

Bylaws Of The Canadian Union Of Public Employees Local 4879

PREAMBLE

These By-laws are designed to give proper balance to the administration of CUPE Local 4879.

Duties and responsibilities of elected officers and members of committees should be as widely dispersed as possible. It should not be left to the willing few to have to serve in multiple capacities. In other words, duties should be shared by the many rather than the few. While various committees have been designated as Standing Committees, this does not preclude the possibility of special committees being established from time to time as may be required and necessary. In order to improve and maintain the social and economic welfare of its members without regard to colour, race or creed, to promote efficiency in Public Employment and to give clear evidence of its recognition of the unity of organized labour, this Local has been formed and does now establish these By-laws for its government.

Canadian Union of Public Employees

## 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 that is racist, sexist, transphobic or homophobic hurts and thereby divides us; so too, does discrimination on the basis of ability, age, class, religion, language and ethnic origin.

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

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**Article 1**  
**NAME**

- (a) The name of this Local shall be Canadian Union of Public Employees, Local 4879; hereafter referred to as CUPE Local 4879.

**Article 2**  
**PRINCIPLES AND OBJECTIVES**

- (a) To secure through collective bargaining: improvements to wages, rights and benefits, improved working conditions and job security, and more flexible hours of work;
- (b) to encourage the settlement of all disputes between the members and the employer by negotiation and mediation where possible;
- (c) to reach final settlement of all disputes between the Union and the employer by whatever means necessary;
- (d) to represent the various occupations of the membership and involve all members in the Union;
- (e) to elevate the morale, intellectual and social conditions of all workers in general and of this membership in particular;
- (f) to support the Canadian Union of Public Employees in its aims and objectives.

**Article 3**  
**DEFINITION OF A MEMBER IN GOOD STANDING**

A member is an employee of Thompson Rivers University who has applied for and been accepted into membership of this Union as a condition of employment and by accepting such employment agrees to abide by the CUPE Constitution and CUPE Local 4879 By-laws. Any member of this Local remaining on the job when a strike is called may be disciplined by CUPE Local 4879 under the provisions of Article B.VI of the CUPE Constitution. Any such member who is disciplined may appeal the decision under the provisions of the CUPE Constitution.

**Article 4**  
**DEFINITION OF A LIFETIME MEMBER**

CUPE Local 4879 Members, who are in good standing upon retiring, may apply for an Honorary Retired Member Card. Please see article B5.2 of the CUPE Constitution for more information.

**Article 5**  
**FEEES, DUES AND ASSESSMENTS**

**INITIATION FEE & DUES:**

Each application for membership in CUPE Local 4879 will be directed to the Treasurer. An initiation fee of five dollars (\$5) will be assessed in addition to the monthly dues deduction of 2.01% of each member's gross monthly earnings. This includes any and all monies paid by the employer, which one-eighth (1/8<sup>th</sup>) of the total dues collected shall be placed in a Defence Fund to be used for the express purpose of the Local in obtaining legal, statistical or other required information to aid them during negotiations, grievances and arbitrations. CUPE Local 4879's Current Account will maintain funds to cover a minimum of three (3) months operating expenditures at any one time. Union dues for new members shall be owing from the first day of employment.

Changes in the level of the initiation or re-admittance fee or the monthly dues, or the levying of any special assessment, can only be effected by majority vote of the membership at a General or Special membership meeting provided appropriate notice has been given in accordance with Appendix B.7.1 of the CUPE Constitution. Special assessments may be levied in accordance with Appendix B.4.2 of the CUPE Constitution.

**ASSESSMENTS:**

Notwithstanding any other provisions in these By-laws, if CUPE National, CUPE BC, or any other organization with which the CUPE Local 4879 is affiliated raises the minimum fees and/or dues above the level established, or approves a special assessment, these By-laws will be deemed to have been automatically amended to increase the Local's dues accordingly.

**Article 6**  
**NON-PAYMENT OF DUES AND ASSESSMENTS**

Any member in arrears for a period of three (3) months may be suspended and shall be reported to the Executive Committee by the Treasurer. The Executive Committee shall report to the General Meeting with a recommendation. Any member under suspension wishing to be reinstated shall upon application, pay a reinstatement fee of two dollars (\$2) plus any dues and assessments in arrears. This money will be returned if application for reinstatement is refused.

