

Canadian Union of Public Employees,  
Local 3570

**Bylaws**

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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, age, physical handicap, sex or sexual orientation, religious or political affiliation, national origin, marital status, parental status or participation in the lawful activities of the Union, to promote efficiency in public employment and to manifest its belief in the value of the unity 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.

## **SECTION 1 - NAME**

The name of this Local shall be: Canadian Union of Public Employees, Local No. 3570 (Parksville/Qualicum).

## **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 employers.

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

- a) Numbers of articles at the end of sections or sub-sections refer to relevant articles of the CUPE Constitution, which should be read in conjunction with these By-Laws.
- b) A member in good standing shall be defined as a Union member who has not breached the CUPE National Constitution, does not owe CUPE Local 3570 any fees, dues assessments or fines or as enumerated in Section 10. Only members in good standing shall be eligible to the rights enshrined in these By-Laws and the criteria established by the Local's committees.

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

- a) Ten (10) regular membership meetings shall be held each calendar year with February as the designated month for the Annual General Meeting. Meetings shall be held on the first Saturday of the month at 9:00 a.m. (December 3, 2005). If a statutory holiday intervenes or other reasons prevail, the Executive shall give ten (10) working days' notice of any change in the date of the regular meeting.
- b) Special membership meetings may be ordered by the Executive or requested in writing by no fewer than ten percent (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 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) A quorum for transactions of business at any regular or special meeting shall be ten (10) members, including at least three (3) executive officers.
- d) The order of business at regular membership meetings is as follows:
  - 1. Roll Call of Officers
  - 2. Reading of the Equality Statement
  - 3. Initiation of New Members
  - 4. Reading of Minutes
  - 5. Matters Arising
  - 6. Treasurer's Report
  - 7. Communications and Bills
  - 8. Executive Committee Report
  - 9. Reports of Committees and Delegates
  - 10. Nominations, Elections, or Installations
  - 11. Unfinished Business
  - 12. New Business
  - 13. Good of the Union
  - 14. Adjournment
  - 15. (Article B.6.1)

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

Except for ordinary expenses and bills as approved at membership meetings, any sum over seven hundred and fifty dollars (\$750.00) shall be voted upon by a written notice of motion and dealt with at the following membership meeting.

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## SECTION 6 - OFFICERS

- a) The Officers of the Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, Corresponding Secretary, Chief Job Steward, Sgt-at-Arms, three (3) Trustees, two (2) Members-at-Large and three (3) Education Assistant Job Stewards, two (2) Custodial Job Stewards, two (2) Transportation Job Stewards, two (2) Clerical Job Stewards and one (1) Operations & Maintenance Job Steward. All Officers shall be elected by the membership.
- b) If an Officer fails to attend three (3) consecutive membership meetings or three (3) consecutive executive meetings without good and sufficient reason, their office will be declared vacant and filled at the next meeting.

## SECTION 7 - EXECUTIVE

- a) The Executive shall comprise of the President, Vice-President, Secretary-Treasurer, Recording Secretary, Corresponding Secretary and Chief Job Steward.
- b) The Executive shall meet at least once every month and be released on such meeting day. CUPE Local 3570 will be responsible for reimbursing the employer for relevant wages.
- 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 sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- e) The 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 Constitution.
- g) Should any Executive member fail to answer the roll-call for three (3) consecutive regular membership meetings or three (3) 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 membership meeting.
- h) In the event of there not being a quorum at a Regular Membership meeting and during the summer recess, the Executive shall have the authority to conduct the business of the Union to the best of their ability. Any decision(s) made by the Executive shall be reported back to the membership at the next membership meeting.

**SECTION 8 - DUTIES OF OFFICERS**

**a) President**

The President shall:

1. Enforce the CUPE Constitution and these By-Laws.
2. Preside at all Membership and Executive meetings and preserve order.
3. Decide all points of order and procedure (subject always to appeal by the membership).
4. Have a vote on all matters (except appeals against their rulings) and in case of a tie vote in any matter, including elections, to the President shall turn it back to the membership for a revote.
5. Ensure that all officers perform their assigned duties.
6. Fill committee vacancies where elections are not provided for.
7. Introduce new members and conduct them through the initiation ceremony.
8. 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.
9. Have first preference as a delegate to any affiliated convention.
10. On termination of office, surrender all books, seals and other properties of the Local to their successor or to the appropriate Executive Officer.
11. Be bonded through the master bond held by the National Office, and any President who cannot qualify for the bond shall be disqualified from office.
12. Effective January 1, 1998, in order to fulfill the duties of the President, they shall be entitled to, if applicable, either;
  - (i) One (1) day release time per week, non-cumulative based on 52 weeks, or
  - (ii) One (1) day release time per working month plus payment distributed over the President's working year so that (i) is equivalent to (ii)
  - (iii) Up to one (1) day release time per month for Executive meetings will be provided.

