

BY-LAWS CUPE LOCAL 1091

GENERAL

~~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 unit of organized labour, this Local 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 Constitution, to safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.~~

Local 1091 of the Canadian Union of Public Employees has been formed to:

- Improve the social and economic well-being of all of its members**
- Promote the 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 unit of organized labour**

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 "B" to these Bylaws.

The following Bylaws are adopted by Local 1091 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.

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NEW BYLAWS AND CHANGES TO CURRENT BYLAWS

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 Constitution, the latter shall govern.

Constitutional interpretation, including determination of conflict, is the prerogative of the National President.

These By-Laws shall 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 (7) days notice at a previous meeting or at least sixty (60) days written notice.

No change in these By-Laws shall be valid and take effect until approved by the National President of CUPE

SECTION 2 OBJECTIVES

The objectives of the Local
are:

- ~~a) To secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;~~
- ~~b) To support CUPE in reaching the goals as set out in Article II of the CUPE Constitution;~~
- ~~c) To provide an opportunity for its members to influence and shape their future through free democratic trade unionism;~~
- ~~d) To encourage the settlement by negotiation and mediation of all disputes between the members and their employers;~~
- ~~e) To deal with the business of the Local Union in an honest and forthright fashion. To observe and preserve the Local and National CUPE Constitution with integrity exemplary in nature and acceptable to the members of the Local.~~

- a) To secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;**
- b) To provide an opportunity for its members to influence and shape their future through free democratic trade unionism;**
- c) To encourage the settlement by negotiation and mediation of all the disputes between the members and their employer;**
- d) To 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) To establish strong working relationships with the public we serve and the communities in which we work and live; and**
- f) To support CUPE in reaching all of the objections set out in Article II of the CUPE National Constitution**

SECTION 3 MEMBERSHIP MEETINGS

- a) Regular membership meetings shall be held monthly (with the exception of July, August and December) ~~on the third Saturday of the month at 9:30 am.~~ If a statutory holiday, or any other extenuating circumstance intervenes, the Executive Board shall be authorized to change the meeting date and shall give a **one** week's notice in writing of any change in the date of the regular meeting.

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

follows:

- Call to Order (amended Jan 2014)
- **Traditional Territory Acknowledgement**
- **Roll call of Officers**
- **Reading of the Equality Statement (amended January 2014)**
- Voting in New Members and Initiation
- Adoption of Minutes of Previous Meeting(s)
- Matters arising out of the Minutes
- Treasurer's Report
- ~~Communications and Bills~~ **Correspondence**
- Executive Board Report
- **President's Calendar**
- Unit Reports (amended October 2002)
- Reports of Committees and Delegates
- Nominations, Elections or Installation
- Unfinished Business
- New Business
- Good of the Union
- Adjournment

SECTION 4 OFFICERS AND EXECUTIVE BOARD

- a) The Executive Board of the Local shall be the President, First Vice-President, Second Vice- President, Third Vice-President, Secretary-Treasurer and Recording Secretary.

- b) The Officers of the Union shall be the President, **1st Vice-President**, Recording Secretary and Secretary- Treasurer.

- i) The Officers shall be the signing officers of the Local Union. All cheques and expenses shall be countersigned by the Secretary-Treasurer and the President. In the absence of the Secretary-Treasurer or the President, the Recording Secretary **or 1st Vice President** shall be authorized to sign the appropriate cheques and expenses.

- j) All signing Officers of Local 1091 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority (Article B.3.5 of the National Constitution). (amended Jan 2014)

SECTION 5 DUTIES OF THE EXECUTIVE BOARD

a) The President shall:

- Enforce the CUPE **National** Constitution, ~~and~~ these By-Laws **and the Equality Statement;**
- Preside at all **General Membership** meetings and preserve order;
- Decide all points of order and procedure (subject always to appeal to the membership);

b) The First Vice-President shall:

- If the President is absent or incapacitated, perform all permissible duties of the President (~~ie. except cheque writing~~). (amended October 2002)
- If the office of President falls vacant, be Acting President until a new President is elected;
- Perform duties assigned by the Executive Board or by membership decision;
- Preside at all Executive Board meetings **and, in the absence of the President, all General Membership meetings.**

c) The Second Vice-President shall:

- Perform duties assigned by the Executive Board or by membership decision.
- **Arrange for representation of the Local at any appropriate and available educational seminars or conferences and submit recommendations accordingly to the Executive Board**
- **Instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file for these reports.**
- **Recommend training/orientation for new executive or committee members and chairperson(s)**

d) The Third Vice-President shall:

- Perform duties assigned by the Executive Board or by membership decision
- **Represent the Local at the District Occupational Health & Safety Committee and provide reports to the Executive Board and membership on health & safety issues**

e) The Secretary-Treasurer shall:

- Be given second preference **opportunity** to attend all CUPE **BC and CUPE** National Conventions;

SECTION 6
TRUSTEES, CHIEF SHOP STEWARD, SERGEANT AT ARMS &
COMMUNICATIONS OFFICER

a) The Trustees shall:

- 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.

b) The Sergeant-at-Arms shall:

- Guard the inner door at membership meetings and admit no one but members in good standing or Officers and Officials of CUPE, except on the order of the President and by consent of the members present;

~~• Keep a sign-in book of members in good standing on hand. This will be checked~~

~~off and returned to the Recording Secretary at the end of each meeting;~~

Assist in maintaining the record of membership attendance at meetings. This record shall be returned to the Recording Secretary at the end of each meeting.

- Check identification upon request; (amended Jan 2014)

Perform such other duties as may be assigned by the Executive Board from time to time.

c) The Chief Shop Steward shall:

- **Ensure** members with grievances are kept informed of the status of their grievance; (amended October 2002)

d) **The Communications Officer shall:**

- **Work with the Executive Board and assist in coordinating events with other Delta unions (ie Municipal Workers, DTA, etc)**
- **Place media relations articles in the local newspapers promoting CUPE 1091 with approval of the Executive Board**
- **Maintain and update the Local's website: cupe1091.com**
- **Maintain and update the Local's Social Media sites (including but not limited to Facebook and/or Twitter)**
- **Produce the Local's newsletter**
- **Report to the Executive Board and the membership**

SECTION 7
FEES, DUES AND ASSESSMENTS

b) Monthly Dues:

- The monthly dues shall be set by motion of the members after written notice has been sent to each member and shall be shown in the policy manual of CUPE 1091. The dues shall be 2% of the member's gross salary
- Changes in the levels of the initiation fee and the monthly dues can be effected only by following the procedure shown in the CUPE 1091 Policy Manual.
- ~~• All changes to policies and proposals for new policies must be presented to one membership meeting as a Notice of Motion. The proposed changes or new policy shall then be published for the members' information prior to the meeting at which the members' approval will be sought.~~

This section is being removed as it references polices not bylaws. It is also in an incorrect part of these bylaws.

SECTION 8
NON-PAYMENT OF DUES AND ASSESSMENTS

- a) Any member who is in arrears for dues and assessments for a period of three months shall be automatically suspended from membership. A member thus suspended may be re-admitted upon payment of a re-admission fee of not less than the initiation fee and such other penalty as the Local may impose.
- b) A member absent because of unemployment (lay-off), ~~or~~ illness, **injury (worksafe), maternity/parental, or general leave** ~~which prevents a return to work~~ shall not be required to pay any dues or re-admittance fee as long as they have rights under the collective agreement.

SECTION 9
NOMINATION, ELECTION AND INSTALLATION OF EXECUTIVE BOARD,
TRUSTEES AND SERGEANT AT ARMS

Nominations

- a) Nominations shall be received at the regular membership meeting held in the month of May.
- b) (i) To be eligible for nomination, a member **must** ~~shall~~ have attended at least ~~fifty percent (50%)~~ **five (5)** of the **general** membership meetings held in the previous twelve months. (amended Jan 2014)
(ii) No members shall be eligible for nomination if he/she is in arrears of dues and/or assessments.
- d) **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.**

Elections

- b) (i) The voting shall take place at the regular membership meeting in June. **The vote shall be by a secret ballot**

(ii) **Candidates for election may appoint a scrutineer to oversee the ballot counting process on their behalf**

(vi) The results of each ~~ballot~~ **election** shall be announced.

