

PROPOSED NEW BYLAWS

**BYLAWS
of
Local 917
Canadian Union
of Public Employees**

Revised January 22, 2005

CUPE 917 BYLAWS – January 22, 2005
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I. PREAMBLE

These Bylaws are designed to give proper balance to the administration of the Local Union.

Duties and responsibilities of elected officers and members of committees should be a widely dispersed as possible. It should not be left to the willing few to have to serve in multiple capacities. While various committees have been designated as Standing Committees, this does not preclude the possibility of special committees being established from time to time as may be necessary. This Local has been formed in order to improve and maintain the social and economic welfare of its members, without discrimination, to promote efficiency in Public Employment, and to give clear evidence of its recognition of the unity of organized labour and abides by these Bylaws for its government.

II NAME

The name of this Local is Canadian Union of Public Employees Local No. 917, University of Victoria, hereafter referred to as CUPE 917.

III. PRINCIPLES AND OBJECTIVES

- To secure through collective bargaining: improvements to wages, benefits, improved working conditions, and job security;
- To encourage the settlement of all disputes between CUPE 917's members and the employer through negotiation and/or mediation where possible; and
- To support the Canadian Union of Public Employees in its aims and objectives, hereafter referred to as CUPE.

IV. DEFINITION OF A MEMBER

A member is an employee of the University of Victoria who has applied for and been accepted into membership of this Union and who agrees to abide by the CUPE Constitution and CUPE 917 Bylaws. Any member of CUPE 917 remaining on the job when a strike is called may be disciplined by CUPE 917 under the provisions of the CUPE Constitution. Any such member who is so disciplined may appeal the decision under the provisions of the CUPE Constitution.

V. MEETINGS

A. GENERAL MEMBERSHIP MEETINGS

These will normally be held twelve (12) times per year. The Executive Board will give one week's notice of any change in the date of the General Membership Meeting.

B. SPECIAL MEETINGS

These may be called by order of the Executive Board or by a written request from five (5) members. The only business which may be transacted at such a meeting is that for which the meeting was called and notice given. The President will immediately call a special meeting when so ordered or requested and will give all members at least twenty-four (24) hours notice. Examples of special meetings are Strike Votes and Ratification Votes.

C. QUORUM

For the transaction of business at any regular or special meeting, quorum will consist of at least ~~twenty (20) members~~ in good standing, including at least three (3) members of the Executive, ~~one whom must be the President or his or her designate.~~

D. ORDER OF BUSINESS

At General Membership meetings, the order will normally be as follows:

1. Roll Call of Officers and Stewards
2. Attendance Report, Welcome and Introduction of New Members
3. Vice-President's Report (Approval of the Minutes of the Previous Meeting)
4. Secretary's Report (Correspondence)
5. Treasurer's Report
6. Chief Steward's Report
7. President's Report
8. Committees and Delegates Reports
9. Nominations, Elections or Installations
10. Old Business
11. New Business
12. Good of the Union
13. Adjournment

E. BOURINOT'S RULES OF ORDER

These rules will be used for all meetings of CUPE 917 in accordance with Parliamentary Procedure.

F. AMENDMENTS

Amendments may be made to the agenda at any time during the meeting.

VI. VOTING PROCEDURES

A. DEFINITIONS

1. MAJORITY VOTE

This will be used for elections of officers, ~~delegates, committee members, strike votes, motions,~~ and contract ratifications. A majority must be a portion greater than one half of the total number of votes cast (that is, at least 50 per cent plus 1 of total votes cast).

2. TWO-THIRDS VOTE

This will be used for Bylaw changes. The vote is passed if ~~sixty (60) per cent~~ of the votes cast are in favour.

B. SECRET BALLOTING

This is used for elections of officers and delegates, strike votes, and contract ratifications. Secret ballots are not required for other motions but may be requested at any time ~~by way of a motion~~. All ballots will be destroyed after the vote unless there is a legal requirement to hold the ballots for a period until they can be destroyed.

