

BY-LAWS

THE CANADIAN UNION OF PUBLIC
EMPLOYEES

LOCAL 779

Revised 2006

NAME:

The name of this organization shall be:

THE CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 779 or "C.U.P.E. LOCAL
779"

STATUS:

This Union was chartered by the Canadian Union of Public Employees in 1963.

ARTICLE 1:

OBJECTIVES:

1. The Union has as its objectives:

- a. The organizations of workers generally, and in particular, all workers in the support services of School District #48, (Howe Sound).
- b. The advancement of the social, economic, and general welfare of public employees.
- c. The defence and extension of the civil rights and liberties of public employees, and the preservation of free democratic trade unionism.
- d. The improvement of the wages, working conditions, hours of work, job security, and other conditions of public service generally.
- e. The promotion of efficiency in public service generally.
- f. The promotion of peace and freedom in the world.

2. The objectives of the Union are to be accomplished through the following methods:

- a. Negotiating fair wages and conditions on behalf of the members.
- b. Establishing cooperative relations between employers and employees.
- c. Promoting required desirable legislation.
- d. Conducting an educational program designed to enlighten the general public with respect to the problems of public employees.
- e. Organizing and supporting central and provincial bodies of public employees for dealing with matters peculiar to a particular area or province, and for assisting in the organizations efforts of the Union.
- f. Cooperating with the Canadian Labour Congress, its chartered federations and labour councils, its affiliates and its departments, in furthering the general well being of the whole labour movement.

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ARTICLE 2:

1. JURISDICTION:

- a. The jurisdiction of this Union shall include all those employees who work for School District #48.
- b. Such other public sector employees who may choose to be represented by this Union.

ARTICLE 3:

1. MEMBERSHIP:

- a. All employees of School District #48 whose employees are represented by Local 779 shall be considered for membership in the Union upon completion of thirty (30) days probation.
- b. Upon completion of the probationary period, the Secretary-Treasurer shall notify the prospective members in writing of the date, time and location of the next regular membership meeting.
- c. The Secretary-Treasurer shall also inform the prospective members that he/she must attend that meeting in order to be accepted as a member.
- d. If a prospective member cannot attend for some valid reason, that member shall notify the Secretary-Treasurer in writing and a motion to accept that person for membership may be made from the floor.
- e. At the appropriate time, the chair shall ask, "Are there any applications for membership?"
- f. The Secretary-Treasurer shall reply and read the names of any applicants and then shall move, "That the applicants for membership present be accepted as members".
- g. Upon completion of the vote on the motion to accept as members, the President shall invite those new members to stand to take the obligation to the Union as follows:

" I solemnly promise and declare that I will support the Union; and that I will support and obey the Constitution of this Union; and that I will strive to improve economic and social conditions for my fellow members and for working people in general; that I will defend and strive to extend the democratic rights and liberties of all working people; that I will not knowingly or purposely wrong or assist others in wronging a member of this Union."

- h. Once the new members have taken the obligations, they shall have all the rights and privileges of membership all other members have.

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ARTICLE 4:

1. MEETINGS – MEMBERSHIP:

- a. Regular membership meetings shall be held in the months of September, November, January, March and June. These meetings will alternate between Squamish and Whistler/Pemberton. If a statutory holiday intervenes, the Executive Board shall give a week's notice of any change in the date of the regular meeting.
- b. An Annual General meeting shall be held in March in conjunction with the regular membership meeting.
- c. Special meetings of the membership may be called by the President, as he/she deems necessary.
- d. A Special meeting shall be called by The President upon receipt of a written request for the special meeting. The written request will spell out the matters to be discussed and shall be

signed by at least (12) members. The special meeting shall be held within fifteen (15) days of the request being received by the President and may be held in conjunction with a regular membership meeting if the regular membership meeting is scheduled within the fifteen (15) day time period.

2. QUORUMS:

- a. A quorum at any regular or special meeting shall be ten (10) members of which at least eight (8) must be members at large.
- b. In the event quorum is not attained, the Executive Board shall pay all bills and shall carry out the regular business of the Union until the next meeting.
- c. All decisions of the Executive Board, which have been acted upon, shall be reported to the members at the next regular membership meeting. A motion to endorse the actions of the Executive shall be put forward at that meeting.