Any member who is unemployed or who suffers loss of pay through sickness or accident shall retain his/her membership in the Local and shall be required to pay no dues for such period of time and any member who is unemployed through lay-off shall retain his/her membership until the seniority provisions of the Collective Agreement are exhausted.

## **Article 7 MEETINGS**

### **1. GENERAL MEMBERSHIP MEETINGS**

General Membership Meetings shall be held on the second Wednesday of the month at 4:35 pm except during the months of July and August. There shall be no meeting held in July and August.

The Executive Committee will give seven (7) calendar days written notice of any change in the date of the General Membership Meeting.

### **2. SPECIAL MEETINGS**

Special meetings may be called by order of the Executive Committee or by a written request of twenty-five (25) members to the President of the Local. No business shall be transacted at such special meetings other than that for which the special meeting has been called. At least forty-eight (48) hours notice of all special meetings must be given to the Membership.

### **3. QUORUM**

A quorum for the transaction of business at any general or special meeting shall consist of at least fifteen (15) members in good standing including at least four (4) members of the duly elected Executive officers.

The Executive Committee is empowered to conduct the full business of the Local between meetings in accordance with CUPE Local 4879 By-laws.

### **4. EXECUTIVE COMMITTEE MEETING**

The Executive Committee shall comprise of all elected CUPE Local 4879 officers, and any four (4) of these shall constitute a quorum for the purpose of Executive Committee Meetings. The Executive Committee shall meet at least once every month.

Expenses for executive meetings shall be as per the expense policy, Article 26, or by a motion.

### **5. VALID REASONS FOR NON-ATTENDANCE AT MEETINGS.**

Members wishing to be recorded as excused from a general membership meeting must submit their written request to the Executive for consideration.

*Definition of acceptable absences for members who are elected/appointed to an executive position will include: illness, compassionate leave, vacation, bereavement, or working at a bona fide union function (IE: performing work for the employer on behalf of CUPE 4879).*

**Article 8**  
**ORDER OF BUSINESS**

1. Roll call of officers
2. Oath of Obligation for New Members
3. Adoption of Minutes of Previous Meeting
4. Matters arising out of the Minutes
5. Adoption of Treasurer's Report
6. Correspondence
7. Executive Committee Report
8. Reports of Committees and Delegates
9. Nominations and Elections
10. Unfinished Business
11. New Business
12. Good of the Union
13. Adjournment

**Article 9**  
**VOTING PROCEDURES**

**ELIGIBILITY TO VOTE**

CUPE Local 4879 members must be members in good standing to be eligible to vote (see Article 3).

**DEFINITIONS**

- i) **Majority Vote:** A Majority must be a portion greater than one-half of the total number of votes cast (that is, at least fifty percent (50%) plus one (1) of total votes cast).
- ii) **Plurality vote:** A plurality is the excess of votes cast for one candidate over those cast for any other. This means that the successful candidate need only receive more votes than his or her opponent(s).
- iii) **Two-Thirds (2/3) vote:** A two-thirds vote is used for By-Law changes. The vote is passed if two-thirds of the votes are cast in favour of the proposed changes.

**SECRET BALLOTING**

Secret ballots are used for elections of officers and delegates, strike votes and contract ratification. Secret ballots are not required for motions but may be requested at any time. All ballots will be destroyed after voting unless there is a legal requirement to hold the ballots for a period of time until they may be destroyed.

## CONTRACT RATIFICATION VOTE

The contract ratification vote will be taken by secret ballot no later than two (2) working days following the meeting where the tentative agreement is presented to the membership. A majority vote is required in order for the contract to be ratified.

## ELECTIONS

- i) Eligibility: To be eligible the nominated member must meet the requirements for eligibility described in Article 11.
- ii) Voting: Any elected position will be filled by plurality vote. The candidate receiving the largest number of votes will be declared elected.
- iii) Alternates: If alternates are required, they will be elected by the membership.

## STRIKE VOTE

Before a strike vote can be taken, the membership must be notified of the time and place of a meeting, with such notice being mailed to members at their normal place of work at least seven (7) calendar days before the meeting date. In case of dispute, the date of distribution by mail will be considered as being conclusive. Voting will be by secret ballot in accordance with the British Columbia Labour Act with a majority vote necessary for adoption.

## **Article 10** EXECUTIVE COMMITTEE AND TERMS OF OFFICE

President (two (2) year term)

First Vice President (two (2) year term)

Second Vice President (two (2) year term)

Recording Secretary (two (2) year term)

Treasurer (two (2) year term)

Sergeant at Arms (two (2) year term)

Trustees (three (3) year terms) – At the first election of officers, the Trustees shall be elected so that one shall serve for a period of three years, one for two years and one for one year. Each year thereafter the local shall elect one Trustee for a three-year period.

