
Bylaws

Local Union 4879

CUPE4879



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PREAMBLE

These Bylaws 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 Bylaws for its government.

TERRITORIAL ACKNOWLEDGEMENT

CUPE 4879 and our members recognize and acknowledge we are on the traditional and unceded territory of the Secwepemc Nation within Secwepemcul'ecw.

We are grateful to gather here to work and share knowledge on behalf of our Union and our members. We respectfully acknowledge the Secwepemc, the peoples who have lived here for thousands of years, and who today are a Nation of 17 Bands.

We acknowledge Tk'emlúps te Secwepemc. We acknowledge T'exelcemc and Xat'súll. We acknowledge the many Indigenous peoples from across this land.

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 MEMBERSHIP

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 Bylaws. 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.VIII of the CUPE Constitution. Any such member who is disciplined may appeal the decision under the provisions of the CUPE Constitution. Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local Union unless the member loses good standing under the provision of the CUPE National Constitution.

- (a) Membership

An Individual employed within the jurisdiction of Local 4879 can apply for membership in Local 4879 by signing an application and paying the initiation fee set out in Article 5 of these Bylaws.

- (b) Approval of Membership

At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting

object the applicant(s) will be accepted into membership.

(c) Oath of Membership

New members will take this oath:

“I promise to support and comply with the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union.”

(d) Continuation of Membership

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

(e) Member Obligations

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

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

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

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

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 B.10.1 of the CUPE Constitution for more information.

ARTICLE 5 FEES, DUES AND ASSESSMENTS

INITIATION FEE & DUES:

Each application for membership in CUPE Local 4879 will be directed to the Treasurer. An initiation fee or re-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 (1/8th) 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.5.1 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 Bylaws, 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 Bylaws 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 Bylaws.

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. Territorial Acknowledgment
2. Equality Statement / CUPE Code of Conduct
3. Roll call of officers
4. Oath of Membership
5. Adoption of Minutes of Previous Meeting
6. Matters arising out of the Minutes
7. Adoption of Treasurer's Report
8. Correspondence

9. Executive Committee Report
10. Reports of Committees and Delegates
11. Nominations and Elections
12. Unfinished Business
13. New Business
14. Good of the Union
15. 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, more than 50% 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 Bylaw 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)

Membership Officer (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: Must be a member in good standing as per Article 3 of these Bylaws.

First Vice President: Must be a member in good standing as per Article 3 of these Bylaws.

Second Vice President: Must be a member in good standing as per Article 3 of these bylaws.

Treasurer: Must be a member in good standing as per Article 3 of these bylaws.

Recording Secretary: Must be a member in good standing as per Article 3 of these

bylaws.

Membership Officer: Must be a member in good standing as per Article 3 of these bylaws.

- (b) Trustees: Members at Large.
- (c) Committee Chairs: The Grievance Chair must be an active and trained shop steward.
- (d) Grievance Committee: Members must be active shop stewards.

If an officer fails to attend three consecutive membership meetings or three consecutive executive meetings without good and sufficient reason, their office will be declared vacant and filled at the next 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 they are 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 Membership Officer 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 or electronic voting (the election notice or notice of motion will specify the voting method). 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 (secret ballot or electronic voting) 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 they were 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 event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.

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 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 Bylaws;
- 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 Bylaws 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.

ARTICLE 16 DUTIES OF EXECUTIVE OFFICERS

The PRESIDENT will:

- enforce the CUPE Constitution and CUPE Local 4879 Bylaws;
- 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 Bylaws;
- 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 Bylaws, 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 their 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 Bylaws (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 Bylaws;
- perform all other duties and responsibilities of the President described in the CUPE Local 4879 Bylaws 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 Bylaws;
- 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 Bylaws 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 Bylaws, 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 Bylaws, 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 Bylaws, 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 Bylaw 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 Membership Officer 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 Bylaws, 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;
- 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 MEMBERSHIP OFFICER will:

- keep a record of attendance for all General and all Special Meetings
- may appoint additional Membership Officers 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 membership;
- present the sign in sheets to the Recording Secretary at the close of the meeting with their signature and those of the extra Membership Officers 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 a 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
- Wellness, Innovation and Training Committee
- Occupational Health & Safety Committee

STANDING COMMITTEES

- Education Committee
- Social Committee
- Communication 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 Bylaws 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 (KDLC) DELEGATES AND OKANAGAN MAINLINE DISTRICT COUNCIL (OMDC) DELEGATES

Delegates to the KDLC (CLC) and the OMDC (CUPE) shall be elected. An official reporter for these delegates shall be appointed by the President from amongst these delegates, and they shall be required to report at each general meeting of the Local on proceedings at recent meetings of the Labour Councils.

