meeting to be determined by the Executive Board. This meeting will include, as a matter of business, the election and installation of Officers and election of Delegates, but will be conducted as any other Regular Membership Meeting.
- 4.03 **Special Membership Meetings** may be ordered by the Executive Board or when requested in writing by no fewer than 20 members in good standing of the membership. The President shall, within five (5) working days, call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours notice of the Special Membership Meeting and the subject(s) to be discussed. No business shall be transacted at the Special Membership Meeting other than that for which the meeting is called and notice given.
- 4.04 Notice of meetings shall be prepared by the Recording Secretary for distribution and posting on Union bulletin boards and the Union website, specifically allowing for seven (7) days notice for every Regular Membership Meeting and twenty-four (24) hours notice of a Special Membership Meeting, specifying the location and time of meeting.
- 4.05 The quorum for any regular or special meeting of the Local is set at 10, with a minimum of three Executive Board Members present for the meeting to proceed.

**4.06** The order of business at Regular Membership Meetings is as follows:

1. Roll Call of Officers
2. New Member Initiation
3. Reading of the Minutes of the Previous Meeting
4. Matters Arising
5. Treasurer's Report
6. Communications and Bills
7. Executive Committee Reports
8. Reports of Committees and Delegates
9. Nominations, Elections and/or Installations
10. Unfinished Business
11. New Business
12. Good of the Union
13. Adjournment

## **SECTION 5 – VOTING OF FUNDS**

**5.01** Expenditures of the Local shall be only for the purpose of the Local, as authorized by the Bylaws of the Local, or as duly authorized by a majority vote of the membership at a Regular Membership Meeting.

**5.02** All expenditures of the Local shall be made by cheque or electronic funds transfer (EFT) signed/or authorized by the Treasurer and countersigned/authorized by either the President or another Officer that the Local may designate; the Treasurer must always be a signatory. However, a petty cash fund may be authorized by the Local from which nominal expenditures can be made.

**5.03** A petty cash fund, not exceeding two hundred and fifty dollars (\$250), from which minor expenditures can be reimbursed, is authorized by the Executive Board. Vouchers signed by the member with supporting documentation of the expense incurred must accompany all petty cash distributions. The petty cash fund shall only be reimbursed by cheques payable to the petty cash custodian equal to vouchers submitted.

**5.04** The Executive Board shall not expend funds of over two hundred dollars (\$200) for the purpose of a grant or contribution to any member or any cause outside of CUPE, except by a notice of motion given in writing and dealt with at the following Regular Membership Meeting.

**5.05** The Treasurer shall prepare and submit by June to the Executive Board a budget of anticipated expenses and revenues of the Local for the coming financial year. The Executive Board shall present the budget for ratification by the membership at the Annual General Membership Meeting. Unbudgeted expenditures shall be approved by the Executive Board or, if appropriate, by vote of the membership at the next Regular/Special Membership Meeting of the Local.

### **5.06 Investment Goals**

**5.06.1** To ensure that the Local's funds in excess of current operating requirements are invested in secured financial instruments, such as guaranteed investment certificates and/or term deposits.

- 5.06.2** To secure a rate of return on investments that is competitive but does not jeopardize the security of the funds.

#### **5.07 Policies and Procedures**

- 5.07.1** Local 1978 funds will be invested in Credit Unions. Credit Unions accepting deposits on behalf of CUPE Local 1978 shall be approved by the Executive Board and be a member of Credit Union Deposit Insurance Corporation (CUDIC).
- 5.07.2** All investments placed for longer than six (6) months must have a call feature and may have a minimum penalty for early redemption.
- 5.07.3** The funds of the Local will not be pledged as security or guarantee a financial obligation for a third party.
- 5.07.4** Institutions deemed appropriate for placing investments will be rated according to terms, accessibility, rates and service.
- 5.07.5** Records of investments shall be kept at the Local's office.
- 5.08.6** A statement of investments, detailing the institution, dates, interest rates and principal amount, shall be included with the monthly financial statements.

