

**BYLAWS**  
**OF**  
**CANADIAN UNION OF PUBLIC EMPLOYEES**  
**LOCAL 3500**

**Address:**

736B Seymour Street  
Kamloops, British Columbia  
V2C 2H3

**Telephone:**

250-377- 8446  
250-377-8464 – Fax  
1-877-376-1618  
cupe3500@telus.net

Approved by National President  
September 2014

## P R E A M B L E

In order to improve the social and economic welfare of its members without regard to sex, colour, race or creed, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, this Local 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. 3500 (School District #73, Kamloops/Thompson School Support Staff)

### 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 & DEFINITIONS

- (a) Masculine pronouns shall be understood to include the feminine gender.
- (b) Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the CUPE Constitution (1985) which should be read in conjunction with these by-laws.
- (c) These by-laws shall be subordinate to the CUPE Constitution.

#### SECTION 4 - MEMBERSHIP MEETINGS - Regular and Special

- a) 1. Regular membership meetings shall be held on the first Saturday in October, November, December, February, March, April, May and June and the second Saturday in September and January. Meetings shall start at 10:00 a.m. and run no longer than two hours except by majority vote.. The Executive Board shall give one week's notice of any change in the date or location of the regular meeting.
2. Regular membership meetings shall alternate between the following locations:  
6 meetings in Kamloops, 4 meetings in Clearwater. September-Kamloops, October-Clearwater, November-Kamloops, December-Kamloops, January-Clearwater, February-Kamloops, March-Clearwater, April-Kamloops, May-Clearwater, June-Kamloops (amended Dec. 2007)
- (b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than ten (10) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least forty-eight (48) 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 the transaction of business at any regular or special meeting shall be ten (10) members, including at least three (3) members of the Executive Board.
- (d) The order of business at regular membership meetings is as follows:
- 1 Call Meeting to Order
  - 2 Roll Call of Officers
  - 3 Sergeant-At-Arms Report
  - 4 New member's initiation
  - 5 Reading of the Equality Statement
  - 6 Agenda Approval
  - 7 Adoption of previous meeting minutes
  - 8 Matters Arising
  - 9 Treasurer's Report
  - 10 Communications and Bills
  - 11 Executive Committee Report/President's Report
  - 12 Reports of Committees and Delegates
  - 13 Nominations, Elections, or Installations
  - 14 Unfinished Business
  - 15 New Business
  - 16 \*Good of the Union
  - 17 Adjournment

\* The membership shall grant the chairperson the liberty to conduct Good of the Union business during the counting of ballots.

**SECTION 5 - VOTING OF FUNDS**

- (a) Ordinary expenses and bills shall be approved at membership meetings.
- (b) No sum over two hundred dollars (\$200.00) shall be voted for the purpose of a grant, donation or contribution to a member or any cause outside CUPE, except by a notice of motion given in writing and dealt with at the following membership meeting.

**SECTION 6 - OFFICERS**

The Officers of the Local shall be:

President - At Large

1<sup>st</sup> Vice-President - At Large

2<sup>nd</sup> Vice-President- At Large

Secretary Treasurer - At Large

Recording Secretary - At Large

Sergeant-At-Arms - At Large

3 Trustees (1 year, 2 year, 3 year) - At Large

All officers shall be elected by the membership.

**SECTION 7 - EXECUTIVE BOARD**

- (a) The Executive Board shall comprise all officers, except Trustees.
- (b) The Board shall meet at least once every month.
- (c) A Majority of the Board 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 Board 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 board member fail to answer the roll-call for three

consecutive Regular Membership Meetings or four Regular Board Meetings without having submitted good reasons for those failures, his/her office shall be declared vacant and shall be filled by an election at the following membership meeting.

