
Bylaws

Local Union 338



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INTRODUCTION

Local 338 of the Canadian Union of Public Employees operates on the traditional and unceded territory of the Syilx/Okanagan people.

Local 338 of the Canadian Union of Public Employees 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;
- To confront Indigenous-specific racism in our work and uphold the principles of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Declaration on the Rights of Indigenous Peoples Act (DRIPA) towards cultural safety and humility. We will be actively anti-racist and endeavour to weave Indigenous ways of knowing and being into our practices, culture, values, and norms.
- Promote the efficiency of public services; and
- Express its belief in the unity of organized labour.

The following bylaws are adopted by Local 338 in accordance with the CUPE National Constitution, 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.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organizations' activities. The CUPE National Equality Statement can be found in Appendix A to these bylaws.

The Local Union Code of Conduct can be found in Appendix B to these bylaws.

SECTION 1 – NAME

The name of this Local Union shall be Canadian Union of Public Employees, Local 338.
Local 338 consists of the following bargaining units:

Black Mountain Irrigation District

City of Kelowna

City of Kelowna – Airport

Commissionaires

District of Lake Country

Kelowna Museums Society

Regional District of Central Okanagan

SECTION 2 – OBJECTIVES

The objectives of Local 338 are to:

- (a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- (b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (c) Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers;
- (d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of Indigeneity, class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, family status/marital status or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
- (e) 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 the CUPE National Constitution.

SECTION 3 – REFERENCES

Numbers of articles at the end of sections or sub-sections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

SECTION 4 – MEMBERSHIP

(a) Membership

An individual employed within the jurisdiction of Local 338 can apply for membership in Local 338 by signing an application.

(Article B.8.1)

(b) Oath of Membership

New members must clearly communicate or affirm this oath:

“I promise to support and comply with the Constitution of this Union, 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 purposely or knowingly harm or assist in

harming another member of the Union.”

(Article B.8.4)

(c) Continuation of Membership

Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local Union unless the member loses good standing under the provisions of the CUPE National Constitution.

(Article B.8.3)

(d) Member Obligations

Members are obligated to abide by the CUPE National Constitution and these bylaws as amended from time to time.

Members are encouraged to provide the Local at admin@cupe338.ca with their current phone number and a personal email address. The member will advise the Local at admin@cupe338.ca of any changes to their contact information. This information will be protected and used solely to communicate with members.

SECTION 5 – AFFILIATIONS

In order to strengthen the labour movement and work toward common goals and objectives, Local 338 shall be affiliated with and pay per capita tax to the following organization(s):

- The CUPE BC Provincial Division
- Southern Interior District Council
- The BC Federation of Labour
- The North Okanagan Labour Council

SECTION 6 – MEMBERSHIP MEETINGS

(a) Regular Membership Meetings

Regular membership meetings of Local 338 shall be held on the third Tuesday of each month (except July and August) at 5 pm. Notice of each regular membership

meeting outlining the date, time and location shall be given to members at least seven days in advance of the meeting.

When a statutory holiday or a situation beyond the control of the Local Union arises which causes the cancellation of a regular membership meeting, the Executive Board shall reschedule the regular membership meeting, and will give members seven days notice of the date of the rescheduled regular membership meeting.

(b) **Special Membership Meetings**

Special membership meetings of Local 338 may be required, and shall be called by the Executive Board or may be requested in writing by no fewer than 18 members. The President shall immediately advise members when a special meeting is called, and ensure that all members receive at least twenty-four (24) hours' notice of the special meeting, the subject(s) to be discussed, the date, time and location. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

(c) **Quorum**

The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be eighteen (18) members, including at least three (3) members of the Executive Board.

(d) **Membership Meeting Agenda**

The order of business at regular membership meetings is as follows:

1. Acknowledgement of Indigenous Territory and commitment to reconciliation
2. Roll call of officers
3. Reading of the Equality Statement
4. Welcome of new members and swearing in or affirmation of oath
5. Adoption of agenda
6. Review and approval of the minutes of previous meeting
7. Matters arising from the minutes
8. Secretary-Treasurer's Report
9. Correspondence
10. Executive Board Reports
11. Reports of committees and delegates
12. Nominations, elections, or installations
13. Unfinished business
14. New business
15. Questions from the floor
16. Good of the Union
17. Adjournment

(Article B.6.1)

(e) **Unit Meetings**

Unit meetings may be called by the Executive Board or may be requested in writing by no fewer than seven (7) members. The President shall immediately advise members when a special meeting is called to deal with matters that affect only members of the Unit. Such meetings are not to be used to replace regular membership meetings and will not make decisions that affect the Local Union as a whole or another bargaining unit. The President shall advise members of the Unit seven (7) days in advance of a Unit meeting providing the time and location and an agenda.

The minimum number of members required to be in attendance for the transaction of business at any unit meeting shall be seven (7) unit members including at least two (2) members of the Executive Board. Members from other units in the Local Union may attend these meetings without vote but with voice and are not counted as part of quorum.

(f) **Ratification Meetings**

All ratification votes on a proposed collective agreement shall be held at a special membership meeting of the affected unit as required, with a minimum of ten (10) days notice to the affected unit's membership. As an exception to this, should a ratification vote be required on a proposed collective agreement during job action the vote will be held at a special meeting of the affected unit on no less than forty-eight (48) hours' notice.

(g) **Allow for Virtual Meetings**

Local 338 may hold meetings in person, virtually or a hybrid of both formats.

