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**CANADIAN UNION OF PUBLIC
EMPLOYEES**

LOCAL 606

MID ISLAND SCHOOL EMPLOYEES

BY-LAWS

*Approved by CUPE Local 606 Members
at the February 7, 2009 General Meeting*

*Approved by CUPE National on March 2, 2009
(as per the CUPE Constitution)*

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PREAMBLE

In order to improve the social and economic welfare of its members without regard to sex, colour, race or creed, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, this Local 606 (Mid Island School Employees) of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed. The following by-laws are adopted by the Local pursuant to and to supplement, Appendix "B" of the CUPE National Constitution, to safeguard the rights of all members, to provide the responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

SECTION 1 - NAME

The name of this Local shall be:

Canadian Union of Public Employees, Local No. 606 (Mid Island School Employees).

SECTION 2 - OBJECTIVES

The objectives of the Local are to:

- a) Secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- b) Support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- c) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- d) Encourage the settlement by negotiation and mediation of all disputes between the members and their employer.

SECTION 3 - INTERPRETATION AND DEFINITIONS

- a) Masculine pronouns shall be understood to include the feminine gender.
- b) Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the CUPE National Constitution, which should be read in conjunction with these by-laws.

SECTION 4 - MEMBERSHIP MEETINGS - GENERAL, REGIONAL AND SPECIAL

- a) General membership meetings shall be held at a time and place decided by Executive, normally twice per year, e.g. January and June.
- b) The order of business at General membership meetings is as follows:
 - i. Roll Call of Officers
 - ii. Voting on new members and initiation
 - iii. Reading of Minutes of Previous Meeting
 - iv. Matters arising out of the Minutes
 - v. Treasurer's Report
 - vi. Communications and Bills
 - vii. Executive Board Report
 - viii. Reports of Committees and Delegates
 - ix. Nominations, elections, or installations
 - x. Unfinished Business
 - xi. New Business
 - xii. Good of the Union
 - xiii. Adjournment

(Article B.VIII)
- c) Regional membership meetings shall be held at a time and place decided by the Regional Executive. Normally, a minimum of two (2) times per year in the months in which a general meeting is not held.
- d) Special meetings may be ordered by the Executive Board or requested in writing by no fewer than 10% of the members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours' notice of the special meeting and the subjects(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.
- e) Annual General Membership meeting shall be the last meeting held in the school year for the purpose of election of officers.

SECTION 5 - VOTING OF FUNDS

Except for ordinary expenses and bills attributable to the operation of Local 606, no sum over five-hundred dollars (\$500.00) shall be voted for the purpose of a grant or contribution to a member or any cause outside of the Canadian Union of Public Employees, except by a notice of motion given in writing and dealt with at the following meeting. Up to five hundred dollars (\$500.00) may be contributed to any cause within the Canadian Union of Public Employees. The President shall be authorized in emergency circumstances to allocate up to \$500.00 to assist CUPE Local 606 members.

SECTION 6 - OFFICERS

The officers of the Executive at Large of Local 606 shall be the President, two General Vice Presidents, Secretary-Treasurer, Recording Secretary, Sergeant-at-Arms and shall be elected by the membership at large of Local 606.

The Trustees shall be elected on a 3-year rotating structure. A 1st Regional Vice President, 2nd Regional Vice President, Secretary-Treasurer, Departmental Stewards and Regional Sergeant-At-Arms shall be elected by the membership of each Region.

(Article B.2.1. and B.2.3)

SECTION 7 - EXECUTIVE BOARD

- a) The Executive Board shall be comprised of all officers, except Trustees. (Article B.2.2)
- b) The Executive shall meet every seven (7) weeks. (Article B.3.13)
- c) A majority of the Executive constitutes a quorum.
- d) The Executive Officers shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to see, convey or encumber any real estate without first giving notice and then submitting the proposition to a General membership meeting and having it approved.
- e) The Executive shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- f) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE National Constitution. (Articles B.6.1 to B.6.7.)
- g) Should any Executive member fail to answer the roll-call for three consecutive General membership or regular Executive meetings without having submitted good reasons for those failures, their office shall be declared vacant and shall be filled by an election at the following general membership meeting. (Article B.2.5)
- h) The Executive is empowered to send up to our allotted delegates to Convention/Conference and/or meetings where Local 606 requires representation and that reports be brought forward to the next general membership meeting of the Local.
- i) The Executive in consultation with and consideration of recommendation(s) from the Regional Vice President's, the Executive is empowered to fund and send members to appropriate education courses/seminars/programs which are deemed financially feasible and of educational benefit to the local. A report on these decisions to be brought to the next possible general membership meeting.

