**BYLAWS**

**OF**

**CANADIAN UNION OF PUBLIC EMPLOYEES**

**LOCAL 3500**

****

Address: Telephone:

736B Seymour Street 250-377- 8446

Kamloops, British Columbia

V2C 2H3

 1-877-376-1618

 cupe3500@telus.net

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P R E A M B L E

Local 3500 of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed to:

- Improve the social and economic well-being of all of its members;

- Promote equality for all members and to oppose all types of harassment and discrimination;

- Promote the efficiency of public services; and

- Express its belief in the unity of organized labour.

The following bylaws are adopted by Local 3500 in accordance with the CUPE National

Constitution (Articles 13.3 and B.5.1) to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

**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 Local 3500 are to:

1. Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
2. Advance the economic and social welfare of its members and all working people;
3. Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers;
4. Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability and the active opposition of discrimination of same wherever it occurs or appears;
5. Establish strong working relationships with the public we serve and the communities in which we work and live; and

f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

**SECTION 3 - INTERPRETATION & DEFINITIONS**

a) Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the CUPE Constitution, which should be read in conjunction with these by-laws.

b) These by-laws shall be subordinate to the CUPE Constitution.

c) Fiscal year for CUPE Local 3500 is January 1st to December 31st.

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

a) Regular membership meetings shall be held the second (2nd) Saturday of each month except for July and August and shall be held in-person and virtually. 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.

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. Land Acknowledgement
3. Reading of the Equality Statement
4. Roll Call of Officers
5. Sergeant-At-Arms Report
6. New member’s initiation
7. Agenda Approval
8. Adoption of previous meeting minutes
9. Matters Arising
10. Treasurer's Report
11. Communications and Bills
12. Executive Committee Report/President’s Report
13. Reports of Committees and Delegates
14. Nominations, Elections, or Installations
15. Unfinished Business
16. New Business
17. \*Good of the Union
18. 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) An annual budget must be provided to the membership for approval at the earliest convenience at the start of the fiscal year.

b) Approved budgeted expenses shall be paid without membership approval. Any expenditure outside of the budget, up to $500, can be paid at the discretion of the Executive Board.

c) Any expenses outside the approved budget over $500 must be approved through a Notice of Motion at a regular membership meeting.

d) Any sum up to two hundred dollars ($200.00) for the purpose of a grant, donation, or to support a cause related to a labour issue must be presented as a motion at a regular meeting.

e)Anysum over two hundred dollars ($200.00) for the purpose of grant, donation, or related to a labour issue must be presented as a notice of motion at a regular meeting.

**SECTION 6 – OFFICERS**

The Officers of the Local shall be:

President

1st Vice-President

2nd Vice-President

Secretary Treasurer

Recording Secretary

Membership Officer

3 Trustees

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 (excluding July and August).

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.

1. All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
2. If an officer fails to attend three (3) consecutive membership meetings or three (3) consecutive executive meetings without good and sufficient reason, as determined by the membership, their office will be declared vacant, and the position will be filled through the regular nomination and electoral process.

**SECTION 8 - DUTIES OF OFFICERS**

All Officers must give all properties, assets, funds and all records of the Local Union to their successors at the end of their term of office. All signing Officers of Local 3500 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

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 as approved by the Executive Boardwhere elections are not provided for;

- introduce new members and the swearing in at a regular;

- approves all expensesand ensure that the Local's funds are used only as authorized or directed by the Constitution, by-laws, or vote of the membership;

- a signing officer for the local;

- direct all work for the employee of Local 3500;

- sits as the chair of the Personnel Committee;

- sit as an ex-officio for all committees;

- have first preference as a delegate to all conventions and All Presidents’ Meetings;

- The President shall be an elected full-time officer of CUPE 3500 and will work and be paid at the rate of the highest paid CUPE Local 3500 member in accordance with Schedule A of the Collective Agreement. The President shall work the hours required to sufficiently conduct their duties, but at no time shall be eligible for overtime, or any other premiums. The President shall be entitled to vacation as prescribed under the Collective Agreement and under no circumstances shall receive any pay out for vacation. All holiday requests by the President shall be approved in advance by the Executive.