3. ORDER OF BUSINESS – REGULAR MEMBERSHIP MEETINGS:

- a. Roll call of officers
Voting and initiation of new members
Reading of the minutes of the previous meeting
Business arising out of the previous meeting
Financial report and outstanding accounts
Correspondence
Executive Report
Committees and delegates reports
Nominations, elections and installation of officers/delegates
Unfinished business
New Business
Good of the Union
Adjournment
- b. The order of business may be suspended or amended upon approval of the meeting. A two-thirds majority is required to approve the suspension or amendment of the order of business.

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ARTICLE 5:

1. OFFICERS AND EXECUTIVE BOARD:

- a. The Executive Board of this Union shall be: President, Vice President, Secretary-Treasurer, Recording Secretary, and three (3) Trustees.

- b. Table Officers of this Union shall be: President, Vice-President, Secretary-Treasurer.
- c. The terms of office for the Executive Board shall be:
 - President - one year
 - Vice-President - one year
 - Secretary-Treasurer - one year
 - Recording Secretary – one year
- d. All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office one (1) year or until a successor has been elected and installed, provided that no term of office shall be longer than (3) years.

All Executive Board members shall serve as specified above or until their successor is elected.

2. MEETINGS – EXECUTIVE:

- a. The Executive Board shall meet prior to each membership meetings at a time and date as determined by the Board and from time to time as required.
- b. The Executive Board shall meet at least once a month even if there is no membership meeting planned.
- c. A quorum of Executive shall be a majority of members of the Board.

ARTICLE 6:

1. ELECTION OF MEMBERS IN ELECTIVE OFFICES:

- a. Elections for members of the Executive and other elective offices shall be held at the Annual General meeting in March.
- b. It shall be the task of the nominating committee to ensure that the name of at least one member is placed in nomination for each position becoming vacant.
- c. The nominating committee will read the names of willing candidates at the March Annual General membership meeting. Should the member be absent, their name shall be submitted if the member submits consent in writing.

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- d. Additional nominations shall be accepted from the floor at the March Annual General membership meeting.
- e. To be eligible for any elective position, it is necessary for the nominee to be a member in good standing.

- f. A member may be nominated for any position on the Executive Board, but may only hold one Executive Board position. A member may be nominated and elected for more than one committee.
- g. Upon the closing of nominations the presiding officer shall ask the Secretary-Treasurer to read the names of the nominees as nominated. The presiding officer shall then ask each nominee in reverse order whether they are prepared to stand or not.
- h. If more than one member is willing to stand, an election by secret ballot shall take place.
- i. The presiding officer shall appoint a balloting committee, which will consist of two members at large and the two incumbent Trustees not up for re-election. Depending on availability of Trustees, members at large may be used instead. The balloting committee will be responsible for tallying all the ballots at the Annual General meeting. All candidates may appoint a scrutineer to observe vote tallying at the Annual General meeting if they wish.
- j. The successful candidate must receive a majority of ballots cast. When three (3) or more candidates are nominated for the same position and no candidate on the first ballot receives a majority of the votes cast, a second ballot shall then be taken with a majority of the votes cast shall be elected. The presiding officer shall cast the deciding vote in case of a tie.
- k. If a member is unable to attend the nominating meeting, they shall notify the Secretary-Treasurer in writing that he/she is prepared to stand for one or more positions. The nomination shall be accepted as valid if the Secretary-Treasurer has the written notice of intent.
- l. All new officers shall be obligated at the Annual General meeting, or if not, possible, at the next regular membership meeting.
- m. In the event all positions do not have at least one member nominated then nominations shall be accepted at the Annual General meeting for those positions for which there are no nominees.

2. TRUSTEES

- a. There shall be three (3) Trustees, who shall have general supervision over the property of Local 779, subject to such instructions they may from time to time receive from the Executive Board. They shall audit the books of Local 779 as required under Article B.3.11 of the National Constitution, see that the Secretary-Treasurer deposits all money belonging to the Local in a financial institution the local has designated, and see that all the bills authorized by the Local are promptly paid. There shall be half-yearly meetings for the purpose of conducting audits and for general reviewing the Constitution and administrative policies of the Local. Recommendations from the Trustees shall be forwarded to the Executive and then to the membership for decision. There shall be (3) Trustees elected at the first election; the one receiving the highest number of votes shall hold office for three (3) years from the date of such election; the one receiving the second largest number of votes shall hold office for two (2) years; and the one receiving the third largest number of votes shall hold office for one (1) year. In each year succeeding the first election, there shall be elected one Trustee to fill the place of the Trustee whose term of office then expires so as to complete the full complement of Trustees required by this section; and such Trustees as is elected in each succeeding year after the first election shall hold office for three (3) years from the date of his election and from that time onward until his successor shall have been elected.

