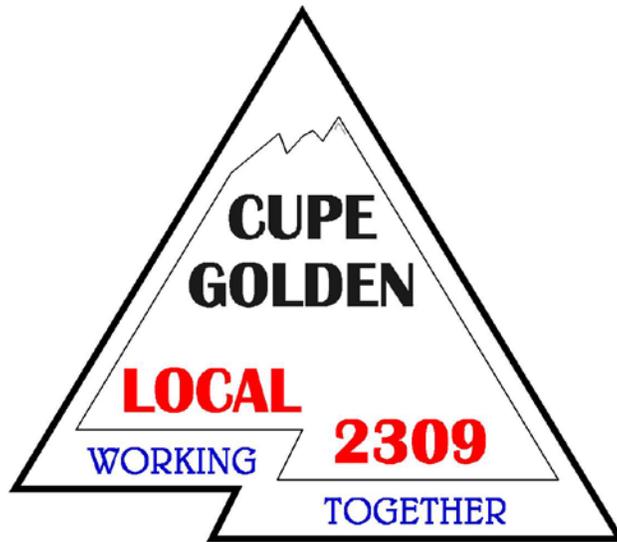


Bylaws



Canadian Union of Public Employees
Local 2309

Town of Golden

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INTRODUCTION

Local 2309 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 2309 in accordance with the CUPE National Constitution (Articles 13.3 and B.7.1), 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.

SECTION 1 – NAME

The name of this Local Union shall be Canadian Union of Public Employees, Local 2309.

(Canadian Union of Public Employees, Local 2309)

SECTION 2 – OBJECTIVES

The objectives of Local 2309 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 Article II of the CUPE National Constitution.

SECTION 3 – REFERENCES

- (a) Masculine pronouns shall be understood to include the feminine gender.
- (b) Numbers of articles at the end of sections or sub-sections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

SECTION 4 – AFFILIATIONS

In order to strengthen the labour movement and work toward common goals and objectives, Local 2309 shall be affiliated to and pay per capita tax to the following organization(s):

- The CUPE British Columbia – General
- The East Kootenay District Labour Council
- The British Columbia Federation of Labour
- The CUPE Kootenay District Council

SECTION 5 – REGULAR AND SPECIAL MEMBERSHIP MEETINGS

- (a) Regular membership meetings of Local 2309 shall be held on the first Monday of every other Month except July and August, at 5:00 pm at a place to be determined no less than 2 weeks prior to the meeting.

When a statutory holiday or a situation beyond the control of the Local Union arises which causes the cancellation of a regular membership meeting, the Executive Board shall reschedule the regular membership meeting, and will give members fourteen days' notice of the date of the rescheduled regular membership meeting.

- (b) Special membership meetings of Local 2309 may be required, and shall be called by the Executive Board or may be requested in writing by no fewer than three (3) 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 and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

- (c) Meeting times and dates can be changed by a majority vote, provided a notice of motion, at least one (1) week prior to meeting date has occurred.
- (d) The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be five (5) (20% of membership) members, including three (3) members of the Executive Board.
- (e) The order of business at regular membership meetings is as follows:
 - 1. Roll call of officers
 - 2. Reading of the Equality Statement
 - 3. Voting on new members and initiation
 - 4. Reading and approval of minutes of previous meeting
 - 5. Matters arising
 - 6. Treasurer's report and approving expenditures
 - 7. Correspondence
 - 8. Executive Committee report
 - 9. Reports of committees and delegates
 - 10. Nominations, Elections, or Oath of Office
 - 11. Unfinished business
 - 12. New business
 - 13. Good of the Union
 - 14. Adjournment

(Article B.8.1)

- (f) Local 2309 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

SECTION 6 – OFFICERS

The Officers of Local 2309 shall be the President, Vice-President, Recording Secretary, Secretary-Treasurer, and three (3) Trustees.

(Article B.2.1)

SECTION 7 – EXECUTIVE BOARD

- (a) The Executive Board shall include all Officers, except Trustees. (Article B.2.2)
- (b) The Executive Board shall meet at least eight (8) times per year. (Article B.3.14)

- (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 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. (Article B.2.5).

