



**CUPE LOCAL 15 - VMECW**

**VANCOUVER MUNICIPAL, EDUCATION  
and  
COMMUNITY WORKERS**

**BYLAWS**

**Bylaws**  
**Canadian Union of Public Employees - Local 15**  
**Vancouver Municipal, Education and Community Workers**

**SECTION 1: NAME**

The name of this organization will be "The Canadian Union of Public Employees, Local 15 - Vancouver Municipal, Education and Community Workers" or "CUPE Local 15".

**SECTION 2: OBJECTIVES**

The objectives of CUPE Local 15 are:

- 2.1 Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members and all workers.
- 2.2 Support CUPE in reaching the goals set out in Article II of the CUPE Constitution.
- 2.3 Provide an opportunity for its members to influence and shape their future through free democratic trade unionism.
- 2.4 Encourage the settlement by negotiation, mediation or other appropriate methods, of all disputes between the members and their employers.
- 2.5 Support the organizing of the clerical, technical, professional, administrative, and support employees of the City of Vancouver, boards, regional boards, and other public bodies within the region known generally as the "lower mainland".

The following shall guide the union's efforts in organizing workers in the union and gaining employer recognition and collective agreements:

- 2.5.1 Scope - Public bodies shall be interpreted to mean bodies which receive operating funding, directly or indirectly, from one or more levels of government or public agencies or organizations.
- 2.5.2 Criteria - The union shall, with the support of CUPE National consult on the support of employees of public bodies when, in the opinion of the Executive:
  - 2.5.2.1 There exists a group of workers who are interested in joining CUPE Local 15 and who are willing to work at organizing their co-workers.
  - 2.5.2.2 The organizing effort is likely to succeed with a joint effort between the workers being organized and CUPE Local 15 (within the limits of CUPE Local 15's resources).
  - 2.5.2.3 Servicing the new bargaining unit is within the union's capabilities at that time.
- 2.5.3 Resources - When the decision to organize a group of workers has been made by the Executive, the CUPE Local 15 Policies and Procedures shall guide the allocation of the union's resources to the organizing effort.
- 2.6 Work towards eliminating harassment and supporting the active opposition of discrimination of any sort, or on any basis that denies the equality of treatment regardless of class, race, colour, nationality, age, sex/gender expression, gender identity, language, sexual orientation, place of origin, ancestry, religion, mental and physical disability, political belief, conviction of a criminal or summary conviction unrelated to employment, family status, marital status; or any other

inalienable right wherever it occurs or appears.

### **SECTION 3: NATIONAL CONSTITUTION**

The National Constitution of the Canadian Union of Public Employees will apply to all members of CUPE Local 15. The bylaws of CUPE Local 15 shall be in compliance with the National Constitution of CUPE. Where these bylaws conflict with the National Constitution, the National Constitution will prevail.

### **SECTION 4: REGULAR MEMBERSHIP**

- 4.1 An individual employed within the jurisdiction of CUPE Local 15 will apply for membership in CUPE Local 15 by signing an application and paying the initiation fee set out in Section 6.1 of these bylaws.
- 4.2 In the case of an application for membership which is part of the organizing of a new bargaining unit or the addition to a current bargaining unit, the person applying for membership will become a member of CUPE Local 15 upon acceptance by the Executive Board.
- 4.3 New members attending their first membership meeting will agree to this oath:  
“I promise to support and obey the constitution of the union and the bylaws of this local, 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 intentionally or negligently harm or assist in harming another member of this union.”
- 4.4 Members who cease to be employees within the jurisdiction of CUPE Local 15 will automatically cease to be members of the local except as provided in 4.5.
- 4.5 Members will not cease to be members in the case of medical leave, layoff if on a recall list, temporary layoff, or dismissal if in dispute by the local.

### **SECTION 5: HONOURARY LIFETIME MEMBERS**

Honourary lifetime membership will be approved as per Article B.10.1(a) of the National Constitution.

### **SECTION 6: INITIATION FEES AND MONTHLY DUES**

- 6.1 CUPE Local 15 initiation fees are \$10 for all new members.
- 6.2 CUPE Local 15 union dues will be 1.95% of regular wages. The regular monthly dues may be amended at a regular or special general meeting. The vote must be by secret ballot. All members will receive a written notice with date, time, and place of the meeting, and wording of the motion will be mailed by post and electronically to their most current address on file at the union and postmarked not less than 60 days prior to the meeting where the dues will be voted on.
- 6.3 No assessment of any kind can be made by CUPE Local 15, unless voted by a majority of the members present at a regular general meeting, or at a special general meeting called for that purpose and for which all members have received written notice with the date, time, and place of the meeting and the wording of the motion mailed by post and electronically to their current address provided by the employer and post marked not less than 30 days prior to the meeting where the assessment will be voted on.
- 6.4 An assessment can be levied only for a specific purpose and for a specific period, and a continuing

assessment must be reviewed at a general meeting at least every six months. Any assessment voted by the membership must be approved by the National President in advance of being levied.

## **SECTION 7: MEMBERSHIP MEETINGS**

- 7.1 The Annual General Meeting will be called in May of each year. This and other regular meetings will be held on the fourth Wednesday of each month, except for July, August and December unless designated by special notice to the members and subject to regular meetings being suspended by a majority of the members present at any previous meeting.
- 7.2 Twenty-five regular members at a meeting will constitute a quorum.
- 7.3 Special meetings of the members covered by the individual bargaining units may be held at the call of the President or upon the request of ten members in good standing of that bargaining unit, or 25% of the members of the bargaining unit, whichever is less, for the purpose of discussing problems pertaining to the membership of that bargaining unit..

