
Bylaws

Local Union 748



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INTRODUCTION

Local 748 of the Canadian Union of Public Employees has been formed to:

- Improve the social and economic well-being of all of its members;
- Promote equality for all members and to oppose all types of harassment and discrimination;
- Promote the efficiency of public services; and
- Express its belief in the unity of organized labour.

The following bylaws are adopted by Local 748 in accordance with the CUPE National Constitution, to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organizations' activities. The CUPE National Equality Statement can be found in Appendix A to these bylaws.

CUPE chartered organizations may also wish to adopt a Local Union Code of Conduct that would apply to membership meetings and other functions organized by the chartered organization. The Local Union Code of Conduct can be found in Appendix B to these bylaws.

SECTION 1 – NAME

The name of this Local Union shall be Canadian Union of Public Employees, Local 748.

Local 748 consists of the following bargaining units:

- Kootenay Lake School District Employees
- Creston Library

SECTION 2 – OBJECTIVES

The objectives of Local 748 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 disability; 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 the CUPE National Constitution.
- (g) Any issues relating to the Collective Agreement with the Employer shall be represented by no fewer than two (2) members of the Local (with at least one (1) being an Executive Board member.)
- (h) It is the responsibility of each member to ensure they have knowledge of the Collective Agreement, the CUPE National Constitution and these bylaws.

SECTION 3 – REFERENCES

- (a) “Regions” means the West Area (including Slocan Valley, Kaslo, Salmo, Nelson) and/or East Area (including Crawford Bay, Creston)
- (b) “Executive Board” shall refer to the President, Vice-President East, Vice President West, Treasurer, Recording Secretary, Lead Steward, and the area Representatives.

SECTION 4 – MEMBERSHIP

(a) Membership

An individual employed within the jurisdiction of Local 748 can apply for membership in Local 748 by signing an application and paying the initiation fee set out in Section 11(a) of these bylaws.

(b) Approval of Membership

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

(c) Oath of Membership

New members will take this oath:

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

(d) Continuation of Membership

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

(e) Member Obligations

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

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

SECTION 5 – AFFILIATIONS

In order to strengthen the labour movement and work toward common goals and objectives, Local 748 may be affiliated to and pay per capita tax to the following organization(s):

- The CUPE BC Provincial Division
- The Kootenay District (CUPE) Council
- The West Kootenay Labour Council (CLC)

SECTION 6 – MEMBERSHIP MEETINGS

(a) Regular Membership Meetings

Regular membership meetings of Local 748 shall be held five times each year. Notice of each regular membership meeting outlining the date, time, and location shall be given to members at least seven days in advance of the meeting.

When a statutory holiday or a situation beyond the control of the Local Union arises which causes rescheduling of a regular membership meeting, the Executive Board will give members seven days notice of the date of the rescheduled regular membership meeting.

(b) Special Membership Meetings

Special membership meetings of Local 748 may be required, and shall be called by the Executive Board or may be requested in writing by no fewer than twenty members. The President shall immediately advise members when a special meeting is called, and ensure that all members receive at least twenty-four (24) hours' notice of the special meeting, the subject(s) to be discussed, the date, time and location. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

(c) Annual General Meetings

The AGM shall be held in the month of May with the site(s) to be determined. The business of this meeting will be kept to a minimum. Following the AGM, a Special Executive Board Meeting shall be scheduled for the purpose of orientation of new officers, appointment of committee members, and a review of the Local's bylaws and structure.

(d) Quorum

The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be ten (10) members, plus three (3) members of the Executive Board.

Should a quorum not be met at any General Membership Meeting, the Executive shall be empowered to deal with the required business of the Local until the following General Membership Meeting. Any decisions or business resulting will be reported back and ratified by the membership at the next General Membership Meeting.