SECTION 8 – DUTIES OF OFFICERS

Each Officer or member of Local 2309 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

(a) The President shall: (Article B.3.1)

- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
- 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 a vote on all matters (except appeals against the President's rulings) and in case of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie.
- Ensure that all Officers perform their assigned duties.
- Fill committee vacancies where elections are not provided for.
- Introduce new members and conduct them through the initiation ceremony.
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE National 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.
- On termination of office, surrender all books, seals and other properties of the Local Union to their successor.

(b) The Vice-President shall: (Article B.3.2)

- If the President is absent or not eligible, perform all duties of the President.
- Preside over membership and Executive Board meetings in the absence of the President.
- If the office of the President falls vacant, be Acting President until a new President is elected.
- Render assistance to any member of the Executive as directed by the Executive Board.
- On termination of office, surrender all books, seals and other properties of the Local Union to their successor.

(c) 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 Secretary-Treasurer. The record will also include Trustee reports.
- Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval.
- 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 both the President and Vice-President.
- Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union's funds.
- On termination of office, surrender all books, seals and other properties of the Local Union to their successor.

(d) The Secretary-Treasurer shall: (Articles B.3.4 to B.3.9)

- 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 National 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 Secretary-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 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.

- Where required, not later than February 28th each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid by him during the preceding calendar year.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union's funds.
- Notify all members who are one month in arrears and report to the Executive Board all members two or more months in arrears in the payment of union dues.
- On termination of office, surrender all books, records and other properties of the Local Union to their successor.

(e) The Trustees shall: (Articles B.3.10 to B.3.13)

- Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording 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 Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.
- 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. Secretary-Treasurer Report to the Trustees

- iv. Recommendations made to the President and Secretary-Treasurer of the Local Union
- v. Secretary-Treasurer's response to recommendations
- vi. Concerns that have not been addressed by the Local Union Executive Board.

SECTION 9 – NOMINATION, ELECTION, AND INSTALLATION OF OFFICERS

(a) Nominations

1. Nominations will be received at the regular membership meeting held in the month of October.
2. Nominations will be accepted from members in attendance at the nomination meeting 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, a member shall have attended at least fifty percent of the membership meetings held in the previous twelve months, or in the period he was a member if less than a year, unless a valid reason acceptable to the Local Union is given for non-attendance by the next membership meeting.
4. 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.
5. To be eligible for nomination, a member must be a member in good standing as set out in Article B.10.3 of the National Constitution.
6. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

(b) Elections

1. The President and Recording Secretary will be elected in odd years. The Vice-President and Secretary-Treasurer shall be 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 Returning Officer and assistant(s). The Committee will include members of the Local Union who are neither Officers nor candidates for office. The Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.

3. The Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
4. The Returning Officer will be responsible for issuing, collecting, and counting ballots. The Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
5. The voting will take place at the regular membership meeting at which the nominations are made. 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. 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.
9. 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 as set out in Section 5(c).

(c) Installation

1. All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office for two (2) year(s) or until a successor has been elected and installed, provided, however, that no term of office shall be 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 Article B.3.10 of 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. The Oath of Office to be read by the newly-elected Officers is:

"I, _____, do most sincerely promise that I will truly and faithfully, to the best of my ability, perform the duties of my office for the ensuing term, as prescribed in the Constitution and laws of the Canadian Union of Public Employees, and as an Officer of this Local Union will at all

times endeavour, both by counsel and example, to promote the harmony and preserve the dignity of its sessions.

I further promise that at the close of my official term, I will promptly deliver all monies, books, papers, or other property of this Local Union in my possession to my elected successor.”

(d) By-Election

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

SECTION 10 – 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. Each application for membership in the Local Union will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of one (1) dollar which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

(Articles B.4.1 & B.10.2)

(b) Readmittance Fee

The readmittance fee shall be one (1) dollar.

(Articles B.4.1 & B.10.2)

(c) Monthly Dues

The monthly dues shall be 2% of the gross regular wages.

Changes in the levels of initiation fees, the re-admittance fee or the monthly dues can be effected only by following the procedure for amendment of these bylaws (Section 19) with the additional provision that the vote must be by secret ballot (Articles B.4.1 & B.4.3) Notwithstanding the above provisions, if the CUPE convention raises the 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 Constitution.