b) The 1st Vice-Presidents shall:

- 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;

- a signing officer for the local;

- sits as a member of the Personnel Committee;

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

c) The 2nd Vice-President shall:

- If the President and 1st Vice-President is absent or incapacitated, perform all duties of the President; as directed by the Board;

-If the First Vice President is absent or incapacitated, perform all duties of the 1st Vice-President; as directed by the Board;

- a signing officer for the local;

* be the chair of the Grievance Committee;

- sits as a member of the Personnel Committee;

- Render assistance to any member of the Board as directed by the Board.

d)The Recording Secretary shall:

- keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report as presented by the Secretary-Treasurer. The record will also include Trustees’ reports;

- record all alterations in the by-laws;

- 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;

- Minutes and Notice of Motions must be completed and sent out within 7 days after the meeting occurrence.

- Agenda and meeting packages must be sent by the Wednesday prior to the meeting.

- on termination of office, surrender all books seals and other properties of the Local to their successor.

e)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;

* Sign all cheques and ensure that the local union’s funds are used only as authorized or directed by the CUPE Constitution, local union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences;
* Be responsible for maintaining, organizing, safeguarding, and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the local union;
* Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period;

- 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;

- be bonded through the master bond held by the CUPENational 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;

- within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees;

- on termination of office, surrender all books records and other properties of the Local to their successor.

f)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;

- submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the local union’s funds, records, and accounts are being maintained by the Secretary Treasurer in an organized, correct, and proper manner;

- make a writtenreport 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-yearly audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution.

g) The Membership Officer shall:

- guard the inner door at membership meetings and admit only members in good standing or officers and officials of CUPE, except on the order of the President and by consent of the members present;

* maintain the participant list for online membership meetings and admit only members in good standing or officers and officials of CUPE, except on the order of the President and with the approval 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.

- oversee voting and all voting procedures.

**SECTION 9 - EXPENSES**

1. Out of town kilometres 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) at 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. Kilometres are calculated according to Appendix B “Kilometre Grid” and based on return kilometre from the member’s home or work, whichever is the shortest distance.

b) Committee members will not be paid kilometres to attend meetings unless they are attending meetings outside their geographical area in which case kilometres will not be pro-rated.

c) 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 (a copy of which can be made available upon request).

1. Allowances for use of own vehicle by delegates attending overnight conventions and seminars out of town shall be as in (b) above. Where air travel is normal or has been authorized, a member opting to use their own vehicle shall be paid air fare or kilometres, whichever is less.

e) When meals are being provided for a committee meeting any executive members sitting on the committees will have theirs covered.

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

Per month:

President $75.00

1st Vice-President $150.00

2nd Vice-President $150.00

Recording Secretary $100.00

Secretary-Treasurer $150.00

Membership Officer $ 75.00

1. All Union book-offs, except those listed below, shall be approved in advance by the President. The executive members shall be allowed the following book-off allocations to perform their duties.

1st Vice-President~~s~~ – one (1) day per month

2nd Vice-President – one (1) day per month

Recording Secretary – one (1) day per month

Secretary-Treasurer – three (3) days per month

Membership Officer – one (1) day per month

1. The local shall have a credit card account with only one physical card. The card shall be kept in the local office and be used by only the president, or their designate.

Credit card use shall be limited to the following expenditures:

1. The booking of airline tickets.
2. Reserving and paying for hotel rooms.
3. Member’s lunch and/or dinners for committees working on union business.
4. Expenses preapproved by the Executive and/or provided for under these bylaws.

The credit card is never to be used in situations:

1. To pay for any food or expenses when members are being paid a per diem.
2. To pay for any food or expenses of any members not specifically involved in conducting work for the local.
3. To pay for any sundry items such as coffee, lunches or snacks of members being represented by the local.
4. To pay for the lunches and or dinners of anyone not involved in the work of the committee(s) receiving lunch and or dinner.
5. Any Executive member entitled to an out-of-pocket stipend, except when serving on a committee.
6. The purchase of any alcohol.
7. For any personal reasons, whatsoever.
8. Any Expense not mentioned in this section without the prior approval of the Executive, or were these bylaws so stipulate, the membership.

