
BYLAWS



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PREAMBLE

These bylaws provide direction to the members and Executive of CUPE Local 3523 as to how the membership wishes the Local to operate. These bylaws belong to the members of Local 3523 and only the members are able to amend them.

CUPE LOCAL 3523 MISSION STATEMENT

To unite, encourage, and support all members giving them the power and strength to defend their rights.

LAND ACKNOWLEDGEMENT

CUPE Local 3523 recognizes that our members live, work and play on the unceded traditional territories of the Okanagan-Sylix People who have resided here since time immemorial.

SECTION 1 NAME

- 1.1 This Local shall be known as the Central Okanagan Public School Employee's Union, Local 3523, of the Canadian Union of Public Employees (CUPE).

SECTION 2 PRINCIPLES AND OBJECTIVES

- 2.1 To highly value all CUPE members and occupations.
- 2.2 To encourage the settlement of disputes through communication and negotiations.
- 2.3 To support the Canadian Union of Public Employees in its objectives as set out in Article 2 of the CUPE National Constitution.
- 2.4 CUPE Local 3523 supports and shall apply the CUPE National Equality Statement to all Local 3523 activities. The National Equality statement is found as Appendix "B" of these bylaws.

SECTION 3 GENERAL MEETINGS

The Union may hold membership meetings in person and/or virtually. Where virtual meetings are held, all voting will be conducted electronically provided secrecy can be maintained, where mandated.

- 3.1 General meetings of Local 3523 shall be held monthly, with the exception of March, July, August and December. Notice of each general meeting outlining the date, time, location and agenda shall be given to members at least seven (7) days in advance of the meeting.
- 3.2 Notwithstanding the requirements of Section 3.1, an annual calendar of meeting dates is to be presented for approval at the June General Meeting so as to explain desired or required variances, (i.e., January Annual General Meeting to start at 9:00 a.m.) and to permit bookings and subsequent publication in District Calendars. Whenever possible amendments to the annual calendar are to be approved at General Meetings.
- 3.3 A quorum of at least twenty (20) members in good standing, including those attending to become such, and including at least two (2) table officers, shall be present to conduct business.
- 3.4 Adjournment will be no later than, three (3) hours after the meeting comes to order, unless

the members approve a time extension.

- 3.5 Time extensions are not to exceed fifteen (15) minutes each, with a maximum of two (2) time extensions permitted.
- 3.6 All meetings of the Local will be conducted in accordance with the basic principles of order. Some of the more important rules of order are appended to the bylaws as Appendix "A". These rules form part of the bylaws and may only be amended by the same procedures to amend the bylaws. In situations not covered by Appendix "A" the CUPE National Constitution may provide guidance but, if the situation is not dealt with there, *Bourinot's Rules of Order* shall be consulted and applied.

SECTION 4 SPECIAL MEETINGS

- 4.1 Special Meetings may be called by order of the Executive Board or by written request of fifteen (15) members in good standing to the Executive Board. No business shall be transacted at such special meetings other than that for which the Special Meeting has been called.
- 4.2 At least seventy-two (72) hours' notice shall be provided to employees prior to such meeting.

SECTION 5 OFFICERS (Constitution B.2.1)

- 5.1 The officers of the local shall consist of a President, Vice-President, Recording Secretary, Secretary-Treasurer, Membership Officer, Shop Stewards Eight (8), Custodial Operations, Clerical, General, Transportation, Inclusive Ed two (2), Indigenous, and Three (3) Trustees.
- 5.2 It is understood that a certain amount of the work performed by the Executive is voluntary except where provided otherwise in these bylaws. However, no member should be out of pocket when conducting CUPE business.
- 5.3 All officers must give all properties, assets, funds and all records of the Local Union to their successors at the end of their term in office.

SECTION 6 PRESIDENT (Constitution B.3.1)

- 6.1 The position of President is a full-time salaried position and will be paid at the highest pay rate of bargained pay adjustments in the bargaining unit plus benefits as per the Collective Agreement, to the equivalent of a forty (40) hour week. No overtime will be paid for this salaried position. Guidelines for the Office of President will be developed and amended from time to time as required by the Executive and approved by the membership of Local 3523. The President is the person who speaks on behalf of the Local Union, who meets the employer and the public.
- 6.2 The President shall:
 - Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
 - Interpret these bylaws as required.
 - Preside at all membership and Executive Board meetings and preserve order.
 - Decide all points of order and procedure (subject always to appeal to the

membership).

- Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.
- Ensure that all Officers perform their assigned duties.
- Fill committee vacancies where elections are not provided for.
- 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.
- Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.
- Have first (1st) preference as a delegate to the CUPE National and CUPE BC Conventions.

6.3 The office of the President shall be bonded for not less than ten thousand dollars (\$10,000) or as such other greater sum as may be decided at a special meeting, through the master bond held by the Canadian Union of Public Employees.

SECTION 7 VICE PRESIDENT (Constitution B.3.2)

- 7.1 The position of Vice-President is a full-time salaried position and will be paid four (4) pay grades below the highest pay grade or the equivalent salary, whichever is greater. The Vice-President carries out the duties of the President if the President is absent, at the request of the President and when the President is unable to perform the duties. If the office of President becomes vacant, the Vice-President will perform the duties until the vacancy is filled as provided in the Local Union's bylaws.
- 7.2 The Vice-President may act as Signing Officer for the Local. The office of the Vice-President shall be bonded for not less than ten thousand dollars (\$10,000) or as such other greater sum as may be decided at a special meeting, through the master bond held by the Canadian Union of Public Employees.
- 7.3 The Vice-President assists the Membership Officer at general meetings with registration of members and with the instruction of new members preparing to take the oath of membership.
- 7.4 The Vice-President may chair the Executive Board Meeting, shall serve as the Chair of the Grievance Committee and performs and/or oversees work as outlined by the President. The Vice-President will serve as a representative to committees as assigned by the President. The Vice President shall preside over membership and executive board meetings in the absence of the President or at the request of the President.
- 7.5 The Vice-President shall render assistance to any member of the Executive as directed by the Executive Board.

SECTION 8 RECORDING SECRETARY (Constitution 8.3.3)

- 8.1 The Recording Secretary keeps correct, full and impartial minutes of all membership meetings and all meetings of the Executive Board. The minutes will include a copy of the full financial report presented by the Secretary Treasurer as required by The National Constitution. The minutes will also include Trustees' reports.
- 8.2 The Recording Secretary shall:
- 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 correspondence and fulfil other administrative duties as directed by the Executive Board.
 - Keep a record of all correspondence received and sent out.
 - Prepare and distribute all notices to members.
 - Have all records ready on reasonable notice for the Trustees or auditors.
 - Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union's funds.
 - Performs other duties required by the Local Union, its bylaws or the National Constitution.

SECTION 9 SECRETARY TREASURER (Constitution B.3.4-8)

- 9.1 The Secretary Treasurer shall preside over meetings in the absence of the President, Vice President.
- 9.2 On termination of office, the Secretary Treasurer shall surrender all books, seals, and other property of the Local to their successor in office. There shall be a sixty (60) day transition period to allow for an orderly change of office.
- 9.3 The Secretary Treasurer is the financial officer for all committees and will ensure that only appropriate and approved expenses are paid and that receipts for reimbursements are properly verified. All monies assigned for committee expenditure are to be handled through the Secretary Treasurer. The Secretary Treasurer will establish such funds as necessary to provide the membership with clear understanding of the financial status of the Local. The Secretary Treasurer maintains records for members desiring to attend schools, retirement seminars or other Union funded opportunities. Information and communications relevant to the issuing of Union funded bursaries are handled by the Secretary Treasurer.
- 9.4 The Secretary Treasurer shall be responsible for maintaining an inventory of all properties owned by the Local. This record must list value, depreciation, and current assignee.
- 9.5 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/or authorize recognized electronic payments 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 one (\$1.00) dollar 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 and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any Secretary Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one (1) other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.
- Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited semi-annually and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- Where required, not later than February 28th each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid during the preceding calendar year.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union's funds.
- Notify all members who are one (1) month in arrears and report to the Executive Board all members two (2) or more months in arrears in the payment of union dues.

SECTION 10 MEMBERSHIP OFFICER

10.1 The Membership Officer 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 President and with consent of the members present.

- Maintain the record of membership attendance at meetings.
 - Perform such other duties as may be assigned by the Executive Board from time to time.
- 10.2 Prior to the commencement of the meeting the Membership Officer shall be assisted by the Vice President in maintaining the "Sign-In" book and in other tasks, to assure readiness for the meeting. The official record is to be kept under the charge of the Secretary Treasurer. Membership Officer shall be responsible for providing a tally of those present at any meeting when requested by the President.
- 10.3 The Membership Officer shall assist the Secretary Treasurer by ensuring that all who are reporting to take the oath of membership complete the required forms and are instructed as to the procedures prior to the oath.