## **SECTION 8: ORDER OF BUSINESS**

The order of business of general membership meetings will be as follows:

1. Call to Order
2. Territorial Acknowledgement
3. Roll Call of Officers
4. Reading of the Equality Statement
5. Initiations
6. Approval of Previous Minutes
7. Matters Arising from the Minutes
8. Reports from the President, Committees, Staff, Delegates, and Financial Report
9. Nominations, Elections, and Installations
10. Unfinished Business
11. New Business
12. Good and Welfare
13. Adjournment

## **SECTION 9: NOTICE OF MOTION**

- 9.1 Notices of Motion for General Membership Meetings are required under the following circumstances:
  - a) Amendments to the bylaws.
  - b) Dues and assessments, levies, etc. as per Sections 6.
  - c) Any policy which requires membership vote (including expenditures).
  - d) Any expenditure over \$1,000 not provided for in the budget approved by the membership.
  - e) Bargaining issues and/or any job action which could involve the entire membership.
  - f) Any motion brought forward at a membership meeting where Notice is called will be submitted as a Notice of Motion to be dealt with at the subsequent General Membership meeting.
  - g) Any motion submitted at a General Membership Meeting, which the mover and seconder wish, will be submitted as a Notice of Motion to be dealt with at the subsequent General Membership meeting.
  - h) Any motions that do not fit the above categories can be dealt with at the present meeting without Notice of Motion being served.

- 9.2 Notices of Motion must be submitted in writing prior to 9:00 a.m. on the first Wednesday of the month to be considered at the next General Membership Meeting. This date is set to allow inclusion in the newsletter. Notices of Motion shall be circulated to the membership by a method designed to reach all members prior to the general meeting at which the motion is to be considered. Such method shall normally be the newsletter, provided that the newsletter is mailed out no less than ten days prior to the general meeting or is otherwise distributed to reach the membership prior to the general meeting.
- 9.3 Failure of some members to receive Notice of Motion before the general meeting because of postal delays, incorrect addresses, or other factors beyond the control of the union shall not constitute a violation of the bylaws of the union, provided all reasonable effort has been made to reach all members.
- 9.4 Notices of Motion may be ruled out of order by the President, subject to appeal of the decision to the membership. Such ruling may be made when the notice is given at a general meeting, in response to submission of the notice of motion in writing, or at the general meeting at which the motion is to be considered. If the ruling is in response to written submission of notice, the notice shall be circulated with the notation that the President has ruled the motion out of order.
- 9.5 Consistent with the Executive Board's responsibility to provide leadership, the Executive may move recommendations on motions brought forward by members whenever possible.
- 9.6 When the Executive Board, by majority vote, approves a motion of recommendation to the membership the following applies:
- 9.6.1 Executive Board members who voted for the motion, or those who abstained from voting, are obligated not to speak against the motion.
  - 9.6.2 Executive Board members who voted against the motion, and who requested at that time that their vote be recorded, will be entitled to speak against the motion if they so desire.
  - 9.6.3 Executive Board members who were not present when the vote was taken shall be entitled to speak for or against the motion, though they should preface their comments with a note that they were absent from the vote.
  - 9.6.4 All votes by individual members of the Executive Board will be recorded. The records will also include abstentions from voting on motions.

## **SECTION 10: 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 bylaws as Appendix A. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

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

## **SECTION 11: OFFICERS AND TRUSTEES**

- 11.1 The Officers of CUPE Local 15 will be the President, First Vice-President, Second Vice-President, Secretary Treasurer, three Trustees and 11 Executive Members at Large. The Members at Large

shall be from the following sectors (defined as bargaining units or groupings of bargaining units):

City	2
Parks (including Ray-Cam, Britannia, WECCA)	2
K-12	2
Colleges and Universities (including Student Union employees)	2
Cultural (including Museums, VAG, Planetarium)	1
Health (one each from Community and Paramedical Sub Sectors)	2

11.2 The Executive Board of CUPE Local 15 will consist of all the Officers, except the Trustees. The Table Officers are the President, First Vice-President, Second Vice-President and Secretary Treasurer.

11.3 The Executive Board will conduct the regular business of CUPE Local 15 between membership meetings in accordance with the bylaws. Quorum for Executive Board meetings shall be one half (50%) of the filled elected officer positions as stipulated in 11.1 of these bylaws.

11.4 The terms of all Officers will be on a rotating basis, with the President, Second Vice-President and one Member at Large from each of the City, Parks, K-12, Colleges/Universities, and Health sectors being elected in one year for a three year term, and the remaining Officers being elected in the following year for a three year term.

11.5 The Secretary Treasurer will be a full time, paid officer of CUPE Local 15, booked off his/her job for the term of office either at his/her regular rate of pay, or the equivalent of City of Vancouver Pay Grade 25, Step 5, whichever is greater. No person shall hold the position of Secretary Treasurer for more than two consecutive terms.

11.6 The President will be a full time, paid officer of CUPE Local 15, booked off his/her job for the term of office either at his/her regular rate of pay, or the equivalent of the City of Vancouver Pay Grade 25, Step 5, whichever is greater.

11.7 Terms of Employment and Benefits of Full Time Elected Positions (Secretary Treasurer and President):

11.7.1 The Secretary Treasurer and President will cover each other's vacation and they will make every reasonable effort to ensure that one of them is available for contact with membership.

11.7.2 The collective agreement provisions of the appropriate contract group apply regarding vacation and benefits, except overtime provisions.

11.7.3 The work schedule and benefits of full time paid elected positions are based on the nine day fortnight.

11.7.4 A flexible work schedule (based on the 35 hour week) consistent with the provisions applicable to field staff of CUPE Local 15 (General Membership and Executive meetings are excluded). Table Officers are expected to work at the CUPE Local 15 office unless alternate arrangements are approved by the Executive Board.