Trustees are not officers of the Executive Committee.

**Article 11**  
**ELIGIBILITY TO HOLD OFFICE**

(a) EXECUTIVE COMMITTEE

President: Fifty percent (50%) attendance of General Meetings during the twelve (12) months prior to the date of the election.

First Vice President: Fifty percent (50%) attendance of General Meetings during the twelve (12) months prior to the date of the election.

Second Vice President: Fifty percent (50%) attendance of General Meetings during the twelve (12) months prior to the date of the election.

Treasurer: Fifty percent (50%) attendance of General Meetings during the twelve (12) months prior to the date of the election.

Recording Secretary: Fifty percent (50%) attendance of General Meetings during the twelve (12) months prior to the date of the election.

Sergeant at Arms: Fifty percent (50%) attendance of General Meetings during the twelve (12) months prior to the date of the election.

(b) Trustees: Members at Large.

(c) Committee Chairs: Fifty percent (50%) attendance of General Meetings during the twelve (12) months prior to the date of the election. The Grievance Chair must be an active and trained shop steward.

(d) Grievance Committee: Members must be active shop stewards.

Should any Officer fail to answer the roll call for three (3) consecutive regular meetings without good reason for such absences or should any office not be filled at the elections; the office shall be declared vacant and notwithstanding Article 16 – Duties of the President, the same filled by an election from the membership at large upon the recommendation of the Executive Committee at the following meeting.

**Article 12**  
**NOMINATIONS FOR ELECTION TO OFFICE**

- (a) Nominations for all elective offices shall be received at the General Meeting held in the month of November. No nomination shall be accepted unless the member is in attendance at the nomination meeting. In the event that the member cannot attend the meeting, they may submit their acceptance of nomination in writing. No member shall be eligible for nomination if s/he is in arrears of dues and/or assessment and must be a member in good standing. No member may be elected to more than one Executive office. Nominations for the positions of the Executive office shall be as follows: For elections in odd numbered years the President, Second Vice President and Secretary shall be nominated. For elections in even numbered years the First Vice President, Treasurer and Sergeant at Arms shall be nominated. In the event that no eligible member stands for any office, the nomination and election for the vacant office(s) will occur at the subsequent monthly meetings.
- (b) In the event that any elective office becomes vacant during the normal period between elections, a special election shall be held to fill the vacancy at the next regular meeting, after the necessary notification to the members (except as provided in Article 16 - vacancy of the President's Office). During the interim period, the Executive Committee shall have the authority to fill such vacancy by appointment until the next regular meeting.
- (c) Nothing contained in (a) of this article shall be deemed to conflict with the provisions of the CUPE Constitution, Appendix "B", Article 2, Officers.

**Article 13**  
**ELECTIONS**

For the purpose of conducting elections, the President, subject to the approval of the members at the November general meeting, will appoint a Balloting Committee of not less than five (5) members. They shall be members in good standing and not candidates for office. The Balloting Committee shall treat all information submitted to them in connection with the election as confidential.

The Elections shall be held on the day of the general meeting in January. The method of election shall be by secret ballot. The Balloting Committee shall be responsible for issuing the ballots to and receiving them from the members. Immediately following the close of voting the Balloting Committee shall proceed to count the ballots. Each nominee is invited to appoint a scrutineer to oversee the ballot count. Upon completion of same, the Balloting Committee spokesperson shall notify the Meeting Chair. The Chair will then report.

The form of ballot shall be decided upon by the Executive Committee, who shall be responsible for the preparation of a legitimate voting procedure for all members in good standing and the preparation of sufficient ballots.

Any candidate may appeal for a recount of the votes for whichever office s/he was a candidate;

or the meeting itself, without an appeal, may order a recount of any or all elections, provided, however, that in either instance, a majority of the members present at the meeting shall vote in favour of such recount. Such recount shall be taken immediately and prior to election of any other office.

A Plurality vote shall be used for elections (see voting). In the case of a tie, the presiding officer may cast the deciding vote.

A motion is required to destroy the ballots following the completion of the election.

#### **Article 14** INSTALLATION OF OFFICERS

All duly elected officers shall be installed and take the Oath of Office at the meeting at which elections are held and shall continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three years.