SECTION 11 TRUSTEES (Constitution B.3.10-12)

11.1 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 committees at least semi annually.
- Make a written report of their findings to the first (1st) 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 have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- Inspect at least once 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 Union and report their findings to the membership.
- 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.

SECTION 12 SHOP STEWARDS

- 12.1 The General Steward is intended to serve all work jurisdictions not otherwise allocated their own steward.
- 12.2 Stewards are accountable to their designated work group(s). It is the duty of the Steward to monitor the worksites for collective agreement violations and to be available to the members whom they represent.
- 12.3 In complaints or grievance action it is the Steward's duty to follow up, to assess, to gather information, and to represent along with the Union Grievance Committee, the best interests of the member(s) and the Union.
- 12.4 Stewards shall consult with and report to the President or designate as soon as possible, regarding any meetings or dealings they are involved in. Issues will also be reported to the Executive and general membership as appropriate.

SECTION 13 EXECUTIVE BOARD (Constitution B.3.14)

- 13.1 The Executive Board shall consist of the Table Officers (President, Recording Secretary, Vice President, Secretary Treasurer), Membership Officer, and Shop Stewards. Trustees shall not be members of the Executive Board.
- 13.2 A quorum to consist of five (5) Executive Board members including at least two (2) Table Officers.
- 13.3 This committee is to administer and carry out all work delegated to it by the Local, and carry on the business of the Local between general meetings.
- 13.4 Should any Executive Board member fail to answer the roll call for three (3) consecutive membership meetings or three (3) consecutive executive meetings, for reasons other than Union business, the office shall be declared vacant. The same shall be filled by an election at the following General Meeting. An executive member may speak to the membership regarding their absences should they wish to do so.
- 13.5 The Executive Board will meet at least eight (8) times per year before the regular membership meeting. The Executive Board may meet virtually and/or in person. Where virtual meetings are held, all voting will be conducted electronically provided secrecy can be maintained, where mandated.
- 13.6 Transportation Expense and a per diem (See Sec. 22) shall be provided to members of the Executive Board attending Executive Board Meetings.
- 13.7 Out of pocket expenses shall be reimbursed to Executive Board members upon submission of the approved form and receipts (See Sec. 22) to the Secretary-Treasurer.

SECTION 14 NEGOTIATING COMMITTEE

- 14.1 The Negotiating Committee shall consist of the President and Vice President plus two (2) members and one (1) alternate elected at the November meeting prior to the expiration of the current Collective Agreement.
- 14.2 Transportation Expense and a per diem (See Sec. 22) shall be provided to committee members attending Negotiation Committee Meetings.
- 14.3 When a negotiated contract is arrived at, a memorandum of agreement will be circulated

to the membership at least five (5) working days before the ratification vote takes place.

- 14.4 The National Representative assigned to the Local shall be a nonvoting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

SECTION 15 STANDING COMMITTEES

15.1 Structure

15.1.1 Each Committee shall have an Executive member as their designated Chair.

15.1.2 Annual goals and budget requests for the committee are to be submitted by June 30th to the Executive Board for approval.

15.2 Terms of Reference

15.2.1 All committees shall take direction from and be responsible to the Executive Board. Tasks may be assigned by the Executive Board or by the President.

15.2.2 Standing Committees shall call meetings through their respective Executive Chairperson.

15.2.3 Committees shall give a verbal and written report of activity to the membership at General Meetings.

15.2.4 Any funds allocated to a Committee shall be held by the Secretary Treasurer. Proposed attendance at conferences, conventions and schools shall be dealt with by the Executive Board.

- 15.3 Elections and/or appointments by the Executive shall be held annually to select members to serve on the following Standing Committees:

15.3.1 District Health and Safety - Chaired by President or designate. One (1) member plus one (1) alternate appointed to serve on the committee.

The Committee will:

- Work to educate members on the importance of workplace health and safety.
- Prepare and present reports to the regular membership meetings.
- Organize an April 28th Day of Mourning ceremony each year.
- Participate in joint worksite OH&S meetings.
- Promote safe work procedures and environments to avoid membership illness and injuries.
- Immediately bring to the attention of the Employer any workplace hazards that have the potential to cause members illness or injury.
- Work to eliminate all workplace hazards; physical, environmental, or social.

15.3.2 Social Justice Committee – Chaired by Vice President + appointed members advocating for fairness and equal opportunities for all members in our union.

This Committee will:

- Advise and give guidance to Officers, committee members, and the general membership on all issues that affect all equity seeking groups.
- Promote leadership of equity seeking workers at the Local level and the broader labour movement.
- Increase and support the active participation of equity seeking workers in the Local Union.
- Strive to eliminate racism and discrimination in the workplace, Local Union and society through education and participating in human rights and anti-racism activities in and outside the labour movement.