11.7.5 Upon the conclusion of the calendar year, full time officers are required to complete a full summary of all banked entitlements, consistent with the language of their governing collective agreements, that includes all days used and all days remaining in their respective banks. The summaries must be submitted to the CUPE Local 15 Table Officers for approval. Approval will not be unreasonably denied. Unless extenuating

circumstances justify a later submission, full time officers must submit their summary of banked entitlement no later than 5:00 p.m. Friday of the first full business week in January each year. Once approved, the summaries will be submitted to the CUPE Local 15 Office Manager for reconciliation with the officer's employer.

- 11.8 The term of office for trustee will be for a period of three years. Each year, one trustee will be elected to fill the place of the trustee whose term of office then expires, so as to complete the full complement of trustees required under these bylaws. Such trustee as elected will hold office for three years from the date elected and from that time onward until a successor will have been elected. In general election years the trustee election will be included with officer elections as set out in article 12.3.1. In non-general election years, the trustee election will take place at the Annual General Membership meeting in May with the trustee to be elected receiving a majority of the votes cast by secret ballot.

## **SECTION 12: NOMINATION AND ELECTION OF OFFICERS**

### **12.1 Nomination of Officers/Executive Board**

- 12.1.1 At the regular meeting of CUPE Local 15 in the month of March, a list of offices to be filled in the May elections will be announced and nominations received. Nominees will be required to notify the Secretary Treasurer by no later than 5:30 p.m. on the Wednesday immediately following the March General Membership meeting of their intention to run for office. If no written notice is received within this specified time, it will be deemed the nominee has declined. The Secretary Treasurer will advise all members of all nominations received.
- 12.1.2 A member may accept nomination for one office only.

### **12.2 Eligibility for Nomination**

- 12.2.1 To be eligible for nomination for any officer position, it is necessary to be a member in good standing at the time of and for at least twelve months immediately prior to the nomination. Additionally, to be eligible for nomination for any table officer or trustee position, a member must have attended at least 50% of all meetings open to the general membership in the twelve month period preceding the nomination.
- 12.2.2 No employee of CUPE Local 15 shall be eligible to run for election to any officer position.
- 12.2.3 Exceptions to the eligibility ruling for nomination will be applied in the case of a member absent on union business, members whose regularly scheduled shift prohibits attendance, members attending an accredited learning institution on membership meeting dates, and members absent from work for a long term illness who have notified the union in writing of the absence prior to the membership meeting.
- 13.2.3.1 Long term illness shall be defined as a period of 30 days or more away from work due to medical reasons.

### **12.3 Election of Officers**

- 12.3.1 The election of officers will be held during the month of May in each general election year. The election will be conducted electronically using a preferential ballot where members will have the option of ranking one or more of the candidates in order of preference on an online system approved by the membership. To be elected a candidate must receive a majority of the votes cast.
- 12.3.2 The online polls will open at least seven days prior to the Annual General Meeting and

remain open until midnight on the day preceding the Annual General Meeting. The results shall be announced at the AGM, posted on the Local union's website, and sent via email to all members who have provided email addresses.

12.3.3 An instant runoff system of counting votes will be used when ballots are initially counted for each voter's top choice. If a candidate has more than half of the vote based on first choices, that candidate is elected. If no candidate has more than half of the vote, then the second choice votes are added to the candidates' totals. If this results in a candidate receiving more than half of the vote, that candidate is elected. The process of counting subsequent votes continues until a candidate has more than half the votes.

12.3.4 Only members of a sector as defined in Section 11 may vote for the Member(s) at Large from the same sector.

#### **12.4 Returning Officer**

12.4.1 The Returning Officer will be appointed by the Executive no later than the January General Membership meeting.

12.4.2 The Returning Officer will be available to answer enquiries received through the union office during the period from the call for nominations to the conclusion and certification of the election.

#### **12.5 Sector Votes**

A member may vote for a candidate in one sector only.

#### **12.6 Proxy Voting**

Proxy voting is not permitted. A voting member may not appoint another member to act and vote as the member's proxy.

#### **12.7 Installation of Officers**

Each elected officer of CUPE Local 15 will succeed his/her predecessor in office upon taking the Oath of Office set out in these bylaws.

#### **12.8 By-Elections**

12.8.1 Ballots for voting purposes in a by-election are distributed according to the membership sign in count in non-general elections or by-elections.

12.8.2 An eligible voter is on the membership list and is adequately identified by one of the following:

- CUPE Local 15 VMECW Membership Card
- A current pay stub with one other piece of ID
- A generally acceptable photo ID e.g. BC driver's license, BCID card, employer ID with full name
- A written statement of another member who has ID as above.

#### **12.9 Obligation of Officers:**

Upon completion of an election the newly-elected officers will come forward and in unison declare the following obligation:

"I, \_\_\_\_\_, do most sincerely promise, that I will truly and faithfully, to the best of my ability, perform the duties of my office for the ensuing term, as prescribed in the Constitution of the Canadian Union of Public Employees and the bylaws of this local, and as an officer of this



local, will at all times endeavor, both by counsel and example, to promote the harmony and preserve the dignity of its sessions. I further promise that at the close of my official term I will promptly deliver all monies, books, papers, or other property of this local in my possession to my duly elected successor in office.”

### **SECTION 13: DUTIES OF OFFICERS**

#### **13.1 The President shall:**

- a) Enforce the CUPE National Constitution, these bylaws, and the Equality Statement.
- b) Preside at all General Membership and Executive Board meetings and preserve order.
- c) Decide all points of order and procedure (subject always to appeal to the membership).
- d) Have a vote on all matters (except appeals against his/her rulings).
- e) Ensure that all officers perform their assigned duties.
- f) Appoint members to fill vacant positions on committees where such vacant positions are not filled by election. Such appointments shall be subject to approval by the Executive Board.
- g) Introduce new members and conduct them through the initiation ceremony.
- h) Ensure that the local's funds are used only as authorized or directed by the constitution, bylaws, or vote of the membership.
- i) Serve as ex-officio member of all committees of the local, including bargaining committees, but shall not serve as an elected voting member of a bargaining committee.
- j) Have first preference as a delegate to the CUPE National Convention, CUPE BC Convention, BC Federation of Labour Convention, Canadian Labour Congress Convention, and attend President councils of CUPE as a delegate.