### **SECTION 6 – OFFICERS**

The Officers of the Local shall be the President; Vice-President; Recording Secretary; Treasurer; four (4) Chairpersons (CRD, Greater Victoria Housing Society, VIHA-Health Sciences Professionals, West Shore Parks & Recreation Society); six (6) Coordinators ( 4 -CRD, 1-VIHA-Health Sciences Professionals, 1- West Shore Recreation); Sergeant-at-Arms and three (3) Trustees. All Officers shall be elected by the membership.

### **SECTION 7 – EXECUTIVE BOARD**

The Executive Board shall be comprised of all Officers except trustees. The Immediate Past President shall be an ex-officio member of the Executive Board, but shall not have a vote.

- 7.01** The Executive Board shall meet at least once a month, to receive, discuss and debate all correspondence and any other general information which may have been received. Seven (7) members present shall constitute a quorum.
- 7.02** Trustees and Shop Stewards of the Local may attend meetings, but may not cast votes.
- 7.03** The Local Officers shall hold title to any real estate and other fixed assets of the Local as trustees for the Local. They shall have no right to buy, sell, convey or encumber any real estate or other fixed assets without first giving notice and then submitting the proposition to a Membership Meeting and having it approved.
- 7.04** The Executive Board shall be held responsible for the proper and effective functioning of all committees and the day-to-day operation of the Local.
- 7.05** All charges against members or Local Officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
- 7.06** Should any Executive Board member fail to answer the roll call for three (3) consecutive Regular Membership Meetings or three (3) regular Executive Board meetings without having submitted good reasons for those failures, resign from the Executive Board or cease to be a member of this Local, his office shall be declared vacant and shall be filled in a byelection at the following Membership Meeting.
- 7.07** These Local Officers will have the power to hold a meeting, whether by phone, email or in person, and make decisions by a quorum (7 members) as stated in 7.01 of the Executive Board if there is

an emergency where there is not enough time to call the whole Executive Board together. All decisions made by the Local Officers under these circumstances shall be brought to the attention of the Executive Board and then the membership, no later than at the next Regular Membership Meeting.

## **SECTION 8 – DUTIES OF OFFICERS**

### **8.01 The President shall:**

- enforce the CUPE Constitution and these procedures
- preside at all membership meetings and preserve order
- decide all points of order and procedure (subject always to appeal to the membership)
- have a vote in all matters (except appeals against his rulings) and, in case of a tie vote, to break the tie
- ensure that all Local Officers perform their assigned duties
- fill committee vacancies where elections are not provided for
- introduce new members and conduct them through the initiation ceremony
- countersign, if necessary, any or all cheques created and signed off by the Treasurer and ensure that the Local's funds are used only as authorized or directed by the Constitution, procedures or vote of the membership
- have first preference as a delegate at all conventions of organizations with which this Local is affiliated
- automatically be a member of the negotiation committee for all collective agreements
- upon termination of office, surrender all records and properties of the Local to his successor

### **8.02 The Vice-President shall:**

- perform all duties of the President, if the President is absent or unable to perform his duties
- be Acting President until a new President is elected, if the office of the President falls vacant
- keep the President informed of all Local business and activities
- render assistance to any member of the Executive as directed by the Executive Board
- coordinate the Chairpersons of the Local
- be chair of the grievance committee
- be chair of the education committee
- ensure that all Chairpersons receive the necessary training to carry out their prescribed duties
- provide a monthly grievance report to the Executive Board
- upon termination of office, surrender all records and property of the Local to his successor

### **8.03 The Recording Secretary shall:**

- keep a full, accurate and impartial account of the attendance and of the proceedings of all Membership and Executive Board meetings

