

**CANADIAN UNION OF PUBLIC EMPLOYEES,
LOCAL 1285
BY-LAWS**

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Introduction

Local 1285 of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed to;

- improve the social and economic welfare of all its members;
- promote equality for all members and to oppose all types of harassment and discrimination;
- promote the efficiency of public service; and
- express its belief in the unity of organized labour.

The following By-Laws are adopted by the Local 1285 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1) to protect the rights of all members, to provide for responsible governance of the local union, and to involve as many members as possible through the sharing of duties and responsibilities.

Section 1 - Name

The name of this Local shall be Canadian Union of Public Employees, Local 1285 (Kootenay-Columbia School District #20 employees).

Section 2 - Objectives

The objectives of the Local 1285 are to:

- a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- c) Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers;
- d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical ability; and the active opposition of discrimination of same wherever it occurs or appears;
- e) Establish strong working relationships with the public we serve and the communities in which we work and live; and
- f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

Section 3 – Interpretation and Definitions

- a) Masculine pronouns shall be understood to include the feminine gender.
- b) Numbers and articles at the end of sections or sub-sections refer to relevant articles of the CUPE Constitution which should be read in conjunction with these By-Laws.
- c) A member is considered in good standing if union dues are paid and the CUPE Constitution and the Local By-Laws are not violated.
- d) New members should attend the first general meeting of the Local after their dues have been deducted to be sworn in.
- e) New members shall pay an initiation fee and receive their union card.

Section 4 – Membership Meetings (Regular and Special)

a) Regular Membership meetings

Regular Membership Meetings of Local 1285 shall be held once a month at a time and place as set by the Executive Board. Notice of each regular membership meeting outlining the date, time and location shall be distributed to members at least 7 days prior to the meeting.

Meetings shall be held from September to June of any given year. No meetings shall be held during the months of July and August.

b) Special Membership Meetings

Special membership meetings of Local 1285 may be required, and shall be called by the Executive Board or requested in writing by no fewer than twenty (20) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

c) Quorum

The minimum number of membership required to be in attendance for the transaction of business at any regular or special meeting shall be thirteen (13) members, including at least three (3) members of the Executive Board.

- 1) Notice of Motion: A notice of motion shall be required for:
 - (i) Any and all amendments and /or additions to the Local Union By-Laws
 - (ii) Any changes to the dues structure including special assessments or changes due to increases in per capita assessments
 - (iii) Any letters of agreement or other instruments that have or might have the effect of amending, modifying, or adding to an existing collective agreement
 - (iv) Any expenditure of money in excess of \$500.00, purchase of property or other financial transaction not explicitly provided for elsewhere in the Local By-Laws
- 2) A notice of motion shall set out in writing the amendment, addition, change, letter of agreement, or proposed expenditure in enough detail to allow members to understand the proposed amendment, addition, change, letter of agreement, or proposed expenditure and come to an informed decision.
- 3) A notice of motion may be given at any regular or special membership meeting to provide for a decision at the next regular or special membership meeting provided that at least two weeks passes between the notice and the meeting to vote on it.
- 4) Alternately, notice of motion may be sent to each member of the Local by internal, external or electronic means and posted at each work site at least two weeks before a special or general membership meeting votes on the amendment, addition, change, letter of agreement, or proposed expenditure. The Executive will take all reasonable and practicable steps to ensure that individuals on long term disability, layoff etc. shall receive notice of motion information.

d) Membership Meeting Agenda

The order of business at regular membership meetings is as follows:

1. Roll Call of Officers
2. Reading of the Equality Statement
3. Voting on New Members and Initiation
4. Reading and approval of minutes of previous meeting
5. Matters Arising from Minutes
6. Secretary Treasurer's Report and approving expenditures
7. Communications and Bills
8. Executive Board Report
9. Reports of Committees and Delegates
10. Nominations, elections, or installations
11. Unfinished Business
12. New Business
13. Good of the Union
14. Adjournment

e) Prior to the monthly General Meeting, all committee reports are to be submitted to the Recording Secretary in writing and copies shall be available at the Membership Officer's table.

f) The writer of the report may speak to the report up to five (5) minutes.

