

**CANADIAN UNION OF PUBLIC EMPLOYEES**

**LOCAL 556**

**BY-LAWS**

**CITY OF COURtenay  
COMOX VALLEY REGIONAL DISTRICT  
TOWN OF COMOX  
VILLAGE OF CUMBERLAND  
HORNBY ISLAND RESIDENTS AND RATEPAYERS  
ASSOCIATION**

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## TABLE OF CONTENTS

PREAMBLE.....	3
SECTION 1 - NAME AND PURPOSE.....	3
SECTION 2 - OBJECTIVES.....	3
SECTION 3 - INTERPRETATION AND DEFINITIONS.....	4
SECTION 4 - MEMBERSHIP MEETINGS - REGULAR AND SPECIAL .....	4
SECTION 5 - VOTING OF FUNDS .....	5
SECTION 6 - OFFICERS .....	5
SECTION 7 - EXECUTIVE BOARD .....	6
SECTION 8 - DUTIES OF OFFICERS .....	6
SECTION 9 - OUT-OF-POCKET EXPENSES .....	11
SECTION 10 - DUES AND ASSESSMENTS.....	12
SECTION 11 - NON-PAYMENT OF DUES AND ASSESSMENTS .....	12
SECTION 12 - NOMINATIONS, ELECTIONS AND INSTALLATION OF OFFICERS...	13
SECTION 13 - DELEGATES.....	15
SECTION 14 - COMMITTEES .....	15
SECTION 15 - EXPENSES .....	17
SECTION 16 - RULES OF ORDER .....	19
SECTION 17 - AMENDMENT .....	19
APPENDIX "A" TO THE BYLAWS OF CUPE 556 RULES OF ORDER.....	20
APPENDIX "B" TO THE BYLAWS OF CUPE 556 CODE OF CONDUCT .....	22

## **PREAMBLE**

Local 556, of the Canadian Union of Public Employees (hereinafter referred to as CUPE 556), has been formed to unite together for the mutual protection and advancement of its workers, to reduce barriers for public employment, and to manifest its belief in the value of organized labour. CUPE 556 affirms the right of those who work to unite and does this in order to improve and promote the social and economic wellbeing of its members without regard to any protected ground within the *British Columbia Human Rights Code*.

## **SECTION 1 - NAME AND PURPOSE**

The name of this Local shall be: Canadian Union of Public Employees, Local 556, herein after-referred to as CUPE 556.

CUPE 556 consists of the following bargaining units:

- City of Courtenay
- Comox Valley Regional District
- Town of Comox
- Village of Cumberland
- Hornby Island Residents and Ratepayers Association (HIRRA)

The purpose of this bylaw is to govern the operations and procedures of CUPE 556 and applies to all members of the Local.

The following Bylaws are adopted by CUPE 556 pursuant to, and in supplement of, Appendix "B" of the CUPE National Constitution, to safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

## **SECTION 2 - OBJECTIVES**

The objectives of Local 556 are to:

- (a) support CUPE National in reaching goals set out in Article II of the CUPE National Constitution;
- (b) secure adequate remuneration for work performed and generally advance the economic and social wellbeing of its members and all workers;
- (c) provide an opportunity for its members to influence and shape their future through free and democratic trade unionism;
- (d) encourage the settlement of all disputes between the members and their employers through negotiation and mediation;
- (e) continually work towards the elimination of harassment and discrimination of any protected ground outlined in the *British Columbia Human Rights Code*; and establish strong working relationships with the public we serve and the communities in which we work and live.

## **SECTION 3 - INTERPRETATION AND DEFINITIONS**

Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the CUPE National Constitution which should be read in conjunction with these bylaws.

## **SECTION 4 - MEMBERSHIP MEETINGS - REGULAR AND SPECIAL**

- (a)
  - 1. Regular membership meetings of *CUPE 556* shall be held at least once every two months. Notice of the meeting shall be posted at least seven (7) days prior to the meeting.
  - 2. Unit meetings shall be held at the call of the Unit Vice-President/President or designate a minimum of twice per calendar year. Notice of the meeting shall be posted at least 72 hours prior to the meeting.
  - 3. Meetings can be held in person or via virtual means, or as a hybrid of both. The meeting Chair is to decide the format and draft a Notice of Meeting to be sent to the Recording Secretary to send out to the unit and/or local members. Only one (1) form of balloting will occur for any meeting. Virtual and hybrid meetings require a secure electronic voting platform for voting on any motion or elections.
- (b)
  - 1. A quorum for the transaction of business at any regular or special Local 556 meeting shall be twelve (12) members including at least three (3) members of the Executive Board.
  - 2. Should quorum not be met, the Executive Board will conduct the business of the Local at the following Executive Board meeting and will advise the membership at the next regular meeting where there is a quorum. Any decision of the board will be brought back to the membership at the next CUPE 556 general meeting.
  - 3. A quorum for the transaction of business at unit meetings shall include the Unit Vice-President or one member of the Executive Board and shall be as follows:

City of Courtenay	10 members
Comox Valley Regional District	10 members
Town of Comox	8 members
Village of Cumberland	4 members
Hornby Island Residents and Ratepayers Association (HIRRA)	3 members

- (c)
  - 1. Special membership meetings of *Local 556* may be ordered by the Executive Board or requested in writing by no fewer than twelve (12) 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, and up to seventy-two (72) 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 is given.
  - 2. Special unit meetings may be ordered by the Executive Board or requested in writing by no fewer than 20% of the members. The Unit Vice- President,

President or designate 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, and up to seventy-two (72) 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.

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

1. Acknowledgement of Indigenous Territories
2. Reading of the Equality Statement
3. Roll call of Officers
4. Voting of new members and initiation
5. Reading of Minutes
6. Matters arising
7. Treasurer's report
8. Communications and bills
9. Executive Board Reports
10. Reports of Committees and Delegations
11. Nominations, Elections, or Installations
12. Unfinished business
13. New business
14. Good of the Union
15. Adjournment

(ART B.6.1I)

## **SECTION 5 - VOTING OF FUNDS**

Except for ordinary expenses, bills and budgeted expenditures previously approved at membership meetings, no sum over one thousand (\$1,000.00) dollars shall be voted for the purpose of a grant or contribution to a member or any cause outside CUPE except by a notice of motion given in writing and dealt with at the following membership meeting.

## **SECTION 6 - OFFICERS**

The officers of the Local shall consist of:

- (a) One (1) of each President, Vice-President, and Secretary-Treasurer, Recording Secretary, referred to as the Table officers;
- (b) five (5) Unit Vice-Presidents one from each of the following: City of Courtenay, Comox Valley Regional District, Town of Comox, Village of Cumberland, Hornby Island Residents and Ratepayers Association and Education Coordinator;
- (c) four (4) Deputy Unit Vice, one from each of the following: City of Courtenay, Comox Valley Regional District, Town of Comox, Village of Cumberland;
- (d) three (3) Trustees; and
- (e) one (1) Membership Secretary.

## **SECTION 7 - EXECUTIVE BOARD**

- (a) The Executive Board shall consist of Table Officers and officers, except Deputy Unit Vice-Presidents, Trustees, Education Coordinator and Membership Secretary. (ART.B.2.2)
- (b) The Executive Board shall meet at least once every month. (ART.B.3.14)
- (c) A majority of the Board constitutes a quorum.
- (d) The Executive Officers shall 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.
- (e) The Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- (f) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE National Constitution. (Appendix F)
- (g) Should any Board member fail to answer roll-call at an Executive meeting without providing good and sufficient reasons for their absence, they will be noted as absent (rather than excused). If any Board member is absent for three consecutive regular membership meetings or three consecutive regular Board meetings without having submitted good and sufficient reasons for those failures, their office shall be declared vacant and shall be filled by an election at the following membership meeting. (ART B.2.5)
- (h) The Board shall prepare an annual budget which shall be presented to the membership for approval at each January regular meeting. The budget year shall be for the period of January 1<sup>st</sup> to December 31<sup>st</sup>.
- (i) All Officers authorized to sign on behalf of CUPE 556, shall be properly bonded with a faithful performance of duty bond. Bonding amounts shall conform to the minimum guidelines as established by the National Secretary-Treasurer and distributed to all chartered organizations annually. The amount of the bonding for any position shall be approved by the National Secretary-Treasurer in accordance with Article 9.3 (k). Any signing officer who cannot qualify for a bond shall immediately be disqualified from office and CUPE 556 shall proceed with the election of a replacement for that officer. Officers' liability insurance is required.

## **SECTION 8 - DUTIES OF OFFICERS**

All Officers must give all properties, assets, funds and all records of the CUPE 556 to their successors at the end of their term of office.