15.3.3 Social Committee:

Chaired by the Recording Secretary

This Committee will:

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.

15.3.4 Political Action - Chaired by Vice President + appointed members.

This Committee will provide members with information about political choices and encourage them to participate in the political process.

15.3.5 Media Committee - Chaired by Recording Secretary + five (5) appointed positions plus all interested members to contribute to its publications and campaigns.

This Committee will:

- Manage the local newsletter, social media, printed materials and local website.
- Maintain Local 3523 CUPE bulletin board material.
- Assist and distribute printed material.

15.3.6 Good of the Union - Chaired by Secretary Treasurer. Responsibility for Good of the Union is to be dispensed out of the CUPE 3523 Office. Gifts, flowers, fruit baskets, gift cards or donations shall be of approximately one hundred (\$100.00) dollars value.

- Shall be responsible for forwarding good of the union to all members who have been confined to their homes for an extended period.
- Shall send good of the union to members in the case of serious illness/death in their immediate family (i.e., spouse, parent, child).
- Shall in the case of death of one of our members send good of the union to the immediate family or a donation on their behalf will be sent to the charity of their choice.

- Shall in the event of the marriage of a member or a birth by the member or member's spouse or adoption by the member, forward good of the union.
- At their discretion the Executive may forward good of the union to non-CUPE members.

15.3.7 Education Committee - (Chaired by Vice President with two (2) members.)

This Committee will:

- Gather information about appropriate courses, the availability of courses and make recommendations to the Local on whether or not members should be attending.
- Assist delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports.

15.4 Members may be elected annually to serve as Local representatives to the following:

15.4.1 North Okanagan Labour Council (NOLC) - seven (7) members

15.4.2 Southern Interior District Council (SIDC) - seven (7) members

15.5 The following are the designated members and duties of Committees:

15.5.1 Grievance Committee - President, (Chair), Vice President, and the Shop Steward involved.

The Committee will:

- Oversee the handling of all Local grievances.
- Receive copies of all grievances
- Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Rep and to the membership meeting.
- When a grievance is not settled in the initial steps provided for in the collective agreement, the committee will recommend whether or not the grievance should proceed to arbitration.
- If the decision is to not proceed, the grievor may appeal to the Executive Board.

15.5.1.2 APPEALS PROCESS

The decision to file a grievance and to proceed to any step of the grievance procedure including arbitration rests exclusively with the Local Union and not an individual member. To ensure the decisions are fair and not arbitrary, the following appeal process is available for members.

If the member feels they have an issue that warrants a grievance and or arbitration, they must first discuss this issue with their Steward or a member of the Executive Board. The Shop Steward or member of the Executive Board will then consult with the President and advise on the

merits of taking the matter forward. If the decision is to not take the matter forward, the following appeal process may occur.

First Appeal

1. A member who wishes to appeal a decision not to proceed with a grievance or arbitration will notify the Grievance Committee Chair (President) in writing within seven (7) days of receiving this decision from their Steward/member of the Executive Board.
2. The Grievance Committee will meet within seven (7) days to decide on the matter.
3. The Steward/Member of the Executive Board will take any and all necessary steps with the employer to ensure the matter is not lost due to any timelines outlined in the grievance procedure of the collective agreement.
4. The Grievance Committee shall request the opinion of the National Representative.
5. At the meeting, the assigned Steward/Member of the Executive Board will present their reasons for not advancing the matter to grievance or arbitration.
6. The member will then be asked to present their case along with their reasons for why they feel the matter should be advanced and any other information they feel is relevant.
7. The member will then be excused from the meeting.
8. The Grievance Committee will then conduct a secret ballot vote to decide on whether to advance the matter or not.
9. The member will be notified of the decision by the Grievance Committee and their right to advance the matter for final appeal.

Final Appeal

1. Should a member wish, they may advance the matter to a final appeal before the Local Executive Board.
2. To do so, they must notify the Secretary Treasurer within seven (7) days of receiving the decision on the first appeal.
3. The Executive Board will then have the matter placed on the agenda of the next Executive Board meeting or call a special Executive Board Meeting for the matter to be heard within fourteen (14) days of the appeal notice.
4. The Steward/Member of the Executive Board will take any and all necessary steps with the employer to ensure the matter is not lost due to any timelines outlined in the grievance procedure of the collective agreement.
5. Prior to the meeting, the Executive Board shall request the opinion of the National Representative.