SECTION 8 - DUTIES OF OFFICERS

It is the duty of all officers to preserve, in all cases where possible, and when warranted, confidentiality concerning names of grievors and full details of the issues.

President:

The office of the President shall be a paid, full-time position. The term being two (2) calendar years commencing the date of the 1991 Annual General Meeting or the closest date thereafter.

- The President's salary is to coincide with the highest paid employee of Local 606.
- The benefits of the President shall be that of the Region from which they were seconded and will for all intents and purposes follow the terms and conditions of that agreement for the term of office.

The President shall:

- a) Enforce the CUPE National Constitution and these by-laws;
- b) Preside at all General membership and Executive Board meetings and preserve order;
- c) Decide all points of order and procedure (subject always to appeal to the membership);
- d) Have a vote on all matters (except appeals against their 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;
- e) Ensure that all officers perform their assigned duties;
- f) Introduce new members and conduct them through the initiation ceremony;
- g) Be a signing officer and ensure that the Local's funds are used only as authorized or directed by the Constitution, by-laws, or vote of the membership;
- h) Be allowed to incur expenses on behalf of the Local supported by vouchers and/or receipts.
- i) Have first preference as a delegate to all conventions participated in by the Local. (Article B.3.1)

On termination of office surrender all books, seals and other properties of the Local to their successor or the Chief-Executive officer. (Article B.3.3).

General Vice President's/Chief Shop Stewards:

1. General Vice President's Shall:

- a) If the President is absent or incapacitated, perform all duties of the President;
- b) If the office of President falls vacant, be Acting President until a new President is elected; this will be offered first to the longest serving elected GVP.
- c) Render assistance to any member of the Executive Board as directed by the Executive. (Article B.3.2)
- d) Be allowed to incur expenses on behalf of the Local supported by vouchers and/or receipts.
- e) On termination of office surrender all books, seals and other properties at the Local to her/his successor or to the Chief-Executive officer. (Article B.3.3)
- f) Make regular reports to the Executive Council.

- g) Ensure that all bargaining unit employees are properly represented in matters of grievance.
- h) Establish and maintain a record of all grievances and Grievance settlement Board awards.
- i) Coordinate, counsel, and assist in the training of all Union Stewards in grievance matters.

2. Chief Shop Stewards shall:

- a) Chair the Grievance Committee and coordinate the Committee's activities. (Article B.3.3)
- b) Hold Stewards meetings as called by the General Vice President: minimum of two per year.
- c) Make a report at regular membership meetings.
- d) Ensure all departmental stewards perform their duties with an acceptable degree of competency.

Recording Secretary:

The Recording Secretary shall:

- a) Keep full and accurate and impartial account of the proceedings of all Special membership, General membership and Executive meetings;
- b) Record all alterations in the By-laws;
- c) Answer correspondence and fulfill other secretarial duties as directed by the Executive Board;
- d) File a copy of all letters sent out and keep on file all communications;
- e) Prepare and distribute all circulars to Executive members;
- f) Prepare and distribute notices of General membership meetings to all members.
- g) On termination of office surrender all books, seals, and other properties of the Local to her/his successor or to the Chief-Executive officer. (Article B.3.3)

Treasurer:

The Treasurer shall:

- a) Serve as chairperson of the budget committee.
- b) Receive all revenue, initiation fees, dues and assessment, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union;
- c) Prepare all per capita tax forms and remit payment no later than the 15th day of each month;
- d) Record all financial transactions in a manner acceptable to the Executive and in accordance with good accounting practices;
- e) Be bonded for not less than \$1000.00 (or any greater sum as may be decided at a membership meeting, taking into account the assets of the Local and the amount of cash and cheques handled by the Treasurer) through the master bond held by the National office;
- f) Treasurers' who cannot qualify for the bond shall be disqualified from office.
- g) Disbursements supported by a voucher shall be for the purpose of the Local only, except that no voucher shall be required for payment of per-capita fees to any organization to which the Local is affiliated;