All credit card expenditures must be accompanied with a retailer's itemized receipt. Either attached to the receipt or written clearly on the back of the receipt must be the name of those for whom the expenditure was made and the event that warranted the expenditure, or the reason for the expenditure.

If an officer is found in breach of this Bylaw, the Union will use all means necessary to recover the costs.

The most current reconciled credit card statement shall be presented to the membership at the monthly membership meeting for their perusal.

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

a) Initiation Fee

Each application for membership in the Local shall pay an initiation fee of five dollars ($5.00) which is deducted from their first pay cheque.

b) Monthly Dues

The monthly dues shall be two point zero eight percent (2.08%) on gross wages (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 affected only by following the procedure for amendment of these by-laws (see Section 17), 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) Assessments may be levied in accordance with Article B.4.2. of the National Constitution.

**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.

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. They must be fair and impartial and see that all arrangements are 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 out 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.

1. 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.
2. 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 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.

(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.

**SECTION 13 – COMMITTEES**

The term of office on a committee shall be for two (2) years, and in the event of a vacancy, the executive may elect a member to the committee until the next regular election.

The following committees shall be elected: Bargaining, Labour/Management Liaison, Job Evaluation, Course Reimbursement, Social Media/Website, Shop Steward/Grievance, OH&S, Social, Bylaw Review, and Union Education.

1. Each committee shall elect their chairperson, except for the Grievance Committee which is chaired by the 2nd Vice President.

2. Special committees approved by the membership may be established and

 members of the committee(s) elected at regular membership meetings.

**Duties and Responsibilities of Committees:**

1. **Shop Steward/Grievance**

- The Shop Stewards/Grievance committee should be composed of the Shop Stewards of the local and 2nd Vice President.

- 2nd Vice President should be responsible for all Steward assignments and programs and shall sit as the chair of the Shop Steward/Grievance Committee.

- Shall meet a minimum of once every 2 months or as requested by the committee chair.

- Makes decisions on advancing grievances that have not been resolved in step 1 of the Grievance Procedure.

- Shall consult with the National Representative before advancing grievance.

- When a grievance is not settled the committee will decide whether the grievance should proceed to arbitration.

- Shall hear all submissions of the first appeal process.

- Submit report to Recording Secretary one week prior to general membership meeting so it can be included in the meeting distribution package.

Stewards shall be elected by the membership for 2 year term from the following departments.

**Shop Stewards**

3 CEA

1 AEW

1 Clerical/IT

1 Custodial

1 Maintenance

1 Grounds

1 Transportation

Steward shall;

- be the first line of contact for the membership regarding any individual or local issues.

- be required to attend steward/grievance committee meetings.

- In consultation with CUPE Local 3500 Education Committee, complete the CUPE Intro to Steward Part 1 & 2 as soon as possible after being elected.

2. **Bylaw-Review Committee**

Should consist of five (5) elected members (not including the president’s option).

- Shall meet once annually to review the local bylaws and make recommendations via Notice of Motion to the membership of any proposed amendments.

- Shall review and report back to the membership any proposed amendments requested by a member or the executive on whether they conform to the CUPE National Constitution and the Locals Bylaws.

- Shall ensure through consultation with the president that all amendments have been promptly forwarded to the National Presidents office.

- Ensure that the Local Union’s bylaws are written in clear language, and that the use of clear language does not change the intent or meaning of the bylaws.

- Submit report to Recording Secretary one week prior to general membership meeting so it can be included in the meeting distribution package.

3. **Union Education Committee**

Should consist of up to five (5) elected members (not counting the president’s and secretary treasurer option).

* Gather information about appropriate courses, the availability of courses, and make recommendations to the Executive Board on whether or not members should be attending and/or the number of delegates to send to a particular course or workshop.