3. ELECTIONS OF DELEGATES & COMMITTEES:

- a. Elections of delegate to conventions shall be elected upon receipt of notice of the convention or conference. In the event details are known prior to the official notice being received, the election can take place earlier. Delegates to convention shall come from the Executive.
- b. Alternates to conventions shall be elected at the same time as delegates.
- c. Election of delegates to affiliated organizations shall take place at the Annual General Meeting. Election of committee members shall take place at the Annual General meeting. Their term of office shall be one year less unless otherwise stated in Article 7, Committees.
- d. Candidates shall be nominated and elected in the same manner as the Executive and other elected officers.
- e. Representation at educational institutes and seminars shall be on the recommendation of the Executive Board.

ARTICLE 7:

1. COMMITTEES:

- a. The following are committees of Local 779:

Bargaining Committee

This committee shall consist of three (3) members and one (1) alternate, all of whom shall be elected by the general membership. The function of the negotiating committee is to prepare collective bargaining proposals and to negotiate a collective agreement.

Labour Management Committee

A Joint Labour Management Committee shall be established consisting of up to three (3) representative of the Union.

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Occupational Health & Safety Committee/Work Representative

As required by the Occupational Health and Safety Amendment Act (October 1999) the union has a responsibility to ensure equal representation on the joint Health and Safety Committees, and where a committee is not required, there will be a worker representative acting on behalf of the membership.

Annual elections for representation for either the committee or worker representative will be held in March.

Job Evaluation Committee

This committee shall consist of (2) members and one (1) alternate, all of who shall be elected by the general membership.

Hearts & Flowers Committee

This committee shall consist of two (2) members – one for the northern area and one for the southern area who shall be elected by the general membership. This committee may visit members who are ill.

If a member is ill for more than a week, have sent some token of the Local's concern and desire to help, whether the member is at home or in the hospital. Extend the Local's condolences in the event of a death of a member or one of his immediate family and make any other appropriate gesture in accordance with custom or the wishes of the family concerned.

Expenses incurred in the performance of its duties shall be reimbursed by the Secretary-Treasurer.

Grievance Committee/Shop Stewards

This committee shall consist of the Executive Board and Shop Stewards elected at the annual general membership meeting.

Grievances not settled at the initial stage shall be submitted to the Executive Board and copied to C.U.P.E. National Representative. The grievance that goes forward is put in writing for the second and third stages.

If resolution does not occur, the membership shall decide whether to proceed further with a grievance at a regular membership meeting.

Shop Stewards shall:

- Define, detect, prepare and present grievances at the initial stage;
- Generally know and police the Collective agreement and Provincial or

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Federal legislation affecting labour and a particular job;

- Provide communications and information from the members in the unit to the Executive and from the Executive to the members, including distribution of union literature and newspapers;
- Greet new employees and encourage the participation of all members of the unit in union activity;

- Maintain daily contact with the members to provide ongoing union awareness and education;
- Is empowered to make decisions to proceed further or not with a grievance.

Public Education Benefits Trust: Joint Early Intervention Service or (JEIS)

JEIS

This committee shall consist of a union JEIS coordinator and a union

Committee member. This committee assists members regarding return to work issues.

In addition there may be additional committees appointed or elected as the situation demands.