C. ELECTIONS OF OFFICERS

At the October General Membership Meeting, subject to the approval of the meeting, the President will appoint one (1) Returning Officer and Assistants. They will not be members who are candidates for office. The President will also receive nominations for all vacant positions at this meeting. For nominations to be accepted, the member nominated either must be present or have, filed at the meeting, a written letter indicating consent for the nomination. The Returning Officer will conduct the elections as set out in these Bylaws including issuance, collection, and the counting of ballots at the November meeting. The Returning Officer will report the number of votes cast for each eligible nominee (Also see Secret Balloting) and the number of votes required for a majority of votes cast for election. When necessary, second (and subsequent) ballots will be held, the candidate receiving the lowest number of votes in the previous ballot being dropped, until such a majority is achieved. In the event of a final tie vote, the presiding officer will cast the deciding vote by randomly selecting the names of nominees.

All duly elected officers will be installed at the meeting at which they are elected and will continue in office until a successor has been elected and installed.

D. APPEALS

Appeals for a recount of the votes can be made by any candidate for whichever office he/she was a candidate for, provided such appeal is submitted prior to the election of any other office. The members at the meeting, by a majority vote, may also order a recount, providing the motion is made prior to the election of any other officer.

E. ELECTION OF STEWARDS

Elections will occur every odd numbered year. The Vice-President will hold Shop-by-Shop elections for Stewards who will be elected by majority vote. A meeting of Stewards, chaired by the Vice-President will then elect a Chief Shop Steward from their number.

F. CONTRACT RATIFICATION VOTE

The vote will be by secret ballot with a majority vote. After the Negotiating Committee achieves, what it considers to be, a settlement, it will meet with the Steering Committee and explain the details of this settlement. The Steering Committee members will hold meetings with the groups they represent to inform the Membership of the terms of the proposed contract.

G. STRIKE VOTE

The vote will be by secret ballot (with a majority vote required for adoption) at a special meeting called with at least seven (7) days posted notice.

H. VOTING OF FUNDS

No money will be voted for the purpose of a grant or contribution to any cause outside CUPE, except by a notice of motion given in writing and dealt with at the following Membership Meeting. These expenditures must be presented to Membership Meetings for approval prior to payment. Expenditures within CUPE may be approved by the President and at least two members of the Executive Board.

I. SHOW OF HANDS

This will be used for all other Union business.

VII. FEES, DUES, AND ASSESSMENTS

A. INITIATION FEES

An initiation fee will be assessed in addition to monthly dues.

B. CHANGES TO FEES, DUES, AND ASSESSMENTS

Changes can only be affected by majority vote of the Membership at any meeting called with appropriate notice.

C. CUPE CONVENTION INCREASES

If the CUPE Convention raises fees/dues above the level established by this Local, this Bylaw will allow an automatic amendment to conform to the new levels established by the National Convention.

VIII. OFFICERS, STEWARDS, AND COMMITTEE MEMBERS

A. OFFICERS

The officers of CUPE 917 will consist of a President, Vice-President, Recording Secretary, Treasurer, Sergeant-at-Arms, four (4) Members-at-Large (one which will be from the University Club), and three (3) Trustees.

B. ELIGIBILITY

To be eligible for office as Officer, Steward, member of the Negotiating Committee or a delegate, the nominee will have been a member of CUPE 917 and have attended 50 per cent of General Membership Meetings for the past twelve (12) months. When there is no qualifying nominee, the President may waive this requirement with the approval of the Membership.

C. ELECTIONS

The President and Treasurer will be elected at the November General Membership Meeting every odd-numbered year. The Vice-President, Recording Secretary and Sergeant-at-Arms will be elected at the November General Membership Meeting in even-numbered years. One (1) Trustee and one (1) Member-at-Large will be elected each year at the November Meeting for a three (3) year term.

D. MEMBER-AT-LARGE EMPLOYED BY THE UNIVERSITY CLUB

This position will be for a two (2) year term. Nominations for this position will come from University Club members. Elections will occur in November of odd-numbered years.

IX. EXECUTIVE BOARD

A. COMPOSITION

The Executive Board will consist of:

- President
- Vice-President
- Recording Secretary
- Treasurer
- Sergeant-at-Arms
- Four (4) Members-at-Large, one which will be from the University Club

While the three (3) Trustees are not part of the Executive Board and do not have voting privileges, they have the right to attend and speak at meetings of the Executive Board.