SECTION 11 – NON PAYMENT OF DUES AND ASSESSMENTS

Any member in arrears for a period of three months or more will be automatically suspended and 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. Any member under suspension wishing to be reinstated will, upon application, pay the readmittance fee plus any dues and assessments in arrears. This money will be returned if the application is rejected. A member who has been unemployed or unable to work because of sickness shall pay the readmittance fee but may not be required to pay arrears.

SECTION 12 – VOTING OF FUNDS

(a) Local 2309 will pay out funds under the following circumstances:

- When the expenditure has received prior authorization through a membership approved budget.
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members at a membership meeting.

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

(b) In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than \$250.00, a notice of motion must be made at a regular membership meeting and then approved at the same regular membership meeting before the grant or contribution can be paid out.

(c) A petty cash fund in the amount of \$75.00 shall be held by the Executive Board to cover minor cash expenses.

(d) No member of Local 2309 will be allowed to spend any Local Union funds without first having received authorization under Section 12(a) of these bylaws.

(Article B.4.4)

SECTION 13 – OUT-OF-POCKET EXPENSES

Local Union Officers and Committee members shall be provided an out-of-pocket expense allowance as follows:

Refer to [SCHEDULE "A"](#)

SECTION 14 – 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 2309 is committed to removing barriers within its control so that all members have equal access to participation.

- (a) When it is practical and demand warrants, Local 2309 will provide on-site child care at all Local Union membership meetings. Where on-site child care is not provided, and in the case of dependent care or elder care, members will be reimbursed to a maximum of the living wage for the area for each hour of required care. Reimbursement will be provided upon proof of payment.
- (b) Any member who is on authorized Local 2309 business shall be eligible for child care, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of the living wage for the area for each hour of care required.
- (c) 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 15 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

- (a) Except for the President's option [Section 8 (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. 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.
- (c) Delegates to the East Kootenay District CLC District Labour Council shall be elected annually. 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.
- (d) All delegates elected to the conventions or educationals held outside the Town of Golden shall be paid transportation expenses, a per diem allowance as specified in Schedule "A" attached to this bylaw, and an amount equal to any loss of salary incurred by attendance at the convention
- (e) Delegates to conventions or educational held locally shall have no travel allowance. There shall be a per diem allowance as specified in Schedule "A" attached to this bylaw and any loss of salary incurred by attendance at the convention.

SECTION 16 – 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 four (4) 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 three (3) members all elected at a membership meeting including at least one member of the Executive Board. The CUPE 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.

(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 concurrence 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 shall be a member, ex-officio, of each committee. There shall be five (5) permanent committees as follows:

1. Technological Change / 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.

- Evaluate the technological change and examine training/education needs in each department and then make recommendations on all matters related to training, education and certifications to the union.

The committee members will be the elected chairperson and two (2) members. The committee shall appoint its secretary from among its members.

(Contract Article 16.12)

2. 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 elected chairperson and two (2) members. The committee shall appoint its secretary from among its members.

(Contract Article 15)

3. 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 amendment 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 elected chairperson and two (2) members. The committee shall appoint its secretary from among its members.

4. Membership Support/ Social Committee

This committee will:

- Visit members who are ill.
- If a member is ill for more than a week, arrange some token of 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 in accordance with custom or the wishes of the family concerned.
- Arrange and conduct all social, cultural, and recreational activities of the Local Union, either on the committee's own initiative 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 committee members will be the elected chairperson and two (2) members. The committee shall appoint its secretary from among its members.

5. Grievance Committee

This 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 CUPE 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 Executive Board.

(c) Joint Agent of Record

One member will be elected as a joint consultant and Joint Agent of Record to work with management on all group benefits plan design, consulting and purchase of all Employee benefits. Joint Agent of Record will have a term of two years. The Joint Agent of Record will provide written reports to each regular membership meeting.

(Contract Article 14.06)

SECTION 17 – 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 18 – 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 “B”. 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 “B”, 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 19 – AMENDMENTS

(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. The National President has the sole authority to interpret the CUPE National Constitution.

(Article 9.2(c), 13.3 and B.7.1)

- (b) These bylaws will not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting following seven days' notice at a previous meeting or at least sixty days' written notice.