All Table Officers (President, Vice-President, Recording Secretary, and Secretary-Treasurer) are signing authorities for the Local. All signing Officers of CUPE 556 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.

(a) **The President** shall:

1. preside all General and Special meetings of CUPE 556;
2. sign each order of the treasury only as authorized and ordered by CUPE 556;
3. transact such other business as may of right pertain to the office of President, and which may be necessary for the proper functioning of CUPE 556;
4. have first preference as a delegate to attend and represent CUPE 556 at union or labour conventions, including the CUPE National Convention, CUPE BC Convention, and conventions for the Canadian Labour Congress and BC Federation of Labour (ART. B.3.1.);
5. report back to the Executive Board and general membership on conference or convention attendance;
6. communicate regularly with the Vice-President about the operations of the Local;
7. submit a monthly report to the Recording Secretary for inclusion in Executive meeting agendas;
8. prepare a welcome letter to be included in new-hire orientation packages;
9. attend bargaining committee meetings when available;
10. assign duties as needed.

(b) **The Vice-President** shall:

1. perform the duties of the President in the absence of that officer, and, in case of the resignation or death of the President, shall perform the duties of the President until such vacancy is filled as provided in CUPE 556 bylaws.
2. Submit a monthly report to the Recording Secretary for inclusion in Executive meeting agendas;
3. sits ex-officio on all CUPE 556 committees.

(c) **The Unit Vice-Presidents** shall:

1. chair all unit meetings;
2. schedule a minimum of two (2) unit meetings, of which the first one must be held in prior to the Local AGM for the purpose of unit elections. The President and Recording Secretary must be informed of the meetings scheduled that are to be included in a shared calendar;
3. sit in a voting capacity on the bargaining and labour management committees of their unit;
4. conduct unit elections or seek volunteers for unit committees for approval at the next CUPE 556 meeting;
5. assist shop stewards in representing members, preparing and filing grievances;
6. hold meetings at least twice a year with the shop stewards of their unit;
7. assure all correspondence is forwarded to the Recording Secretary;

8. certify all minutes of the unit meetings and forward them to the Recording Secretary of CUPE 556;
9. forward all correspondence relating to proposed or signed Letters of Understanding, Letters of Agreement, Memorandums of Agreement, and grievances, to the Recording Secretary to be securely filed or stored;
10. promote, invite and distribute correspondence from the Executives to unit members (particularly notes of meetings and event posters);
11. as necessary, communicate with the assigned CUPE National representative and include the President on any correspondence;
12. communicate regularly with the Deputy Vice-President about the operations of the Unit;
13. submit a written monthly report to the Recording Secretary for inclusion in Executive meeting agendas. The report must include the current status of active grievances, current job postings, orientations for new hires, the unit's next meeting and/or events, and any inquiries received from the general membership;
14. assigned duties as needed;
15. have the option of taking up to two (2) days' paid leave per month to conduct unit business;
16. additional time off may be approved on a case-by-case basis by the Table Officers (for example, during active grievances or bargaining);
17. as necessary, communicate with the assigned CUPE National Representative and include the President on any correspondence.

(d) **The Recording Secretary shall:**

1. keep record of all bylaw amendments once approved by CUPE National;
2. prepare all notices to members for distribution by the Unit Vice-Presidents;
3. keep and maintain the master membership list, including the first and last names, contact options and details for all Local members;
4. keep full, accurate and impartial account of the proceedings of all regular and special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports; (ART. B.3.3.)
5. attach to the minutes a copy of the full financial report presented by the Secretary Treasurer in accordance with B.3.6
6. answer correspondence and fulfil other secretarial duties as directed by the Board;
7. file a copy of all letters sent out and keep on file all communications;
8. prepare and distribute all notices to members;
9. have all records ready on reasonable notice for auditors and Trustees;
10. preside over membership and Board meetings in the absence of both the

President and the Vice-President;

11. on termination of office, surrender all books, seals and other properties of the Local to his/her successor. (ART B.3.3)

(e) **The Secretary-Treasurer** shall:

1. sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE National Constitution, Local Union bylaws, or vote of the membership;
2. make a written financial report to each regular membership meeting, detailing all income and expenditures for the period in accordance with Articles B.3.4 to B.3.8;
3. make all bank deposits;
4. be responsible for keeping all financial accounts of CUPE 556 and shall be responsible for maintaining correct and proper accounts of all its members;
5. maintain the financial accounts of CUPE 556;
6. be responsible for maintaining, organizing, safe-guarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by CUPE 556;
7. regularly make a full financial report to meetings of the CUPE 556 Executive Board;
8. submit the Local's books and records to the Trustees for audit at least once each calendar year, and in addition to providing all books, records, invoices, other supporting documents, and original bank statements, must also furnish the Trustees with a letter from the bank(s) where the funds of CUPE 556 are deposited, attesting to the amount to the credit of CUPE 556 at such bank(s);
9. within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees in accordance with Article B.3.12;
10. forward the per capita tax on all dues received by CUPE 556;
11. at the end of their term of office, the Secretary-Treasurer shall turn over to their successor, all properties and assets, including funds, books and records belonging to CUPE 556;
12. have the option of taking two (2) days paid leave per month to perform Secretary-Treasurer duties;
13. additional time off can be approved on a case-by-case basis by the Table Officers (for example, trustee audit).

(f) **The Deputy Unit Vice-Presidents** shall:

1. perform the duties of the Unit Vice-President in the absence of that officer, and, in case of the resignation or death of the Unit Vice-President, shall perform the duties of the Unit Vice-President until such vacancy is filled as provided in CUPE 556 bylaws;

2. attend all regular membership and unit meetings unless excused;
3. sit on the grievance committee for their unit;
4. assist their Unit Vice-Presidents with their duties;
5. have the option of taking one (1) day paid leave per month to perform Deputy Unit Vice-President duties;
6. additional time off can be approved on a case-by-case basis by the Table Officers (for example, during active grievances or bargaining);
7. assist shop stewards in representing members, preparing and filing grievances;
8. when permitted by a Collective Agreement, provide an orientation for new members.

(g) **The Trustees** shall:

1. audit the books of the Secretary-Treasurer and shall exercise general supervision over the property of CUPE 556. Such general supervision shall include, but not be limited to, ensuring that the Secretary-Treasurer complies with the provisions of Articles B.3.6 and B.3.7;
2. at the first election of officers in CUPE 556, 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 CUPE 556 shall elect one Trustee for a three-year period or, in the case of vacancies occurring, elect Trustees to fill only the unexpired terms in order to preserve overlapping terms of office;
3. examine the books and records of the Secretary-Treasurer and inspect or examine all properties, bonds, and all other assets of CUPE 556 at least once each calendar year;
4. 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 CUPE 556 funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner;
5. make a written report to the next regular meeting of CUPE 556 following the audit on the condition of the funds and accounts, the number of members in good standing, the number initiated, expelled or suspended, admitted or withdrawn, together with such other information they may deem necessary to the efficient and honest administration of CUPE 556, along with a copy of the written recommendations and/or concerns submitted to the Secretary-Treasurer, and the Secretary-Treasurer's written response;
6. send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their report to CUPE 556 membership along with a copy of their recommendations and/or concerns to the President and Secretary-Treasurer, and the Secretary-Treasurer's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative. (ART. B.3.10 to B.3.12)

(h) **The Membership Secretary** shall:

1. guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the President and by consent of the members present;
2. assist in maintaining the record of membership attendance at meetings;
3. perform such other duties as may be assigned by the Board from time to time.

(i) **The Education Coordinator** shall:

1. regularly update the website, calendar, and social media pages of the Local;
2. assist with meeting logistics (for example, ordering food);
3. submit a monthly activity report to the Recording Secretary for inclusion in the Executive meeting agendas.
4. coordinate members' attendance at education courses, seminars and conferences, including registrations, booking accommodations and arranging for travel expense reimbursement;
5. distribute information regarding education courses, seminars and conferences for all members
6. ensure proper forms are completed and forwarded to the Secretary-Treasurer as required;
7. organize local education courses if required;
8. assist in preparation of shop steward binders/materials and new member kits;
9. assist units with orientation process for new members

(j) **The Shop Steward** shall:

1. register and complete training in Introductions to Shop Stewarding;
2. investigate, write and file grievances on behalf of members;
3. assist to resolve problems outside of grievance procedures;
4. ensure good communication between members and the executive;
5. educate members about the collective agreement and their union in the workplace;
6. may mediate member conflicts when appropriate;
7. assist a member in achieving accommodations to support returns to work;
8. be a resource for members in terms of WorkSafe;
9. report to President and Unit Vice President all grievances.