- h) Make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited semi-annually;
- i) Shall provide audit guidelines for the Trustees;
- j) Provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- k) Not later than February 28th each year, furnish each member, on the forms supplied by the National Office, with a statement showing the new amount of tax-deductible dues paid by them during the proceeding calendar years; if the employers fail to do so. (Articles B.3.4 to B.3.9)
- l) Shall make a financial report to the Local monthly.
- m) On termination of office surrender all books, seals and other properties at the Local to her/his successor or to the Chief-Executive officer. (Article B.3.3)

Sergeant-at-Arms:

The Sergeant-at-Arms shall:

- a) Guard the inner door at general membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the Chair and by consent of the members present;
- b) Maintain the record of membership attendance at meetings;
- c) Perform other such duties as may be assigned by the Executive from time to time.

Trustees:

The Trustees shall:

- a) Act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, Recording Secretary and Secretary-Treasurers semi-annually;
- b) Report their findings to the first general membership meeting following the completion of each audit;
- c) Be responsible to ensure that moneys are not paid out without proper constitutional or membership authorization;
- d) Ensure that proper financial reports are made to the membership;
- e) Audit the record of membership;
- f) Inspect at least twice a year any stocks, bonds, securities, office furniture and equipment, and titles of deeds to property that may at any time be owned by the Local, and report their findings to the membership;
- g) Use audit forms supplied by the National Office and send a copy of each half-yearly audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE National Constitution;
- h) Trustees, shall, if unable to fulfill the requirements of their position due to a change in personal circumstances and/or working conditions, be required to submit a letter of resignation to the Executive as soon as possible. (Article B.3.10 to B.3.12)

1st Regional Vice President - 2nd Regional Vice President:

1st Regional Vice President – 2nd Regional Vice President shall:

- a) Enforce the CUPE Constitution and these by-laws;
- b) Preside at all Regional meetings and preserve order;
- c) Decide all points of order and procedure (subject always to appeal of the membership);
- d) Have a vote on all matters (except appeals against their rulings) and in case of a tie vote in any matter, including elections, and have the right to cast an additional vote to break the tie;
- e) Ensure that all regional officers perform their assigned duties;
- f) Introduce new members and conduct them through the initiation ceremony;
- g) Be a signing officer and ensure that the Region's funds are used only as authorized or directed by the Constitution, by-laws, or vote of the membership;
- h) Have first preference as a delegate to all conventions participated in by the Regions;
- i) Report back to the Executive Board at the next possible Executive Meeting;
- j) Be allowed to incur expenses on behalf of the Region supported by vouchers and/or receipts;
- k) On termination of office surrender all books, seals and other properties of the Local to her/his successor or the Local's President.

Regional Secretary-Treasurer:

The Regional Secretary-Treasurer shall:

- a) Keep full and accurate account of the proceedings of all regional membership meetings;
- b) Answer correspondence and fulfill other secretarial duties as directed by the Executive Board and Regional Vice President;
- c) File a copy of all letters, etc. from the Recording-Secretary;
- d) Prepare and distribute all notices of Regional membership meetings to members;
- e) Presides over Regional membership meetings in the absence of the 1st Regional Vice President or 2nd Regional Vice President;
- f) Record all financial transactions in a manner acceptable to the executive in accordance with good accounting practices;
- g) Administer disbursements supported by a voucher, and be for the purpose of the Region only;
- h) Make all books available for inspection by the auditors and/or Trustees on reasonable notice and have the books audited semi-annually;
- i) Provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE.

Regional Sergeant-at-Arms:

The Regional Sergeant-at-Arms shall:

- a) Guard the inner door at Regional membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the Chair and by consent of the members present;
- b) Maintain the record of membership attendance at meetings;
- c) Perform other such duties as may be assigned by the Executive from time to time.
- d) Not a voting member of the Local Executive unless replacing a voting member.