(e) **Membership Meeting Agenda**

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

1. Acknowledgement of Indigenous Territory
2. Roll call of officers
3. Reading of the Equality Statement
4. Voting on new members and initiation
5. Reading of the minutes
6. Matters arising from the minutes
7. Treasurer's Report
8. Correspondence
9. Executive Board Report
10. Reports of committees and delegates
11. Nominations, elections, or installations
12. Unfinished business
13. New business
14. Good of the Union
15. Adjournment

(f) **Bargaining Unit Meetings**

Bargaining Unit meetings may be called by the executive or may be requested in writing by no fewer than two (2) members to deal with matters that affect only members of the bargaining unit. Such meetings are not to be used to replace regular membership meetings and will not make decisions that affect the Local Union as a whole or another bargaining unit. The President shall advise members of the bargaining unit 24 hours in advance of the meeting providing the time, location, and an agenda.

The minimum number of members required to be in attendance for the transaction of business at any bargaining unit meeting shall be six (6) bargaining unit members plus two (2) members of the Executive Board. Members from other bargaining units in the Local Union may attend these meetings without vote but with voice and are not counted as part of quorum.

Membership meetings may be held via electronic conferencing as required or split meetings (held at least on consecutive days, secret ballot, with at least two (2) executive board members attending both meetings).

SECTION 7 – OFFICERS

The Officers of Local 748 as elected by the membership, with the exception of the lead steward, and shall be:

- President
- Vice-President East
- Vice-President West
- Treasurer
- Secretary
- Membership Officer East
- Membership Officer West
- Seven (7) Area Reps
- Lead Steward as elected by the stewards
- Two (2) Safety Representatives (one east, one west)
- Eight (7) Stewards as follows:
 - Six (6) Stewards from the School District 8 Bargaining unit
 - One (1) from the Creston Library bargaining unit
- Three (3) Trustees

SECTION 8 – EXECUTIVE BOARD and ADMINISTRATIVE COMMITTEE

- (a) The Executive Board shall include President, Vice President East, Vice President West, Secretary, Treasurer, Area Reps, and the Lead Steward.

Trustees, Membership Officers, Safety Representatives, and Stewards are not on the Executive Board.

- (b) The Executive Board shall meet at least eight (8) times per year.
- (c) A majority 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.
- (f) Should any Executive Board member fail to answer the roll call for three consecutive regular membership meetings or three consecutive regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting.
- (g) The Administrative Committee shall be comprised of the President, Vice President East, Vice President West, Treasurer, and Recording Secretary.

- (h) The Administrative Committee shall meet on an as needed basis to deal with functional business of the union and/or time sensitive matters that arise that do not require a full executive board meeting. Any actions or decisions shall be communicated to the full executive board at the next executive board meeting.

SECTION 9 – DUTIES OF OFFICERS

Each Officer of Local 748 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

All Officers must give all properties, assets, funds and all records of the Local Union to their successors at the end of their term of Office within 14 days following the election of officers or upon their resignation.

All signing Officers of Local 748 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) President

The President shall:

- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
- Interpret these bylaws as required.
- Preside at all membership and Executive Board meetings and preserve order.
- Decide all points of order and procedure (subject always to appeal to the membership).
- Have the same right to vote as other members.
- Ensure that all Officers perform their assigned duties.
- Attend School District Board Meetings (or name designate).
- Fill committee vacancies where elections are not provided for.
- Introduce new members and conduct them through the initiation ceremony.
- Ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership.
- Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses 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 supporting receipt(s) attached.

- Have first preference as a delegate to the CUPE National Convention.
- Have first preference as a delegate to the CUPE BC Convention.
- Have first preference as a Local Kootenay District Council representative.
- Be ex-officio members of all committees.

(b) Vice-President East

The Vice-President East shall:

- If the President is absent or not eligible, the VP from the opposite region shall perform all duties of the President.
- If the office of the President falls vacant, the VP from the opposite region shall be Acting President until a new President is elected through a by-election.
- Render assistance to any member of the Executive as directed by the Executive Board.
- Introduce the Area Reps and their functions to the Members, PAC, DPAC
- Serve as a member on the Grievance Committee, Education Committee, Bylaw Committee, Health and Safety Committee, JEIS Committee, and the Budget Committee or appoint a designate.
- Serve as a member on the SD8 Operations and Finance Committee and the Education Partners Committee or appoint a designate.