### **SECTION 8 - DUTIES OF OFFICERS**

8(a) The President shall:

- enforce the CUPE Constitution and these by-laws;
- preside at all membership meetings and preserve order.
- decide all points of order and procedure (subject always to appeal by the membership);
- have a vote on all matters (except appeals against his rulings) and in case of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie;
- ensure that all officers perform their assigned duties;
- fill committee vacancies where elections are not provided for;
- introduce new members and conduct them through the initiation ceremony;
- sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, by-laws, or vote of the membership;
- have first preference as a delegate to all conventions and All Presidents' Meetings.
- sit on the following Standing Committees:  
Labour/Management, O.H. & S., Grievance and Education,  
when he or she feels it is necessary.
- sit on the Negotiating Committee
- The position of President of CUPE Local 3500 shall be a full time position. (see Reg. Mem. Minutes Oct. 4/97)

(b) The Vice-Presidents shall:

1<sup>st</sup> Vice President

- If the President is absent or incapacitated, perform all duties of the President; as directed by the Board
- If the office of President falls vacant, be Acting President until a new President is elected; as directed by the Board

- render assistance to any member of the Board as directed by the Board;

2<sup>nd</sup> Vice President

- If the President and 1<sup>st</sup> Vice-President is absent or incapacitated, performs all duties of the President; as directed by the Board.
- If the First Vice President is absent or incapacitated, performs all duties of the 1<sup>st</sup> Vice-President; as directed by the Board.
- Render assistance to any member of the Board as directed by the Board.
- A Vice-President will chair the Executive Board meetings.

(c) The Recording Secretary shall:

- keep full, accurate and impartial account of the proceedings of all regular or special membership and board meetings;
- record all alterations in the by-laws;
- answer correspondence and fulfill other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to members;
- have all records ready on reasonable notice for auditors and Trustees;
- preside over membership and Board meetings in the absence of the President and the Vice-President;
- be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
- on termination of office, surrender all books seals and other properties of the Local to his successor.

(d) The Secretary-Treasurer shall:

- receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union;
- prepare all CUPE National per capita tax forms and remit payment no later than the last day of each month;
- record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- make a financial report to the local union - monthly;
- be bonded for not less than \$500.00 (or any greater sum as may be decided at a membership meeting, taking into account the assets of the Local and the amount of cash and cheques handled by the Secretary-Treasurer) through the master bond held by the National Office, and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
- pay no money unless supported by a voucher duly signed by the President and one other member of the Board or any two other members of the Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- verify all Long Distance phone calls before paying the telephone bill.
- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited semi-annually;
- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- not later than February 28 each year, furnish each member, on the forms supplied by the National Office, with a statement showing the net amount of tax-deductible dues paid by him during the preceding calendar year; this would not be required when the employer provides this information on the T4 Statement;
- be empowered, with the approval of the Membership, to employ necessary clerical assistance to be paid for out of

the Local's funds;

- notify all members who are one month in arrears and report to the Board all members two or more months in arrears in the payment of union dues;
- on termination of office, surrender all books records and other properties of the Local to his successor.

(e) The Trustees shall:

- act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary and the Standing Committees semi-annually;
- report their findings to the first membership meeting following the completion of each audit;
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- ensure that proper financial reports are made to the membership;
- audit the record of attendance;
- inspect at least twice a year any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership;
- use audit forms supplied by the National Office and send a copy of each half-early audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution.

(f) the Sergeant-at-Arms shall:

- guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the President and by consent of the members present;
- provide the President with the number of new members present
- maintain the record of membership attendance at meetings;
- perform such other duties as may be assigned by the Board



from time to time.

**SECTION 9 - EXPENSES**

(a) Subject to executive approval, members shall be reimbursed for reasonable expenses incurred while working for or on behalf of the union and its members, and where the collective agreement with the employer does not provide time for union business, the member shall be reimbursed for loss of salary.

(b) Out of town mileage for use of a personal vehicle to perform Union business or to attend Regular, Special and Executive Meetings shall be allowed on a capacity/occupancy ratio of 1/3 (1 person in vehicle = 1/3, 2 persons in vehicle = 2/3, 3 persons in vehicle = 3/3) of the same rate as that applicable under CUPE BC expense policy. An exception to this provision may be made providing it has Executive approval and such approval is recorded in the Minutes. In town mileage, always subject to their approval, may be allowed by the Executive for Executive members, committee chairmen and others who make more than occasional use of their vehicles on union business.