- record all alterations in the Bylaws and arrange for publication and distribution of the Bylaws and any amendments thereto to all members and new members of the Local
- answer correspondence and fulfill other secretarial duties as directed by the Executive Board
- file a copy of all letters sent out and keep on file all communications received, including all electronic copies
- prepare and distribute all circulars and notices to members ensuring their posting on Union bulletin boards and the Union website
- have all records ready on reasonable notice for auditors and/or Trustees
- be empowered with the approval of the Local to employ necessary clerical or other assistance to be paid for out of the Local's funds. Any persons employed under this provision shall be under the direct supervision of the Recording Secretary and take direction from him
- ensure that each record of proceedings includes a copy of all financial reports presented by the Treasurer at all Executive or Regular Membership Meetings
- preside over Membership and Executive Board meetings in the absence of both the President and Vice-President
- upon termination of office, surrender all books, seals, records and property of the Local to his successor

**8.04 The Treasurer shall:**

- receive all revenue, initiation fees, dues and assessments, keeping a record of each member's payment, and deposit promptly all money with a Credit Union approved by the Executive Board
- prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month
- prepare all cheques for payment of all expenses of the Local, being the primary signatory of them, having them countersigned by either the President or any other Executive Board member who has been granted authorized signatory powers
- prepare, in consultation with other members of the Executive Board, an annual budget (for the upcoming fiscal period July 1 to June 30) to be presented to the Executive Board at the June executive meeting, for ratification by the general membership not later than at the September Annual General Meeting of the Local
- record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices and utilizing CUPE forms wherever possible
- prepare and present a monthly statement of revenue and expenditures for the preceding month under Agenda 4.06(6) Communications and Bills for the membership information
- regularly make a full financial report to meetings of the Local's Executive Board, as well as a written financial report to each Regular Membership Meeting, detailing all income and expenses for that period
- be bonded for not less than five hundred dollars (\$500) (or any sum greater 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 Treasurer) through the master bond held by the National Office
- pay no money unless supported by a voucher duly signed by the President and or one other member of the Executive Board, or two other members of the Executive Board, except that no voucher shall be required for payment of per capita fees to any organization to which this Local is affiliated

- not later than February 28<sup>th</sup> of each year, prepare a T4 for each Executive Board member who receives yearly honourarium as pursuant to Revenue Canada rules
- be empowered with the approval of the Local, to employ necessary bookkeeping assistance to be paid for out of the Local's funds. Any persons employed under this provision shall be under the direct supervision of the Treasurer and take direction from him
- through his term, and on behalf of the Local membership, be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, and receipts for all money sent to CUPE headquarters, as well as records and supporting documents for all income received by the Local
- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited at least once each calendar year and within reasonable time, respond in writing to any recommendations and concerns raised by the Trustees
- upon receipt of initiation fees and union application form, issue to new members a union membership card, and maintain the record of all members of the Local
- on termination of office, surrender all funds, books of account and other properties of the Local to his successor

## **8.05 The Chairpersons**

### **8.05.01 The Chairperson (West Shore Parks & Recreation Society) shall:**

- be responsible for the day-to-day administration of the Local's business for West Shore Parks & Recreation Society (WSP&R)
- handle all grievances in coordination with the Vice-President
- act as representative for the WSP&R employees if delegated by the Executive Board
- provide a written monthly report to the Executive Board at regular Executive meetings
- automatically be a member of the Union Negotiation Committee for WSP&R employees
- sit on the respective Joint Health & Safety Committee, and shall find an alternate to attend meetings on his behalf if unable to attend
- on termination of office, surrender all records and property of the Local to his or her successor

### **8.05.02 The Chairperson (VIHA – Health Science Professionals) shall:**

- be responsible for the day-to-day administration of the Local's business for Health Science Professionals
- handle all grievance in coordination with the Vice-President
- act as representative for Health employees if delegated by the Executive Board
- provide a written monthly report to the Executive Board at regular Executive meetings
- provided a copy to the Executive Board of any correspondence sent to representatives of VIHA
- automatically be a member of the Union Negotiation Committee for VIHA employees
- sit on the respective Joint Health & Safety Committee, and shall find alternate to attend meetings on their behalf if unable to attend
- on termination of office, surrender all records and property to the Local to his successor