Departmental Stewards:

The Departmental Stewards shall:

- a) Ensure that the Collective Agreement is adhered to by both the employer and members;
- b) Ensure that grievances are investigated, researched and forwarded to the GVP/Chief Shop Steward for processing;
- c) Ensure that members are informed about their rights, Division policies, union policies and objectives, labour legislation and legislative programs;
- d) Work for the welfare of the group; act promptly and decisively, develop teamwork and fight for what is right;
- e) Attend a training session for Stewards when notified by the Executive at large; and attend meetings that are called. Minimum of three meetings per year.

SECTION 9 – EXECUTIVE ASSISTANT

The Executive Assistant shall:

Under the general direction of the Local President or designate, the Executive Assistant is responsible for the management and efficient operation of the Local Union Office and provides secretarial and receptionist support services for the Local 606 Union which serves Nanaimo/Cowichan Regions with offices in Nanaimo and Duncan.

Typical Duties and Responsibilities are to:

- a) Provides administrative management for the President of CUPE Local 606 and is responsible for organizing, scheduling, and managing the day-to-day operations of the union office with minimum supervision; handling all delegated responsibilities. This entails secretarial services to the President and Executive Board by maintaining CUPE Local 606 members' roster, transcribing, proofreading, and typing grievances/arbitrations, correspondence, media releases, reports, forms, agendas, minutes, submissions and materials of a routine nature from typed, dictated and hand-written drafts and references including those of a confidential nature (inclusive of collating and distributing materials to the appropriate parties).
- b) Maintains and balances the Local's petty cash fund. Assists the Treasurer by utilizing the Local's accounting software program by entering and processing the accounts

- c) receivable, accounts payable, recoverables, and deposits. Assists the Treasurer with bank reconciliation procedures and monitoring and entering equipment inventory for the semi-annual audit and year-end preparations. Also, assists with the process of invoices, bills and payments in the absence of the Treasurer.
- d) Manages and books the travel arrangements, flights, hotel reservations, meetings, appointments, facilities and equipments for meetings, assembles background materials, and submits conference registrations, credentials for conventions and special functions for the president and/or executive, and committee activists.
- e) Communicates and provides a level of service to CUPE National representatives, researchers and legal council. Inner connects with local affiliates such as Vancouver Island District Council, CUPE BC, Sectoral Bargaining Committee, CUPE National, Nanaimo Duncan District Labour Council, BC Federation of Labour, Canadian Labour Congress, Nanaimo District Teachers' Association, Cowichan District Teachers' Association, Lake Cowichan District Teachers' Association, District Parents' Associations and any other labour movement organizations.
- f) Acts as receptionist by answering telephone, taking messages with date and time indicated, meeting visitors, members, and the public, responds to a variety of queries, requests, complaints, or issues from the School Board(s), employees, unions, public and outside agencies and directs them to the President or appropriate executive or committee members by liaising and communicating appropriately including those of sensitive and confidential nature.
- g) In keeping with the Freedom and Information and Privacy Act secures filing systems for over 1200 members and maintains keys for distribution for Nanaimo and Duncan offices.
- h) Purchases regular office supplies, materials and monitors supply of forms. Approval required for purchases for education equipment.
- i) Receives and date stamps all incoming correspondence, invoices, etc. and directs to president and/or appropriate executive or committee members.
- j) Operates and provides first line maintenance to general office equipment including personal computer, photocopier, fax machine, binding machine and small laminator.
- k) On occasion may entail working outside the normal working hours.
- l) Ensures common areas appear professional and tidy.
- m) May on occasion be required to perform other related duties as assigned.

SECTION 10 - OUT-OF-POCKET EXPENSES

The following expense allowance shall be provided. As of December 1, 2003 these monthly out-of-pocket expenses shall be as follows:

President	\$150
Recording Secretary	\$150
Treasurer	\$150
General Vice President	\$150
Sergeant-At-Arms	\$ 75
1 st Regional Vice President	\$ 120
2 nd Regional Vice President & Secretary-Treasurer	\$ 100
Stewards	\$ 25*
Regional Sergeant-at-Arms	\$ 50*

****Amended on February 7, 2009***

VIDC and NDDLDC delegates will be entitled to the following out-of-pocket expenses:

- a) All delegates to VIDC meetings to be given a \$15.00 meal allowance.
- b) Any delegate traveling more than 25 KM to a VIDC or NDDLDC meeting will be paid mileage.