- Make all necessary arrangements for courses and workshops hosted by CUPE Local 3500;

- Submit report to Recording Secretary one week prior to general membership meeting so it can be included in the meeting distribution package.

4. **Bargaining Committee(s)**

Should consist of five (5) members (not including the president’s option).

- This committee will be established at least one(1) year prior to the expiry of the local union’s collective agreement.

- It will be disbanded when a new collective agreement has been signed and ratified. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

- A committee chair shall be voted on by the members of the committee.

- A bargaining survey will be sent to all members for their input prior to bargaining.

- Meetings for this committee shall be held on an as needed basis as deemed necessary by the chair and/or committee

- The committee shall take the results of bargaining proposal to the membership for ratification.

- Submit report to Recording Secretary one week prior to general membership meeting so it can be included in the meeting distribution package.

5. **Course Reimbursement Committee**

Should consist of three (3) elected members (not counting the president’s and secretary treasurer option)

- To receive, review, and approve or deny the course reimbursement application based on the criteria outlined on the application.

- Submit report to Recording Secretary one week prior to general membership meeting so it can be included in the meeting distribution package.

6. **Job Evaluation Committee**

Should consist of three (3) elected members, one of whom is an alternate.

 - This committee falls under the guidelines of our Collective Agreement.

7. **Labour Management Committee**

Should consist of five (5) elected members (not counting the president’s option).

- This committee falls under the guidelines of our Collective Agreement.

8. **Occupational Health and Safety (OH & S) Committee**

Should consist of three (3) members. 2 members being elected by the membership (1 delegate and 1 alternate), and the third position to be filled by the president.

* Work to educate members on the importance of workplace health and safety;
* Work to eliminate all workplace hazards, be they physical, environmental, or social and promote safe work procedures and environments;
* Participate on Joint Worksite Health and Safety Committee;
* Immediately bring to the attention of the employer any workplace hazard that has the potential to cause members’ illness or injury;
* Assist in the organization of, or participate in, the annual April 28th Day of Mourning ceremony;

-This committee falls under the guidelines of our Collective Agreement.

9. **Okanagan Mainline District Council (OMDC) Delegates**

- Should consist of elected members based on our membership (see OMDC delegate criteria in their Bylaws)

- Elect a member from the delegates to report back to the membership after council meetings.

10. **Kamloops District Labour Council (KDLC) Delegates**

- Should consist of elected members based on our membership (see KDLC delegate criteria in their Bylaws).

- Elect a member from the delegates to report back to the membership after council meetings.

11. **Personnel Committee**

The Personnel Committee shall be comprised of the President, 1st Vice President, 2nd Vice President and Secretary Treasurer. The committee is responsible for all labour relations issues, the committee will adhere to all applicable legislation as amended from time to time by the Province of British Columbia. All meetings will be called by the chair and held in camera.

12. **Social Committee**

Should consist of five (5) elected members (not counting the president~~’s~~ and secretary treasurer option).

* Arrange and conduct all social, cultural, and recreational activities of the Local Union, either on the committee’s own initiative or as a result of suggestions taken at membership meeting;
* Extend the Local Union’s condolences in the event of the death of a member or one of their immediate family (as defined in our collective agreement Article 22 (c)) and make other appropriate gestures in accordance with custom or the wishes of the family concerned up to $100.00.

- Recognition of Service shall only be granted to all CUPE members upon retirement form School District #73

- Submit report to Recording Secretary one week prior to general membership meeting so it can be included in the meeting distribution package.

13. **Social Media/Website Committee**

- Should consist of 2 elected member (not counting the 2nd VP)

- Update and maintain CUPE Local 3500 Website and facebook page.

- All information must be pre approved by the executive board.