## **SECTION 9 - OUT-OF-POCKET EXPENSES**

(a) The following out-of-pocket expenses shall be provided on a monthly basis, and paid quarterly for each month of service on March 31<sup>st</sup>, June 30<sup>th</sup>, September 30<sup>th</sup> and December 31<sup>st</sup>:

President	\$150 per month
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Vice-President	\$150 per month
Secretary-Treasurer	\$150 per month
Recording Secretary	\$150 per month
Unit Vice-Presidents	\$150 each per month
Deputy Unit Vice-Presidents	\$150 each per month
Education Coordinator	\$150 per month

(b) Communication Expenses:

Cell Phone

A cell phone allowance of \$50 per month may be provided to Executive officers, Deputy Unit Vice-Presidents and Education Coordinator who are not in an office environment (not to exceed 100% of the cell phone charges for the month). Under special circumstances where excessive use is necessary (i.e. negotiations), the Executive Board may approve the payment of additional expenses.

Internet

An internet allowance of \$50 per month may be provided to Executive officers, Deputy Unit Vice-Presidents and Education Coordinator (not to exceed 100% of the internet charges for the month).

## **SECTION 10 - DUES AND ASSESSMENTS**

**Monthly Dues**

The monthly dues shall be 1.8% (one point eight percent) of gross wages per month.

Changes in the levels of the Monthly Dues can be affected only by following the procedure for amendment of these bylaws (see Section 17), with the additional provision that the vote must be by secret ballot. (ART. B.4.3)

Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established, these bylaws will be deemed to have been automatically amended to conform to the new CUPE minima.

Special assessments may be levied in accordance with Article B.4.2 of the CUPE National Constitution.

## **SECTION 11 - NON-PAYMENT OF DUES AND ASSESSMENTS**

Any member in arrears for a period of three months or more shall be automatically suspended and their 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 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, they are not required to pay their arrears. (ART. B.8.6)

## **SECTION 12 - NOMINATIONS, ELECTIONS AND INSTALLATION OF OFFICERS.**

### **(a) Nominations**

No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting their signed consent in writing, duly witnessed by another member. No member shall be eligible for nomination if they are in arrears of dues and/or assessments.

### **(b) Elections**

#### **Local Executive Board**

1. At a membership meeting prior to elections the President shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee shall consist of members of the Local who are neither officers nor candidates for offices. It shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
2. Nominees who wish to have a campaign flyer distributed to the general membership prior to an election must provide a one-page flyer in finished format to the Returning Officer. The flyers are to be distributed to the general membership three (3) weeks prior to the election date.
3. Nominations shall be received and elections held at a regular membership meeting in January for the following positions:

President (2 year term to be elected in odd years)

Vice-President (2 year term to be elected in even years)

Secretary-Treasurer (2 year term to be elected in even years)

Recording Secretary (2 year term to be elected in odd years)

Sergeant at Arms (2 year term to be elected in odd years)

Education Coordinator (2 year term to be elected in even years)

4. The Executive Board will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer. Any electronic balloting must be conducted using a secured voting platform.
5. The Returning Officer shall be responsible for issuing, collecting and counting ballots, They must be fair and impartial and see that all arrangements are unquestionably democratic.
6. The vote shall be by secret ballot in one format per election, either electronic or paper votes cast in-person.
7. Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
8. 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, 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.

9. 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.
10. 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 for a membership meeting as laid down in Section 4 (B)(1).

#### 11. Unit Elections:

Nominations shall be received by the President or designate of the Local and elections held at a unit meeting prior to the regular membership meeting in January for the following positions:

##### Unit Vice-Presidents:

City of Courtenay (2 year term to be elected in odd years)  
Comox Valley Regional District (2 year term to be elected in even years)  
Town of Comox (2 year term to be elected in odd years)  
Village of Cumberland (2 year term to be elected in even years)  
Hornby Island Residents and Ratepayers Association (2 year term to be elected in odd years)

##### Deputy Unit Vice-Presidents:

City of Courtenay (2 year term to be elected in even years)  
Comox Valley Regional District (2 year term to be elected in odd years)  
Town of Comox (2 year term to be elected in even years)  
Village of Cumberland (2 year term to be elected in odd years)

Such election shall be recorded in CUPE 556 January membership minutes.

#### (c) Installation

All duly elected officers shall be installed at the CUPE 556 January meeting that succeeds the elections, or at the meetings at which elections are held.