The Budget Committee shall review any increases to these out-of-pocket expenses annually. The per diem expenses shall be established and maintained annually at the CUPE B.C. level. Mileage, wages, accommodation, dependant care and transportation rates shall be maintained annually in accordance to CUPE B.C. established rate.

The Recording Secretary, Treasurer, General Vice-President, Sergeant-at-Arms, 1st Regional Vice-President, 2nd Regional Vice-President, Secretary Treasurer and Regional Sergeant-at-Arms will receive a monthly \$25.00 communication allowance.

SECTION 11 - FEES, DUES AND ASSESSMENTS

- a) Initiation Fee
- b) Each application for membership in the Local shall be directed to the Treasurer and shall be accompanied by initiation fee of ten dollars, which shall be in addition to monthly dues. If the application is rejected the fee shall be returned.
(Articles B.4.1 & B.10.2)
- c) Re-admittance Fee
- d) The re-admittance fee shall be \$5.00. (Articles B.4.1 & B.11.2)
- e) Monthly Dues
- f) The monthly dues shall be 1.89% of the gross monthly salary (calculated on bi-weekly periods).
- g) All regular employees will pay no less than \$6.50 or 1.89% of their gross bi-weekly earnings, which ever is greater. (Article B.4.3)
- h) Changes in the levels of the Initiation Fee, the Re-admittance fee, or the Monthly Dues can be effected only by following the procedure for amendment of these by-laws (see Section 16), with the additional provision that the vote shall be by secret ballot if so ordered by the members. (Articles B.4.1 & B.4.3)
- i) Notwithstanding the above provisions, if the CUPE National Convention or any CUPE affiliate raises minimum fees and/or dues above the existing per capita levels as of March 1, 1991, these by-laws will be deemed to have been automatically amended to conform to the new CUPE minimum.
- j) Special assessments may be levied in accordance with Article B.4.2 of the CUPE National Constitution.
- k) No CUPE member shall incur regular scheduled wage loss in the performance of their duties on behalf of the Local.
- l) A .25% assessment will be deducted, effective January 1st, 1998, and will be a continuing assessment for the specific purposes of defense, with a cap of \$25,000 and a floor of \$10,000, and will be subject to review biannually by the membership at a general meeting.

SECTION 12 - NON-PAYMENT OF DUES AND ASSESSMENTS

Any member in arrears for a period of three months or more shall be automatically suspended. Any member under suspension wishing to be reinstated shall, upon application, pay the re-admittance fee, plus any dues and assessment in arrears. This money will be returned if the application is rejected. If a member has been unemployed they shall pay the re-admittance fee but will not be required to pay their arrears. If a member is without pay because of sickness or is on approved leave of absence they shall not be required to pay a re-admittance fee nor their arrears. (Article B.11.1)

SECTION 13 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

Nomination:

Nominations shall be received at the Annual General Membership meeting. To be eligible for nomination to the Executive-at-Large, a member shall have attended at least two of the General/Regional membership meetings held in the previous twelve months, unless a valid reason, acceptable to the Local, has been given for non-attendance. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting their consent, in writing, duly witnessed by another member. No member shall be eligible for nomination if they are in arrears of dues and/or assessment. Nominations for Regional Vice Presidents and Regional Secretary-Treasurer, Departmental Stewards and Sergeant-At-Arms shall be received at the first Regional membership meeting held after the General Membership meeting (for vacant positions refer to Regional Elections).

Local Elections:

- a) In odd numbered years the following officers shall be elected:
President, Recording Secretary, and Sergeant-at-Arms
- b) In even numbered years the following officers shall be elected:
2 General Vice Presidents, and Treasurer.
 - Candidates for Local 606 General Vice Presidents should be encouraged to be representative of the two existing Local Regions, Nanaimo and Cowichan, providing there are candidates available.
- c) Each year, one (1) Trustee shall be elected for a 3-year period or in the case of vacancies occurring elect Trustees to fill only the unexpired terms in order to preserve overlapping terms of office.
 - In order to sustain the continuity of the local the outgoing President shall spend up to 3 weeks assisting the newly elected president during this transition.
 - Candidates for Local 606 Regional elections should be encouraged to be representative of the original units, providing there are candidates available.