Section 5 – Officers

The Officers of the Local 1285 shall be the President, Vice-President, Recording Secretary, Secretary-Treasurer, Chief Shop Steward, Membership Officer and three (3) Trustees. All Officers, shall be elected by the membership. (Article B.2.1 and B.2.2 of the National Constitution).

Section 6 – Executive Board

- a) The Executive Board shall include all officers, except Trustees (Article B.2.2).
- b) The Executive Board shall meet at least once every month prior to the regular general meeting.
- c) Fifty percent (50%) of the Executive Board constitutes a quorum.
- d) The Executive Board shall hold title to any Real Estate of the Local Union as Trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.
- e) The Executive Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees; and enforce the CUPE Constitution and these By-Laws:
 - Defend the collective agreement
 - Monitor compliance with relevant labour, health and safety laws and regulations and respond appropriately when required to ensure compliance
 - Ensure that all officers perform their assigned duties
 - Fill committee vacancies where elections are not provided for
 - Should any Executive Board Member fail to answer the roll call for three (3) consecutive regular membership meetings or three (3) consecutive regular Executive

Board Meetings without having submitted good reasons for those failures, that office shall be declared vacant and shall be filled by an election at the following membership meeting (Article B.2.5 CUPE Constitution).

- Promote solidarity within the local.

Section 7 - Duties of Officers (Article B.3)

All signing Officers of Local 1285 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

The President shall:

- Enforce the CUPE Constitution, these local union By-Laws and the equality statement.
- Interpret these bylaws as required.
- Preside at all membership and Executive Board meetings and preserve order.
- Be ex-officio of all duly formed committees of the Local.
- Decide all points of order and procedure (subject always to appeal to the membership).
- Have the same right to vote as other members. In the case of a tie, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.
- Ensure that all officers perform their assigned duties.
- Fill Committee vacancies where elections are not provided for.
- Introduce new members and conduct them through the initiation ceremony.
- Sign all cheques and ensure that the local unions funds are used only as authorized or directed by the Constitution, By-Laws, or vote of the membership.
- Have first preference as a delegate to the CUPE National Convention and the CUPE BC Division Convention.
- Instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file for these reports.
- Attend labour management meetings or other meetings with District management.
- Promote solidarity within the Local.
- Work closely with the Chief Steward and the Grievance Committee to promote fair resolution of grievances.
- Work closely with the Safety Committee to support their work.
- Co-operate with the Executive Board in preparing press releases and other publicity material.
- Be allowed necessary funds to reimburse the President or any officers for expenses, supported by vouchers, incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supported receipts attached.
- On termination of office, surrender all money, books, and other property of the Local to their successor.

The Vice-President shall:

- If the President is absent or not eligible perform all duties of the President.

- If the Office of the President falls vacant, be the Acting President until a new President is elected.
- Promote solidarity with the Local.
- Have alternate signing authority along with the President, Recording Secretary, and Secretary-Treasurer.
- Collect and prepare union time off in conjunction with time off billing received by the Secretary-Treasurer and remit to the employer.
- Render assistance to any member of the Board as directed by the Board.
- On termination of office, surrender all money, books, and other property of the Local to his successor.

The Recording Secretary shall:

- Keep full, accurate and impartial account of minutes of the proceedings of all regular or special membership and Executive Board meetings which shall:
 - (i) Record all motions and whether the motion was carried or not; and transfer to the Book of Motions regarding expenditure of funds
 - (ii) Record that there was discussion of issues raised but not necessarily the details of what was said at the discretion of the recording secretary
 - (iii) Record the vote of specific members only at their request
 - (iv) Record that Executive or Committee reports were given or not and such other detail at the discretion of the recording secretary
- Include a copy of the full financial written report as presented by the Secretary-Treasurer with the record of all membership meetings. The record will also include Trustee Reports.
- Record all alterations in the By-Laws and make certain that these are sent to the National Office for approval.
- Answer correspondence and fulfill other secretarial duties as directed by the Executive Board.
- File a copy of all letters sent out and keep on file all communications.
- Prepare and distribute all circulars and notices to members.
- Have all records ready on reasonable notice for Auditors and Trustees.
- Have alternate signing authority along with the President, Vice-President, and Secretary-Treasurer.
- Be empowered with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of Local's funds.
- Preside over membership and Executive Board meetings in the absence of both the President and the Vice-President.
- Provide access for any member in good standing to correspondence that bears significantly on the collective agreement provided such access does not breach confidentiality.
- On termination of office, surrender all money, books and other property of the Local to his successor.