#### **Article 15** DUTIES OF THE EXECUTIVE COMMITTEE

The EXECUTIVE COMMITTEE will:

- meet at least once a month, four (4) members of the Executive constitutes a quorum;
- work with the Treasurer to develop CUPE Local 4879's annual budget, and to monitor expenditures;
- present for approval to the membership no later than September an operating budget and review engagement report which will include all expenditures foreseen by the Committee during the Union's fiscal year, July 1 to June 30 (if there is no quorum at the September meeting then the previous budget will remain in effect until the new budget is approved);
- review all motions carried at membership meetings to ensure that the membership's decisions contained therein are promptly acted on;
- administer and carry out all work delegated to it by the Local;
- endeavour to work in close harmony and cooperation with CUPE Local 4879's National representative;
- be empowered to appoint committee members, eligible delegates and alternates as provided for in these By-laws;
- ensure the proper maintenance and functioning of all Committees.
- be authorized to pay ordinary and regular expenditures on behalf of the Local;
- invite guests to attend Executive Committee meetings –such guests will have a voice but no vote;
- hold all residual powers;
- consider all requests for leave of absence for Union business except where authorized by these By-laws or by a motion passed at an Executive Committee or General Meeting;
- approve all travel expenditures;
- attend General and Executive Committee meetings of CUPE Local 4879;
- prepare and research, as required, for Executive Committee and General Meetings;

- preserve the confidentiality of the business of the Executive Committee;
- preserve and monitor the confidentiality of all Union matters;
- advise the Recording Secretary if unable to attend Committee or General meetings;
- notify the President of any inability to fulfill their duties
- hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved;

## **Article16**

### **DUTIES OF EXECUTIVE OFFICERS**

The PRESIDENT will:

- enforce the CUPE Constitution and CUPE Local 4879 By-laws;
- preside at all Membership and Executive Committee Meetings and preserve order;
- decide all questions of order and procedure (subject always to appeal by the membership, but will not vote on such an appeal);
- announce the results of all votes, except elections presided over by another officer;
- ensure that all officers and committee members perform their assigned duties;
- be a member of the Negotiations Committee, Grievance Committee and the Labour Management Committee;
- be a member of selected Union and University committees and serve as ex-officio member of all committees;
- appoint committee members and delegates where provided for in these By-laws;
- co-sign cheques when required and ensure that the Local's funds are used only as authorized or directed by the CUPE Constitution, CUPE Local 4879 By-laws, or vote of the Executive Committee or membership at a General meeting;
- have first preference as a delegate to the CUPE National Convention, the Canadian Labour Congress Convention, the British Columbia Federation of Labour Convention and all other conventions, conferences and meetings of agencies with whom CUPE Local 4879 is affiliated. In the event the President does not exercise his/her right, another member of the Executive will go in their place as determined by the Executive Board;
- be empowered to make discretionary decisions consistent with these By-laws (after consultation with other Executive Committee Members) when time or other constraints do not allow for proper presentation to the Executive Committee or general membership (subject always to appeal by the membership, but will not vote on such an appeal);
- initiate and respond to correspondence pertaining to the administration of the Collective Agreement or on any other matter of importance to CUPE Local 4879;
- be empowered to temporarily appoint a member to any vacant Executive Committee position until a by-election can be held;
- be allowed, monthly, necessary funds to reimburse any Officers for authorized expenses incurred on behalf of the Local upon submission of signed vouchers and/or receipts. Such accounts will be included with statements presented by the Treasurer to the membership at monthly meetings;
- be empowered, with the approval of the Treasurer, to discuss Union staffing issues with Executive Committee Officers and fund Union staffing as necessary;

- appoint an Acting President to perform all duties in the absence of the President where not otherwise prescribed by these By-laws;
- perform all other duties and responsibilities of the President described in the CUPE Local 4879 By-laws or in the Collective Agreement;
- perform duties and responsibilities of other Executive Committee members when they are absent.

The FIRST VICE PRESIDENT will:

- perform all duties of the President in the absence of the President; unless otherwise stated in these By-laws;
- be Acting President when the office of President falls vacant until a new President is elected;
- deliver the Executive Committee report at the General meeting;
- aid the President in performing such other duties consistent with these By-laws as the President will from time to time determine necessary;
- co-sign cheques when required and ensure that the Local's funds are used only as authorized or directed by the CUPE Constitution, CUPE Local 4879 By-laws, or vote of the Executive Committee or membership at a General meeting;
- be a member of selected Union and University committees.