Regional Elections:

Terms of the 1st Regional Vice President, 2nd Regional Vice President, the Regional Secretary-Treasurer, the Departmental Stewards and the Sergeant At Arms, shall be for a two year period with elections occurring annually as follows:

- 1st Regional Vice President, Sergeant At Arms and one half of the Departmental Stewards on the odd year.
- 2nd Regional Vice President, Secretary-Treasurer, and remaining Departmental Stewards on the even year.
- If insufficient stewards are elected the President or GVP may appoint.

Executive-at-Large and Trustees:

- a) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available, in a reasonable period of time to the returning officer.
- b) The Returning Officer and their delegates shall be responsible for issuing, collecting, and counting ballots. They must be fair and impartial and see that all arrangements are unquestionably democratic.
- c) The voting for Local Elections shall take place at the Annual General Membership meeting for Regional Elections the first meeting following the Local AGM. The vote shall be by secret ballot.
- d) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- e) A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken, if necessary, to obtain a majority. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In case of a final tie vote, the presiding officer may cast the deciding vote.
- f) Any candidate may request a recount of the votes for their election, and the recount shall be conducted immediately.

Installation:

All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for a two-year period or until such time a successor has been elected and installed provided, however, that no term of office, except for Trustees, shall be longer than two years. (Article B.2.4)

The terms of office for Trustees shall be as laid down in Article B.3.10 of the CUPE National Constitution.

By-Elections:

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

SECTION 14 - DELEGATES TO CONVENTIONS

- a) Except for the President's option Section 8, all delegates to conventions shall be chosen from the Executive by election at Executive meetings.
- b) Delegates to the Vancouver Island District Council shall be appointed by the Executive Board.
- c) All delegates elected to the conventions held outside of their School District shall be paid transportation expenses, a per diem allowance in accordance with Section 10 and an amount equal to any loss of salary incurred by attendance at the convention.
- d) Delegates to conventions held locally shall have no travel allowance. There shall be a per diem allowance in accordance with Section 10 and compensation for any loss of salary incurred by attendance at the convention.
- e) Representation at educational institutes and seminars shall be on the recommendation of the executive or their delegates. Expenses shall be paid in accordance with Section 10 - "Out-of-Pocket Expenses".

SECTION 15 - COMMITTEES

All correspondence and actions to be taken by committees will be communicated to the CUPE 606 office to ensure continuity.

Negotiating Committee:

This shall be a special ad hoc committee established for each Region prior to the expiry of the Region Collective Agreement and automatically disbanded when a new Collective Agreement has been signed. The function of each Committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The Committees shall all be elected at a membership meeting held within their area. The President or their designate shall be a member of all negotiations committees. The CUPE National Representative assigned to the Local shall be a non-voting member of the Committee.

Special Committees:

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

Standing Committees:

The Chairperson and committee members of each standing committee shall be appointed by the Executive Board or elected by the members at a membership meeting. The President or General Vice President shall be a member, ex-officio, of each committee. The standing committees shall be as follows:

Grievance Committee:

This Committee shall process all grievances not settled at the initial stage and its reports shall be submitted first to the Executive Board, and then to a membership meeting. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement. The Committee shall be comprised of the General Vice President and other members to be selected from among the Shop Stewards.

Education Committee:

It shall be the duty of this Committee to:

- arrange for representation of the Local at any appropriate and available educational seminar or conference and submit recommendations accordingly to the Executive Board;
- cooperate with the Executive Board in preparing press releases and other publicity material;
- cooperate with the Education and Public Relations departments of CUPE and/or other affiliates and with the regional Education Representative, in implementing both the Local's and CUPE's policies in these fields. The Committee shall be comprised of not less than one member from each unit.