(c) Vice-President West

The Vice-President West shall:

- If the President is absent or not eligible, the VP from the opposite region shall perform all duties of the President.
- If the office of the President falls vacant, the VP from the opposite region shall be Acting President until a new President is elected through a by-election.
- Render assistance to any member of the Executive as directed by the Executive Board.

- Introduce the Area Reps and their functions to the Members, PAC, DPAC
- Serve as a member on the Grievance Committee, Labour Management, JEIS Committee, Bylaw Committee, and the Budget Committee or appoint a designate.
- Attend employee onboarding sessions or appoint a designate.
- Serve as a member on the SD8 Administrative Policy Committee or appoint a designate.

(d) Recording Secretary

The Recording Secretary shall:

- Keep full, accurate, and impartial account of the proceedings of all regular or 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 Treasurer. The record will also include Trustees' reports.
- Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval prior to implementing.
- Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
- Keep a record of all correspondence received and sent out.
- Prepare and distribute all notices to members.
- Have all records ready on reasonable notice for the Trustees or auditors.
- Preside over membership and Executive Board meetings in the absence of the President and Vice-Presidents.
- Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union's funds.
- Prepare and maintain the CUPE 748 website, newsletters, mailing lists, and social media or appoint a designate.
- Performs other duties required by the Local Union, its bylaws or the National Constitution.

(e) Treasurer

The Treasurer shall:

- 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.
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences.
- Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
- 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.
- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No member shall authorize their own expenses. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.
- Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least once 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 the Trustees require to complete the audit, including forms provided by CUPE National.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union's funds.

(f) Area Reps

The Area Reps shall:

- Act as a representative from each area: Slocan, Salmo, Nelson (2), Kaslo Crawford Bay, and Creston.
- Attend all Executive meetings.
- Attend all general membership and special meetings.
- Attend School District Board meetings when in your area.
- Attend the DPAC meetings (Nelson and Creston Area Reps) or name a designate.
- Communicate with the PAC groups in their area.
- Be a member of the bylaw and Policy Committee.
- Keep communication channels open between the Executive Board and the membership in the area they represent.
- In a strike or lock-out situation ensure that communication from the executive board is distributed and that co-ordination is adequate.
- In a strike or lock-out situation, act as Picket Captain.
- In order to present a written report to the monthly Executive Board, the area representative should contact each work-site in his/her area.
- Assist other members of the executive as required.
- Encourage the participation of all members in union activities.
- Maintain contact with the members to provide on-going union awareness and education.
- Sit on committees as directed by the Executive Board.

(g) Lead Steward

The Lead Steward shall:

- Be elected from the stewards.
- Ensure that the Stewards carry out the duties and obligations of their positions.
- Ensure that all stewards are adequately educated and trained to provide the necessary support to the membership.
- Report any grievances to the Grievance Committee and co-ordinate in the grievance process.
- Provide a written report at each executive board meeting and a general report at the membership meetings.
- Ensure all grievances are filed on the appropriate grievance forms and that the applicable timelines are followed.
- Ensure that the stewards keep full and accurate records of each grievance assigned to them.
- Upon the resolve of a grievance, ensure that the records are forwarded to the Secretary for filing.
- Be a member of the Grievance Committee.
- Attend all general and special membership meetings.
- In the event that the Lead Steward is temporarily incapacitated or absent, the Executive Board will designate a lead steward from the elected stewards, or if none available, from the Executive Board on an interim basis.
- In the event that the position is vacant and no steward takes the roll of Lead Steward, the executive will designate a lead steward from the executive on an interim basis until the position can be filled by a steward.

(h) Safety Representatives

The Safety Reps shall:

- Be a member of the JSAC (Joint Safety Advisory Committee) committee.
- Report to the executive board on safety issues.