The SECOND VICE PRESIDENT will:

- perform all duties of the President and the First Vice President in the absence of both the President and First Vice President;
- be Acting First Vice President when the office of the First Vice-President falls vacant until a new First Vice President is elected;
- co-sign cheques when required and ensure that the CUPE Local 4879's funds are used only as authorized or directed by the CUPE Constitution, CUPE Local 4879 By-laws, or vote of the Executive Committee or membership at a General meeting;
- be a member of selected Union and University committees.

The RECORDING SECRETARY will:

- prepare correspondence on behalf of the President and the Executive by receiving, recording and preparing replies to communications.
- prepare notices of Union leave, send to employees' departments and keep a record of all Union leave;
- circulate all labour literature that is of interest to the various members and officers;
- fulfill other secretarial duties as requested by the President;
- receive, file and distribute official CUPE correspondence;
- keep full and accurate account of all the proceedings of General and Special meetings including: record all motions with mover's and seconder's names, amendments to the CUPE Local 4879 By-laws, results of elections and votes. Include a copy of the full financial report presented by the Treasurer with the record of all membership meetings. Record Motions in a Book of Motions and keep By-Law Book updates;

- sign Minutes as approved by the membership and obtain the Presiding Officer's countersignature. This copy will be designated the "archive copy" and will be preserved for binding at year's end and kept on file at all times for deciding questions of the record;
- prepare sufficient draft copies of the Minutes to be distributed normally three days before each Executive Committee meeting and preserve one of the copies for binding at year's end. This copy will be designated the "loaner copy" and may be loaned to any member or officer upon written request;
- accept the sign in sheets from the Sergeant at Arms at each meeting and include this in the archive Minutes as well as the loaner copy;
- prepare a condensed copy of minutes of monthly membership meetings and distribute it with a notice of the next meeting and its agenda to the full membership each month;
- book rooms for all General, Executive Committee and Special meetings;
- maintain a record of all keys issued for Union offices and request additional keys where necessary;
- be empowered, with the approval of the Executive Committee, to employ secretarial/clerical assistance, such assistance is to be paid for out of Union funds;
- maintain Committee contact lists and make available to the membership;
- co-sign cheques when required and ensure that the Local's funds are used only as authorized or directed by the CUPE Constitution, CUPE Local 4879 By-laws, or vote of the Executive Committee or membership at a General meeting;
- be a member of selected Union and University committees.

The TREASURER will:

- work with the Executive Committee to develop CUPE Local 4879's annual budget, and to monitor expenditures;
- regularly make a full **written** financial report to meetings of the Executive Committee as well as General membership meetings, detailing all income and expenditures for the period (in accordance with Appendix B3.6 of the CUPE Constitution);
- forward to CUPE National all financial obligations for the previous month (in accordance with Appendix B3.8 of the CUPE Constitution);
- accept all applications for membership, record initiation fees, issue membership cards to initiated members, and replace lost cards upon application;
- provide an accurate monthly membership report including dues to all General meetings and to the National CUPE office and to all affiliates who are entitled to per capita payments;
- review the dues deductions on a monthly basis;
- promptly deposit all money received within three (3) working days after receipt in the name of CUPE Local 4879 in a bank or credit union selected by the Local and receive receipt for same;
- primary signatory for all cheques that have been authorized for payment by the Executive Committee or membership at a General Meeting, except that no authorization will be needed for payment of per capita fees to any organization with which the Local is affiliated;

- be bonded through a master bond held by the CUPE National Office. Any Treasurer who cannot qualify for a bond will be disqualified from office (in accordance with Appendix B3.9 of the CUPE Constitution);
- record all transactions in a manner acceptable to the Executive Committee and Trustees and in accordance with good accounting practices;
- deliver the Local's books to the Trustees for review annually after December 31 and provide the Trustees with any information they may need to complete the review report forms supplied by CUPE;
- within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees;
- deliver the Local's books to an accountant for a "review Engagement Report" annually after July 1 and provide accountant with any information they may need to complete the review. Arrange for the accountant to present the report to the membership.
- upon relinquishing office, ensure that all records are balanced and in good order before handing them over to the new Treasurer;
- be empowered, with the approval of the Executive Committee, to authorize accounting or clerical assistance which will be paid by the union;
- be a member of selected Union and University committees.