The Secretary-Treasurer shall:

- Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
- Receive all revenue, initiation fees, dues and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union.
- Prepare all CUPE National Per Capita Tax Forms and remit payments.
- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- Be bonded for not less than \$1,000.00 through the Master Bond held by the National Office, (any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office).
- Sign all cheques with a second signature provided by the President, Vice-President, or Recording Secretary; pay no money unless supported by a voucher duly signed by two other members of the Executive Board. No voucher shall be required for payment of Per Capita fees to any organization to which the Local is affiliated.
- Make all books available for inspection by any member in good standing on written reasonable notice.
- Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least twice each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- Provide the Trustees with any information they may need to complete the Audit Report forms supplied by CUPE.
- Furnish each member, on the forms supplied by the National Office, with a statement showing the net amount of tax deductible dues paid by him during the preceding calendar year (unless done by the employer).
- Be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds.
- On termination of office, surrender all money, books, and other property of the Local to their successor.

The Chief Shop Steward shall:

- Be The Chairperson and official spokesperson of the Grievance Committee and Shop Steward Committee.
- Conduct and/or oversee investigations of Grievances after Step 1 of the Grievance Procedure and assist shop stewards in preparing and presenting grievances.
- Arrange for all meetings of the Grievance Procedure.
- Know and police the collective agreement.
- Maintain the grievance files and report the status of all grievances to the Executive Board at the regular monthly general meetings. This report shall indicate new grievances and the section(s) of the collective agreement allegedly violated.

Grievances at stage three or beyond in the grievance procedure will be reported in enough detail to make the issues clear, and grievances at any level that have gone beyond the time limits with mutual consent, together with the reasons for the time limits being exceeded.

- Ensure that the grievor be given information in a timely manner with respect to the status of the grievance.
- Assist the National Representative and/or Legal Counsel in the preparation of all arbitration cases.
- Encourage shop stewards to greet and make welcome new employees and encourage the participation of all members in the Local in union activity.
- On termination of office, surrender all money, books, and other property of the Local to their successor.

The Membership Officer shall:

- Guard the inner door at membership meetings and admit no one but members in good standing or Officers and Officials of CUPE, except on order of the President and by consent of the members present.
- Assist in maintaining the record of membership attendance at meetings by making sure the members sign the attendance book as they enter.
- Arrange for location of meetings and set up the room for the meeting.
- Perform such other duties as may be assigned by the Executive Board from time to time.
- Maintain a nominal roll of the Local's Officers showing an individual's attendance record at meetings of the Local.
- Provide an up-to-date binder of all correspondence sent to the Local by the National Union, other unions, labour councils or other sources.
- On termination of office, surrender all money, books, and other property of the Local to their successor.

The Trustees shall:

- Act as an auditing committee on behalf of the members
- Perform audits :
 - (i) Audit the books and accounts of the Secretary- Treasurer, the Recording Secretary and Standing Committees semi-annually
 - (ii) At the completion of their audit the Trustees shall submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records and accounts are being maintained by the Secretary-Treasurer in an organized, correct and proper manner
 - (iii) The trustees shall make a written report to the next regular meeting of the Local Union following the audit on the condition of the funds and accounts.
- Report their findings to the first membership meeting following the completion of each audit.
- Be responsible to ensure that money is not paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports are made to the membership.

- Audit the record of attendance, if challenged; inspect annually any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership
- Use audit forms supplied by the National Office and send a copy of the yearly audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution.
- Review bursary applicants and select recipients.
- On termination of office, surrender all money, books, and other property of the Local to their successor.

Section 8-Expenses

a) Voting of Funds:

(i) Local 1285 will pay out funds under the following circumstances:

- 1) When the expenditure has received prior authorization through a membership approved budget
- 2) When these bylaws approve the expenditure; or
- 3) Through a vote of the majority of members at a membership meeting
- 4) For per capita tax to CUPE National, CUPE BC Division, or any labour organization the Local Union is affiliated with.