Sunshine Committee:

These Committees may:

- visit members who are ill;
- if a member is ill for more than a week, send some token of the Local's concern and desire to help, whether the member is at home or in hospital;
- extend the Local's condolences in the event of the death of a member or one of their immediate family and make any other appropriate gesture in accordance with custom or the wishes of the family concerned;
- extend congratulations to members on special occasions, such as marriages, births, retirements, etc. The committee member shall be reimbursed by Local 606 for expenses incurred in the performance of its duties.

Social Committee:

It is the function of this Committee to arrange and conduct the social and recreational activities of the Local 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 the membership as required. The Committee's net expenditures shall be determined by the Executive Board.
- Other than that, all social and recreational events and activities shall be self-supporting, or as determined by the membership. The Executive Board shall be held responsible for the proper and effective functioning of this Committee.

Political Action:

The members selected for this committee should have previously demonstrated that they are politically committed (i.e., attended either a weekend or week-long political action course and/or worked in one or more election campaigns).

It shall be the duty of this Committee to:

- inform members about basic political choices in our society and to participate in the process.
- organize and coordinate initiatives which will ensure representation of CUPE's political views in elected bodies at all levels of our society.

Women's Committee:

It shall be the duty of this Committee to:

- promote education sponsored by our National and Provincial Union on women's issues,
- help educate local members on women's issues,
- achieve pay equity in all our locals,
- educate our members on reproductive technology and rights,
- promote the need for Women's Centers and to have adequate funding provided,
- stop the harassment and violence toward women.

Health and Safety Committee:

It shall be the duty of this Committee to:

- recommend to the Executive Officer's, policy and program initiatives to improve health and safety in the workplace, promote rehabilitation of workers, and preserve the integrity of our environment,
- monitor and report on the activities of the Workers' Compensation Board and related agencies,
- act as an information exchange for Local Members,
- implement programs at the direction of the Executive Officers.

Ad Hoc Committees:

Special Ad Hoc Committees may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may be appointed by the President or the Executive Board.

Budget Committee:

It shall be the duty of this committee to draw up an operational budget for CUPE Local 606 prior to the Annual General Meeting.

SECTION 16 - RULES OF ORDER

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these by-laws as Appendix A. These rules shall be considered as an integral part of the By-Laws and may be amended only by the same procedure used to amend the By-Laws.

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

SECTION 17 - AMENDMENT

- a) These By-Laws 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 By-Laws and the CUPE National Constitution the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President. (Articles 9.2(c), 12.3, and B.6.1)
- b) These By-Laws shall not be amended, added to, or suspended except upon a two-thirds majority vote of those present and voting at a regular or special membership meeting following 7 days notice at a previous meeting, or 60 days written notice. (Article B.6.1)
- c) No change in these By-Laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President. (Articles 12.3 and B.6.1)

SECTION 18 - BENEFIT ADMINISTRATION

- a) Terms of Reference for the President and Office Manager’s Benefits.
- b) Sick Leave: If the employer fails to recognize the President and/or the Office Manager’s sick leave plan it will be the Local’s responsibility to compensate accordingly.
- c) Pensions/Superannuation: If the pension/superannuation of the President and/or Officer Manager is not based on their rate of pay the Local shall compensate in the form of a RRSP (or equivalent).

SECTION 19 – OCCUPATIONAL HEALTH AND SAFETY COMMITTEE

Occupational Health and Safety Committee/Worker Representative

As required by the Occupational Health and Safety Amendment Act (October 1999) the union has a responsibility to ensure equal representation on the joint health and safety committees, and

where a committee is not required, there will be a worker representative acting on behalf of the membership.

To ensure the above, the Executive of the local union must consider the following:

1. Annual elections (selection OH&SAA) for representation for either the committee or worker representative, this would include alternates for each member elected.
2. To ensure continuity within the committee, only one representative for the committee shall be elected/selected each year. (e.g. three-worker members on the committee whose term will overlap for a three-year period, where renewal is for three years).