(i) Membership Officer

The Membership Officer shall:

- Guard the inner door and/or ZOOM and/or other online platforms access at membership meetings and admit no one but members in good standing or Officers and officials of CUPE.
- Maintain the record of membership attendance at meetings and forward to the Secretary at the conclusion of the meeting.
- At general and special membership meetings, manage the distribution, collection, sealing, and counting of ballots as required. Upon motion to destroy the ballots, they will dispose of them in a confidential manner.
- At the option of the executive, be responsible for the booking, set up, and clean up of meeting rooms.
- Perform such other duties as may be assigned by the Executive Board from time to time.

(j) Stewards

The Stewards shall:

- Assist in the grievance process.
- Be knowledgeable of the Collective Agreement.
- Attend select committee meetings.
- Be a member of the Grievance Committee.
- Investigate, write, and bring grievances to the Lead Steward and/or Grievance Committee on behalf of members.
- Help to solve problems outside the grievance procedure.
- Ensure good communication between the members and the executive.
- Communicate throughout the steps of the grievance process to the griever(s).
- Educate members about the collective agreement, about the union's role in the workplace.
- Stand up as a strong ally with members from equity-seeking groups.

- Mobilize members to support the union's role in bargaining, to attend public rallies, etc.
- As a steward, your role is to watch and listen to what's happening in your workplace, on behalf of your local. As part of this role, you will want to inform the executive of issues that the local needs to deal with in bargaining; watch for early warning signs of privatization or contracting out; and stay alert for other problems.

(k) Trustees

The Trustees shall:

- Act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, the Secretary, and the committees at least once every calendar year.
- Make a written report of their findings to the first membership meeting following the completion of each audit.
- Submit in writing to the President and Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Treasurer in an organized, correct, and proper manner.
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union, and report their findings to the membership.
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
 - i. Completed Trustee Audit Program
 - ii. Completed Trustees' Report
 - iii. Treasurer Report to the Trustees
 - iv. Recommendations made to the President and Treasurer of the Local Union
 - v. Treasurer's response to recommendations
 - vi. Concerns that have not been addressed by the Local Union Executive Board.

SECTION 10 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) Nominations

1. Nominations will be received at the previous regular membership meeting, and at the AGM in May.
2. Nominations will be accepted from members in attendance at the membership meeting or the AGM, or from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member.
3. To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.
4. A member can be nominated for multiple offices but can only hold one office at a time. However, if a vacancy occurs, an executive member may temporarily take on the duties of the vacant office until it is filled through elections.
5. A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.
6. No member will be eligible for nomination if they are in arrears of dues and/or assessments.
7. All committee positions, if not addressed elsewhere in these bylaws, will be as per the provisions of section 17 of these bylaws.

(b) Elections

1. The President and Recording Secretary are elected in odd years. The Vice-President, Treasurer, and Membership Officer are elected in even years.
2. At a membership meeting, at least one month prior to Election Day, the President will, subject to the approval of the members present, appoint an Elections Committee consisting of a Lead Returning Officer and assistant(s). The committee will include members of the Local Union who are neither Officers nor candidates for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union.
3. The Elections Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Lead Returning Officer.

4. The Lead Returning Officer will be responsible for issuing, collecting, and counting ballots. The Lead Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
5. The voting will take place at the Annual General Membership meeting in May. The vote will be by secret ballot.
6. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
7. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will 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 will be dropped.
8. In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary, until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
9. When two or more nominees are to be elected to any office by ballot, each member voting will 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 will 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.
11. All election complaints by members will be submitted in writing to the Lead Returning Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven days after the election. The Lead Returning Officer in conjunction with the Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.

(c) **Bargaining Unit Elections**

Nominations and elections for bargaining unit positions will take place after the elections outlined in Section 10(b). Bargaining unit nominations and elections will be conducted for the following positions:

Steward(s)

The voting will take place at a bargaining unit membership meeting by secret ballot. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will 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 will be dropped.