The SEARGENT AT ARMS will:

- keep a record of attendance for all General and all Special Meetings
- may appoint additional Sergeants at Arms to assist when necessary;
- make known to the President the number of members and guests present at the meeting at any time;
- record and make known to the President new members who need to take the oath of obligation;
- present the sign in sheets to the Recording Secretary at the close of the meeting with their signature and those of the extra Sergeants at Arms, if any;
- admit members and CUPE representatives but will not admit guests or any non-dues paying visitor except those invited by the Executive Committee;
- admit uninitiated members at their discretion but will be responsible for ensuring that they do not vote or otherwise disrupt normal procedures if allowed admittance;
- ensure expense vouchers & handouts are distributed appropriately;
- be a member of selected Union and University committees;
- ensure that during votes no one comes or leaves until the vote has taken place.

The TRUSTEES will:

- be responsible for ensuring that monies paid out have proper constitutional, Executive, or membership authorization;
- ensure that proper financial reports are made to the membership;
- act as an review committee and review the books and accounts of the Treasurer and standing committees annually and will be permitted to keep the books for a period sufficient to check all entries;
- 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 Union's fund, records, and accounts are being maintained by the Treasurer in an organized, correct and proper manner;
- report their findings, with written recommendations, to the first membership meeting following the completion of each review;
- inspect annually any stocks, bonds, securities, office furniture and equipment, titles of deeds to property that may at any time be owned by the Local and report their findings to the membership;
- use forms supplied by the National CUPE office and send a copy of each yearly review to the National Secretary-Treasurer and the area CUPE office in accordance with the provisions of the CUPE Constitution;
- attend General meetings.

## **Article 17** **COMMITTEES**

### COMMITTEES AS PER THE COLLECTIVE AGREEMENT

- Negotiation Committee
- Grievance Committee
- Job Evaluation Committee
- Labour Management Committee
- Harassment Prevention Committee
- Occupational Health & Safety Committee

### STANDING COMMITTEES

- Education Committee
- Social Committee

The COMMITTEE CHAIRPERSONS will:

- coordinate the activities of the Committees;
- identify committee priorities and recommend actions to the Executive Committee;
- give reports to the Executive Committee and General Meetings in writing.

The COMMITTEE MEMBERS will:

- represent the members in matters directly related to their committees as defined in these By-laws and the Collective Agreement;
- meet at least once a month with their committees to discuss policy matters and seek to resolve problems related to their committees.

## **Article 18** **EDUCATION COMMITTEE**

The EDUCATION COMMITTEE will:

- be comprised of not less than three (3) members;
- at the first election of officers in CUPE Local 4879, the Education Committee shall be elected so that one member shall serve for a period of three years (3), one for two years (2) and one for one year (1); each year thereafter the Local shall elect one Education Committee member for a three-year period or, in the case of vacancies occurring, elect Committee members to fill only the unexpired term in order to preserve overlapping terms of office;
- elect its own Chairperson;

- co-operate with the Education Committee and Public Relations Departments of the Canadian Union of Public Employees in identify training priorities, educational opportunities, conferences and conventions;
- recommend education and actions to the Executive Committee;
- provide an evaluation form to all members attending conferences or education seminars;
- in the event that scholarships are to be awarded, the committee shall meet to determine scholarship criteria and award recipients.

**Article 19**  
**SOCIAL COMMITTEE**

The SOCIAL COMMITTEE will:

- be comprised of not less than three (3) members;
- arrange and conduct all social and recreational functions of CUPE Local 4879, and shall appoint it's own Chairperson;
- submit reports first to the Executive Committee, then to the general membership;
- arrange and conduct such functions as may from time to time be decided upon by the membership and approved by the Executive;
- A ceiling for the committee's net expenditures will be fixed annually by the membership as part of the annual budget

**Article 20**  
**SPECIAL COMMITTEES**

Special Committees may be set up either by election at any meeting or by appointment by the President as directed by the meeting.

**Article 21**  
**KAMLOOPS AND DISTRICT LABOUR COUNCIL DELEGATES**

Delegates to the Kamloops and District Labour Council (KDLC) shall be elected. An official reporter for these delegates shall be appointed by the President from amongst these delegates, and s/he shall be required to report at each general meeting of the Local on proceedings at recent meetings of the Labour Council.