SECTION 11 COMMITTEES

c) SHOP STEWARDS COMMITTEE

~~The Shop Stewards shall be elected "biennially" prior to the October General Meeting by the members of their own unit at a special meeting of the unit. The election shall take place on odd numbered years.~~ There shall be a maximum of five (5) Shop Stewards per each unit. **Vacancies shall be filled as required.** The Shop Stewards shall form the Shop Steward Committee. (amended June 2010)

The duties of the Shop Steward shall be:

- Defining, detecting, preparing and presenting grievances at the initial level;
- Generally knowing and policing the Collective Agreement and Provincial or Federal legislation affecting labour and a particular job;
- Providing communications and information from the member(s) in their care unit to the Executive **Chief Shop Steward** and from the Executive **Chief Shop Steward** to the member(s);
- Maintain contact with members to provide ongoing awareness and information

~~d) EDUCATION COMMITTEE~~

~~The Education committee shall be comprised of between one (1) and three (3) members and shall be elected in September of each year. (amended Jan 2014)~~

~~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;~~
- ~~• Instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports;~~
- ~~• Recommend training/orientation for new executive or committee members and chairperson(s).~~

Delete this section as duties have been moved to the position of Second Vice President.

e) COMFORT COMMITTEE

The Comfort Committee shall be comprised of between one (1) and three (3) members and shall be appointed by the Executive Board each September. (amended Jan 2014)

This Committee may:

- Visit members who are ill;
- If a member is ill for more than ~~a week~~ **two weeks**, have sent 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 of one of his/her immediate family and make any other appropriate gesture in accordance with the custom or the wishes of the family concerned.

~~h) SCHOLARSHIP COMMITTEE~~

~~The Scholarship Committee shall consist of a least three (3) members appointed by the Executive Board each September. (amended Jan 2014)
It is the Scholarship Committee's responsibility to:~~

- ~~• Distribute scholarship information to the appropriate schools;~~
- ~~• Review and recommend changes to the scholarship amount and/or criteria from time to time;~~
- ~~• Report the names of the successful scholarship applicants to the members.~~

Delete this section as the Local's scholarships are handled by the individual Delta secondary schools and the winners' names are reported back to the Local after the scholarships are awarded.

~~j) PUBLIC RELATIONS COMMITTEE~~

~~The Public Relations Committee shall be comprised of between two (2) and five (5) members and shall be elected in September of each year. It is the function of this committee to:~~

- ~~• Arrange good public awareness of this union to the area of Delta.~~
- ~~• Co-host events with other Delta unions (e.g. DTA, Municipal Workers, etc.)~~
- ~~• Place advertisements in local newspapers promoting CUPE 1091~~
- ~~• Submit articles of achievements by CUPE 1091 staff to the local media~~
- ~~• Report to the Executive Board and the membership (amended October 2002)~~

Delete this section as most of these duties have been moved over to the new Communications Officer position

k) UNIT COMMITTEES:

- Clerical
- Custodial
- Education Assistants
- Maintenance

Each Unit Committee is required to meet in September of each year prior to the General Membership Meeting with two or more meetings as needed throughout the year.

The positions of Unit Chair and Recording Secretary shall be elected in September of each year.

The duties of these committees shall be:

- To record Minutes of the meetings to be supplied to the Union office for filing.
- To report to the General Membership Meeting following the unit meeting.
- To elect **unit Shop** Stewards ~~biennially on odd numbered years as per section 11 c)~~
- To provide communications and information from the members in the unit to the Executive and from the Executive to the members.
- Maintain contact with members to provide ongoing awareness and information (amended Jan 2014)

SECTION 13 AMENDMENT

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THIS SECTION HAS BEEN MOVED TO THE BEGINNING OF THIS DOCUMENT AND HAS BEEN GIVEN A NEW TITLE "NEW BYLAWS AND CHANGES TO CURRENT BYLAWS"

SECTION 14 OATH OF OBLIGATION

a) New Members

New members shall be obliged to take the following obligation:

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

b) Executive Oath

Upon completion of an election, the newly elected officers and Executive Board members shall come forward and clearly and audibly speak the following lines to the assembled members:

"I, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all pro

THE WORDING IN THE OATHS HAS BEEN UPDATED AS PER THE CUPE NATIONAL CONSITUTION 2015. MEMBERSHIP ARTICLES B.8.4 AND ELECTIONS 11.6 (B)