(d) Installation of Officers

1. All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office for two year(s) or until a successor has been elected and installed, provided, however, that no term of office shall be less than one year and no longer than three years.
2. The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three year period. No member who has been a signing Officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed.
3. A candidate who is elected to office must clearly communicate or affirm this oath:
"I, _____, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term."

(e) By-elections

Should an office fall vacant for any reason, the resulting by-election should be conducted as closely as possible in conformity with this section. The term of office for any position filled through a by-election will be the term that the vacated position was initially elected to fulfill.

SECTION 11 – FEES, DUES AND ASSESSMENTS

(a) Initiation Fee

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. The \$5 initiation fee will be deducted from the employees first paycheque and forwarded to the Local.

(b) Readmission Fee

The readmission fee shall be one (1) dollar.

(c) Monthly Dues

The monthly dues shall be 2.4% of regular wages.

(d) Amending Monthly Dues

The regular monthly dues may be amended at a regular or special membership meeting. The vote must be by secret ballot. Notice of at least seven days at a previous meeting or 60 days in writing must be given.

(e) Assessments

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. Membership approval is required and the assessment will only be applied after the National President approves the assessment.

SECTION 12 – NON PAYMENT OF DUES AND ASSESSMENTS

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union.

A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but may not be required to pay arrears.

SECTION 13 – EXPENDITURES

(a) Payment of Local Union Funds

Funds can only be spent for valid purposes of the Local Union under the following circumstances:

- When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting;
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members present and voting at a regular or special membership meeting.

(b) Payment of Per Capita Tax and Affiliation Fees

Authorization to pay per capita tax to CUPE National, to CUPE BC Provincial Division, or any labour organization the Local Union is affiliated with, is not required.

(c) Payment of Local Union Funds to Members or Causes Outside of CUPE

In the case of a grant or a contribution to a cause(s) outside of CUPE greater than \$250, a notice of motion must be made at a regular membership meeting and then approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven days after the meeting where notice of motion has been given.

- (d) No Officer or member of Local 748 will be allowed to spend any Local Union funds without first having received authorization under Section 13(a) of these bylaws.

SECTION 14 – HONORARIUMS

Local Union Officers and committee members shall be provided an honorarium as follows:

Monthly	
President	\$225
Vice Presidents	\$175
Secretary	\$175
Treasurer	\$175
Lead Steward	\$100
Area Reps	\$30
Stewards	\$50
Membership Officers	\$20
Safety Reps	\$30

The Executive members are solely responsible for the filing of receipts for remuneration.

Trustees will be paid the appropriate travel costs as per the CUPE BC Expense Policy.

Executives, Shop Stewards, or other members, if requested to attend Executive Board Meetings, or other CUPE Local 748 business, shall be reimbursed appropriate travel costs as per the CUPE BC Expense Policy.

Per Diem and Incidentals for out of SD8 area business area as per the CUPE BC Expense Policy.

Daily receipted meals for regular executive meetings and union business within the SD8 area will be paid at:

- Up to \$23 for breakfast when staying overnight out of town (payable for the next morning)
- Up to \$27 for lunch
- Up to \$36 for dinner when staying overnight out of town (payable before the overnight stay)

The above per diem or receipted meals will not be paid when attending functions where meals are provided.

Receipted out of pocket expenses are per the CUPE BC Expense Policy. No expenses will be reimbursed without an itemized receipt (a credit card/debit slip will not be accepted on its own).

Expenses, including stipends, must be submitted for payment within three (3) months of their occurrence or they will not be paid. Stipends must be submitted within three (3) months of the fiscal year in which they were incurred or payment will not be issued.

SECTION 15 – CHILD CARE, DEPENDENT CARE AND ELDER CARE

Caring for children, dependents or the elderly are barriers to actively participating in the union or to attending membership meetings. Local 748 is committed to removing barriers within its control so that all members have equal access to participation. Expenses will be paid as per the CUPE BC Expense Policy.