**Article 22**  
**DELEGATES TO CONVENTIONS, CONFERENCES, SEMINARS  
AND EDUCATIONAL COURSES**

- (a) Except as provided for in Article 16, Duties of the officers, all delegates to conventions, conferences, seminars and educational courses shall be chosen by election by the membership. To be eligible as a delegate a member shall have attended at least fifty percent (50%) of the general meetings in the previous twelve (12) months or a minimum of five (5) meetings in the case of a new member with less than one (1) year of service.
- (b) As per Article 26 all delegates elected to the conventions, conferences, seminars and educational courses shall be paid as per the travel and expense policy.
- (c) No alternates will be selected unless a motion is passed to do so. Alternates will only attend if one of the delegates can not attend.

**Article 23**  
**NEGOTIATIONS**

- (a) The Committees shall regularly report their progress in bargaining to the membership for further instructions as required. No agreement shall be made with the employer until its provisions have been submitted to the CUPE Local 4879 Membership for their acceptance, rejection, or amendment that shall be voted on by secret ballot, and adopted by a simple majority of the Membership of the Local in attendance at a meeting at which the proposals are being considered.
- (b) Letters of Understanding that affect the collective agreement require signatures of the President and three other Executive Officers and must be ratified by the membership.

**Article 24**  
**VOTING OF FUNDS**

Except for ordinary expenses and bills as approved by the General Meeting, no sum over one hundred dollars (\$100.00) shall be voted for the purpose of a grant or contribution to a member or any cause outside of the House of Labour. Expenditures of over one hundred dollars (\$100.00) within the house of labour require a Notice of Motion. The Notice of Motion must be presented, in writing, at a CUPE Local 4879 General Membership Meeting. It will be placed on the agenda for the next month's general meeting. If the motion is amended at the next month's general meeting, no action can then be taken on the motion at that meeting. The motion will be placed on the agenda for the following month's general meeting.

**Article 25**  
**RULES OF ORDER**

- (1) The President or in his/her absence the First Vice President shall take the chair at the time specified at all regular and special meetings. In the absence of both the President and First Vice-President, the Second Vice President shall take the Chair.
- (2) The President shall state every question coming before the Local and before allowing debate thereon, and immediately before putting it to a vote, shall ask, "Is the Local ready for the question?" Should no member rise to speak and the Local indicate readiness, the question shall then be put. After the President has risen, no member shall be permitted to speak upon the question.
- (3) A motion to be entertained by the presiding officer must be seconded, and the mover as well as the seconder must rise, state their name and be recognized by the chair.
- (4) A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted.
- (5) On motion, the regular order of business may be suspended by a two-thirds vote of those present, to deal with any urgent or necessary business.
- (6) All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
- (7) 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.
- (8) Any member having made a motion can withdraw it with the consent of the seconder, but a motion once debated cannot be withdrawn except by a majority vote of those present.
- (9) When a member desires to speak on a question, or offers a motion, s/he shall rise in his/her place and respectfully address the presiding officer; but s/he shall not proceed further until recognized by the chair, except to state that s/he rises to a point of order or on a question of privilege. S/he shall proceed to a microphone.
- (10) When two (2) or more members rise to speak at the same time, the presiding officer shall decide which one (1) is entitled to the floor.
- (11) Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any reflection on the Local or any members thereof.
- (12) If a member while speaking is called to order, s/he shall cease speaking until the point is determined, when, if decided in order, s/he may again proceed.

- (13) No sectarian discussion (this is to say, religious discussion) shall be permitted in the meeting at any time.
- (14) No member shall speak more than three (3) minutes except the mover or seconder of a resolution, who shall speak no more than five (5) minutes at any one time or more than once on the same question, until all members wishing to speak, have had an opportunity to do so, when s/he may be allowed, by permission of the chair, to speak a second time.
- (15) The President shall take no part in debate while presiding, but may yield the chair to the First Vice-President in order to speak on any questions before the Local, or to introduce a new question.
- (16) The presiding officer shall have the same rights as other member to vote on any question. In case of a tie, s/he may give a casting vote, or if s/he chooses, refrain from voting, in which case the motion does not prevail and the decision is in the negative.
- (17) When a question has been put, no motion shall be in order except (a) to adjourn, (b) the previous question, (c) to lay on the table, (d) to postpone for a definite time, (e) to refer, (f) to divide or amend, which motions shall have precedence in the order named. The first three of these shall be decided without debate.
- (18) A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended shall be put to the Local.
- (19) A motion to adjourn is in order except (a) when a member has the floor, and (b) when members are voting.
- (20) A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.
- (21) Before the presiding officer declares the vote on a question, or after a vote has been declared lost or carried and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken; the Chair shall appoint a Balloting Committee to count same.
- (22) Upon the request from a member in attendance for a secret ballot, the Chair shall accede to the request and conduct a secret ballot vote.
- (23) If any member shall feel him/herself personally aggrieved by the decision of the chair, s/he may appeal to the Local for such a decision.
- (24) When the decision of the President is appealed, s/he shall state his/her decision and the reasons therefore, from the chair. The party appealing shall state briefly the reason for appeal, after which, without further debate, the question shall be put thus: "Shall the

decision of the chair stand as the decision of the Local?" It shall require a majority vote to sustain such appeal.