#### **13.2 The First Vice-President shall:**

- a) If the President is absent or incapacitated, perform all duties of the president.
- b) If the office of President falls vacant, be acting president until a new president is elected.
- c) Render assistance to any member of the Board as directed by the Board.

#### **13.3 The Second-Vice President shall:**

- a) If the First Vice-President is absent or incapacitated, perform all duties of the First Vice-President.
- b) If the office of the First Vice-President falls vacant, be acting First Vice-President until a new First Vice-President is elected.
- c) Render assistance to any member of the Board as directed by the Board.

#### **13.4 The Secretary Treasurer shall:**

- a) Keep a correct, full and impartial record of the proceedings of each meeting of CUPE 15 and all the meetings of the Executive Board. Each record of proceedings shall include a copy of the full financial report presented in accordance with these bylaws.
- b) Be responsible for all financial accounts of CUPE Local 15 and be responsible for ensuring that correct and proper accounts of all its members are maintained. Maintenance of the financial accounts will include, but not be limited to maintaining, organizing, safeguarding, and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all monies sent to the CUPE National Office and Affiliates, as well as records and supporting documents for all income received by CUPE Local 15.

- c) Regularly make a full financial report to meetings of the Executive Board, as well as a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- d) Submit the local's books and records to an outside auditor in accordance with Article B3.12(a)(b)(c) and Article B3.13 of the CUPE National Constitution at least once each calendar year. Also provide the trustees with all financial records and the completed audit in order that the trustees can complete their duties in accordance with Article B3.10, B3.12(a)(b)(c).
- e) Within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees in accordance with these bylaws.
- f) Forward to the National Secretary Treasurer of the Canadian Union of Public Employees, on the official monthly report forms provided, not later than the last day of each month, all financial obligations for the previous month owing to CUPE National, forward one dollar (\$1) of each initiation fee on all members admitted, along with the per capita tax on all dues received by CUPE Local 15. The report should also set out the number of those initiated, reinstated, suspended or expelled, and the number of members on whom per capita is being paid.
- g) At the end of his/her term of office, turn over to the successor, all properties and assets, including funds, books and records belonging to CUPE Local 15.
- h) In the case of rejection of an application for membership, ensure the fee accompanying such application is returned.
- i) Attend to all correspondence of the local as may be directed to him/her and be the keeper of the official seal of CUPE Local 15.
- j) Ensure each work site has adequate representation through recruitment and coordination of stewards and committee members.
- k) Perform such duties as CUPE Local 15 or these bylaws may direct.

13.4.1 The Secretary Treasurer's duties shall not infringe on staff union jurisdiction.

13.4.2 Any Secretary Treasurer who cannot qualify for a bond, as specified in Section 14.2, will immediately be disqualified from office and the local will proceed with the election of a qualified Secretary Treasurer.

### 13.5 The Trustees shall:

- a) Exercise general supervision over the property of CUPE Local 15 in accordance with Articles B3.10, B3.12, B3.13, of the CUPE National Constitution. Such supervision to include, but not be limited to ensuring that the Secretary Treasurer complies with the provisions of Section 13.4.
- b) Ensure the books and financial records of the union are audited by a qualified accountant or accounting firm at least once each calendar year. At the completion of the audit, submit in writing to the President and Secretary Treasurer any recommendations and/or concerns they or the auditors feel should be reviewed in order to ensure the local's funds, records, and accounts are being maintained in an organized, correct, and proper manner.
- c) Provide a copy of the completed audit report to the local union membership at the Annual General Meeting along with a copy of their recommendations and/or concerns to the President and Secretary-Treasurer and the Secretary-Treasurer's response, and provide the completed audit report and prescribed form to the National

13.6 The Executive Members at Large shall:

- a) Attend all Executive and General Membership meetings.
- b) Be required to assist in the affairs of CUPE Local 15 as directed by the President.

13.7 The Membership Officer, a member appointed by the Executive, shall take charge of the door and prevent any member not in good standing, or non-members, from entering the meeting unless permission has been given by the local for them to be in attendance. If the Membership Officer is not present, the President will appoint a temporary replacement.

**13.8 Conflict of Interest**

- 13.8.1 Any officer who could be in a conflict of interest position will announce the conflict and will not be present for debate or voting on issues related to that conflict.
- 13.8.2 Where in the opinion of the Executive Board, an Officer of CUPE Local 15 is in a conflict of interest position that has not satisfactorily been resolved by the Executive Board, the Executive Board may recommend by Notice of Motion to the membership that the officer in conflict be removed from office. The members may by two-third majority vote of those present, remove such officer from office. The resulting vacancy will be filled as provided by these bylaws.

**SECTION 14: SIGNING OFFICERS**

- 14.1 The President, First Vice-President, Second Vice-President, and Secretary Treasurer will be the signing officers. Any two of these four may sign on behalf of CUPE Local 15.
- 14.2 The Secretary Treasurer and all other officers authorized to sign on behalf of CUPE Local 15 will be properly bonded in accordance with the CUPE National Constitution.