(ii) In the case of a grant or a contribution to a members(s) or a cause(s) outside of CUPE greater than \$150.00, a notice of motion must be made at a regular membership meeting and then approved at the following regular membership meeting before the grant or a contribution can be paid out

(iii) No member of Local 1285 will be allowed to spend any Local Union funds without first having received authorization under Section 8(a) of these bylaws

b) Out-of-Pocket Expenses: Expense allowances shall be provided as per Appendix "B"

c) Standing Expenses:

(i) Retirees gift: An appropriate gift shall be purchased and presented to each retiring member of the Local.

1 – 10 years	\$50.00
11 – 15 years	\$75.00
16 – 20 years	\$100.00
21 – 25 years	\$125.00
26 – 30 years	\$150.00
31 – 35 years	\$175.00
36 – onward	\$200.00

(ii) Death Benefits: Immediately upon notification of death of a union member before his or her retirement the Secretary-Treasurer shall be empowered to present the widow, widower, or estate a cheque for \$500.00.

- (iii) Bursaries: The Local may annually award up to three (3) bursaries of five hundred (\$500.00) dollars each to graduating dependents of CUPE Local 1285 members in good standing.

The Bursary committee shall consist of the Trustees who will award yearly bursaries for post-secondary education.

The CUPE member in good standing shall be the legal ward of the recipient.

Recipients will be chosen at the discretion of the Bursary Committee. A file containing sample application forms, information sent to schools, applicants and successful recipients must be kept.

CUPE Local 1285 Bursary Application

This Bursary shall be awarded to a legal ward of a CUPE Local 1285 good standing member. Applicants must be graduating with grade 12 and pursuing post-secondary education. Proof of registration is required before monies will be released. The monies must be claimed within 12 months of receiving the award.

Criteria:

- 1) A letter of intention detailing a personal education plan
- 2) Details of community involvement
- 3) Details of interests and hobbies
- 4) Transcript of grade 12 marks
- 5) Attendance record for grade 12
- 6) Financial need

All paperwork must be returned to the Recording Secretary before the April 15th deadline of each year.

Please forward to:

CUPE Local 1285
Attn: Recording Secretary
P.O. Box 3654
Castlegar, B.C.
V1N 3W4

- d) Good of the Union Committee may spend the following:
- (i) Instead of flowers, for the death of an immediate family member, the Local will send a card and a memorial donation of \$50.00 (if requested by the CUPE member) to the charity of the member's choice. Husband, wife or children are defined as immediate family.
 - (ii) Cards will be sent for:
 - a.) Birth or adoption of a child
 - b.) Illness – Absent from Work for more than two weeks
 - c.) Deaths other than immediate family.

Section 9- Fees, Dues and Assessments

- a) Initiation Fee: Payment of initiation fees is a tangible confirmation of the desire to become a member of the Local Union and the Canadian Union of Public Employees. Each application for membership in the Local Union will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of five (\$5.00) dollars, which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned. (Articles B.4.1 & B.8.2)
- b) Re-admittance Fee: The re-admittance fee shall be one dollar (\$1.00). (Articles B.4.1 & B.8.2)
- c) The monthly dues shall be 2.03%. Monthly dues shall be automatically deducted from the bi-weekly pay slip as provided for in the Collective agreement.
- d) Changes in the levels of the initiation fee, the re-admittance fee, or the monthly dues can be effected only by the following procedure for amendment of these By-Laws (see Section 16), with the additional provision that the vote must be by secret ballot (Articles B.4.1 & B.4.3 CUPE Constitution)
- e) Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and / or dues above the level herein established, these By-Laws will be deemed to have been automatically amended to conform to the new CUPE minima.
- f) Special assessment may be levied in accordance with Article B.4.2 of the CUPE National Constitution.

Section 10 – Non-Payment of Dues and Assessments

Any member in arrears for a period of three (3) months or more shall be automatically suspended and his suspension shall be reported to the Executive board by the Secretary-Treasurer. The Executive Board shall report to the next membership meeting with a recommendation. Any member under suspension wishing to be reinstated shall, upon application, pay the re-admittance fee, plus any dues and assessments in arrears. This money will be returned if the application is rejected. If a member has been unemployed or unable to work because of sickness, he shall pay the re-admittance fee but may not be required to pay his arrears. (Article B.8.6 CUPE Constitution).

Section 11- Lifetime Membership

Upon retirement, a member may be given a lifetime membership in the Local. This would be an honorary position, and entitle the retired member to attend meetings without the privilege of voting, to share past knowledge, and to attend all social functions of the Local.