B. DUTIES

The Executive Board has the following rights and obligations:

- Meet at least once a month to carry out Union business; a majority of the board is required for this purpose; quorum is five (5) members of the Executive;
- Hold title to any real estate of CUPE 917 as legal trustees of CUPE 917;
- Attend General and Executive Meetings of CUPE 917;
- Be empowered to appoint delegates and alternates as provided for in these bylaws, subject to ratification by the Membership;
- Administer and carry out all work delegated to it by CUPE 917;
- Hold all residual powers;
- Receive all charges against members or officials, which must be in writing. The Board's decision may be appealed to CUPE 917 as a whole within thirty (30) days. Any such deliberations will be in accordance with Appendix B, Article V, Sections 1-7 of the CUPE National Constitution;
- Review any Board Member missing three (3) regular consecutive meetings without good reason and declare this office vacant. An election will be held at the following General Membership Meeting;
- Review Membership of all Standing and Special Committees every second January from and including the year 2000 (even-numbered years), with the intent of providing for effective committees;
- Advise the Recording Secretary if unable to attend meetings; and
- When an individual vacates office, he or she will surrender all books, seals and other property of CUPE 917.

1. President

The President will:

- Enforce the CUPE Constitution and CUPE 917 Bylaws;
- ~~Preside at all meetings and preserve order or appoint another delegate to preside and preserve order.~~
- Decide on questions of law and parliamentary procedure subject to appeal by the members;
- Announce results of vote(s), unless the vote was presided over by another officer;
- Allocate work to other members of the Executive, to committees and to members, and sees that the assignments are carried out within the deadlines set by the Executive;
- Serve as an Ex-officio member of all committees of CUPE 917;
- When a vote is tied, including elections of officers, will cast the deciding ballot;
- Co-sign all cheques and ensure that CUPE 917's funds are used only as authorized or directed by the Constitution, CUPE 917's Bylaws, vote of the Membership or of the Executive Board;
- Have first preference as a delegate to the CUPE National Convention and all other conventions/conferences of agencies with whom CUPE 917 is affiliated ~~and appoint other members to attend these functions if appropriate.~~

- Be empowered to appoint a member to any vacant Executive Board position until a by-election can be held; and
- Be allowed, monthly, necessary funds to reimburse him/herself or any officers for expenses incurred on behalf of CUPE 917 upon submission of signed vouchers/receipts. Such accounts will be included with bills presented by the Treasurer to the monthly General Membership Meetings; the amount of such funds to be reviewed by the Membership at the January General Membership Meeting.

2. Vice-President

The Vice-President will:

- Perform all duties of the President in the absence of the President or in the case that this office falls vacant, until it can be filled;
- Deliver the report of the Executive Board Meeting to the next General Membership Meeting;
- Conduct Steward elections, then subsequently the election of Chief Shop Steward; and
- Co-sign cheques and ensure that the CUPE 917's funds are used only as authorized or directed by the Constitution, CUPE 917's Bylaws, vote of the Membership or of the Executive Board.

3. Recording Secretary

The Recording Secretary will:

- Receive, record and prepare communications, particularly those between the Director of Human Resources and CUPE 917, as provided for in the Collective Agreement;
- Keep a full and accurate account of all proceedings of General and Special Meetings, including all motions with movers' and seconders' names and initials, alterations in Bylaws and Rules, Committee Reports, results of elections and votes (including the count);
- Record attendance (assisted by Sergeant-at-Arms);
- Prepare and distribute all notices for members;
- Prepare a condensed copy of minutes of monthly Membership and Executive Meetings and distribute at the next General Membership Meeting;
- Review CUPE National Convention bylaw changes and present to Executive Board what these changes are and how they effect CUPE 917 Bylaws
- Seek clerical assistance when necessary, with approval of the Executive. Such aid to be recognized out of Union funds (**Also see Voting Procedures: Voting of Funds; and Clerical Assistance**); and
- Fulfill other Secretarial duties as directed by the President.