#### (d) By-Elections

Should an office fall vacant pursuant to Section 7(g) of these bylaws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this section.

## **SECTION 13 - DELEGATES**

### Appointments

- (a) Except for the President's option (Section 8(a)), all delegates to conventions and conferences shall be appointed by the Executive Board. Representation across as many units as possible is encouraged.
- (b) Delegates to the Vancouver Island District Council (CUPE) and District Labour Council (CLC) shall be appointed bi-annually by the Executive Board. The delegates shall report at each membership meeting of the Local on proceedings at recent meetings of the Councils.
- (c) Representation at workshops, seminars or educational programs shall be subject to approval of the Executive Board.

## **SECTION 14 - COMMITTEES**

- (a) Unit Bargaining Committee

The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of the number of representatives outlined in their respective Collective Agreements. A new Bargaining Committee must be elected by the unit at least nine (9) months prior to the expiration date of the Collective Agreement. Each individual committee member shall be from a different department. The CUPE National Representative assigned to the Local shall be a non-voting members of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

- (b) Unit Labour Management Committee

The function of the committee is as outlined in their respective Collective Agreements. and committee membership (as outlined in each unit's respective Collective Agreements and) shall be elected at the same time as the unit Vice-President is elected.

- (c) Unit Grievance Committee

The Unit Grievance Committee shall process all grievances not settled at the initial stage. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant(s), as provided for in the Collective Agreement. A copy of the grievance and any related documentation shall be sent to CUPE 556 and the assigned CUPE National Representative. A grievance report shall be submitted to the Executive Board and then to a membership meeting. Any grievance that is moved to arbitration shall be presented for information at a general membership meeting. The CUPE National Representative assigned to CUPE 556 shall prepare a brief for the general membership to outline the grievance and its context. The committee shall consist of:

1. the Unit Vice-President as Chair, who shall select two (2) members from among the Shop Stewards. The first Shop Steward will be constant and assist the Chair and the other will be from the department involved in the grievance;
2. for the City of Courtenay, the Comox Valley Regional District, the Town of Comox, and the Village of Cumberland , the first shop steward shall be the Deputy Unit Vice-Presidents. The committee shall appoint its secretary from among its members.

(d) Unit Goodwill Committee

The Goodwill Committees will consist of two volunteer members appointed by their respective Unit Vice-Presidents. The committee shall, in coordination with the Secretary-Treasurer, arrange for flowers, gift baskets or charitable donations, to a maximum of \$120, as follows:

1. upon the birth of a child of a union member or their partner;
2. upon the death of a union member, or their partner, or their child, grandchild or parent;
3. absent from work due to illness or injury in excess of fourteen (14) calendar days.

These gifts may be accompanied by a greeting card. Any situation that arises, not covered above, may be responded to with a card. Supplies and postage for such cards will be paid for by CUPE Local 556.

Retirement Gift

All members in good standing of CUPE Local 556, upon retirement only, will be eligible for a one-time gift based on the number of years they have been a member, as follows:

Members who work full-time hours:

- From 1 to 10 years \$150.00
- 10 years and up to 15 years \$250.00
- 15 years and up to 20 years \$350.00
- 20 years and over \$500.00

Members who work part-time hours:

- From 1 to 10 years \$75.00
- 10 years and up to 15 years \$150.00
- 15 years and up to 20 years \$250.00
- 20 years and over \$350.00

Members who work casual hours:

- From 5 to 15 years \$75.00
- 15 years and up to 20 years \$150.00
- 20 years and over \$250.00

(e) Health & Safety Committee

The function of the Committee is as outlined in their respective collective agreements.

The committee members shall be elected at the same time the unit Vice-President is elected.

Each committee must provide a written report at each Local 556 membership meeting.

(f) Social Committee

The Executive Board shall seek between two and four members to volunteer for the committee. The function of this committee is to arrange and conduct all social and recreational activities of the Local. The committee shall submit proposals for approval and written reports to the Executive Board. All expenditures for the activities must be within the budget and pre-approved by the Executive Board. CUPE 556 shall hold liability insurance for any event hosted by the Local and Units if the venue requires it.

(g) Special Committees

A special ad hoc committee may be established for a specified purpose and period by the membership at a general 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 (2) members of the Executive Board may sit on any special committee as ex-officio members.