Member Representatives:

1. Must be of good standing in accordance with the local's by-law.
2. Shall attend CUPE's level one 30-hour health and safety course within the first 12 months of being elected/selected, if the term of election is greater than one year.
3. Shall be accountable to the membership through the co-chair of the committee, the local executive, and comply with both the CUPE Constitution and those by-laws.
4. The member's elected/selected shall ensure the membership is well represented by:
 - Attending all joint committee meetings,
 - Participating in workplace inspections,
 - Investigating accidents/incidents or a member's complaint,
 - Being present during a member's right to refuse unsafe work or when a Workers' Compensation Board Representative is present in the workplace.
5. The member's elected/selected must ensure that their alternate is well informed by forwarding the appropriate documentation, and when not available ensure their alternate is present and the employer and WCB are informed of their replacement.
6. The members' elected/selected shall also ensure that the membership is well informed by presenting a written or verbal report at each membership meeting. Ensuring the minutes of each joint committee meetings are posted along with any WCB orders or reports, and ensure all related health and safety information is forwarded to the local union Executive.

Worker Co-Chair:

From the members' elected/selected to the joint committee, the members elected and the local union Executive shall select a co-chair and their responsibilities should include, but not be limited to, the following:

- Ensure full committee representation at all joint committee meetings,
- Ensure all the local's issues are placed on the agenda,
- Ensure equal participation as co-chair and receive all related correspondence prior to each meeting and that information is distributed to committee members
- Ensure the minutes accurately reflect the intent and discussion of each meeting and record any and all opposition,
- Ensure all committee recommendations are forwarded to the appropriate level of management, cc'd to the Union Executive, and a response is received within the required 21 days,
- Ensure worker representation during workplace inspections, investigation of accidents/incidents. Worker complaints, when a member uses their right to refuse unsafe work and when a WCB representative is present in a workplace,
- Be accountable to the local executive by coordinating the preparation of a report for executive meetings, and when requested attend the meetings,
- Ensure a written or verbal report is given at each membership meeting,
- Ensure all members elected/selected receive the required education, be it the CUPE's level one 30 hour course or the required annual education level under the OH&SAA.

APPENDIX "A" TO THE BY-LAWS OF LOCAL 606

RULES OF ORDER:

- 1) The President or, in their absence, the General Vice President, shall take the chair at all membership meetings. In the absence of both the President and one of the General Vice Presidents the other General Vice President shall act as President, and in their absence the Recording Secretary shall act as president, and in their absence a President shall be chosen by the Local.
- 2) No member, except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than five minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairperson and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.
- 3) The President shall state every question coming before the Local, and before allowing debate therein, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.
- 4) A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
- 5) A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment or amendment to an amendment, which is a direct negative of the resolution, shall be in order.
- 6) On motion, the regular order of business may be suspended, by two-thirds vote of those present, to deal with any urgent business.
- 7) All resolutions and motions other than those named in RULE 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
- 8) At the request of any member, and upon a majority vote of those present, a question may be divided when the members will allow it.
- 9) Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
- 10) When a member wishes to speak on a question or to make a motion, they shall rise in their place and respectfully address the presiding officer, but, except to state that they rise to a point of order or on a question of privilege, they shall not proceed further until recognized by the chair.
- 11) When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.

- 12) Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection of the Local or member thereof.
- 13) If a member, while speaking, is called to order, they shall cease speaking until the point is determined; if it is decided that they are in order, they may again proceed.
- 14) No religious discussion shall be permitted.
- 15) The President shall take no part in debate while presiding, but may yield the chair to a General Vice President in order to speak on any question before the Local, or to introduce a new question.
- 16) The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, they may in addition give a casting vote, or if they choose, refrain from breaking the tie, in which case the motion is lost.
- 17) When a motion is before the Local, no other motion shall be in order except (1) to adjourn, (2) to put the previous question, (3) to lay on the table, (4) to postpone for a definite time, (5) to refer, (6) to divide or amend, which motions shall have precedence in the order named. The first three of these shall be decided without debate.
- 18) A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be not put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended shall be put to the Local.
- 19) A motion to adjourn is in order except (1) when a member has the floor, and (2) when members are voting.
- 20) A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.
- 21) After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.
- 22) If any member wishes to challenge (appeal) a decision of the chair they must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for their challenge. The chairperson may then state briefly the basis for their decision, following which the chairperson shall immediately and without debate put the question: "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie the chair is sustained.
- 23) After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.