4. Treasurer

The Treasurer will:

- Submit a full financial report to Executive Board Meetings as well as a written financial report to each General Membership Meeting, detailing all monthly income and expenditures (in accordance with Article B3.6 of the CUPE Constitution);
- Forward to CUPE National all financial obligations for the previous month by the last day of the following month (in accordance with Article B3.8 of the CUPE Constitution);
- Accept all applications for Membership and collect initiation fees;

- Audit the dues deductions made by the Accounting Department on a monthly basis;
- Receive dues and assessments, keep a record of each members payments and promptly deposit all money received within fifteen (15) days after receipt in the name of CUPE 917, into a bank or credit union selected by CUPE 917;
- Sign all cheques, with the President or Vice-President as a co-signee, that have been authorized for payment by the Executive Board, with the exception that no authorization will be needed for payment of per capita fees to any organization with which CUPE 917 is affiliated;
- Be bonded through a master bond held by CUPE National Office;
- Record all transactions in a manner acceptable to the Executive Board and Trustees and in accordance with good accounting practices;
- Deliver CUPE 917's books to the Trustees for annual audit (after December 31) and provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- Upon relinquishing office, ensure that all records are balanced and in good order before handing them over to the new Treasurer;
- Note and report to the Executive Board any discrepancies between the dues check-off list supplied by management and the total number of signed *Authorization Cards for Dues Deduction* and *Appointment Notices* which are still valid and on file; and
- Be empowered, with the approval of the Executive, to seek such clerical or other assistance as is necessary, such assistance to be recognized out of Union funds (**Also see Voting Procedures: Voting of Funds; and Clerical Assistance**).

5. **Sergeant-at-Arms**

The Sergeant-at-Arms will:

- Guard the door, admitting only CUPE members, representatives and invited guests;
- Admit uninitiated members and lead them through the initiation ceremony;
- Keep a record of attendance for all General and Special Meetings; and
- Make known to the President at any time, the number present at any meeting.

6. **Member-at-Large**

The Members-at-Large will:

- Aid the Executive Board as required in the administration of CUPE 917; and
- Provide written reports on committees to Executive and General Membership Meetings.

7. **Trustee**

The Trustees will:

- Act as an Auditing Committee, auditing CUPE 917's books and accounts annually, reporting their findings first to the Executive Board then to the following General Membership Meeting;
- Use audit forms supplied by the CUPE National office, sending a copy of each audit to the National Treasurer;
- Attend General Membership and Special Meetings;
- Annually inspect any stocks, bonds, securities, office furniture and equipment, titles of deeds to property that may at any time be owned by CUPE 917, and annually **report them**

findings, first to the Executive Board so any concerns can be addressed, then to the Membership at the following General Membership Meeting, and

- Have the right to attend and speak at Executive Meetings.

8. Chief Shop Steward

The Chief Shop Steward will:

- Chair meetings of the Stewards;
- Supervise the Stewards, ensuring adherence to Union policy;
- Liaise between Executive Board and Stewards;
- Shepherd grievances on behalf of CUPE 917; and
- Maintain up to date files for all grievances.

9. Shop Steward

The Shop Stewards will:

- Assist members in understanding the Collective Agreement and their rights in the workplace, subject to the direction of the Executive Board;
- Deal with all complaints, Collective Agreement violations and potential grievances;
- As a committee, work with the Grievance Committee to deal with Collective Agreement violations, process grievances, and recommend changes to the Collective Agreement where necessary;
- Attend all General and Special Meetings; and
- Elect a Chief Steward from their ranks.

X. COMMITTEES

A. STANDING COMMITTEES

These committees will:

- Be elected from the General Membership after notice of motion has been given;
- Be established for an indefinite period;
- Establish working procedures and record them for the convenience of new members;
- Elect its chair and secretary from its own members;
- Deliver annual reports to the Membership at the April General Meeting; and
- Have one or more Executive Members sitting as committee members. A Standing Committee will still be considered valid, even if it is reduced to one Executive Member.

Members of CUPE 917 employed by the University Club will form their own committees for Sick Benefit Bank, Occupational Health and Safety, and Personnel Benefits.