(h) E.I. Rebate Committee

Each unit that receives an EI rebate shall:

1. Establish a committee of three (3) members from different departments;
2. Once formed, these committees should meet to establish criteria for the use of the funds to benefit the members of that unit;
3. The criteria will be forwarded to the Executive Board for input;
4. The Unit Vice-President will take the criteria to a special unit membership meeting for approval by secret ballot;
5. The committee, through their Unit Vice-President, will submit requests for disbursement of funds to the Executive Board.

## **SECTION 15 - EXPENSES**

(a) Wages: Wages for regularly scheduled hours of work shall be reimbursed directly to the employer.

(b) Accommodation: If required, shall be paid at reasonable prevailing rates. Members are entitled to a single room, unless they choose to share a room. Non-commercial accommodation shall be \$30.00 per day.

- (c) Dependant Care: If required, dependant care will be paid outside of regular working hours at the rate up to \$15.00/hour to a maximum of \$225.00/day (which includes travel time) upon completion of the CUPE Local 556 Dependant Care form and substantiated by receipts.
- (d) Transportation: To be the most convenient and economical means with the maximum mileage not to exceed airfare:
  1. airfare where required (economy class);
  2. car mileage rate to be aligned with the Federal CRA mileage rate for the current year;
  3. parking cost when receipt provided and when on CUPE 556 business;
  4. taxi, ride share, or airport shuttle from airport to hotel to meeting place upon submission of receipts. Taxis to be shared when possible.
- (e) Per Diems:

For overnight travel (24 hour period) for conventions, conferences and education members are entitled to a per diem allowance of \$100 per day (Breakfast - \$20; Lunch - \$25; Dinner - \$35; Incidentals - \$20). When meals are provided the applicable meal allowance for each meal consumed is to be deducted for those meals. For partial days members will be entitled to the applicable meal allowances.

For in-town meetings where no meals are provided:

Daytime meetings that require meals \$25

Evening meetings that require meals \$35

Receipts are not required.
- (f) Receipted Expenses: Where receipted expenses are being submitted, a credit card slip will not be accepted on its own. If no receipt is available due to special circumstances a declaration providing an explanation may be accepted, signed by the member and authorized by the Secretary-Treasurer. These receipts may be reviewed by the Trustees. An itemized receipt from the agency must also be included (e.g. hotels, etc.). CUPE Local 556 will not pay for any alcoholic beverages.
- (g) Good of the Union

To promote attendance at general membership meetings, there will be three draw prizes to the value of \$50 each at each general membership meeting of the year. For each general meeting a member attends, their name shall be entered into a draw to take place at the final meeting of the year for a prize to the value of \$500. The member must be in attendance in order to qualify for this draw.
- (h) Education Bursaries

Educational bursaries will be awarded on an annual basis as follows:

  - i. the applicant must be a dependant child of a CUPE Local 556 member at the time of graduation;

- ii. the applicant must be continuing their education full-time at a recognized post-secondary institution no later than January the following graduating year;
- iii. applications must be written by the graduating student and received by the Executive Board no later than March 31<sup>st</sup> of their graduating year;
- iv. a copy of the acceptance letter from the admitting institution must be supplied by August 15<sup>th</sup>;
- v. an amount of \$1000 per applicant will be awarded to each successful applicant;
- vi. in the event that an applicant does not attend the institution, the bursary should be repaid to CUPE Local 556.

(i) Communication Expense:

Telephone (landline)

Long distance charges will be paid upon submission of bills.

## **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 bylaws as Appendix A. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

In situations not covered by Appendix A, the CUPE National Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

## **SECTION 17 - AMENDMENT**

- (a) These bylaws are always subordinate to the CUPE National Constitution (including Appendix "B") as it now exists or may be amended from time to time, and in the event of any conflict between these bylaws and the CUPE National Constitution, the latter shall govern. Constitutional interpretations, including determination of conflict, is a prerogative of the National President (ARTS. 9.2 9c, 13.3, B.5.1).
- (b) These bylaws shall not be amended, added to or suspended except upon a two-thirds majority vote of those present and voting at a special membership meeting following written notice given at a previous regular membership meeting. Notice of intention to propose the amended or additional bylaws must be given at least seven (7) days before at a previous membership meeting or sixty (60) days before in writing. (ART. 13.3 and B.5.1)
- (c) No change in these bylaws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President. (ART. 13.3 & B.5.1)