**\*\*Remuneration shall be based on an eight (8) hour day calculated at the highest rate of pay plus benefits as per the Collective Agreement\*\***

CUPE Local 3570 will be responsible for reimbursing the employer for relevant expenses.

**b) Vice-President**

The Vice-President shall:

1. If the President is absent or incapacitated, perform all duties of the President.
2. If the office of the President falls vacant, be Acting President until a new President is elected.
3. Assist the President in presiding at Membership and Executive meetings and preserve order.
4. Assist the President when required to introduce new members and conduct them through the initiation ceremony.
5. Render assistance to any member of the Executive as directed by the Executive.
6. Ensure that all Officers perform their assigned duties.
7. Assist the President to fill committee vacancies where elections are not provided for.
8. In order to fulfill the duties of Vice-President, up to one-day release time per month will be provided non-cumulative. CUPE Local 3570 will be responsible for reimbursing the employer for relevant expenses.

9. On termination of office, surrender all books, seals and other properties of the Local to their successor or to the appropriate Executive Officer.
10. Be bonded through the master bond held by the National Office, and any Vice-President who cannot qualify for the bond shall be disqualified from office.

**c) Secretary-Treasurer**

The Secretary-Treasurer shall:

1. Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences.
2. Prepare all per capita tax forms of affiliates and remit payment no later than the 30<sup>th</sup> day of each month.
3. Record all financial transactions in a manner acceptable to the Executive and in accordance with generally accepted accounting principles (GAAP).
4. Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
5. Be bonded through the master bond held by the National Office, and any Treasurer who cannot qualify for the bond shall be disqualified from office.
6. 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.
7. 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.
8. Provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE.
9. Be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds.
10. On termination of office, surrender all books, seals and other properties of the Local to their successor or the appropriate Executive Officer.
11. In order to fulfill the duties of Treasurer, up to two (2) days release time per month will be provided non-cumulative. CUPE Local 3570 will be responsible for reimbursing the Employer for relevant expenses.
12. Be a signing officer.
13. Invest the surplus funds of the Union in the name of the Local, subject to the approval of the Executive and the Trustees.

**d) Corresponding Secretary**

The Corresponding Secretary shall:

1. Perform the duties of the Recording Secretary on an as needed basis.
2. Answer correspondence and fulfill other Secretarial duties as directed by the Executive.
3. File a copy of all letters sent out and keep on file all communication.
4. Prepare and distribute all circulars and notices to members.

5. Preside over Membership and Executive meetings in the absence of both the President and the Vice-President.
6. Have all minutes and correspondence ready on reasonable notice for Auditors and Trustees.
7. Be empowered, with the approval of the Membership, to employ necessary clerical assistance to be paid for out of the Local's funds.
8. Be a signing officer.
9. In order to fulfill the duties of the Corresponding Secretary, up to two (2) days' release time per month non-cumulative will be provided. CUPE Local 3570 will be responsible for reimbursing the Employer for relevant expenses.
10. On termination of office, surrender all books, seals and other properties of the Local to their successor or the appropriate Executive Officer.
11. Be bonded through the master bond held by the National Office, and any Corresponding Secretary who cannot qualify for the bond shall be disqualified from office;
12. Effective January 1, 2001, in order to fulfill the duties of the Corresponding Secretary, the member shall be entitled to, if applicable, either;
  - (i) One-day release time per week, non-cumulative based on fifty-two (52) weeks, or
  - (ii) One day release time per working month plus payment distributed over the Corresponding Secretary's working year so that (i) is equivalent to (ii)

**\*\*Remuneration shall be based on an eight (8) hour day calculated at the highest rate of pay plus benefits as per the Collective Agreement\*\***

CUPE Local 3570 will be responsible for reimbursing the Employer for relevant expenses.