Section 12 - Nominations, Elections and Installation of Officers

- a) Nominations:
 - (i) No nomination shall be accepted unless the member is in attendance at the meeting or has indicated his intention to stand for office in writing
 - (ii) A member intending to stand for office must be nominated by another member in good standing
 - (iii) No member shall be eligible for nomination if he is in arrears of dues and/or assessments.
- b) Elections:

At a membership meeting at least one month prior to Election Day the President shall appoint a Tabulating Committee subject to the approval of the members present. The Committee shall consist of at least one (1) member; such member(s) must not be current officers of the board. The Committee shall have full responsibility for reviewing members eligible for office per Section 12(a) above, and shall

endeavor to present a set of eligible candidates for all offices needing to be filled. The Tabulating Committee shall treat information submitted to it in connection with its responsibilities as confidential.

- (i) With the assistance of the National representative (if present) or other executive members not standing for office, the Tabulating Committee will ensure that ballots are distributed, collected and counted in a fair, open and democratic manner.
- (ii) The Executive Board shall be:
 - (1) President
 - (2) Vice-President
 - (3) Recording Secretary
 - (4) Secretary-Treasurer
 - (5) Chief Shop Steward
 - (6) Membership Officer
- (iii) The Annual General Meeting of CUPE Local 1285 will be held during the month of November.
- (iv) On even numbered years, the following positions shall be elected for a term of two (2) years:
 - (1) Vice-President
 - (2) Recording Secretary
 - (3) Membership Officer
 - (4) West Kootenay Labour Council Delegates
- (v) On odd numbered years, the following positions shall be elected for a term of two (2) years:
 - (1) President
 - (2) Secretary-Treasurer
 - (3) Chief Shop Steward
 - (4) West Kootenay Labour Council Delegates
- (vi) Each year, one (1) Trustee for a three (3) year term shall be elected.
- (vii) The Tabulating Committee in cooperation with the Executive board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time prior to Election Day.

The order of balloting for even numbered years shall be:

- (1) Vice-President
- (2) Recording Secretary
- (3) Membership Officer
- (4) One (1) Three Year Trustee
- (5) West Kootenay Labour Council Delegates
- (6) Local 1285 Safety Committee Chairperson
- (7) Bargaining Committee (if required as per terms of the Collective Agreement)

The order of balloting for odd numbered years shall be:

- (1) President
- (2) Secretary-Treasurer
- (3) Chief Shop Steward

- (4) One (1) Three Year Trustee
- (5) West Kootenay Labour Council Delegates
- (6) Local 1285 Safety Committee Chairperson
- (7) Bargaining Committee (if required as per terms of Collective Agreement)

- (viii) Voting shall be by secret ballot and shall take place at the Annual General Membership meeting in November.
- (ix) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- (x) A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken, if necessary to obtain a majority. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In case of a final tie vote, the president will cast the deciding vote as per Section 7 (a).
- (xi) When two or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
- (xii) Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum (13 members).

c) Installation:

- (i) All duly elected officers shall be installed at the meeting at which elections are held. They shall come to the front of the meeting place and will face the members. Our National Representative or other suitable person will have the duly elected officers repeat the following:

I, (name), do most sincerely promise that I will truly and faithfully to the best of my ability perform the duties of office for the ensuing term, as prescribed in the Constitution and bylaws of the Canadian Union of Public Employees, and as an officer of this Union will at all times endeavor, both by counsel and example, to promote the harmony and preserve the dignity of its session. I further promise that at the close of my official term I will promptly deliver all money, books, papers or other property of this Union in my possession to my duly elected successor in office.
- (ii) The terms of office for Trustees shall be laid down in Article B.2.4 of the CUPE National Constitution. There shall be elected annually one (1) Trustee for a period of three years. Should a trustee office become vacant it shall be filled at a by-election for the remainder of the year or term.
- (iii) Where there is a resignation of a delegate to convention or WKLC and alternates have been elected, the first alternate then assumes the role of delegate. Should there not be any alternates available, a by-election will be held.

- (iv) By-Election: Should an office fall vacant pursuant to Section 6 (e) (7) of these By-Laws or for any other reason, the resulting By-Election should be conducted as closely as possible in conformity with this Section.