## APPENDIX "A" TO THE BYLAWS OF CUPE 556

### RULES OF ORDER

- (a) The President or, in their absence, the First Vice-President, shall take the Chair at all membership meetings. In the absence of both the President and the Vice-President, the Recording Secretary shall act as President, and in their absence a President pro-tem shall be chosen by the Local.
- (b) No member, except the Chairperson of a committee making a report or the mover of a resolution shall speak more than five minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.
- (c) The President shall state every question coming before the Local, and before allowing debate therein, and again immediately before putting it to vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.
- (d) A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the Chair.
- (e) A motion to amend, or to amend the 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.
- (f) On motion, the regular order of business may be suspended by a two-thirds vote of those present, to deal with any urgent business.
- (g) All resolutions and motions other than those named in Rule 17, or those to accept to adopt the report of a committee, shall if requested by the presiding officer, be presented in writing before being put to the Local.
- (h) 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.
- (i) Any Member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
- (j) When a member wishes to speak on a question or to make a motion, they shall rise in their place and respectfully address the presiding officer, but except to state that they rise to a point of order or on a question of privilege, they shall not proceed further until recognized by the Chair.
- (k) When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
- (l) 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 member thereof.
- (m) If a member, while speaking, is called to order, they shall cease speaking until the point is determined, if it is decided they are in order, they may proceed.
- (n) No religious discussion shall be permitted.

- (o) The President shall take no part in the 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.
- (p) The presiding officer shall have the same rights as other members to vote on any question before the Local, or to introduce a new question.
- (q) When a motion is before the Local, no other motion shall be in order except:
  - 1. to adjourn;
  - 2. to put the previous question;
  - 3. to lay on the table;
  - 4. to postpone for a definite time;
  - 5. to refer;
  - 6. to divide or amend, which motions shall have precedence in the order named. The first three of these shall be decided without debate.
- (r) 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.
- (s) A motion to adjourn is in order except:
  - 1. when a member has the floor; and
  - 2. when members are voting.
- (t) 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.
- (u) 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 be taken and the Secretary shall count same.
- (v) If any member wishes to challenge (appeal) a decision of the Chair they 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 their challenge. The Chairperson may then state briefly the basis for their 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 the tie the Chair is sustained.
- (w) 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.
- (x) 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 First Unit Vice-President.
- (y) The Local's business and proceedings of meetings, are not to be divulged to any person outside the Local or the Canadian Union of Public Employees.

## **APPENDIX "B" TO THE BYLAWS OF CUPE 556**

### **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.

The Code of Conduct sets out standards of behaviour for participants at national convention, national conferences, schools, meetings, and all other events organized by CUPE National. It is also applicable to structures of CUPE – locals, Provincial and Service Divisions, District Councils, Provincial Unions, Councils of Unions, Provincial Councils of Unions, and Provincial Sectoral Groups. 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 parts of CUPE referenced above. 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. At national convention, national conferences, schools, meetings, and all other events

organized by CUPE National, a complaint shall be brought to the attention of an ombudsperson.

3. At a meeting, event, or activity held by a structure of CUPE, should an ombudsperson be available, the same process would be used. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
4. If the complaint involves a 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 part of CUPE, the person responsible for their employment will be the one to whom a complaint is referred and the relevant collective agreement, should it exist, would be applicable.
5. Once a complaint is received where an ombudsperson is being used, the ombudsperson will work to seek a resolution.
6. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.
7. At CUPE National events where an ombudsperson is not available, a person properly appointed and designated to be in charge shall receive the complaint. Depending on the nature of the problem, the person in charge may attempt to resolve it through conflict resolution. If this fails to resolve the matter, the person in charge shall determine whether there is a need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses. The same process is to be used for other parts of CUPE where an ombudsperson is not available.
8. For National events, if the person in charge is a party to the complaint, the director or designate shall assume that role. For all other parts of CUPE, an alternate will be designated to assume the role.
9. In a case where a member has been expelled from an event, the National President shall receive a report on the matter. For all other structures of CUPE, the presiding officer shall receive a report on the matter.
10. 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. A similar process may be applicable to the other parts of CUPE, done in consultation with the National President.

This Code of Conduct is designed to create a safe, respectful and supportive environment within all parts of 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.

All chartered organizations are subject to this Code of Conduct, to apply to conventions, conferences, schools, and meetings which they organize.

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The above Code of Conduct arises from the National Women's Task Force (NWTF) report, and Resolution 209 adopted at the 2007 National Convention.

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