**e) Recording Secretary**

The Recording Secretary shall:

1. Perform the duties of the Corresponding Secretary on an as needed basis.
2. Assist the Corresponding Secretary in filing a copy of all letters and communications.
3. 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 Trustees' reports.
4. Record all alterations in the By-Laws and submit to the President of CUPE National for approval.
5. Have all minutes and correspondences ready on reasonable notice for Auditors and Trustees.
6. In order to fulfill the duties of Recording Secretary, release time will be provided at the discretion of the Executive. CUPE Local 3570 will be responsible for reimbursing the Employer for relevant expenses;
7. On termination of office, surrender all books, seals and other properties of the Local to the successor or to the appropriate Executive Officer.
8. Be bonded through the master bond held by the National Office, and any Secretary who cannot qualify for the bond shall be disqualified from office.



**f) Chief Job Steward**

The Chief Job Steward shall:

1. Perform the duties of the Chief Job Steward as required.
2. If the office of the Vice-President falls vacant, be Acting Vice-President until a new Vice-President is elected.
3. Render assistance to any member of the Executive as directed by the Executive.
4. In order to fulfill the duties of the Chief Job Steward, up to one (1) day release time per month will be provided non-cumulative. CUPE Local 3570 will be responsible for reimbursing the Employer for relevant expenses.
5. Be responsible to arrange and conduct monthly Stewards' meetings.
6. Attend Executive meetings and give a full grievance report to the Executive.
7. Oversee all grievances and grievance meetings.
8. Report to the Vice-President on all grievances and other problems.
9. Be bonded through the master bond held by the National Office, and any Chief Job Steward who cannot qualify for the bond shall be disqualified from office.
10. On termination of office, surrender all books, seals and other properties of the Local to their successor or the appropriate Executive Officer.

**g) Job Stewards**

The Job Stewards shall:

1. Act as problem solver - "solving" could mean mediating a dispute between two (2) members, talking informally to a supervisor, submitting a written grievance, launching a complaint with the human rights commission, or referring the problem to the union Health and Safety or Negotiations Committee.
2. Build confidence and promote mutual support - achieved when the steward involves co-workers in the creative resolution of a member's problem or grievance.
3. Act as a link between the membership and the leadership of the local - pass on important information about Union activities and encourage membership involvement in Union activities.
4. Attend consecutive monthly Job Steward's meetings.
5. Be released for four (4) hours per Job Steward meeting if the Job Steward meeting is during their work shift.
6. Liaise with the Chief Job Steward.
7. On termination of office, surrender all books, seals and other properties of the Local to their successor or to the appropriate Executive Officer.

**h) Trustees**

The Trustees shall:

1. Act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, the Secretary and the Standing Committees semi-annually.
2. Make a written report of their findings to the first membership meeting following the completion of each audit.
3. Audit the record of attendance.
4. 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.
5. Perform the semi-annual audit in July and January of each year inspecting 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.
  6. On termination of office, surrender all books, seals and other properties of the Local to their successor or to the appropriate Executive Officer.

**i) Members-at-Large**

The Members-at-Large shall:

1. Attend Executive meetings as requested and will attend to any service which the President requests.
2. One (1) member at large shall act as Sergeant-at-Arms.
3. On termination of office, surrender all books, seals and other properties of the Local to their successor or to the appropriate Executive Officer.

**j) Sergeant-at-Arms**

The Sergeant-at-Arms shall:

1. Guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the President and by consent of the member's present.
2. Assist in maintaining the record of membership attendance at meetings.
3. Perform such other duties as may be assigned by the Executive from time to time.
4. On termination of office, surrender all books, seals and other properties of the Local to their successor or to the appropriate Executive Officer.

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

The following expense allowance shall be provided:

- a)
- |                         |                |
|-------------------------|----------------|
| President               | \$120.00/month |
| Vice-President          | \$100.00/month |
| Secretary-Treasurer     | \$100.00/month |
| Corresponding Secretary | \$100.00/month |
| Recording Secretary     | \$75.00/month  |
| Chief Job Steward       | \$100.00/month |
| Job Stewards            | \$50.00/month  |
| Members-At-Large        | \$25.00/month  |
| Trustees                | \$50.00/audit  |

\*\*As Cost of Living Allowance is increased as per the Collective Agreement, out of pocket expenses will reflect the increases.