(c) Committee members will not be paid mileage to attend meetings unless they are attending meetings outside their geographical area. (Amended April/03)

(d) For the purpose of members attending Regular, Special, and Executive Meetings, out of town mileage shall be paid at a set kilometre/dollar amount (based on rates applicable under CUPE BC Expense Policy), for each of the S.D. #73/CUPE Local 3500 out of town areas to Kamloops city limits for the payment of mileage (kilometre) expense submissions (not from their homes)

(e) Per diems paid to all delegates attending overnight conventions and seminars out of town shall be based on the rates applicable under CUPE BC expense policy.

Allowances for use of own vehicle shall be as in (b) above. Where air travel is normal or has been authorized a member opting to use his own vehicle shall be paid air fare or mileage, whichever is less.

(f) Out of pocket expenses for executive board members shall be:

Per month:

President \$275.00  
Vice-Presidents (2) \$150.00 plus one day per month

Recording Secretary \$100.00 plus one day per month  
Secretary-Treasurer \$150.00 plus two days per month  
Sergeant-at-Arms \$75.00

OR:

Executive members may choose to receive either the Out-Of-Pocket payments, as set out in the By-Laws, or reimbursement for submitted expense receipts; this choice to be made (and recorded in the Minutes) by the re-elected Executive Officers at the next election and newly elected executive officers whenever they are elected.

President – The President shall be a full-time position of CUPE 3500 (see Regular Membership Minutes of Oct. 4/97) and will work 37.5 hours per week at an average rate of pay of the tradesmen or his/her current remuneration, whichever is greater. Any extra time over the above approved hours needed by the President will receive prior approval by the Recording Secretary and Secretary-Treasurer.

#### **SECTION 10 - FEES, DUES AND ASSESSMENTS**

(a) Initiation Fee

Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee of five dollars (\$5.00), which shall be in addition to monthly dues. If the application is rejected the fee shall be returned.

(b) Monthly Dues

The monthly dues shall be 2.08% (amended May 2000)

Notwithstanding the above provisions, if any mandatory dues **levies** are assessed to the local they will be dealt with by our local automatic levy. (amended May 2000)

Changes in the levels of the Initiation Fee or the Monthly Dues can be effected only by following the procedure for amendment of these by-laws (see Section 15), with the additional provision that the vote must be by secret ballot.

Notwithstanding the above raises to 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.

(c) No assessment of any kind can be made by any Local Union unless voted by a majority of the members present at a regular general meeting, following appropriate notice to all members of the proposed assessment, or at a special general meeting called for that purpose and of which all members have received adequate notice (which shall be not less than seven days), or by a

majority voting in a referendum of all members. The vote shall be by secret ballot, if so ordered by the members.

An assessment can be levied only for a specific purpose and for a specific period, and a continuing assessment, unless adopted by referendum, 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.

Under this Constitution, an assessment does not refer to, or include, regular monthly union dues.

## **SECTION 11 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

### (a) Nomination

Nominations shall be received at the regular membership meetings held in the months of September and October. Nominations will be closed at the October meeting and the Election of Officers will take place at the November Membership meeting. To be eligible for nomination a member shall have attended at least fifty percent (50%) of the Regular membership meetings held in the previous twelve (12) months not including the month of elections or in the period he was a member, if less than a year. No nomination shall be accepted unless the member is in attendance at the meeting. Members in attendance at the September and October Regular Membership Meetings that are nominated for an Officer's position will be eligible to accept or decline the nomination at the meeting in which they are nominated. No member shall be eligible for nomination if he is in arrears of dues and/or assessments. (Amended May 2013)

### (b) Elections

- (1) The President shall be elected for a two year term at the November General Meeting in odd numbered years. The remaining Executive board shall be elected for a two year term at the November General Membership Meeting in even numbered years.
- (2) At a membership meeting at least one month prior to Election Day the President shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee shall be 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 Board shall determine the form of the ballot and

ensure that sufficient quantities are made available in good time to the Returning Officer.