Section 13 – Delegates

- a) Except for the President’s option, all delegates to conventions shall be chosen by election at a membership meeting.
- b) Delegates to the West Kootenay Labour Council shall be elected annually.
- c) All delegates elected to conventions held outside the Kootenay Columbia School District area shall be paid as per Section 8 and Appendix “B” of these By-Laws.
- d) Representation at educational courses and seminars shall be on the recommendation of the Executive Board, subject to final approval by the membership.
- e) Delegates attending CUPE Conferences and/or educationals shall be compensated, if required, for child care costs up to a maximum of eighty dollars (\$80.00) per day. Claims will only be paid when submitted with receipts. Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

Section 14 – Committees

a) **Bargaining Committee:**

This shall be a special ad hoc committee established prior to the expiry of the Local’s Collective Agreement and shall serve for the duration of the Collective Agreement. The function of the Committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The Committee shall consist of the President, Chief Shop Steward and the Recording Secretary. The other three (3) members are nominated and elected at a membership meeting. The CUPE National Representative assigned to the Local shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

b) **Shop Steward Committee:**

- (i) This Committee shall consist of **the Chief Shop Steward (Chairperson), Recording Secretary and up to six (6) members**, with not more than one member representing any classification. Vacancies shall be filled by a volunteer from a classification not already represented. Should there be more volunteers than vacancies, a vote shall take place at a general meeting.
- (ii) **This Committee shall prepare a report on the status of all grievances to be submitted to the Executive Board, CUPE National Representative and to general membership meetings.**
- (iii) This Committee shall meet once per month to review active **grievances not settled at the initial steps provided for in the Collective Agreement** and ~~make their recommendations decide, by majority vote~~ whether or not to proceed with a **the grievance should proceed to arbitration. If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board, using the following grievance appeal process:**

Grievance Appeal Process:

- 1) Should a member wish, they may request an appeal to the Local Executive.**

- 2) To do so they must notify the Chief Shop Steward within seven (7) days of receiving the decision of the Shop Steward Committee.
- 3) The Chief Shop Steward will then have the matter placed on the agenda of the next Executive meeting and will notify the grievor, in writing, of their ability to appeal at that meeting.
- 4) The Chief Shop Steward 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 Chief Shop Steward will present the Steward 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 and notified that the Executive will provide their decision in writing.
- 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 in writing of the decision by the President.
- 11) The decision of the Executive is final and unless new and cogent evidence arises there will be no further appeal.

e) ~~Grievance Committee:~~

~~This Committee shall process all grievances not settled at the initial stage and its reports shall be submitted first to the Executive Board, with a copy to the CUPE Representative, and then to a membership meeting. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement. The Committee shall comprise the Chief Shop Steward (Chairman), President, Recording Secretary, and the Shop Steward involved in the grievance.~~

Renumber

d) Local 1285 Health and Safety Committee:

This committee will:

- 1) Work to educate members on the importance of workplace health and safety.
- 2) Prepare and present reports to the regular membership meetings.
- 3) Participate on the Joint Worksite Health and Safety Committees (JWH&SC) at their workplace.
- 4) Ensure that the worker representatives on the JWH&SC meet separately from the employer to prepare for meetings with the employer.
- 5) Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.
- 6) Immediately bring to the attention of the employer any workplace hazard that has the potential to cause members' illness or injury.
- 7) Work to eliminate all workplace hazards, be they physical, environmental, or social.

The committee members will be the elected Chairperson and one member. The committee shall appoint its secretary from among its members.

e) Special Committees:

A special Ad Hoc Committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two members of the Board may sit on any special committee as ex-officio members.

Section 15 - Complaints and Trials

All charges against members or officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

Section 16 - Rules of Order

All meetings of the local shall be conducted in accordance with the basic principles of Canadian Parliamentary Procedure. Some of the more important rules to ensure free and fair debate are appended to these By-Laws as Appendix "A". These rules shall be considered as an integral part of the By-Laws and may be amended only by the same procedure used to amend the By-Laws. In situations not covered by Appendix 'A', the CUPE Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

Section 17 – Amendment

- a) These By-Laws shall not be amended or added to, except upon a majority vote of those present and voting at a regular or special membership meeting. Notice of the intention to propose the amended or additional bylaws must be given at least seven (7) days before at a previous membership meeting or 60 days before in writing.
- b) The amended or additional bylaws do not come into effect until they have been approved in writing by the National President. The National President will decide whether to approve the amended or additional bylaws within 90 days of receiving them and will withhold approval only where they conflict with the CUPE National Constitution.