- b)
  - (i) Per diem expenses shall be established and maintained annually at the CUPE B.C. level.
  - (ii) Five (5) hours or more constitutes a full day per diem. Less than five (5) hours shall constitute a one-half (½) day per diem.
  - (iii) That members who attend Union functions on regular working days within the Nanaimo, Port Alberni and Comox Valley areas and who do not require overnight stays will receive a maximum of one-half (½) day per diem.
- c) Mileage rates shall be established and maintained annually at the CUPE BC level.
- d) CUPE members shall arrange for their own dependent care and be reimbursed at the rate set by CUPE BC for daycare for a maximum of three (3) hours in order to attend CUPE membership meetings.

## SECTION 10 - FEES, DUES, AND ASSESSMENTS

- a) **Initiation Fee**

Each application for membership in the Local shall be directed to the Treasurer and shall be accompanied by an initiation fee of ten dollars (\$10.00) which shall be in addition to monthly dues. The Treasurer shall issue a receipt. If the application is rejected the fee shall be returned.
- b) **Re-Admittance Fee**

The re-admittance fee shall be ten dollars (\$10.00).
- c) **Monthly Dues**
  1. The monthly dues shall be two point nine percent (2.9%) (see #3 below) of the gross monthly salary (calculated on bi-weekly periods).
  2. Changes in the levels of the Initiation Fee, the Re-Admittance Fee, or the Monthly Dues can be affected only by following the procedure for amendment of these By-Laws (see Section 16), with the additional provision that the vote must be by secret ballot.
  3. Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established these By-Laws will be deemed to have been automatically amended to conform to the new CUPE minima.
  4. Special assessments may be levied in accordance with the CUPE Constitution.
- d) **A Member on:**
  1. Sick Leave without pay,
  2. Long Term Disability,
  3. In direct receipt of Workers' Compensation benefits,
  4. Pregnancy/Adoption/Parental Leaves, or,
  5. Leave of Absence without pay for a duration of three (3) calendar months or longer as granted by the Employer shall not be required to pay Union Dues but shall remain as a member in good standing. At the time of return to receiving pay from the Employer, a ten-dollar (\$10.00) re-admittance fee shall be paid by the member.

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

Any member in arrears for a period of three (3) 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 is without pay because of sickness/layoff or is on approved leave of absence the member shall not be required to pay a re-admittance fee nor their arrears.

## **SECTION 12 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

### **a) Nomination**

Nominations shall be received at the regular membership meeting held in the month of February. To be eligible for nomination, members nominated for Executive and Trustee positions must be members in good standing.

### **b) Elections**

#### **1.**

- (a) Election of President, Secretary-Treasurer, Chief Job Steward and Recording Secretary on even numbered years. Vice-President and Corresponding Secretary on odd numbered years.
- (b) Members-at-Large two (2) to be elected: one (1) on even numbered years and one (1) on odd numbered years. The above positions are two (2) years in duration.
- (c) Election of Job Steward(s) representing the following job classifications:
  - (i) Even numbered years:  
One (1) Clerical; one (1) Child & Youth Care Worker/Home School Liaison Worker; one (1) Noon hour supervisor; one (1) Custodial; one (1) Education Assistant, and one (1) Transportation.
  - (ii) Odd-numbered years:  
One (1) Library clerk; one (1) Operations & Maintenance; one (1) Custodial; one (1) Education Assistant, and one (1) Transportation.The above positions are two (2) years in duration.
- (d) Election of one of three Trustees shall occur each year.  
The above positions are three (3) years in duration.
- (e) The District Joint Occupational Health & Safety Committee shall be comprised of one Member (and Alternate) from each job classification to be elected in February for a two (2) year term, in alternate years, to be the Union's representatives.
- (f) Work-Site Occupational Health & Safety Committee and Worker Representatives and Alternates shall be elected by October each year for a one (1) year term. Should a vacancy occur at a worksite, the Executive will appoint a member to fill that vacancy for the balance of the term.