**8.05.03 The Chairperson - Capital Regional District (CRD) shall:**

- be responsible for the day-to-day administration of the Local's business at CRD
- handle all grievances in coordination with the Vice-President
- act as representative for the CRD employees if delegated by the Executive Board
- provide a written monthly report to the Executive Board at regular Executive meetings
- automatically be a member of the Union Negotiation Committee for CRD employees
- sit on the respective Joint Health & Safety Committee, and shall find an alternate to attend meetings on his behalf if unable to attend
- on termination of office, surrender all records and property of the Local to his successor

**8.05.04 The Chairperson – Greater Victoria Housing Society shall:**

- be responsible for the day-to-day administration of the Local's business at Greater Victoria Housing
- handle all grievances in coordination with the Vice-President
- act as representative for Greater Victoria Housing employees if delegated by the Executive Board
- provide a written monthly report to the Executive Board at regular Executive meetings
- automatically be member of the Union Negotiation Committee for Greater Victoria Housing employees
- sit on the respective Joint Health & Safety Committee, and shall find an alternate to attend meetings on his behalf if unable to attend
- on termination of office, surrender all records and property of the Local to his successor

**8.06 The Coordinators shall:**

- be coordinator of the Shop Stewards in his assigned area of responsibility with the Local, as set out in Section 6, and shall ensure that all Shop Stewards responsibly carry out their duties
- provide to the Chairperson in their designated area of responsibility a monthly status report of any grievances
- render assistance to Shop Stewards in the performance of their duties
- ensure that all Shop Stewards get the necessary training for the performance of their duties
- ensure that there are sufficient Shop Stewards in the department of his responsibility by conducting elections for Shop Stewards within 30 days following the Annual General Meeting
- act as a Shop Steward in the department of his responsibility if a Shop Steward is not available
- attend a Step 2 and higher grievance in their department in the company of their Chairperson, and may be authorized by their Chairperson to handle the grievance on their own; however prior authorization must have been granted
- attend a Step 1 grievance with the Shop Steward if requested by the Shop Steward

- ensure that all grievances have a sequence reference number assigned and ensure that all grievances are handled in an orderly and organized fashion in their assigned area of responsibility
- ensure that Shop Stewards adhere to grievance time lines
- assist Shop Stewards in other departments at the request of the Chairperson of that component or the Vice-President
- keep records of all grievances and other issues that may be brought forward and provide all documentation to the Union office for filing
- attend all Executive and Membership Meetings and be a voting member of the Executive

**8.07 The Sergeant-at-Arms shall:**

- 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 presiding officer and by consent of the members present
- maintain the record of membership attendance at meetings and submit this record to the Secretary following adjournment of each meeting
- be responsible in tiling the door (locking the doors) at the commencement of elections, or any other ballot voting procedure
- perform such other duties as may be assigned by the Executive Board from time to time

**8.08 The Trustees shall:**

- act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, Recording Secretary and all Standing Committees a minimum of once within the financial year
- the Trustee who is in his second year of office shall be the chairman of the trustee committee
- make a written report of his findings to the first membership meeting following the completion of each audit
- submit in writing to the President and Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local's funds, records, and accounts are being maintained by the Treasurer in an organized, correct and proper manner
- send to the National Secretary –Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative, the completed audit report (on the prescribed form provide by the National Secretary-Treasurer); a copy of their report to the Local membership; a copy of their recommendations and/or concerns to the President and Treasurer; and the Treasurer's response
- be responsible for ensuring that monies are not paid out without proper constitutional or membership authorization
- ensure that proper financial reports are made to the membership
- audit the records of attendance
- inspect at least once a year, any stocks, bonds, securities, office furniture and equipment and titles to deeds to property that may at any time be owned by the Local, and report their findings to the membership

**SECTION 9 – HONOURARIUM**

**9.01** The honorarium per month shall be as follows:

President	\$300
Vice-President	\$200
Recording Secretary	\$200
Treasurer	\$200
Chairpersons (4)	\$200
Coordinators (6)	\$100

**9.02** According to federal tax laws, any honourarium must be reported by the recipient as taxable income and honoraria over certain amounts must be reported by the Local (by way of T4) to Revenue Canada. (For current information check with your local district taxation office.)