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 16 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

- (a) Except for the President's option [Section 9(a)], all delegates to conventions, conferences, and educationals shall be chosen by election at membership meetings.
- (b) Delegates to the Kootenay District CUPE Council shall be elected annually at a membership meeting. A member responsible for reporting back to the Local Union membership shall be appointed by the President from among these delegates, and the member appointed shall make a written report at each Local Union membership meeting on proceedings at recent meetings of the Council. The Local Union will reimburse the member's employer for any loss of wages.
- (c) Delegates to the West Kootenay Labour Council (CLC District Labour Council) shall be elected annually at a membership meeting. A member responsible for reporting back to the Local Union membership shall be appointed by the President from among these delegates, and the member appointed shall report at each Local Union membership on proceedings at recent meetings of the Council. The Local Union will reimburse the member's employer for any loss of wages.
- (d) All delegates attending conventions, conferences, or educationals held outside of the SD8 area shall be paid transportation costs and a per diem allowance as per the CUPE BC Expense Policy. The Local Union will reimburse the member's employer for any loss of wages.

- (e) Local 748 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.
- (f) Any approvals must be granted three (3) months in advance for any delegate(s) to attend any CUPE BC, CUPE National, or any other conventions. Registrations or any other expenses incurred will only be paid after attendance is approved.

SECTION 17 – COMMITTEES

(a) Special Committees

A special committee may be established for a specified purpose and a specified period of time by the membership at a meeting. The members shall be elected at a 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.

1. Negotiating Committee

This will be a special committee established at least six (6) months prior to the expiry of the Local Union's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of up to six (6) members all elected at a membership meeting. The National Representative assigned to the Local Union 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.

All members of Local 748's negotiating committee shall attend CUPE's collective bargaining educationals as recommended and in accordance with CUPE National's bargaining policy.

(b) Permanent Committees

The Chairperson of each permanent committee will be elected by the members at a membership meeting. Permanent committees will have a term of two years. The Chairperson and the Executive Board may, with the approval of the membership, jointly appoint other members to serve on a committee. Committees will provide written reports to each regular membership meeting. The Vice-President(s) shall be a member, ex-officio, of each committee as indicated in their duties in these bylaws.

There shall be seven (7) permanent committees as follows:

1. Grievance and Grievance Appeal Committees

The grievance committee will:

- Oversee the handling of all local grievances.
- Receive copies of all grievances.
- Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting.
- When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether or not the grievance should proceed to arbitration.
- If the decision is to not proceed, the grievor(s) may appeal the decision to the Grievance Appeal Committee.

The Grievance committee members will be the President, Vice-President(s), elected Lead Steward, and stewards. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages.

The Grievance Appel Committee members will be the Area Representatives, Treasurer, and Secretary.

2. Education Committee

This committee will:

- Gather information about appropriate courses, the availability of courses, and make recommendations to the Local Union on whether or not members should be attending.
- Assist delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports.
- Cooperate with the National Union Development Department and Communications Branch of CUPE, and with the regional Education Representative, in implementing both the Local Union's and CUPE's policies in these fields.

The committee members will be the elected chairperson and up to 5 members. The committee shall appoint its secretary from among its members.

3. Committee Against Racism and Discrimination (CARD)

This committee will:

- Advise and give guidance to Officers, committee members, and the general membership on all issues that affect all equity-seeking groups, including people of colour, Indigenous, lesbian, gay, bi-sexual and transgendered workers in the workplace and the union movement.
- Promote leadership of equity-seeking workers at the Local Union level and in the broader labour movement.
- Increase and support the active participation of equity-seeking workers in the Local Union and the broader labour movement.
- Strive to eliminate racism and discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in human rights and anti-racism activities both in and outside of the labour movement.

The committee members will be the elected chairperson and up to 5 members. The committee shall appoint its secretary from among its members.