2. At a membership meeting at least two months prior to election day, the President shall, subject to the approval of the member's present, appoint an Elections Committee consisting of a Returning Officer and Assistant(s). The Committee shall include members of the Local who are neither officers nor candidates for office. It shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
3. The Executive shall determine the form of ballot and ensure that sufficient quantities are made available in good time to the Returning Officer of the Elections Committee.
4. The Returning Officer shall be responsible for issuing, collecting, and counting ballots. They must be fair and impartial and see that all arrangements are unquestionably democratic.
5. The voting shall take place at the regular membership meeting in February. The vote shall be by secret ballot.
6. Voting to fill one (1) office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
7. A majority of votes cast shall be required before any candidate can be declared elected, and second (2<sup>nd</sup>) and subsequent ballots shall be taken, if necessary, to obtain a majority. On the second (2<sup>nd</sup>) 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 in any matter, including elections the President shall turn it back to the membership for a revote.
8. When two (2) or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
9. Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Section 4 (c).

**c) Installation**

All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for a two (2) 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 three years. The terms of office for Trustees shall be as laid down in Article B.2.4 of the CUPE Constitution.

**d) By-Election**

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 13 - DELEGATES TO CONVENTIONS/TRAINING COURSES/ SEMINARS/ CONFERENCES/  
LABOUR & DISTRICT COUNCILS**

- a) Except for the President's option [Section 8(a)9.], all delegates to conventions/training courses/seminars/conferences/Labour and District Councils shall be chosen by election at membership meetings;
  - (i) members in good standing attending conventions shall be in attendance on the floor at all times, unless no quorum exists or convention adjourns;
  - (ii) members attending conventions shall be given an extra day;
  - (iii) with hotel room and per diem paid for at either the beginning or at the end of the convention;
  - (iv) members attending conventions shall attend a minimum of two (2) forums, where applicable.
- b) Delegates in good standing to the Vancouver Island District Council and the Nanaimo, Duncan and District Labour Council shall be elected annually. An official reporter shall be appointed annually by the President from among these delegates, and they shall be required to report at the next membership meeting of the Local on proceedings at these Council meetings.
- c) All delegates elected to the conventions/training courses/seminars/conferences held outside School District 69 (Parksville/Qualicum) shall be paid transportation expenses, a per diem for expenses, other personal expenses, (which will be reviewed by the trustees) and an amount equal to any loss of
- d) School District wages incurred by attendance.
- e) Delegates to conventions/training courses/seminars/conferences/Labour and District Councils held locally shall have no travel allowance. There shall be a one-half day per diem allowance [see Section 9 (c)] and compensation for any loss of salary incurred by attendance.
- f) Representation at educational institutes, training courses, schools and seminars shall be on the recommendation of the Executive/Education Committee, is subject to final approval by the membership. This includes union educational workshops.

**SECTION 14 - COMMITTEES**

**a) Negotiating Committee**

This shall be a special ad hoc committee established at least six (6) months prior to the expiry of the Local'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 five (5) members in good standing, one from the custodial; transportation; student support services; clerical; and properties maintenance departments. The President or their delegate will be the representative of their department and shall be a member of all negotiations committees. The CUPE Representative assigned to the Local 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. A questionnaire must be distributed to the membership at least two (2) months prior to the expiration of the current Collective Agreement. The Negotiating Committee will formulate the proposals from the questionnaire for ratification by the membership.

**b) Special Committees**

A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. Members in good standing 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. Two (2) members of the Executive may sit on any special committee as ex-officio members. Special committees will hold meetings on a regular basis at a time and place convenient to the majority of the active members of the committee. They shall provide a written and verbal report at the regular monthly meetings. They shall appoint a chairperson and Secretary from among their members.

**c) Standing Committees**

Each Committee shall consist of no more than ten (10) members in total. The Chairperson of each standing committee shall be elected by the committee members in good standing at its first meeting in or just after February of each year. If a Chairperson is not elected, the committee chairperson shall be the Executive until such time as a volunteer comes forward. The Chairperson and/or the Executive may, with the concurrence of the membership, appoint other members to serve on a Committee. Standing committees will hold meetings on a regular basis at a time and place convenient to the majority of the active members of the committees. Each committee Chairperson shall provide a verbal and written report at each regular membership meeting. Up to two (2) Executive members may sit on any committee as ex-officio members of that committee. The President or their delegate shall be a member of all standing committees.