1. STEWARD COMMITTEE

This committee will be comprised of the following members elected by their departments:

Group	Number of Representatives
Auditorium	1
Carpenters/Painters	1
Mechanical/Plumbers/ Electricians/Maintenance	1
Food Services	2
Grounds	1
Housing	1
PEARF	2
Security	1
Service Workers/Drivers	2
University Club	1

2. OCCUPATIONAL HEALTH AND SAFETY (OH&S) COMMITTEES

As of the year 2000, the University of Victoria instituted a new OH&S Committee structure as advised by the Workers' Compensation Board:

i) **University OH&S Committee**

This committee will have equal labour/management representation and joint labour/management chairs. CUPE 917's President will sit on this committee or may designate an experienced alternate. This is the policy committee with a responsibility for overseeing levels of effectiveness in Departmental and Building Committees.

ii) **Departmental OH&S Committees**

In addition to other members, these committees will have members of CUPE 917, sanctioned by the CUPE 917's President. This is the level where basic information is gathered, hazards are reported, areas inspected and accident investigations take place.

iii) **Building OH&S Committees**

These committees are responsible for OH&S within the building.

All CUPE 917 members undertaking positions on these committees must do their best to obtain training, both from the University and within CUPE workshops, thereby meeting CUPE 917's legal requirement for qualified representation. **(Also see Article 29 in the Collective Agreement.)**

3. SOCIAL COMMITTEE

This committee will:

- Arrange and conduct all social and recreational functions decided upon by the Membership. Through the Executive, the Chair will bring a motion for event funding requirements to General Meetings.
- Bring a financial report to the Executive Board and General Meeting immediately following the function.

4. SICK BENEFIT BANK COMMITTEE

This committee was established to help members who are absent from work due to extended illness or disability. Allotments from the bank will only be considered after the applicant has exhausted all current and accrued sick leave plus one week of annual holidays or five days without pay.

There will be no fewer than three (3) members, ~~elected at a General Membership Meeting~~, on this committee. The Committee will consider every application to the bank (supported by a current Doctor's Certificate) according to the Sick Bank Policy (See **Article 23 of the Collective Agreement**). The Committee will provide written documentation to all applicants to the Bank, of the outcome of their claims. They will report regularly to the Membership and make recommendations to the Executive Board for improvements to the Bank.

Any suggested amendments to the Sick Bank Policy will be taken to the Membership for approval prior to implementation.

5. EDUCATION COMMITTEE

This committee will arrange for members to represent CUPE 917 at workshops, seminars, and conferences that are appropriate and available.

6. SICK/RETIREMENT COMMITTEE

This committee will:

- Send fruit or flower baskets to members when they have an illness or injury resulting in an absence from work of five (5) or more days; and
- Congratulate members who retire, and present or arrange for an appropriate gift to be presented to the retiring person.

7. PERSONNEL BENEFITS/PENSION COMMITTEE

This committee will review, discuss, and make recommendations concerning improvements to the Personnel Benefits in the Collective Agreement.

B. SPECIAL COMMITTEES

These committees may ~~be joint committees set up by the union or set up either by election at any meeting or by appointment by the President subject to approval of the meeting~~. An Executive Officer will sit on each special committee.

1. STEERING COMMITTEE

This committee will be elected at least six (6) months prior to the expiry date of the Collective Agreement and automatically disbanded when a new Collective Agreement has been ratified and signed by CUPE 917 and the University of Victoria. The Steering Committee will consist of the President, Vice-President, and members from the following groups:

Group	Number of Representatives
Auditorium	1
Carpenters	1
Electricians	1
Food Services	2
Grounds	1
Housing	1
Maintenance	1
Mechanical	1
PEARF	1
Painters	1
Plumbers	1
Security	1
Service Workers	2
Utility Drivers	1

This Committee will:

- Study the Collective Agreement and its practical applications;
- Examine suggestions for improvements, look for any inequities, examine other similar agreements, and encourage the Membership to make their views known to the Committee via surveys; and
- Provide support for the Negotiating Committee at each stage of the process.

2. NEGOTIATING COMMITTEE

The Committee will consist of the President and four (4) members of the Steering Committee elected by the full Steering Committee at an advertised meeting of the Steering Committee.