**SECTION 15: VACANCIES**

- 15.1 During the temporary absence of the President of less than four months, the Office of the President will be filled by the First Vice President.
- 15.2 During the temporary absence of the Secretary Treasurer of less than four months, the Executive Board may appoint a member to act as Secretary Treasurer on a temporary basis.
- 15.3 In the event the office of the President becomes vacant, the First Vice-President will temporarily fill the position until an election is held pursuant to Section 12. The Second Vice-President will temporarily fill the position of First Vice President if that office becomes vacant.
- 15.4 In the event the Office of the Secretary Treasurer becomes vacant the Executive Board may appoint a member to act as Secretary Treasurer on a temporary basis until an election is held pursuant to Section 12.
- 15.5 Should any Executive Board member fail to answer the roll call for three consecutive regular meetings or three consecutive regular Executive Board meetings without having submitted good and sufficient reasons prior to the meetings, their office shall be declared vacant and shall be filled by a by-election at the following membership meeting.

- 15.6 Any officer who accepts temporary employment with CUPE Local 15 for any period less than four months will be relieved of his/her duties, responsibilities and rights as an Officer for the period of employment. Any officer who accepts employment with CUPE Local 15 for a period exceeding four months will have his/her office declared vacant.
- 15.7 Should a Sector Representative during their term of office, move into a position in another CUPE 15 sector, CUPE Local 15 will advertise the position in the Members' Voice and elect a replacement at the next General Membership Meeting. The current Sector Representative may continue to serve, if they so desire, until the election process is completed.
- 15.8 Notice of nomination and election to fill vacancies will be announced in the next Members' Voice newsletter following an office becoming vacant. Nomination and election will take place at the regular meeting immediately following such notice being given.

#### **SECTION 16: RECALL OF OFFICERS**

- 16.1 Members may recall any Officer of CUPE Local 15 in the following manner:
- 16.1.1 The recall process for Table Officer and/or Trustee is initiated by the submission of a petition signed by at least 600 members, or 10% of the membership, whichever is less. The recall process for individual Executive Member at Large representative(s) is initiated by the submission of a petition signed by 20% of the members in the sector represented by that Member at Large.
  - 16.1.2 Each page of the petition must indicate the reasons for recall and a statement that indicates the members who have signed it are in agreement with the recall proposal and the reasons for it. All signatories must be members in good standing.
  - 16.1.3 The petition for recall must contain the member's printed name, signature, work site, and bargaining unit.
  - 16.1.4 The petition must be delivered to the Secretary Treasurer within 14 days. If the Secretary Treasurer is cited in the recall petition, the petition will be delivered to the President. If the President and the Secretary Treasurer are cited in the recall petition, the petition may be delivered to any Executive Board Member of CUPE Local 15 not cited for recall in the petition.
  - 16.1.5 Within seven days of receipt of the recall petition, the officer(s) cited for recall will be notified in writing, with a copy of the petition.
  - 16.1.6 Notification of the proposed recall of an officer or officers will be placed in the first issue of the Members' Voice immediately following the termination of the seven day notice period provided for in Section 16.1.5.
  - 16.1.7 The recall procedure will incorporate the procedure for nomination and election to fill vacancies. The officer or officers being recalled will be required to vacate their office if the recall is successful.
  - 16.1.8 Recall of Table Officers and/or Trustees will be invoked if supported by a vote of two-thirds of the members present at the next general membership meeting.
  - 16.1.9 Recall of Member at Large representative(s) will be invoked if supported by a vote of two-thirds of the members of the sector present at either a special meeting of the membership of the affected sector or at the next general membership meeting, whichever comes first.
- 16.2 Recalled Officers will be prohibited from running for office for the remainder of the term of office from which they had been recalled.

## **SECTION 17: SHOP STEWARDS**

- 17.1 Shop Stewards are official representatives of CUPE Local 15 and are authorized to speak and act on behalf of CUPE Local 15 while acting as an advocate for a member or as an officially designated representative to a committee, subject always to:
- a) Selection and/or election by members at the work site to serve a two year term. These elections to be held annually.
  - b) Membership in good standing.
  - c) Compliance with the CUPE National Constitution and the Bylaws of CUPE Local 15.
  - d) Compliance with training requirements and subject to confirmation by the CUPE Local 15 Executive Board.
  - e) Adherence to strict confidentiality.
  - f) Working collaboratively with the Chief Shop Steward of the sector to enforce the collective agreement.
  - g) Attending a minimum of 50% of steward meetings per calendar year unless excused.
  - h) Following the directive of the Sector Staff Representative.
  - i) Participating in the rotation of answering the sector shop steward line as directed.
  - j) Maintaining the integrity of the local by action and example.
- 17.2 Shop Stewards shall not be authorized to amend or alter the terms, conditions, or agreed practices arising from the collective agreement either verbally, by action, or in writing. Such authority is vested with the President or designate subject to these bylaws.
- 17.3 Shop Stewards not in compliance with one or more of the subjects above, may be removed by the President or designate. Shop Stewards so removed may seek redress in accordance with the provisions of Section 21 of these bylaws.
- 17.4 Chief Shop Steward
- 17.4.1 Any bargaining unit shall be eligible to select a chief shop steward for their group/sector.
- 17.4.2 There shall be one chief shop steward from each of the following:
- City of Vancouver
  - Vancouver Board of Parks and Recreation
  - Vancouver School Board
  - Langara College
  - Emily Carr University
  - Vancouver Coastal Health HSSCBA (Community) Sector
  - Vancouver Coastal Health HSPBA (Health Science Professionals) Sector
  - Cultural Sector
- 17.4.3 Chief Shop Steward Roles and Responsibilities
- The Chief Shop Stewards shall:
- 17.4.3.1 Provide support to shop stewards in their sector by:
- Assigning stewards to members seeking assistance from the union, including for investigative meetings, discipline meetings, and grievance meetings with the employer, with the assistance of the Office Assistants or when necessary the Secretary Treasurer.
  - Preparing, maintaining, and administering a schedule of duty stewards where required.
- 17.4.3.2 Advise the Staff Representative and the Executive Member at Large from the

sector about issues in the workplace and major cases being handled by the stewards.