**1. Grievance Committee (Job Stewards & Executive Committee)**

This Committee shall be comprised of: all Job Stewards, Executive Officers and Members-At-Large. The Chairperson of this Committee will be the Chief Job Steward. It shall be the function of the committee to:

- examine all grievances. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant(s) as provided for in the collective agreement.
- this committee will meet monthly, the week previous to the regular monthly meeting.
- the committee shall provide a grievance report to the Executive, as well as to the membership and that the National Representative receive a copy.

**2. 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.
- instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports.
- co-operate with the Education and Public Relations Departments of CUPE, and with the regional Education Representative, in implementing both the Local's and CUPE's policies in these fields.

**3. Political Action Committee**

It shall be the function of this Committee to:

- inform members about the basic political choices of our society and to participate in the process.
- organize and co-ordinate initiatives which will ensure representation of CUPE's political views in elected bodies at all levels of our society.
- hold meetings on a regular basis at a time and place convenient to the majority of the active members of the committee.
- provide a written and verbal report at the regular monthly meetings.
- appoint a Chairperson and Secretary from among its members.

**4. Public Relations Committee**

It shall be the function of this Committee to:

- co-operate with the Executive in preparing press releases and other publicity material.
- participate in Education week.
- initiate, promote and publicize CUPE Local 3570's involvement in community events.
- hold meetings on a regular basis at a time and place convenient to the majority of the active members of the committee.
- provide a written and verbal report at the regular monthly meetings.
- appoint a Chairperson and Secretary from among its members.

**5. Entertainment Committee**

It shall be the function of this Committee to:

- arrange and conduct all social, recreational and retirement activities for members in good standing of the Local either on the committee's own initiative or as a result of decisions made at membership meetings.
- make an estimated budget for the coming year, to the membership in February. All social and recreational events and activities shall be self-supporting from the fund or other fund raising revenues, or as determined by the membership.
- hold meetings on a regular basis at a time and place convenient to the majority of the active members of the committee.
- provide a written and verbal report at the regular monthly meetings.
- appoint a chairperson and secretary from among its members.

**6. Sunshine Committee**

It shall be the function of this Committee to:

- if a member in good standing is ill for more than a week, to send flowers as a 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 in good standing of one of their immediate family or make, if appropriate, a gesture in accordance with custom or the wishes of the family concerned;
- send flowers for the birth or adoption of a member's child.



**7. Women's Committee**

It shall be the function of this Committee to:

- act as a support and information committee to all members of the Local with regards to equality, sexual harassment and child care.
- promote Education sponsored by our National Union on Women's issues;
- help educate Local members on Women's issues.
- work towards achieving pay equity for all women.
- hold meetings on a regular basis at a time and place convenient to the majority of the active members of the committee.
- provide a written and verbal report at the regular monthly meetings.
- appoint a chairperson and secretary from among its members.

**8. District Joint Occupational Health & Safety Committee**

That there will be one (1) day release time per month for the chairperson of the District Joint Occupational Health & Safety Committee, should they be a CUPE member.

It shall be the function of this Committee to:

- recommend initiatives to improve health and safety in the work place.
- act as an information exchange for Local members as well as to report Health and Safety concerns to the District Safety Committee and to the membership at regular meetings.
- hold meetings on a regular basis at a time and place convenient to the majority of the active members of the committee.
- provide a written and verbal report at the regular monthly meetings.

**9. Work-Site Occupational Health & Safety Committee and Worker Representatives**

As required by the Occupational Health and Safety Amendment Act (October 1999) the Union has a responsibility to ensure equal representation on the joint Work-Site Health & Safety committees and where a committee is not required, there will be a worker representative acting on behalf of the membership.

**Member Representatives:**

- (i) Must be in good standing in accordance with the Local's By-Laws.
- (ii) Shall endeavour to attend CUPE sponsored O.H. & S. training as well as training provided by the employer.
- (iii) Shall be accountable to the membership through the co-chair of the committee, the local Executive and comply with both the CUPE Constitution and these By-Laws.
- (iv) The members elected/selected shall ensure the membership is well represented by:
  - attending all work-site joint committee meetings.
  - participating in workplace inspections.
  - investigating accident/incidents or a member's complaint.
  - being present during a member's right to refuse unsafe work or when a Worker's Compensation Board representative is present in the workplace.