6. At the meeting, an assigned Grievance Committee Member will present the Grievance Committee's reasons for not advancing the grievance or arbitration.
7. The member will then be asked to present their case along with their reasons for why they feel the matter should be advanced, and any other information they feel is relevant.
8. The member and the members of the Grievance Committee will then be excused from the meeting.
9. The Executive Board will then discuss the matter with the National Representative and conduct a secret ballot vote to decide on whether to advance the matter or not.
10. The member will be notified of the decision by the President.
11. The decision of the Executive is final; and unless new and cogent evidence arises there will be no further appeal.
12. For the purpose of the final appeal, the quorum requirement shall be three (3) Executive Board members or delegates.

SECTION 16 SPECIAL COMMITTEES

- 16.1 Special Committees may be set up either by election at any meeting or by appointment by the President as directed by the meeting. The President shall sit on all Special Committees except when a conflict of interest would exist.
- 16.2 Special Committee needs shall be assessed by the Executive Board.
- 16.3 Members appointed or elected to Special Committees shall be reimbursed for transportation, meals and accommodations when required, to attend committee meetings. (See Section 22).

SECTION 17 AFFILIATION

- 17.1 Local 3523 shall affiliate and maintain affiliation to CUPE BC (Division) and K-12.
- 17.2 Local 3523 may affiliate and maintain affiliation to BC Federation of Labour, the Southern Interior District Council (\$.35 cents per member per month), and North Okanagan Labour Council (\$.25 cents per member per month).
- 17.3 Representatives to North Okanagan Labour Council and Southern Interior District Council shall receive transportation and expenses and a per diem. (See Section 22)

SECTION 18 INITIATION FEES, DUES AND ASSESSMENTS (Constitution B.4)

- 18.1 Upon application for membership into the Local, every individual candidate shall remit the sum of five dollars (\$5.00) initiation fee; such amount shall be deducted by the Employer and shall be forwarded to the Secretary Treasurer of the Union.
- 18.2 The union dues shall consist of one point zero five (1.05%) percent of gross wages local dues plus national per capita tax but in no case shall total dues be less than three (\$3.00) dollars bi-weekly for any period during which a member works.

- 18.2.1 The readmission fee shall be five (5) dollars after one (1) year of absence. In the case of members who are periodically unemployed and/or absent from the Local, the readmission fee shall only be levied if their absence from the membership equals or is greater than twelve (12) consecutive months.
- 18.2.2 A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union.
- A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but may not be required to pay arrears.
- 18.3 Any change in the Local Union dues or assessments can only be made following a Notice of Motion given at least seven (7) days before at a previous membership meeting or sixty (60) days before in writing; except where dues are raised by an amendment to the CUPE Constitution, or when the National or BC Division invokes a special assessment.

SECTION 19 LOCAL BUDGET

- 19.1 It is the responsibility of the Officers to produce an annual budget with which to guide the expenditures of the Local. The Annual budget will be presented for ratification at the October General Meeting.
- 19.2 Funds are to be established for the following:
- 19.2.1 Social Fund - amounts are to be allocated for functions scheduled for the coming year.
- 19.2.2 Conventions Fund - to cover BC Fed CUPE BC & CUPE National.
- 19.2.3 Conference Fund - to cover annual, biannual and special conferences.
- 19.2.4 Education Fund - to cover Union sponsored opportunities for improved membership education in Union related fields.
- 19.2.5 OH&S Committees - Funds allocated annually as deemed appropriate by the Executive Board following submissions as required under Sec. 15.1.2.
- 19.2.6 Good of the Union - to cover donations to members in good standing who are in distress as well as costs incurred as a result of compliance with 15.3.6.

SECTION 20 VOTING OF FUNDS

- 20.1 Except for expenses and bills attributable to the office operation of Local 3523, all amounts for extraordinary expenses (e.g. office equipment) or items not budgeted for are to receive approval of the membership at a General Meeting. A notice of motion shall be required for any proposed expenditure in excess of two thousand (\$2,000) dollars not covered in the approved annual budget. In the event that schedules will not permit matters to be brought before the membership at a General Meeting, decisions made by the Executive Board will be brought before the next General Meeting.

- 20.2 No sum over one thousand dollars (\$1,000.00) shall be voted for the purpose of a donation.
- 20.3 Any use of Union funds limited to specific work groups to use for, or to assist with, entertainment is not permitted.