- 17.4.3.3 Assist in administering elections for stewards in worksites, with the assistance of the Secretary Treasurer.
- 17.4.3.4 Attend General Membership Meetings on a regular basis.
- 17.4.3.5 Mentor and support stewards in their sector.
- 17.4.3.6 Identify and propose potential new stewards, with the assistance of the Secretary Treasurer.

#### 17.4.4 Qualifications

A candidate for the position of chief shop steward must:

- 17.4.4.1 Be a member in good standing of the union.
- 17.4.4.2 Have been an active shop steward in the same sector as the position being sought for the previous twelve months and has handled grievances.
- 17.4.4.3 Be appointed by the Executive Board.

#### 17.4.5 Selection and Term

- 17.4.5.1 Any time the position of chief shop steward becomes vacant, the stewards in that sector shall conduct an election to fill the vacancy as soon as practicable.
- 17.4.5.2 Upon election, the chief shop steward shall serve a term of two years from the date of appointment and then must stand for re-election.
- 17.4.5.3 If a chief shop steward is unable to fulfill the duties of the position for a period of more than four weeks due to vacation, leave of absence, or otherwise, the Secretary Treasurer, may in consultation with the Staff Representative assigned to the sector, appoint an acting chief shop steward in the interim.
- 17.4.5.4 Resignation from the position of chief shop steward must be made in writing to the Secretary Treasurer or President.
- 17.4.5.5 A chief shop steward must vacate the position upon taking office as either President or Secretary Treasurer.
- 17.4.5.6 The chief shop steward may be removed at the direction of the Executive Board with the appeal process as per Section 21 of these bylaws.

#### 17.4.6 Mobile Phone Allowance

If not already in receipt of a mobile phone allowance from CUPE Local 15 each chief shop steward shall be reimbursed, upon proof of payment, up to \$60 per month to cover the costs of a mobile phone used in the course of fulfilling the duties of the chief shop steward.

#### 17.4.7 Book Off

A total of 24 days of book off per year (pro-rated for the first year) be pre-authorized for the chief shop stewards to carry out their duties. This is based on an average of two days per month, but can be utilized as applicable. The CSS in each sector will work closely with the shop stewards from the units and field staff assigned to the sector/group. Additional book off time may be made available on a case by case basis. Requests for additional time must be submitted to the Secretary Treasurer or designate for consideration and recommendation by the Executive.

### **SECTION 18: BARGAINING COMMITTEE**

- 18.1 Authority to conduct collective bargaining on behalf of all members is vested solely in CUPE Local 15. Such authority will be exercised by duly constituted bargaining committees as defined in

Section 18.2, on behalf of the local, subject always to membership approval.

- 18.2 The bargaining committee will consist of at least two members (or some greater number as determined by the bargaining unit membership) of each bargaining unit, elected at special bargaining unit membership meetings.
- 18.3 If, through the regular election process, there is no member of the Executive Board on the Bargaining Committee, the Executive Board can appoint a liaison to sit on the bargaining committee with voice but no vote. First preference for appointment as executive liaison shall be the Member at Large from the sector involved in bargaining.
- 18.4 CUPE National or CUPE Local 15 staff assigned to work with the bargaining unit will have voice but no vote.
- 18.5 All bargaining committees and bargaining committee members will abide by these bylaws and by all policies of Local 15. If, in the opinion of the Executive Board, one or more members of a bargaining committee has not so complied, the Executive may declare, with immediate effect, one or more positions on the bargaining committee temporarily vacant and will report such action to the next meeting of the bargaining group. Members so removed from a bargaining committee may seek redress to the provisions of Section 21 of these bylaws.
- 18.6 Should there be no alternates elected the President shall be empowered to name an alternate to the bargaining committee to fill any temporary vacancy if considered necessary.
- 18.7 Temporary vacancies and vacancies will be filled by alternates.
- 18.8 Bargaining Committee members will be booked off for any scheduled shifts for all bargaining related business on days bargaining related work is required.

## **SECTION 19: GRIEVANCE COMMITTEE**

- 19.1 The Grievance Committee will be a standing committee of Local 15 that meets as necessary to carry out its duties. The Grievance Committee will have the responsibility and authority to decide, on behalf of Local 15, whether or not to advance grievances to arbitration or any other dispute resolution forum.
- 19.2 The Grievance Committee shall be comprised of one Table Officer (but not the Secretary Treasurer), one of the Members at Large from the sector where the grievance originated and three experienced shop stewards, or former stewards, who shall be members selected from a variety of bargaining units within the CUPE Local 15 membership by the Executive Board. Five committee members, one of whom will be an Executive member, will constitute quorum. The Secretary Treasurer will be responsible for getting the appropriate members to sit on the committee. Every effort will be made to rotate representation on the committee among the Table Officers, Member at Large from the sector where the grievance originated, and stewards. The Table Officer will serve as chairperson of the committee. The Sector Representative will act as Recording Secretary. That is, they will fill out the report form at the end of the meeting. The order of business of the Grievance Committee meeting will be:
- i) Confirmation of who is present and in what role.
  - ii) Brief presentation from staff on the recommendations and repercussions (if any).

- iii) Grievors and their steward are invited to speak to the committee. Once they have spoken they will leave the meeting.
- iv) Questions from committee members for clarification.
- v) Motion to concur, or not, with the staff recommendation.
- vi) Discussion and vote on the motion.
- vii) If the decision is not to proceed to arbitration, the committee to provide in writing the reasons for the decision.

19.3 The Staff Representative(s) responsible for the grievance in question will by written submission provide the committee with a recommendation and all relevant information on the grievance. The report compiled by the Staff Representative for presentation to the committee will be made available to committee members. Further, the Staff Representative(s) will participate in the committee's deliberations, having voice but no vote, if required.