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.
- (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 attend if one of the delegates cannot attend or in addition to the elected delegates if the membership approves.

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 two hundred dollars (\$200.00) 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 NOTICE OF MOTION

A Notice of Motion must be provided for motions involving the additions to, or amendments of the local bylaws, and for financial disbursements in excess of two hundred dollars (\$200.00).

The procedure for a Notice of Motion shall be as follows:

1. A member who intends to move a motion that requires a Notice of Motion will notify the Secretary of such motion with the exact wording of the motion. Those motions involving a request for funds must include the exact amount of funds being requested or a maximum amount that is not to be exceeded.
2. The Secretary will then ensure the motion with its exact wording is placed on the Notice of Meeting for the next general membership meeting as a Notice of Motion.
3. The Secretary will also ensure that the motion, with its exact wording is then placed on the agenda for that meeting as a Notice of Motion.
4. The President will ensure that the Notice of Motion with its exact wording is read at the meeting by the mover or other member. No member may speak to the motion or debate the motion at this time; it is simply intended to ensure members are officially notified.
5. The Secretary will then ensure that the motion along with its exact wording is placed on the Notice of Meeting for the next general membership meeting, including a notation of when the Notice of Motion was provided.
6. The President will at that next general membership meeting accept the moving of this motion from the mover or other member. If it is then so moved and seconded the motion will be debated and decided on by the membership at the meeting, by means of all appropriate rules of order.

ARTICLE 26 RULES OF ORDER

1. The President or in their 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 they shall rise in their place and respectfully address the presiding officer; but they shall not proceed further until recognized by the chair, except to state that they rise to a point of order or on a question of privilege. They 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, they shall cease speaking until the point is determined, when, if decided in order, they 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 they 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, they may give a casting vote, or if they choose, 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 themselves personally aggrieved by the decision of the chair, they may appeal to the Local for such a decision.
24. When the decision of the President is appealed, they shall state their 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 27 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. Based on the CUPE Expense policy.
- 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 28 HONORARIUMS

The following Honorariums shall be provided:

President	Three hundred dollars (\$300) per month
First Vice President	One hundred fifteen dollars (\$115) per month
Second Vice President	One hundred dollars (\$100) per month
Treasurer	One hundred eighty-five dollars (\$185) per month
Recording Secretary	One hundred fifty dollars (\$150) per month
Membership Officer	Seventy-five dollars (\$75) per month

Stipend for Elected Committee Chairs when they are active.

Committee Chair	Fifty dollars (\$50) per month during active months
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ARTICLE 29 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 30 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 Bylaws 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 Bylaws 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 Bylaws shall not be valid until approved by the National President of the Canadian Union of Public Employees and in accordance with Article 13.3, of the CUPE Constitution.

ARTICLE 31 - GRIEVANCE / ARBITRATION / APPEALS

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 the individual member. To ensure that decisions are fair and not arbitrary, the following appeal process is available to members.

If a member feels they have an issue that warrants a grievance and/or arbitration, they must first discuss the issue with their assigned Steward. The Steward will then consult with the Grievance Chair and advise the member 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 Chair within seven (7) days of receiving this decision from their Steward.
2. The Grievance Chair will add the matter to the agenda of the next Grievance Committee Meeting.
3. The Grievance Chair will take any and all necessary steps with 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 that meeting, the assigned Steward 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 Chair and their right to advance the matter for a final appeal.

Final Appeal

1. Should a member wish, they may advance the matter to a final appeal before the Local Executive.
2. To do so, they must notify the Grievance Chair within seven (7) days of receiving the decision on the first appeal.
3. The Grievance Chair will then have the matter placed on the agenda of the next Executive meeting.
4. The Grievance Chair 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 shall request the opinion of the National Representative.
6. At that meeting, the Grievance Chair will present the Grievance Committee's reasons for not advancing the matter to 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 will then be excused from the meeting.
9. The Executive will then 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. The decision of the Executive is final; and unless new and cogent evidence arises there will be no further appeal.

APPENDIX 1 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 persons deserve dignity, equality and respect.

APPENDIX 2 - OATH OF MEMBERSHIP

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

New members will take this oath: "I promise to support and comply with the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union.

APPENDIX 3 - OATH OF NOMINATION AND OFFICE

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

"I promise to support and comply with the Constitution, goals, principles and policies of the Canadian Union of Public Employees." (b) A candidate who is elected to office must come forward to the podium and clearly and audibly take this oath: Constitution

"I, _____, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the

harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term.”

APPENDIX 4 - 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 4879, 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