Members of Local 917 employed by the University Club will bargain separately as provided for in their Collective Agreement. The President will chair the four (4) person Committee. In addition to the President, the Committee will consist of three (3) members employed by the University Club and elected by a vote of all members employed by the University Club.

This Committee will:

- Act on directives from the Membership when bargaining;
- Formulate proposals from Steering Committee information;
- Report on the progress of each bargaining session to the Steering Committee as a whole;
- Tender progress reports at the Local's General Meetings and call for Special Meetings should the need arise;
- Communicate and coordinate with CUPE locals at other post-secondary institutions on common issues;
- Consult with the CUPE Representative assigned to CUPE 917 at each stage; and
- Arrange for a ratification vote on a contract proposal. (Also see **Meetings: Special Meetings.**)

3. UNION REPRESENTATION ON NON-COLLECTIVE AGREEMENT UNIVERSITY COMMITTEES

Members on these committees will:

- Obtain information and report back to the President and at General Meetings of CUPE 917;
- Take the Union's position to the committees; and
- ~~Speak on behalf of the Union, but~~ without the power to negotiate terms and/or conditions that vary from the Collective Agreement.

XI. CLERICAL ASSISTANCE

Officers and Chairs may select volunteers to provide clerical assistance when necessary. The Executive Board may choose to pay for this assistance. Any amount over \$150.00 will only occur through a notice of motion in writing to be voted on at the following General Meeting. (Also see Voting Procedures: Voting of Funds.)

XII. OUT-OF-POCKET EXPENSES

Out-of-Pocket expenses are meant to recompense officers and members for time and personal resources spent in the service of the Local. They are not to be seen as salary and will be subject to review and approval of the Membership at the January meeting.

A. ELIGIBILITY

Eligible for such expenses are:

- Voting members of the Executive Board (monthly);
- Chief Shop Steward (monthly);
- Trustees (annually); and
- Persons providing clerical assistance (Also see Voting Procedures: Voting of Funds; and Clerical Assistance).

B. PRIVILEGE

CUPE 917 will provide the President with an annual Membership card to the University Club. The ~~President will only use the membership card for union business.~~

XIII. DELEGATES

Except for the President's option to attend conventions and appoint other members when appropriate, as outlined in Section IX (B) 1., all delegates will be chosen by the Membership.

Delegates will receive a per diem based on the CUPE BC Expense Policy.

Delegates will submit concise oral and/or written reports to the first General Membership Meeting following the attended event.

Delegates will be reimbursed for the following expenses:

A. **Mileage:** Car mileage 40¢/km.

B. Per Diem

- Within Greater Victoria Area: a per diem allowance plus compensation for any loss of salary.
- Outside Greater Victoria Area: a per diem allowance plus compensation for any loss of salary; the economy hotel room rate (if required) plus transportation expenses (economy fares/mileage allowance). Members are entitled to a single room.

- ◆ \$35.00 per half day meeting (when no meal provided).
- ◆ \$71.00 per day for an all day meeting (when no meals are provided).
- ◆ \$35.00 for half-day of incoming travel to next day meeting or return travel day, next day after meeting.
- ◆ \$71.00 for full day travel to and from meetings.
- ◆ Evening meetings requiring meal \$35.00 (unless already receiving \$71.00 full day per diem).
- ◆ Meetings where all expenses (meals) are included \$10.00.

*Rates for above allowances will be reviewed each January by the Membership.

XIV. AMENDMENTS

CUPE 917 may, ~~by a vote reflecting the support of sixty (60) per cent of the meeting,~~ make amendments/additions to these Bylaws if at least seven (7) days notice were given at a previous meeting, or at least sixty (60) days written notice was posted.

Any changes to these Bylaws shall not be valid until approved by the National President of CUPE in accordance with *Article B7-IXII* of the CUPE National Constitution. At all times these Bylaws will be considered subordinate to the National Constitution.

These Bylaws will be reviewed no later than three (3) months following CUPE National Convention.

APPENDIX 1: IMPORTANT DATES

October: Nominations for Executive at the General Membership Meeting

Eligibility: members for at least twelve months, present when nominated, have attended at least 50 per cent of the regular meetings held in the previous twelve months.

November: Elections for Executive Board positions