- (4) The Returning Officer shall be responsible for issuing, collecting, and counting ballots. He 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 November. The vote shall be by secret ballot.
- (6) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- (7) A simple majority of votes cast shall be required before any candidate can be declared elected. In case of a tie vote, the presiding officer may cast the deciding vote.
- (8) When two 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).
- (10) The Negotiating Committee is not changed during the year of Negotiations. Change will occur after Collective Agreement is signed.

(c) Installation

- (1) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three (3) years.
- (2) At the first election of officers the Trustees shall be elected so that one shall serve for a period of three (3) years, one for two (2) years, and one for one (1) year. Each year thereafter, one (1) Trustee shall be elected for a three (3) year period or, in the case of vacancies occurring, elected to fill only the unexpired terms, in order to preserve overlapping terms of office.

(d) By-Elections

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

**SECTION 12 – DELEGATES**

- (a) Except for the President's option (first preference as a delegate to all conventions and All Presidents' Meetings) all delegates shall be elected by simple majority at regular meetings. For delegates to be eligible they must have attended at least 50% of Membership Meetings in the previous 12 months or in the period he/she was a member, if less than one year.
- (b) Delegates elected to attend matters held outside the city shall be paid expenses in accordance with Section 9 (Expenses).
- (c) Representation at educational institutes and seminars shall be elected by simple majority at regular meetings.
- (d) for delegates to be eligible to be a representative to attend a week long school members must have attended at least 50% of the membership meetings held in the previous 12 months or in the period he was a member, if less than one year. No nominations shall be accepted unless the member is in attendance at the meeting. (Amended September 2003)
- (e) Delegates are to provide a written report
- (f) On election of delegates, the runner up to the person or persons elected shall be designated alternate to those elected. (amended May 2003)

**SECTION 13 – COMMITTEES**

- (a) The term of office on a committee shall be for two (2) years and should a vacancy occur the resulting by-election for the unexpired term shall be in accordance with Section 11(d).
- (b) The following committees shall be elected: Negotiating, Labour/Management Liaison, Grievance, Safety, Social and Education.
  - (i) Negotiating Committee, Education Committee, Grievance Committee and O. H. & S Committee - A written report of meetings held must be handed into the Executive Board prior to their monthly meeting.
  - (ii) Grievance Chairperson shall be elected.
  - iii) Social Committee - A written report must be handed into

the Executive Board prior to their monthly meeting.

- (iv) Newsletter/Website Committee - When a newsletter is to be sent out, the committee will receive one (1) day off to produce, compile and circulate same.
- (c) That special committees may be set up and elected at regular membership meetings.
- (i) The By-law Review Committee, and any future committees elected by membership, will continue to meet as presently established and on an as-needed basis. NOTE: A written report of each meeting held must be submitted to the Executive Board prior to their monthly meeting.

#### **SECTION 14 - 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 15 – AMENDMENT**

- (a) These by-laws are always subordinate to the CUPE Constitution (including Appendix "B") as it now exists or may be amended from time to time, and in the event of any conflict between these by-laws and the CUPE 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 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 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 3500,

CANADIAN UNION OF PUBLIC EMPLOYEES

---

R U L E S O F O R D E R

- (1) The President or, in his absence, **A** Vice-President, shall take the chair at all membership meetings. In the absence of both the President and Vice-Presidents, the Recording Secretary shall act as President, and in his absence a President pro-tem shall be chosen by the Local.
- (2) No member, except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than five minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. 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 there on, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the questions?" Should no member rise to speak, the question shall then be put.
- (4) A motion to be entertained by the presiding officer shall be moved and seconded; both mover and seconder must rise and be recognized by the chair.
- (5) A motion to amend, or to amend and 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 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, 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, he shall cease speaking until the point is determined; if it is decided he is in order, he 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 a 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 he 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 his challenge. The chairperson may then state briefly the basis for his 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 (2) 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.
- (26) Voting by secret ballot will take place by request. There will be no debate or vote on the question.
- (27) Smoking will not be allowed at any regular or special Membership meeting.