ARTICLE 8:

1. RULES OF ORDER:

- a. Any member addressing an officer or member of this Union shall use the term Sister or Brother and no other title.
- b. On motion, the regular order of business may be suspended by a two-thirds vote of the meeting at any time to dispose urgent business.
- c. Any conversation that is calculated to disturb a member while speaking or hinder the transaction of business shall be deemed a violation of order.
- d. All questions of a parliamentary nature, not provided for in these Rules shall be decided by Bourinot's Rules of Order.
- e. A motion to be entertained by the presiding officer must be seconded and the mover and the seconder must rise and be recognized by the chair.
- f. In presenting a motion, a brief statement of its object may be made, but no discussion of its merits shall be permitted until the chair has stated the Question.
- g. A member who has made a motion can withdraw it by consent of his seconder, providing it has not been debated. A motion, once debated, can be withdrawn only by unanimous consent.
- h. A motion to amend an amendment shall be in order but no motion to amend an amendment to an amendment shall be permitted.
- i. Any member may call for a division of a motion when the sense will permit thereof.
- j. A motion shall not be subject to debate until it has been stated by the chair.
- k. When a member wishes the floor he/she shall arise and respectfully address the chair, and if recognized by the chair, he/she shall be entitled to the floor.
- l. If two or more members rise to speak at the same time, the chair shall decide who is entitled to the floor.
- m. Each member, when speaking, shall confine him/herself to the Question under debate and avoid all personal, indecorous or sarcastic language

- n. No member shall interrupt another while speaking except to a point of order, and he/she shall definitely state the point, and the chair shall decide the same without debate.
- o. If a member, while speaking, be called to order, he/she shall take his/her seat until the point of order is decided, when, if decided in his/her favour, he/she may proceed.
- p. If a member feels him/herself personally aggrieved by a decision of the chair, he/she may appeal to the meeting from a decision.
- q. When an appeal is made from the decision of the chair, said appeal shall be stated by the chairperson of the meeting in these words, "Shall the decision of the chair be sustained as the decision of this meeting?" The member will then have the right to state the grounds of his appeal and the chair will give the reason for his decision, whereupon, the meeting will proceed to vote on the appeal without further debate.
- r. No member shall speak more than once on any one subject until all the members desiring the floor shall have spoken; no more than twice without unanimous consent; nor more than five (5) minutes at any one time.
- s. The presiding officer shall vacate the chair when desiring to speak on any subject, and the Vice-President or another table officer shall take the chair.

ARTICLE 9:

CHANGES TO THESE BY-LAWS:

The Local Union may, by a majority vote at a regular meeting, or at a special meeting called for that purpose, make such additional by-laws as it may deem advisable, provided that at least seven (7) days notice at a previous meeting or at least sixty (60) days written notice has been given and further provided that such by-laws do not conflict with the Constitution. The same shall become effective until approved by the National President to the Canadian Union of Public Employees. Such approval shall not be withheld unless there is conflict with the Constitution, and further that a decision on this matter shall be rendered within ninety (90) days.

ARTICLE 10:

PER DIEMS, HONORARIUMS, EXPENSES:

Per Diems, Honorariums and Expenses shall be specified in the Administrative Policy Manual. Such information shall be made available to any member upon request.

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ARTICLE 11:

UNION DUES:

- a. All members shall pay the regular Union dues and assessments as determined by the membership.
- b. A simple majority of the members at a special meeting is required to change the Union dues.

- c. Notwithstanding the above provisions, if the C.U.P.E. Convention raises minimum fees and/or dues above the level herein established, these Local's By-Laws will be deemed to have been automatically amended to conform to the new C.U.P.E. minimal and shall be brought to the attention of the membership at the next membership meeting.
- d. Special assessments may be levied in accordance with Article B.4.2 of the C.U.P.E. Constitution.
- e. Initiation Fee: The initiation fee shall be ten dollars (\$10.00) and shall be automatically deducted from the employee's pay slip upon completion of the probationary period. The initiation fee shall be determined from time to time at a special membership meeting.
- f. Re-Admittance Fee: The re-admittance fee shall be five dollars (\$5.00). The re-admittance fee shall be determined from time to time at a special membership meeting called for that purpose.
- g. The regular monthly dues shall be established or altered by the Local Union only at a regular or special membership meeting, provided that at least seven (7) days notice at a previous meeting or at least (60) days written notice has been given.

ARTICLE 12:

ADMINISTRATIVE POLICY MANUAL:

- a. The Executive Board shall cause to exist a policy manual setting out the Administrative procedure to be followed by the Officers of Local 779, including the authorization of expenditures of the Union funds and the paying of bills properly incurred by the Union. Such policy manual shall be adopted by the membership and shall be made available to all members of the Executive Board and the Trustees to guide them in their duties.
- b. Changes in the policy manual shall be by two-thirds majority vote of the membership meeting on the recommendation of the Executive Board.