4. Health and Safety Committee

This committee will:

- Work to educate members on the importance of workplace health and safety.
- Prepare and present reports to the regular membership meetings.
- Organize an April 28th Day of Mourning ceremony each year.
- Participate on the Joint Worksite Health and Safety Committees (JWH&SC) at their workplace.
- Ensure that the worker representatives on the JWH&SC meet separately from the employer to prepare for meetings with the employer.
- Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.
- Immediately bring to the attention of the employer any workplace hazard that has the potential to cause members' illness or injury.
- Work to eliminate all workplace hazards, be they physical, environmental, or social.

Members of this committee should be designated as a “Certified Worker Representative” in accordance with the legislation in their respective jurisdictions (provincial, federal).

The committee members will be the Local 748 Safety Reps and up to 5 more members. The committee shall appoint its secretary from among its members.

5. Bylaw Committee

This committee will:

- Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.
- Ensure that the Local Union’s bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.

The committee members will be the Area Reps, President, Vice-President(s), Treasurer, and Secretary. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.

6. Membership Support Committee

This committee will:

- If a member is ill for more than a week, send a card expressing the Local Union’s concern and desire to help, whether the member is at home or in hospital.
- Extend the Local Union’s condolences in the event of the death of a member or one of their immediate family, and make other appropriate gestures up to a value \$100.
- Upon the retirement of a member in good standing, send a card and a gift valued up to \$250
- Upon the birth or adoption of a child by a member send a congratulations card.

- Send other expressions of goodwill to members in the form of a card.

The committee members will be the elected chairperson and up to 5 members. The committee shall appoint its secretary from among its members.

7. Social Committee

This committee will:

- Arrange and conduct all social, cultural, and recreational activities of the Local Union, either on the committee's own initiative as approved by the executive or as a result of decisions taken at membership meetings. The committee shall submit reports and proposals to the Executive Board or to the membership as required.

A budget for the committee will be fixed annually by the membership but, other than that, all social, cultural, and recreational events and activities shall be self-supporting.

The social committee will have access to a budget of up to a maximum of one-thousand (1000) dollars. Reimbursement will be upon providing the treasurer with itemized receipts and/or accounting. Any additional expenditures over the initial budget shall need membership approval.

The committee members will be the Treasurer and up to 5 members, and may appoint a secretary from among its members.

SECTION 18 – COMMUNICATION PROTOCOL

1. Members should contact their Area Rep with general questions or to discuss union activities and a Steward with workplace concerns, issues, and possible grievances.
2. Members who wish to have a particular issue addressed, or taken forward as a grievance must, whenever possible, submit the issue in writing to a Steward including all particulars and relevant articles of the Collective Agreement believed to have been breached, along with suggested resolutions to the issue. The Steward will bring the issue to the grievance committee and the Lead Steward will delegate the issue to a Steward and let the member know who is assigned to their issue. Should assistance in documenting the issue be required, Shop Stewards will aid members when necessary. However, this does not preclude members from talking to their stewards about any issues or concerns they wish to clarify before formally addressing them in writing.

3. All issues brought forth in such a manner will be addressed without prejudice or discrimination, in good faith, and with the utmost possible discretion and confidentiality by union representatives.
4. The line of communication for addressing issues and or grievances will be as follows:
 - a. Shop Steward
 - b. Lead Steward
 - c. Vice President West or Vice President East
 - d. President
 - e. National Representative
5. Once a member has formally submitted a concern, it shall be investigated in a timely manner by the Shop Steward and taken up the aforementioned line of communication as far as necessary in order to resolve the situation in the best manner possible.
6. Any member who, for whatever reason, wishes to bypass their Shop Steward and/or the Lead Steward and go directly to the Vice President(s), must first submit their reasoning in writing, whenever possible, to the Vice President for approval to do so.

SECTION 19 – BURSARY AWARD PROGRAM

Bursaries may be awarded to students who are the children or legal dependents of a CUPE 748 member, or to a graduating CUPE 748 member. Applicants must be graduating from high school in SD8 and pursuing post-secondary education at a Community College, University, or Institute of Technology.

Bursaries will be presented at the conclusion of the school year at the appropriate ceremonies (graduation or awards) at the school the student attends by a CUPE Executive member or designate.