**SECTION 10 – FEES, DUES AND ASSESSMENTS**

**10.01** Initiation fee.

**10.01.01** Each application for membership in the Local shall be directed to the Treasurer and shall be accompanied by an initiation fee of \$10, which shall be in addition to monthly dues.

**10.01.02** The Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

**10.02** Readmittance fee shall be \$1.

**10.03** Monthly dues shall be 1.75% of gross monthly pay.

**10.04** All members shall pay dues effective the first month after appointment.

**10.05** Notwithstanding the above provisions, if the CUPE convention alters minimum fees/dues, these Bylaws will be deemed to have been automatically amended to the new CUPE minimum.

**10.06** Changes in the levels of the initiation fee, the readmittance fee, or the monthly dues can be effected only by following the procedure for amendment of these Bylaws (see Section 16), with the additional provision that the vote must be by secret ballot.

**10.07** Special assessments may be levied in accordance with Article B, 4.2 of the CUPE Constitution.

**SECTION 11 – NON PAYMENT OF DUES AND ASSESSMENTS**

**11.01** Any member in arrears for a period of three months or more shall be automatically suspended and the Treasurer shall report his suspension to the Executive Board. The Executive Board shall report to the next membership meeting with a recommendation. Any member under suspension wishing to be re-instated shall, upon application, pay the readmittance 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 or injury, he shall pay the readmittance fee but may not be required to pay his arrears.

**SECTION 12 – NOMINATION, ELECTION, AND INSTALLATION OF OFFICERS AND DELEGATES TO AFFILIATED BODIES**

**Nominations:**

**12.01** Nominations shall be received at the Annual General Membership Meeting (AGM) held in the month of September.

- 12.02** To be eligible for nomination, a member will have had to attend at least 50% of the membership meetings held in the last twelve (12) months or in the period he was a member, if less than one year, unless a valid reason acceptable to the Local has been given for non-attendance. No person will be nominated for any other office unless he has been a member in good standing for at least six (6) months in addition to the other provisions of this subsection. No member shall be eligible for nomination if he is in arrears of dues and/or assessments.
- 12.03** No nomination shall be accepted unless the member is in attendance at the meeting or has previously filed with the nomination committee his consent in writing duly witnessed by another member to allow his name to stand for election.
- 12.04** No member shall be nominated for the office of President unless he has been a member in good standing of this Local for at least twelve (12) months, in addition to the other provisions of this subsection.

**Elections:**

- 12.05** The Executive Board shall appoint a nominating committee 30 days prior to the AGM.
- 12.06** The election of Officers and Trustees shall be held at the AGM on the third Wednesday of September, the time and location to be determined by the Executive Board.

**12.06.01**

**On even years, the elections will be for the following positions of the Executive Board:**

President; Recording Secretary; two (2) Chairs (Greater Victoria Housing and CRD); three (3) Coordinators (2-CRD; 1-Westshore Parks & Recreation); Sergeant at Arms; and one (1) Trustee for (three year term)

**On odd years, the elections will be for following positions of the Executive Board:**

Vice-President; Treasurer; two (2) Chairs (VIHA; & West Shore Recreation & Parks); three (3) Coordinators (2 CRD; 1 VIHA); and one (1) Trustee for (three year term)