19.4 The grievor and the grievor's steward shall be invited to provide information as requested by the committee and to address the committee should they so choose. Book off will be provided for a scheduled shift, or portion of, if required.

19.5 The committee shall have access to a legal opinion on the case in question if they feel that it is necessary.

19.6 All decisions of the committee shall be by a simple majority vote.

19.7 Decisions of the Grievance Committee shall be reported in writing to the Secretary Treasurer. The committee's submission will include the rationale for the decision.

19.7.1 The Grievance Committee Report form will be completed at the end of the meeting and will serve as the record of the committee's decision. The completed form will be submitted to the Secretary Treasurer at the end of the meeting. The Secretary Treasurer will forward copies of the report form to the Executive and the grievor as specified in these bylaws.

19.7.2 The Secretary Treasurer will advise the grievor of the committee's decision along with their rationale via electronic mail with a paper copy to follow via Canada Post. Included with the committee's decision will be an explanation of the appeal process and relevant time limits.

19.7.3 Once the Grievance Committee's decision has been forwarded by the Secretary Treasurer to the grievor, the Secretary Treasurer will be responsible for completing the procedure under these bylaws. Should the grievor have questions on the Grievance Committee's decision the member will be directed to contact the chairperson (only) for clarification purposes.

19.7.4 Other than the discussion with the chairperson for clarification, members of the Grievance Committee and Executive Board are prohibited from discussing the case with the grievor.

19.7.5 Where two or more grievances are heard on any one day, the committee will convene itself to address each grievance in separate meetings and will prepare a separate report for each.

19.8 Any grievor who disagrees with the decision of the Grievance Committee with respect to the



disposition of their grievance may, by written submission to the Secretary Treasurer within fourteen calendar days of receipt of notification of the committee's decision, appeal that decision to the Local 15 Executive Board. The decision of the Executive Board with respect to the appeal shall be final and binding. Any Executive member who sat on the Grievance Committee for the grievance under appeal shall recuse themselves from the appeal process. The grievor shall exhaust any remedy open to them under these bylaws before seeking redress with the BC Labour Relations Board.

19.8.1 Any grievance appeal will be forwarded to the Executive Board who by two-thirds vote may forward to arbitration.

19.8.2 When the Grievance Committee forwards a grievance to arbitration, the employer has the right to make a settlement offer. When a settlement offer is made to the union and the grievor is not in agreement with such settlement offer the Staff Representative or lawyer will refer the settlement offer to the CUPE Local 15 Executive Board at its next scheduled meeting. The decision of the Executive Board to accept or reject the offer is final and binding. If time limits do not permit the settlement is to be presented to the next Executive Board meeting, then a decision can be made with the concurrence of at least two Table Officers and one Sector Representative from the sector where the grievance was initiated.

19.9 Section 21 shall not apply with respect to issues of whether or not to advance grievances to arbitration or any other dispute resolution forum.

## **SECTION 20: DISCIPLINE OF MEMBERS**

20.1 All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.

20.2 The President or designate has the authority to immediately remove a committee member who is in contravention of the CUPE National Constitution and the Bylaws of Local 15 or who is actively bargaining below employment standards. The decision may be appealed to the Executive who will render a decision at their next meeting.

## **SECTION 21: REDRESS**

Any member who feels aggrieved by an action of elected or appointed officials of CUPE Local 15 will first appeal to the Executive Board. Should the member still feel aggrieved, the member will have the right to appear before a committee of three ordinary members endorsed by the general membership, who will hear the appeal. This committee will first inform the aggrieved member in writing of their findings, including recommendations. These findings will be reported to the next General Membership Meeting. Members at the General Membership Meetings will make a decision on the disposition of the committee's recommendation(s). The decision of the membership shall be final and binding. The aggrieved member will exhaust any remedy open to her/him under these bylaws before seeking redress in civil courts.

## **SECTION 22: AMENDING THE BYLAWS**

22.1 The members of CUPE Local 15 may by motion passed by two-thirds of those voting at a General or Special Membership meeting alter, add to, repeal, or suspend any of the provisions of these bylaws provided that Notice of Motion in accordance with Section 9 has been provided, outlining specifics of the proposed amendment(s).

22.2 At any meeting where a motion is presented to the membership for a vote to alter, add to,

repeal, or suspend any bylaw or portion thereof; upon completion of a vote held under this section the presiding officer of the meeting will announce the results of the vote stating the number of voting members in favour of the motion and the number of voting members against the motion, as well as the percentage.

22.3 Any new or amended bylaws will not become effective until approved by the National President of the Canadian Union of Public Employees per Article B.5.1 of the National Constitution.

### **SECTION 23: POLICIES**

The CUPE Local 15 Executive may create policies to govern day to day operations of the union provided those policies are consistent with the CUPE National Constitution and the CUPE Local 15 Bylaws.

### **SECTION 24: WITHDRAWAL OF SERVICES**

Except when a strike vote is conducted in accordance with the Labour Relations Act, the Executive Board will be authorized to implement a withdrawal of services only after completing the following procedures:

- a) A meeting open to affected members will be held at which a motion to authorize withdrawal of services will be considered.
- b) Notice of such meeting and such motion will be sent to each affected member at least seven days prior to the meeting.
- c) The vote on the motion to authorize withdrawal of services will be by secret ballot.

### **SECTION 25: DELEGATES TO CONVENTIONS, COUNCILS, AND CONFERENCES**

25.1 The President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President and Secretary Treasurer will have first preference to the CUPE National and CUPE BC Conventions. Additional delegates will be elected by the membership as follows:

City Sector – 2 delegates

K-12 Sector – 2 delegates

Parks Sector – 2 delegates

Health Sector – 2 delegates

College and University Sector – 1 delegate

Cultural Sector – 1 delegate

Young Worker – 1 delegate (A young worker is defined as a person age 30 or under.)