Proof of registration from a post-secondary institution is required before payment and the money must be claimed within 24 months of receiving the award.

Local 748 will budget Three Thousand Dollars (\$3,000.00) per year for the purpose of bursaries. Each applicant will receive a maximum of Three Hundred Dollars (\$300.00).

The award will be given by a committee based on the following criteria:

1. Child or legal dependent of a CUPE Local 748 member, or a CUPE member.

2. A questionnaire and essay submitted by the applicant.

SECTION 20 – 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 21 – RULES OF ORDER

All meetings of the Local Union will 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 C. 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 C to these bylaws, 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 22 – AMENDMENTS

(a) CUPE Constitution

These bylaws are always subordinate to the CUPE 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 Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE Constitution.

(b) Additional Bylaws

A Local Union can amend or add to its bylaws only if:

- (i) the amended or additional bylaws do not conflict with the CUPE Constitution;
- (ii) the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose;
and
- (iii) notice of the intention to propose the amended or additional bylaws was given at least seven days before at a previous membership meeting or 60 days before in writing.

(c) Effective Date of Amended or Additional Bylaws

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 Constitution.

SECTION 23 – PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 748 bylaws, either in paper format or via the Local Union website at 748.cupe.ca. Members requesting a copy of these bylaws will be provided a copy in either French or English as requested. Members with diverse needs may request a copy of the bylaws in a manner to support their needs.

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Appendix A

CUPE NATIONAL EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation, and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile, or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic, or homophobic hurts and thereby divides us. So too does discrimination on the basis of ability, age, class, religion and ethnic origin.

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

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society, and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all persons deserve dignity, equality, and respect.

Appendix B

CODE OF CONDUCT

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination, and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff, and elected officers to carry out our work. CUPE's expectation is that mutual respect, understanding, and co-operation will be the basis of all our interaction.

This Code of Conduct sets out standards of behaviour for participants at national convention, conferences, schools, meetings, and any other union events organized by CUPE National, Local 748, or any other CUPE chartered body. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National and at events, meetings, and activities by other CUPE bodies. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As CUPE members, staff, and elected officers, we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement.
- Respect the views of others, even when we disagree.
- Recognize and value individual differences.
- Communicate openly.
- Support and encourage each other.
- Make sure that we do not harass or discriminate against each other.
- Commit to not engaging in offensive comment or conduct.
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating.

- Take responsibility for not engaging in inappropriate behaviour due to use of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding the Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. A complaint shall be brought to the attention of an ombudsperson when there is one available. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
3. The ombudsperson or the person in charge will work to seek a resolution. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge. The person in charge has the authority to expel members from the event for serious or persistent offenses.
4. If the complaint involves a national staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another CUPE chartered organization, the complaint shall be referred to the person responsible for their employment.
5. If the person in charge is a party to the complaint, an alternate will be designated to assume the role.
6. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For other events, the presiding officer shall receive a report on the matter.
7. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. For other events, the presiding officer shall consult the National President.

This Code of Conduct is designed to create a safe, respectful, and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member's right to access the trial provisions under Appendix F of the CUPE National Constitution.

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Appendix C

RULES OF ORDER

1. The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President will be the Chairperson at the membership meeting. In the absence of the President and Vice-President, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: "Is the Local ready for the motion?" If no member rises to speak, the motion will be voted upon.
5. A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
6. A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
7. An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
8. On motion, the regular order of business at a membership meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
9. Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
10. At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.

11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
13. The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
15. A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
16. Religious discussion of any kind is not permitted.
17. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
18. The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
19. When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.
20. The Chairperson will ask "Will the main question be now put?" where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.

21. A motion to adjourn is in order except when a member is speaking or when members are voting.
22. A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
24. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, "Will the decision of the chair be upheld?" A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
25. At a membership meeting where a question has been decided any two members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds majority of members who vote. If two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.
26. Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
27. The Local Union's business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.

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