**SECTION 14 – COMMUNICATION**

* 1. Members who wish to have a particular issue addressed, or taken forward as a grievance must, whenever possible, submit the issue in writing to their Shop Steward including all particulars and relevant articles of the Collective Agreement believed to have been breached, along with suggested resolutions to the issue. Should assistance in documenting the issue be required, Shop Stewards will aid members when necessary. However, this does not preclude members from talking to their stewards about any issues or concerns they wish to clarify before formally addressing them in writing.
	2. All issues brought forth in such a manner will be addressed without prejudice or discrimination, in good faith, and with the utmost possible discretion and confidentiality by union representatives.
	3. The line of communication for addressing issues and or grievances will be as follows:

Shop Steward > Vice President > Grievance Chair / President > National Representative

* 1. Once a member has formally submitted a concern, it shall be investigated in a timely manner by the Shop Steward and taken up the aforementioned line of communication as far as necessary in order to resolve the situation in the best manner possible.
	2. Any member who, for whatever reason, wishes to bypass their Shop Steward and go directly to the Vice President, must first submit their reasoning in writing, whenever possible, to the Vice President for approval to do so.

**SECTION 15 – GRIEVANCE / ARBITRATION / APPEALS**

The decision to file a grievance and to proceed to any step of the grievance procedure, including arbitration, rests exclusively with the Local Union and not the individual member. To ensure that decisions are fair and not arbitrary, the following appeal process is available to members.

If a member feels they have an issue that warrants a grievance and/or arbitration, they must first discuss the issue with their assigned Steward. The Steward will then consult with the Grievance Chair and advise the member on the merits of taking the matter forward. If the decision is to not take the matter forward, the following appeal process may occur.

First Appeal

1. A member who wishes to appeal a decision not to proceed with a grievance or arbitration will notify the Grievance Chair within 7 (seven) days of receiving this decision from their Steward.
2. The Grievance Chair will add the matter to the agenda of the next Grievance Committee Meeting.
3. The Grievance Chair will take any and all necessary steps with employer to ensure the matter is not lost due to any timelines outlined in the grievance procedure of the collective agreement.
4. The Grievance Committee shall request the opinion of the National Representative.
5. At that meeting, the assigned Steward will present their reasons for not advancing the matter to grievance or arbitration.
6. The Member will then be asked to present their case along with their reasons for why they feel the matter should be advanced, and any other information they feel is relevant.
7. The member will then be excused from the meeting.
8. The Grievance Committee will then conduct a secret ballot vote to decide on whether to advance the matter or not.
9. The member will be notified of the decision by the Grievance Chair and their right to advance the matter for a final appeal

Final Appeal

1. Should a member wish, they may advance the matter to a final appeal before the Local Executive.

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1. To do so, they must notify the Grievance Chair within 7 (seven) days of receiving the decision on the first appeal.
2. The Grievance Chair will then have the matter placed on the agenda of the next Executive meeting.
3. The Grievance Chair will take any and all necessary steps with the employer to ensure the matter is not lost due to any timelines outlined in the grievance procedure of the collective agreement.
4. Prior to the meeting, the Executive shall request the opinion of the National Representative.
5. At that meeting, the Grievance Chair will present the Grievance Committee’s reasons for not advancing the matter to grievance or arbitration.
6. The Member will then be asked to present their case along with their reasons for why they feel the matter should be advanced, and any other information they feel is relevant.
7. The member will then be excused from the meeting.
8. The Executive will then conduct a secret ballot vote to decide on whether to advance the matter or not.
9. The member will be notified of the decision by the President.
10. The decision of the Executive is final; and unless new and cogent evidence arises there will be no further appeal.

**SECTION 16 - 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 17 - AMENDMENTS**

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" - RULES OF ORDER

**-------------------------------------------------------------------**

1. The President or, in their absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and 1st Vice-President, the 2nd Vice-President shall act as President, and in their absence a President pro-team 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 an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.

6. On motion, the regular order of business may be suspended, by a two-thirds vote of those present, to deal with any urgent business.

7. All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.

8. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.

9. Any member having made a motion can withdraw it with the consent of the 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, they shall rise in their place and respectfully address the presiding officer, but, except to state that theyrises to a point of order or on a question of privilege, theyshall 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, they shall cease speaking until the point is determined; if it is decided they are in order, they 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, they may in addition, give a casting vote, or, if they choose 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 they must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to briefly state the basis for their challenge. The chairperson may then briefly state the basis for their 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.