SECTION 21 DELEGATES

- 21.1 The Local 3523 President shall be given 1st consideration and Vice President will be given 2nd consideration to attend the CUPE BC and national conventions (Constitution 6.4), as delegates. Any remaining delegates will be elected at a General Meeting. For delegates to be eligible they must have attended at least 50% of membership meetings in the previous 12 months or in the period they were a member, if less than 1 year.
- 21.2 For all delegates sponsored by the Local, the Local will cover registration, accommodation and meals, transportation expenses, and an amount equal to any loss of salary which would be incurred by attendance to conventions or labour education. (see Section 22)
- 21.3 All attendees under this section must submit a written report of the function to the recording secretary within fourteen (14) days of their return from such function.
- 21.4 Delegates to educational institutions and seminars shall be on the recommendation of the Executive Board, subject to final approval at a General Meeting when possible.
- 21.5 Full participation at previous events will be a factor in selecting delegates.

SECTION 22 EXPENSES

- 22.1 The expenses outlined in this section shall apply to all members attending functions as delegates or representatives, officially approved by the Executive Board and/or a General Meeting of Local 3523 (for attendance at Union Education classes and schools see Sec 22.1.2)
 - 22.1.1 Notwithstanding Sec. 22.1 no expense is paid for attendance at General Meetings of the Local.
 - 22.1.2 Members attending as students receive, in lieu of per diem, a flat rate of fifty (\$50) dollars for attendance at week-long Union schools. Transportation, registration, and accommodation inclusive of meals, will be paid by the Local. Registration, transportation and meals expenses are paid for attendance at weekend schools within boundaries of School District #23.
- 22.2 Transportation expenses shall be paid to all Officers and Committee members on Union business.
- 22.3 Wherever possible, Local 3523 members are encouraged to car pool to attend meetings. Only those people who actually drive a vehicle shall be reimbursed for mileage. Consideration will be given to utilizing the lower cost forms of travel for all Union business, but other factors will also be assessed in making the determination.
- 22.4 Rates:
 - 22.4.1 **Private Motor Vehicle** - paid at the current rate applicable through the Collective Agreement to the operator of the motor vehicle used for authorized travel. Any mileage incurred beyond travel to and from home and the normal workplace (when conducting Union business) should be claimed. Total mileage should be calculated

for a given day. The distance from home to the normal place of work and the return trip should be subtracted from that amount and the difference should be claimed as mileage.

22.4.2 **Hotel Accommodation** - whenever possible shall be arranged in advance by the Secretary Treasurer, including appropriate charges and billed to the Local.

22.4.3 **Air Travel** - whenever possible shall be arranged in advance by the Secretary Treasurer. It is the responsibility of air travelers to obtain receipts for all such ground transportation costs. Receipts must be accounted for to the Secretary Treasurer upon return.

22.4.4 **Rental Bus for group travel** - whenever possible shall be arranged by the Secretary-Treasurer and billed to the Local. Receipts must be accounted for to the Secretary Treasurer upon return.

22.4.5 **Per Diem Rates for Meetings, Seminars, Conventions**

22.4.5.1 **Representation Within School District #23 Boundaries**

Meetings/ Seminars/ Conventions:

Members performing union business within the School District Boundaries per-diem meal allowances should not normally exceed the lunch rate of twenty-five (\$25) dollars. There may be occasions when all day and night meetings are attended, in which case other per-diem rates may be claimed.

Meeting Per Diem rates do not apply to any member during assigned working hours in accordance with the collective agreement within School District #23 boundaries.

22.4.5.2 **Representation Outside School District #23 Boundaries**

Shall be paid according to CUPE BC expense policy (Expense policy section 6.0 Per Diem and 7.0 Incidentals)

22.5 Those members selected to attend out of School District #23 Union functions and requiring care for dependents shall be reimbursed up to fifteen (\$15) dollars per hour to a maximum of two hundred twenty-five (\$225) dollars per day upon presentation of paid receipts. No payment shall be made to immediate family members.

22.6 Alcoholic beverages may not be claimed as an expense at any time.

SECTION 23 NOMINATIONS FOR ELECTION TO OFFICE

23.1 Nominations for all elected offices shall be received at the General Meeting in November and January of each year with the exception of all table officers and committees whose nominations shall be received and accepted at the November meeting.

23.2 No member may be elected to more than one (1) officer's position as outlined in Section 5.

23.3 At the close of elected term of office, incumbents will promptly turn over all monies, books, papers, or other property of this Union to the successor of the position.

23.4 Nothing contained in this section shall be deemed to conflict with the provisions of the CUPE Constitution, Appendix "B" Officers.