25.1.1 If there are extra credentials available over and above the 15 referenced in 25.1, additional and/or alternate delegates will be elected at large by the membership upon the moving and passing of a notice of motion in compliance with these bylaws.

25.1.2 Eligibility to stand as a CUPE 15 delegate will be attendance at a minimum of 50% of the General Membership meetings in the 12 months prior to the convention.

25.2 Delegates and alternates to the Vancouver and District Labour Council and CUPE Metro Council shall be elected annually. The delegates will be required to appoint a recorder for each meeting and be required to report at each membership meeting of the Local on proceedings at recent meetings of the Councils.

25.3 All delegates elected to the conventions held outside the Vancouver area shall be provided transportation expenses and hotel accommodations. A per diem of \$86 will be provided to cover expenses incurred and book off for scheduled shifts of CUPE Local 15 employers will be approved.

- 25.4 Delegates to conventions held locally shall be provided hotel accommodation. A per diem of \$86 will be provided to cover expenses incurred and book off for scheduled shifts of CUPE Local 15 employers will be approved.
- 25.5 Representation at conventions is given to the union, not to members or groups of members. Therefore, delegates must make every effort to provide a positive reflection of our union.
- 25.6 Delegates are required to attend:
- 25.6.1 All regular sessions of the convention; arriving on time at the start of each session and remaining until adjournment.
  - 25.6.2 Any special sessions intended for all delegates, as established by the convention.
  - 25.6.3 Any caucus meetings where CUPE Local 15 is a member of the caucus group (e.g. BC Caucus). Attendance is optional at caucuses or committee meetings dealing with specific issues, topics, or sectors.
- 25.7 Delegates who are unable to attend convention sessions or meetings must let the President or designate know why they will be absent and for how long.
- 25.8 Expenses
- 25.8.1 Expenses are limited to transportation to and from the airport, train or bus station. Accommodation, book off, and a per diem will be paid for by the union. Additional transportation expenses must be pre-authorized by the Secretary Treasurer or designate. Personal transportation expenses will be the responsibility of the delegate.
  - 25.8.2 It is considered a legitimate expense over and above per diem allowances for delegates to have any banquet or other event attached to convention paid for by the local.
- 25.9 Discipline
- 25.9.1 If a delegate's behaviour violates the equality statement or code of conduct and is, in the opinion of the Table Officers of CUPE 15, potentially harmful to the individual or the local union, the Table Officers and executive members present can by simple majority vote remove the offender's delegate status, and, if appropriate, send them home at the earliest opportunity. If an alternate is available at the convention, the alternate will replace the person removed as above.
  - 25.9.2 If the delegate in question is a table officer the remaining table officers and executive members shall vote on the matter.
  - 25.9.3 Any delegate violating this could be subject to discipline in accordance with Section 20 of these bylaws.

## APPENDIX A TO THE BYLAWS OF CUPE LOCAL 15

### RULES OF ORDER

1. The President, or in his/her absence the First Vice-President, shall take the chair at all membership meetings. In the absence of both the President and First Vice-President, the Second Vice-President shall act as chair. In the absence of the above three Officers, the Secretary Treasurer shall act as chair.
2. No member, except the chair 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. Chairs and movers of a resolution shall be limited to fifteen minutes except with the consent of the meeting.
3. The presiding officer shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: Are you ready for the question? Should no member rise to speak the question shall then be put.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must 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 membership.
8. At the request of any member and upon a majority vote of those present a question may be divided when the sense will allow it.
9. Any member having made a motion can withdraw it with the consent of the seconder except that any motion once debated cannot be withdrawn except by a majority vote of those present.
10. When a member wishes to speak on a question or to make a motion the member shall rise and respectfully address the presiding officer, but except to state that he/she rises to a point of order or on a question of privilege 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 he/she shall cease speaking until the point is determined; if it is decided he/she is in order, he/she may again proceed.
14. No religious discussion shall be permitted.
15. The chair shall take no part in debate while presiding but may yield the chair 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 vote, the chair may cast the deciding vote if he/she has not already voted. If he/she chooses to refrain from breaking the tie the motion is lost.
17. When a motion is before the Local no other motion shall be in order except:
  - to adjourn
  - to put the previous question
  - to lay on the table

- to postpone for an indefinite time
  - to refer
  - to divide or amend which motions shall have precedence in the order named. The first three 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 now be put? If it is adopted the chair 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 when a member has the floor or when members are voting. 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.
  20. 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 vote verification. A standing vote shall then be taken and the Secretary Treasurer shall count same.
  21. If any member wishes to challenge (appeal) a decision of the chair the 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 chair may then state briefly the basis for the decision, following which the chair 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 case of a tie the Chair is sustained.
  22. 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.
  23. No member shall enter or leave a meeting during the initiation of new members, the installation of officers, or the taking of a vote.
  24. 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.

## **APPENDIX B TO THE BYLAWS OF CUPE LOCAL 15**

### **CUPE Local 15 Equality Statement**

Our local union solidarity is based on the principle that all members of CUPE Local 15 are equal and deserve mutual respect at all levels. Any behaviour that creates conflict within our local prevents us from working together to strengthen our union.

As members of CUPE Local 15, mutual respect, cooperation, and understanding are our goals. We should neither condone nor tolerate behavior that undermines the dignity or self-esteem of any member, or creates an intimidating, hostile, or offensive environment for them.

We believe that discriminatory speech or conduct which is racist, sexist, transphobic, or homophobic hurts and thereby divides us. So too, does discrimination on the basis of ability, age, class, religion, language, and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us meet the needs of our members or grow as a local union.

Discrimination and harassment focus on characteristics that make us different and they reduce our capacity to work together on shared concerns such as decent wages, working conditions, and justice in our workplaces and society, and in our union.

CUPE Local 15 policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all members deserve dignity, equality, and respect.

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