Appendix "A" to the By-Laws of CUPE Local 1285 - Rules of Order

1. The President or, in his absence, the Vice-president shall take the chair at all membership meetings. In the absence of both the President and Vice-President, the Recording Secretary shall act as President, and in his absence a President pro-tem shall be chosen by the Local.
2. No member, except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than three minutes, or more than once on the same question without the consent of the members or until all who wish to speak have had the opportunity. Chairpersons and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.
3. The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member arise to speak, the question shall then be put.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and the member seconding the motion must rise and be recognized by the chair.
5. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment or amendment to an amendment which is a direct negative of the resolution shall be in order.
6. On motion, the regular order of business may be suspended by a simple majority vote of those present, to deal with any urgent business.
7. 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.
8. Any member having made a motion can withdraw it with the consent of the member seconding the motion, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
9. When a member wishes to speak on a question or make a motion, he shall rise in his place and respectfully address the presiding officer, but, except to state that he rises to a point of order or on a question of privilege, he shall not proceed further until recognized by the chair.
10. When two or more members rise to speak at the same time, the presiding officer shall decide which one 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 poor reflections on the Local or members thereof.
12. If a member, while speaking, is called to order, he shall cease speaking until the point is determined, if it is decided he is in order, he may again proceed.
13. No religious discussion shall be permitted.

14. The President shall take no part in debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
15. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he may in addition give a casting vote, or, if he chooses, refrain from breaking the tie, in which case the motion is lost.
16. When a motion is before the Local, no other motion shall be in order except:
 - (a) to adjourn;
 - (b) to put 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.

17. 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.
18. A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.
19. A motion to adjourn is in order except (1) when a member has the floor, and (2) when members are voting.
20. After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.
21. If any member wishes to challenge (appeal) a decision of the chair, he must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for his challenge. The Chairperson may then state briefly the basis for his decision, following which the chairperson shall immediately and without debate put the question, "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie, the chair is sustained.
22. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
23. No member shall enter or leave a meeting during the reading of 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 Vice-President.
24. The Local's business, and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

Appendix “B” to the By-Laws of CUPE Local 1285 - Out-of-Pocket Expenses

The following expense allowance shall be established:

- a) Mileage will be equivalent with the Expense Policy of CUPE BC.
- b) Accommodation at a reasonable going rate
- c) Air Fare (economy, if possible) where required
- d) Meeting Allowances (includes meal costs but not including travel time) as follows:

- (i) Representation within School District No. 20 boundaries by members not on the Executive Board

<u>Duration of Meeting</u>	<u>During Scheduled Working Hours</u>	<u>Outside Scheduled Working Hours</u>
Up to 2 hours	\$10.00	\$15.00
2 to 4 hours	\$10.00	\$20.00
Over 4 hours	\$10.00	\$50.00

- (ii) Representation outside School District No. 20 boundaries by all members

Half Day	Thirty Seven (\$37.00) dollars
Full Day	Seventy Four (\$74.00) dollars

- e) All receipts to accompany an expense voucher. A credit card slip will not be accepted on its own. An itemized receipt from the agency must be included (e.g. hotel, etc).
- f) The Executive Board members shall receive a monthly out of pocket allowance as follows:

President	\$200.00
Vice- President	\$150.00
Recording Secretary	\$150.00
Secretary-Treasurer	\$150.00
Chief Shop Steward	\$150.00
Membership Officer	\$150.00
- g) While not an Executive Board member, the Good of the Union Representative shall receive a monthly out of pocket allowance of \$25.00.
- h) Expense claims are not valid unless submitted to the Secretary-Treasurer by the 10th of the month that follows the month in which the expense was incurred.

Appendix “C” to the By-Laws of CUPE Local 1285 - Affiliations

In order to strengthen the Labour movement and work toward common goals and objectives, Local 1285 shall be affiliated to and pay per capita tax to the following organization(s):

CUPE BC

K – 12 President’s Council

West Kootenay Labour Council

BC Federation of Labour

1) Monthly Dues: As per Section 9 – Fees, Dues, Initiation Fee and assessments.