**10. Bursary Committee**

It shall be the function of this Committee to:

- ensure there are adequate funds in the Bursary fund to offer up to five (5) Bursaries to the families and members in good standing of Local 3570. The General Bursary amount is five hundred dollars (\$500.00) per recipient.
- ensure that the CUPE Local 3570's bursary policy and criteria is followed in awarding Bursaries.
- make occasional funding reports to the membership.
- hold meetings on a regular basis at a time and place convenient to the majority of the active members of the committee.
- appoint a chairperson and secretary from among its members to be determined at the General Membership Meeting.

**11. Professional Development Committee**

It shall be the function of this Committee to:

- plan and organize the twice (2) yearly Pro-D Days for CUPE staff.
- ensure that the Pro-D funds are spent equally and fairly between all departments and work areas.
- make an estimated budget for the coming year to the membership in February.
- hold meetings on a regular basis at a time and place convenient to the majority of the active members of the committee.
- provide a written and verbal report at the regular monthly meetings.
- appoint a chairperson and secretary from among its members.
- utilize a maximum of one day (eight (8) hours) leave of absence with pay for preparation for each Pro-D day to be paid from Professional Development funds.

**12. Newsletter Committee**

It shall be the function of this committee to:

- prepare and distribute a newsletter to all members in good standing; frequency to be determined by the committee.
- hold meetings on a regular basis at a time and place convenient to the majority of the active members of the committee.
- provide a written and verbal report at the regular monthly meetings.
- appoint a chairperson and secretary from among its members.

**13. Wellness Committee**

It shall be the function of this Committee to:

- ensure that the membership is well informed of the resources available to them and to act as a referral or source of referral of information as needed to members.
- hold meetings on a regular basis at a time and place convenient to the majority of the active members of the committee.
- provide a written and verbal report at the regular monthly meetings.
- appoint a chairperson and secretary from among its members.



**14. Labour Management Committee**

This Committee shall be comprised of representatives of the Union and representatives of the Board.

It shall be the function of this Committee to:

- enjoy the full support of both parties in the interests of improved service to the public, and job security for the employees.
- be self-determining in its terms of its function and concern itself with discussing matters of mutual concern regarding the application, interpretation or implementation of the Collective Agreement.
- meet to discuss matters determined to be part of its function.
- not supersede the activities of any other committee.
- prepare minutes of each meeting of the Committee and signed by the Joint Chairpersons as promptly as possible.
- have jurisdiction over wages and any matter of collective bargaining, including the administration of the Collective Agreement.
- have the power to make recommendations to the Union and the Board with respect to its discussions and conclusions.

**15. Pay Equity Committee**

The Pay Equity committee shall be elected by the membership. This committee shall be a standing committee until a position falls vacant. The membership shall endeavour to elect a gender-neutral committee comprised of a male and a female member. The President or designate shall sit on the committee. The mandate of this committee is to adhere to the Letter of Understanding and Maintenance Plan for Pay Equity.

**SECTION 15 - 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 Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

**SECTION 16 - AMENDMENT**

- a) These By-Laws are always subordinate to the CUPE Constitution (including Appendix "B") as it now exists or as it 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.
- b) 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 days' notice at a previous meeting or at least sixty (60) days' written notice.
- 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.

**APPENDIX "A" TO THE BY-LAWS OF LOCAL 3570, CUPE**

**RULES OF ORDER**

1. In the absence of the President, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and Vice-President, the Recording Secretary shall act as President, and in the Recording Secretary's absence the Local shall choose a President pro-tem.
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. Chairpersons 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 thereon, 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 Secunder 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 a 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 sense will admit of it.
9. Any member having made a motion can withdraw it with the consent of the Secunder, 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, he shall rise in his place and respectfully address the presiding officer, but, except to state that he rises to a point of order or on a question of privilege, he 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 on the Local or member thereof.

13. If a member, while speaking, is called to order, the member shall cease speaking until the point is determined; if it is decided they're in order, the member 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 the 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, he may in addition give casting vote, or, if he chooses, 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 now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
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, that member 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 the challenge. The Chairperson may then state briefly the basis for this 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.
24. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Vice-President.
25. The Local's business, and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