- (25) After a question has been decided, any two (2) members who have voted in the majority may at the same or next meeting move reconsideration thereof.
- (26) No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Chairperson.
- (27) All business done in the Local shall be strictly secret to all outside the Local.
- (28) All rules and proceedings of debate not herein provided for shall be as defined in the Constitution of the Canadian Union of Public Employees (Appendix A .21 Bourinot's Rules of Order).

#### **Article 26** **EXPENSE/TRAVEL POLICY**

- Travel parameters will be established by the Executive Committee to meet the most cost effective and safest way for representatives / delegates to attend out-of-town Union business, conferences, conventions and educational courses on behalf of the membership.
- Per diem, mileage and dependant care expenses (beyond regular coverage) will be paid as per CUPE BC's Expense Policy.
- Members who are required to attend in-town meetings on the membership's behalf will be reimbursed for meals, as approved by the Executive, when meals are not provided. Receipts will be required.
- If required, dependent care will be paid for members to attend CUPE Local 4879 membership meetings. Expense vouchers may be submitted for reimbursement to a maximum of twenty dollars (\$20) as substantiated by receipts.
- When a CUPE Local 4879 member is away from home because of union business for a minimum of one (1) night, a maximum of thirty dollars (\$30) per day for housesitting will be reimbursed when it is necessary to hire an outside person to take care of the household/animals. Receipts will be required.

**Article 27**  
**HONORARIUMS**

The following Honorariums shall be provided:

President	Two hundred dollars (\$200) per month
First Vice President	Seventy-five dollars (\$75) per month
Second Vice President	Fifty dollars (\$50) per month
Treasurer	One hundred twenty-five dollars (\$125) per month
Recording Secretary	One hundred dollars (\$100) per month
Sergeant At Arms	Fifty dollars (\$50) per month

**Article 28**  
**PROPERTY OF THE LOCAL**

The Executive Officers shall hold title to any real estate of CUPE Local 4879 as Trustees for the Local. They shall have no right to sell, convey or encumber any real estate without first submitting the proposition to a special meeting and have such proposition approved.

**Article 29**  
**AMENDMENTS AND ALTERATIONS**

- (a) 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 at least sixty (60) days' written notice.
- (b) At all times, the By-laws of CUPE Local 4879 shall be subordinate and subject to the provisions of the Constitution of the Canadian Union of Public Employees. As such, Constitution and By-laws exist or may from time to time hereafter be altered or amended; and in the event of any conflict, the Constitution of the Canadian Union of Public Employees shall govern.
- (c) Any change in these By-laws shall not be valid until approved by the National President of the Canadian Union of Public Employees and in accordance with Article 12, Section 3, of the CUPE Constitution.

**Article 30**  
OATH OF OBLIGATION

Applicants who have been accepted into the Union shall be required to take the following obligation:

“I, (*state your name here*), solemnly promise and declare that I will support and obey the Constitution of this Union, and of the Canadian Labour Congress and the bylaws of CUPE Local 4879; that I will, if within my power to do so, assist my fellow members, or their families when they are in distress; that I will not purposely or knowingly wrong a member of the Union or assist others in wronging a member, that I will not recommend any person to become a member of the Union whom I believe unworthy to be a member.”

**Article 31**  
OATH OF OFFICE

Members who have been elected to office shall be required to take the following oath of obligation:

“I (*state your name here*), do most sincerely promise, that I will truly and faithfully, to the best of my ability, perform the duties of my office, for the ensuing term, as prescribed in the Constitution and By-laws of the Canadian Union of Public Employees, and as an Officer of this Union will at all times endeavour, both by council and example to promote the harmony and preserve the dignity of it sessions. I further promise, that at the close of my official term, I will promptly deliver all monies, books, papers or other property of this Union in my possession to my duly elected successor in office.”