- 12.07** At the AGM, the President shall, subject to the approval of the members present, appoint an elections committee consisting of a returning officer and two assistants. The committee shall include members of the Local who are neither members of the Executive Board 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.
- 12.08** 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 vote shall be by secret ballot.
- 12.09** The returning officer shall be responsible for issuing, collecting and counting ballots. He must be fair and impartial and see that all arrangements are unquestionably democratic.
- 12.10** Voting to fill one office shall be conducted and completed and recounts dealt with before balloting may begin to fill another office. The order for voting for offices shall be in the order the offices are listed in Section 8 of these Bylaws.
- 12.11** Majority of votes cast shall be required before any candidate can be declared elected. Second and subsequent ballots shall be taken, if necessary, to obtain a majority. On the second and subsequent ballots, the candidate(s) receiving the lowest number of votes in the previous ballot will be dropped. In case of a final tie vote; the presiding officer may cast the deciding vote.
- 12.12** When two 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 rejected.

- 12.13** Any member may request a recount of votes for any election and a recount will 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 4.

**Installation and Terms of Office:**

- 12.14** All duly elected officers shall be installed at the meeting at which elections are held.
- 12.15** The term of office of the Executive Board members and officers shall be no less than one (1) year and not more than three (3) years. No member may hold more than one elected position on the Executive Board. The Trustees shall be elected for a three-year term.
- 12.16** Each year the Local shall elect one trustee for a three-year term, or, in the case of vacancies occurring, an elected Trustee(s) is to fill only the unexpired terms in order to preserve the overlapping terms of the office.

**Byelection:**

- 12.17** Should an office fall vacant pursuant to Section 7.06 of these Bylaws, or for any other reason, the resulting byelection shall be conducted as closely as possible in conformity with this section and to fill only the unexpired term of the vacated office.

**SECTION 13 – DELEGATES TO CONVENTIONS, COUNCILS, and EDUCATIONAL EVENTS**

- 13.01** Except for the President's option, Section 8.01, all delegates to conventions with which this Local is affiliated, shall be elected from the general membership at a Regular Membership Meeting when a convention call is received, or sooner if required under special circumstances.
- 13.02** An official reporter for these delegates shall be appointed by the President on a rotating basis from among those delegates and their alternates, if any, and shall be required to report at each membership meeting of the Local on proceedings at recent meetings of the Councils.
- 13.03** Any member may submit to the Education Committee a request to attend any educational and/or seminar that our Local participates in with CUPE. Approval of the request will depend on the annual budget allocation for education and criteria set out by the education committee.
- 13.04** All delegates elected to conventions held outside the Capital Region shall be paid transportation expenses, the current CUPE BC per diem allowance and an amount equal to any loss of salary incurred by attendance at that convention.
- 13.05** Delegates to conventions held within the Capital Region shall have no travel allowance. A one-half day CUPE BC per diem allowance and compensation for any loss of salary incurred by attendance at the convention shall be paid by the Local.
- 13.06** Delegates to the Victoria and District Labour Council and the Vancouver Island District Council shall be elected by the Executive Board, and the President shall appoint an official reporter from among them, who will report at each membership meeting of the Local on the proceedings of the Council.

**SECTION 14 – COMMITTEES**

**14.01 Negotiating Committee:**

- 14.01.01** A special ad hoc committee will be established at least three (3) months prior to the expiry of any of the Local's collective agreements and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement.
- 14.01.02** The committee shall consist of at least three (3) members of the Local: the President, the Chairperson of the specific component of the Local the collective agreement pertains to, and one (1) other member. This member and the three (3) alternates must be elected at a Regular Membership Meeting.

**14.01.03** The negotiating committee shall bargain in good faith acting upon directives from the Local membership as approved at a regular or special meeting of the Local. The committee shall submit a progress report at every regular or special meeting of the Local from the time of its appointment to the conclusion of negotiations and the signing of a new collective agreement. The CUPE representative assigned to the Local shall be a non-voting member of the committee and may be consulted at all stages from formulating proposals through negotiations to contract ratification by the membership.

**14.02 Standing Committees:**

The President and the Executive Board may, with the concurrence of the membership, jointly appoint members to serve on a committee.