23.5 Shop Stewards will be nominated by members within their assigned department.

SECTION 24 ELECTIONS

- 24.1 For the purpose of conducting the Annual Elections, the President shall select a Returning Officer to conduct the elections. The Returning Officer shall be a member in good standing and not a candidate for office. The Returning Officer will be appointed by the President and approved by the membership general meeting prior to any nomination or election committee meeting.
- 24.2 The Returning Officer and any assistants shall have responsibility for conducting the elections as set out in these Bylaws and shall treat all information submitted to them in connection with that office as confidential. The Returning Officer shall make their report to the meeting only at the time appointed.
- 24.3 The Returning Officer and any assistants shall be responsible for issuing the ballots to and receiving them from the members.
- 24.4 The annual elections shall be held during the General Meeting in January of each year for the offices of Vice President, Recording Secretary, Membership Officer, Trustees and all Shop Stewards with the exception of committees who are elected at the November meeting.
- 24.5 Anyone who desires to let their name stand for election to a position must be a member in good standing and either be present or signed a letter agreeing to stand for the position which is witnessed and submitted by another member.
- 24.6 The President and the Recording Secretary shall be elected for a two (2) year term at the January General Meeting in even numbered years. The Secretary Treasurer and the Vice President shall be elected for a two (2) year term at the January General Meeting in odd numbered years.
- 24.7 The method of election shall be by secret ballot. Each member allowing their name to stand for election shall be permitted one (1) other member to act as scrutineer (to observe the ballot counting). Immediately following the close of voting, the Returning Officer and assistants shall proceed to count the ballots. Upon completion of same, the Returning Officer shall notify the President that they are ready to report, and the report shall be made immediately.
- 24.8 The form of ballot shall be decided upon by the Executive Board, who shall be responsible for the preparation of sufficient ballots.
- 24.9 Any candidate may appeal for a recount of the votes for whichever office they were a candidate; or the meeting itself, without an appeal, may order a recount of any or all elections. Such appeal and recount shall be done immediately and prior to the election of any other office.
- 24.10 A simple majority of votes cast shall be required before any candidate can be declared elected, and second (2nd) and subsequent ballots shall be taken, if necessary, to obtain such a majority. On the second (2nd) and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In the case of a final tie vote, the presiding officer may cast the deciding vote.
- 24.11 When two (2) or more nominees are to be elected to any office by ballot, each member

voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

24.12 Trustees shall be elected for terms set out in Article B.2.4 of the CUPE Constitution.

24.13 Where virtual meetings are held all voting will be conducted electronically provided secrecy can be maintained where mandated. (Article B.6.2 of CUPE Constitution)

24.14 Shop Stewards shall be elected by members within their assigned department. Shop Stewards are a one (1) year term.

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

SECTION 25 INSTALLATION OF OFFICERS

25.1 All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office until such time as a successor has been elected and installed.

25.2 In the event that any elected office becomes vacant during the normal period between elections a special election shall be held to fill the vacancy at the next General or special meeting with no less than fifteen (15) days written notice. In the interim the Executive may appoint someone to fill the position for a term not to exceed three (3) months.

SECTION 26 AMENDMENTS AND ALTERATIONS

26.1 Changes to these Bylaws may only be made following a Notice of Motion given at least seven (7) days before at a previous membership meeting or sixty (60) days before in writing. These Bylaws shall not be amended, added to, or suspended except upon a two-thirds (2/3) majority vote of those present and voting at a general or special membership meeting.

26.2 The Bylaws of the Local shall at all times be subordinate and subject to the provisions of the Constitution of the Canadian Union of Public Employees, as such Constitution and Bylaws exist or may, from time to time hereafter, be altered or amended, and in any event of conflict, the Constitution of the Canadian Union of Public Employees shall govern. Matters of interpretation of these Bylaws shall be subject to the provisions of Article-8.2(c) of the CUPE Constitution.

26.3 Any changes in these Bylaws shall not be valid until approved by the National President of the Canadian Union of Public Employees in accordance with Section 12.3c of the CUPE Constitution.

26.4 Members will receive a copy of the Bylaws either in paper on request or on the Local website.

SECTION 27 MEMBER RECOGNITION

27.1 New Member Orientation

27.1.1 The Union shall provide an orientation session(s) for all new members.

27.1.2 The purpose of the orientation is to introduce members to CUPE Local 3523, including the collective agreement, local bylaws, available support and CUPE's structure.

- 27.1.3 Orientation sessions may be held in person and shall be scheduled at reasonable intervals throughout the year.
- 27.1.4 The Union Executive or their designate shall be responsible for preparing and delivering orientation materials.