(Article B.7.1)

- (c) No change in these bylaws will be valid and take effect until approved by the National President of CUPE. The validity will date from the letter of approval of the National President.

(Articles 13.3 & B.7.1)

SECTION 20 – PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 2309 bylaws, either in paper format or via the Local Union web site at local2309.ca. Members requesting a copy of these bylaws will be provided a copy in either French or English as requested. Members with special needs may request a copy of the bylaws in larger font.

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 sisters and brothers deserve dignity, equality, and respect.

Appendix “B”

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. After a question has been decided, any two members who have voted with the majority can move reconsideration, provided that a motion for reconsideration is made at either the meeting where the decision proposed for reconsideration was made, or at the very next meeting.
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.

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.

Schedule "A" Out of Pocket Expenses

Honorariums

President	\$ 500.00/year
Vice-President	\$ 500.00/year
Recording-Secretary	\$ 500.00 /year
Secretary-Treasurer	\$ 500.00 /year

Honorariums are to be paid quarterly.

Union Sanctioned Activities (out of town)

- a) Per Diem meal allowance \$ 74.00 day (no receipts required)
- b) Lodging Receipts required. Maximum \$200.00 per night
- c) Mileage. As per rate set out by Canada Revenue Agency for BC.

When choosing between automobile and air travel, the most economical and practical method of transportation must always be used.

When more than one member is traveling, every effort should be made to use as few vehicles as possible.

Union Sanctioned Activities (in town)

- a) Per Diem Receipts required
To a maximum as follows:

Breakfast	\$ 18.00
Lunch	\$ 20.00
Dinner	\$ 29.00

Meals will be reimbursed at receipt cost to the above mention maximum. Meals to be incurred during Union functions only.

All requests for this type of expense (in or out of town) shall be first approved by the majority of the Executive Board.

On short trips, the duration of which is less than one day, the Local shall pay all reasonable out of pocket expenses as submitted by supporting documentation, rather than the per diem allowance.

Any extraordinary expenses incurred by any member and not covered by the above sections shall be paid by the Local only after approval of the membership.

Donations/Retirement

- a) Donations \$100.00/member (excluding Seasonal Workers) up to a maximum of \$ 2500.00 per budgeted year

- b) Retirement's \$50.00/year of employment to any member in good standing that leaves from their place of employment after a minimum of five (5) years
- c) Any employee that is terminated for Just Cause will have their eligibility for item B above determined by a majority vote of membership at a regular meeting.

Sickness

A flower arrangement, fruit basket or other appropriate gift up to \$75.00 plus taxes, to a member of the Local or their immediate family that has been hospitalized due to an accident, sickness or the birth of a child. The Social Committee to take care of the arrangements.

The same can be made for non-members depending on circumstances and voted in favor, by a majority of members at a General meeting.

Bereavement

In the case of a member's immediate family member (including parents-in-law) passing away, an appropriate gift up to \$75.00 plus taxes shall be sent to the member. The Social Committee to take care of the arrangements.

Bursaries

A onetime bursary is available for each child of Regular Full Time and Regular Part Time members in good standing of Local 2309. Children for this bursary are defined as son, daughter, stepson and stepdaughter. Any other application from a casual member of local 2309 for bursary must be approved by a membership vote at a regular meeting.

Bursaries are tenable at a post-secondary educational institution or for a minimum six (6) week, full time certification program for up to \$1,000, and are administered by the Local 2309 Executive. The Bursary is available up to five (5) years following graduation from secondary school or equivalent.

These bylaws were approved by the membership of Local 2309 at a general meeting held this 16th day of May 2011.

Original Signed

Signed President Rob de Kleer

Original Signed

Signed Vice President Al Taylor

Amendments to the bylaws (Section 4, Section 10.c, Section 16.b.5 and Schedule "A" Bursaries) were approved by the membership of Local 2309 at a special meeting held this 3rd day of October 2011.

Original Signed

Signed Acting President Al Taylor

Original Signed

Signed Secretary Treasurer Brenda Smith

Amendments to the bylaws (Schedule "A" Donations/Retirements) were approved by the membership of Local 2309 at a general meeting held this 8th day of March 2012.

Original Signed

Signed President Al Taylor

Original Signed

Signed Vice President David Hedges