**14.02.01 Reclassification and Pay Review Committee** – CRD & West Shore - three (3) members for each (duties shall be as outlined in respective articles of the current collective agreements).

**14.02.02 Grievance Committee** – Vice-President and the four chairpersons of the Local.

**14.02.03 Good & Welfare** – One (1) member shall be appointed by the Executive Board. The duties of the committee are as follows:

To send either an arrangement of flowers, fruit basket, gift cards or memorial donations to any member of the Local who has experienced any of the following situations.

- members who are sick (one week or more)
- members who are hospitalized
- members who have experienced a death in their family
- members who have experienced a birth/adoption in their family

Presentations to any member at a Regular Membership Meeting for any of the following:

- recognition of service as a retiring Executive member of more than five years on the Executive
- retirement gifts for any union member with 20 years service at retirement; the gift being a CUPE union watch or close equivalent
- recognition of long term membership in Local 1978, the gift and value to be mutually agreed upon by the Executive Board on an annual basis tied to the fiscal budget, for the following milestones: 15 years, 20 years, 25 years

**14.02.04 Bursary Committee** - two (2) members for each separate committee (CRD and West Shore)

- will participate with the Human Resources department in the evaluation of the applications for the co-sponsored annual bursary within the two components of the Local.

**14.02.05 Safety Committee** – one (1) member per each component

- as required by the Occupational Health and Safety Amendment Act the Union has a responsibility to ensure equal representation on the joint health and safety committees. Where a committee is not required, there will be a worker representative acting on behalf of the membership.

The Chairperson of each component – CRD; VIHA; West Shore; and Greater Victoria Housing shall be the member. (See 8.05 Chairperson Duties)

**14.02.06 Labour Management Committee** – three (3) members

- A labour management committee shall be formed in each component, to include the President, applicable Chair and other members appointed by the President when required.

**14.02.07 Education committee – two (2) members**

- The Vice-President shall be the chair of this committee with another member who is appointed.

**14.03 SPECIAL COMMITTEES**

A special ad hoc committee may be established for a specific purpose and period.

**SECTION 15 – RULES OF ORDER**

**15.01** All meetings of this Local and of its committees 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 procedures as Appendix A.

**15.02** 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**

**16.01** These procedures are always subordinant to the CUPE Constitution as it now exists or may be amended from time to time, and, in the event of any conflict between these procedures and the CUPE Constitution, the latter shall govern.

**16.02** 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 following seven (7) days notice at a previous meeting or after at least sixty (60) days written notice has been given, and further provided that such Bylaws do not conflict with the Constitution. These changes shall not be valid until approved by the National President of the Canadian Union of Public Employees in accordance with the National Constitution.

**APPENDIX A**

## Rules of Order

1. The President or, in his 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. If the Secretary is absent, a President pro-term 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 five minutes, or more than once on the same question without the consent of the meeting or until all those who wish to speak have had an opportunity. Chairmen of committees and movers of a resolution shall be limited to fifteen 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 main question shall now 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 of an amendment shall be permitted. No amendment, or amendment of 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-third vote of those present, to deal with any urgent business.
7. All resolutions and motions 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 raise his hand or rise in his place and respectfully address the Presiding Officer, but except to state that he rises on a point of order or on a question of privilege, he shall not proceed further until recognized by the chair.
11. When two 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 motion.
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 this motion is adopted, the Presiding Officer shall proceed to take the vote on the resolutions and amendments thereto (if any) according

- to their priority. If an amendment or an amendment of 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, or (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 minutes have elapsed.
  19. 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 Recording Secretary and Sergeant-at-Arms shall both 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 Presiding Officer may then state briefly the basis for his decision, following which the Presiding Officer 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.
  21. 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. No member shall be allowed to leave without the permission of the Sergeant-at-Arms.
  22. The Local's business and proceedings of meetings are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees, except as specifically authorized by the Executive Board.