27.2 Retirement and Years of Service Recognition

- 27.2.1 The Union shall recognize members for milestones in service, including retirement.
- 27.2.2 Recognition may include, but is not limited to, acknowledgments at recognition events and with small tokens of appreciation, as determined in the Policy and Procedure manual.
- 27.2.3 The Union shall maintain a record of members' years of service for the purposes of recognition.
- 27.2.4 Retiring members shall be acknowledged at the next appropriate recognition event.
- 27.2.5 The Executive shall establish procedures for the administration of recognition events.
- 27.2.6 The Union Executive, or their designate, shall be responsible for preparing and delivering recognition events.

APPENDIX "A"

Rules of Order

- 1) The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice President will be the Chairperson at the membership meeting. In the absence of the President and Vice President, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
- 2) Members are not allowed to speak about an issue for more than five (5) minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
- 3) The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen (15) minutes. With the agreement of the members present, the fifteen (15) minutes may be expanded.
- 4) The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: "Is the Local ready for the motion?" If no member rises to speak, the motion will be voted upon.
- 5) A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
- 6) A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
- 7) An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
- 8) On motion, the regular order of business at a membership meeting may be suspended where two-thirds (2/3) of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
- 9) Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
- 10) At the request of a member, and upon a majority vote, a motion which contains more than one (1) action or issue can be divided.
- 11) The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
- 12) A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.

- 13) The Chairperson will keep a speakers list and, in all cases, will determine the order of speakers including those circumstances where two (2) or more members rise to speak at the same time.
- 14) A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
- 15) A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
- 16) Religious discussion of any kind is not permitted.
- 17) The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
- 18) The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
- 19) When a motion is before the members, no other motion is in order except a motion to:
 1. adjourn;
 2. put the previous question;
 3. lay on the table;
 4. postpone for a definite time;
 5. refer; or
 6. divide or amend.These six (6) motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.
- 20) The Chairperson will ask the main question be now put?" where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
- 21) A motion to adjourn is in order except when a member is speaking or when members are voting.
- 22) A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen (15) minutes have elapsed.
- 23) After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the

time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, "Will the decision of the chair be upheld?" A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.

- 24) At a membership meeting where a question has been decided any two (2) members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds (2/3) majority of members who vote. If two-thirds (2/3) majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.
- 25) Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
- 26) The Local Union's business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.

APPENDIX "B"

CUPE National Equality Statement

Union solidarity is based on the principle that Union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As Unionists, mutual respect, cooperation, and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile, or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic, or homophobic hurts and thereby divides us. So too does discrimination on the basis of ability, age, class, religion and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue, or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society, and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff, and elected Officers must be mindful that all persons deserve dignity, equality, and respect.

APPENDIX “C”

Executive Honorarium

A monthly honorarium shall be issued to CUPE Local 3523 Executive members as follows:

- 1) President: two hundred fifty (\$250) dollars per month
- 2) Vice President: two hundred (\$200) dollars per month
- 3) Secretary Treasurer: two hundred (\$200) dollars per month
- 4) Recording Secretary: two hundred (\$200) dollars per month
- 5) Shop Stewards: one hundred (\$100) dollars per month
- 6) Membership Officer: one hundred (\$100) dollars per month

APPENDIX “D”

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 at all levels 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.

This Code of Conduct sets out standards of behaviour for participants at national convention, conferences, schools, meetings, and any other union events organized by CUPE National, Local 3523, or any other CUPE chartered body. 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 and at events, meetings, and activities by other CUPE bodies. 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 use 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 them 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. A complaint shall be brought to the attention of an ombudsperson when there is one available. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
3. The ombudsperson or the person in charge will work to seek a resolution. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge. The person in charge has the authority to expel members from the event for serious or persistent offenses.
4. If the complaint involves a national 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. If the complaint involves a staff member employed by another CUPE chartered organization, the complaint shall be referred to the person responsible for their employment.
5. If the person in charge is a party to the complaint, an alternate will be designated to assume the role.
6. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For other events, the presiding officer shall receive a report on the matter.
7. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. For other events, the presiding officer shall consult the National President.

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.

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

APPENDIX “E”

Continuing Education Bursary Allocation

A continuing education bursary of one thousand dollars (\$1,000) will be awarded annually at each secondary school in the Central Okanagan through the Central Okanagan Bursary and Scholarship Society (COBSS). Applications will be submitted to, and selected by, COBSS. All active CUPE 3523 members in good standing who have a child attending a secondary school are eligible to apply.

Website link: cobss.sd23.bc.ca