Where virtual or hybrid meetings are held, voting may be conducted electronically provided secrecy, where mandated, and security can be maintained.

SECTION 7 – OFFICERS

The Officers of Local 338 shall be the President, Vice President, Secretary-Treasurer, Recording Secretary, Unit Chairs, Young Worker Representative, Membership Officer, and three (3) Trustees.

SECTION 8 - UNITS

Each Unit may elect a Unit Chair to represent their members. Units with more than one hundred fifty (150) members will be permitted a Second (2nd) Unit Chair.

SECTION 9 - PRESIDENTIAL LEAVE OF ABSENCE

The office of President will be filled on a full-time basis in accordance with the following provisions.

1. Remuneration for the President the third highest pay grade within the Local and increase one pay grade each term. The President's salary and benefits during a leave of absence shall be based on a forty-hour work week.

2. Under no circumstances shall the President's remuneration (including benefits) be less than what they would otherwise be receiving. Expenses incurred by the President in carrying out the duties of the office as authorized by the executive board or membership shall be reimbursed or paid by the Local in accordance with these bylaws.

SECTION 10 – WORKSAFE BC COVERAGE

The Local shall provide WorkSafe BC coverage for its President, employee(s) and any other person as determined by the Executive.

SECTION 11 – EXECUTIVE BOARD

- (a) The Executive Board shall include all Officers, except Trustees. (Article B.2.2)
- (b) The Executive Board shall meet at least eight (8) times per year. (Article B.3.14)
- (c) A majority of the Executive Board constitutes a quorum. (excluding vacancies)
- (d) The Executive Board shall hold title to any real estate of the Local Union as trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice of motion in accordance with Section 27 of these bylaws submitting the proposal and passing the motion in a membership meeting.
- (e) The Executive Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.
- (f) Should any Executive Board member fail to answer the roll call for three (3) consecutive regular membership meetings or three (3) consecutive regular Executive Board meetings without having submitted good and sufficient reasons, their office shall be declared vacant, and be filled at the next regular membership meeting. The validity of the good and sufficient reason shall be voted on by the Executive Board. (Article B2.5.)

SECTION 12 – DUTIES OF OFFICERS

Each Officer of Local 338 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise. All Officers of Local 338 shall act as a Shop Steward when required by the Local.

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.

(Article B.3.9)

All signing Officers of Local 338 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.

(Article B.3.5)

(a) **President**

The President shall:

- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
- Interpret these bylaws as required.
- Preside at all membership and Executive Board meetings and preserve order.
- Decide all points of order and procedure (subject always to appeal to the membership).
- Have the same right to vote as other members.
- Ensure that all Officers perform their assigned duties.
- Oversee the day-to-day operations of the local.
- Delegate emergent duties to members of the Executive Board as needed.
- Fill committee vacancies where elections are not provided for.
- Introduce new members and conduct them through the initiation ceremony.
- 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.
- Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.
- Be empowered, with the approval of the membership, to employ and supervise administrative staff to be paid for out of the Local Union's funds.
- Have first preference as a delegate to all conventions and conferences sponsored by any union recognized body which the local chooses to attend.
- Provide a written report if unable to attend membership or executive meetings.
- Onboard newly elected Executive Board members.
- Be a Signing Officer of the Local.
- Approve Steward and Executive Board book-off times as required.
- Oversee the grievance files, including record keeping and timelines.
- Provide oversight and support to the Vice President with all grievance-related issues.
- On termination of office, surrender all books and other properties of the Local to their successor.

(Article B.3.1)

(b) **Vice-President**

The Vice-President shall:

- If the President is absent or not eligible, perform all duties of the President.

- Preside over membership and Executive Board meetings in the absence of the President.
- Be a Signing Officer of the Local.
- If the office of the President falls vacant, the Vice President shall be Acting President until a new President is elected through a by-election.
- Render assistance to any member of the Executive as directed by the Executive Board.
- Be the Chairperson and official spokesperson of the Grievance Committee.
- Assist Unit Chairs and Stewards in conducting all grievance investigations after Step 1 of the grievance procedure and lead grievance files when requested by a Unit Chair or when a Unit Chair is unavailable.
- Maintain the grievance files and report the status of all grievances to the Executive Board and Membership at their respective monthly meetings.
- Assist the National Representative and/or Legal Counsel in the preparation of all arbitration cases.
- Assigns Shop Stewards when no Unit Chair is available to do so.
- Oversee the training of all shop stewards.
- Render assistance to the Shop Stewards as required.
- Be entitled to paid Union leave of up to four (4) days, or the equivalent number of hours, per month to accomplish the above. With approval of the executive board, additional days may be provided.
- On termination of office, surrender all books and other properties of the Local to their successor.

(c) **Recording Secretary**

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 (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.
- Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President through the National representative for approval prior to implementing.
- Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
- Prepare and distribute all notices to members.
- Have all records ready on reasonable notice for the Trustees or auditors.
- Preside over membership and Executive Board meetings in the absence of both the President and Vice-President.

- Performs other duties required by the Local Union, its bylaws or the National Constitution.
- Be a Signing Officer of the Local.
- Be entitled to paid Union leave of up to two (2) days, or the equivalent number of hours, per month to accomplish the above.
- On termination of office, surrender all books and other properties of the Local to their successor.

(Article B.3.3)

(d) **Secretary-Treasurer**

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.
- 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.
- Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month.
- 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.
- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by two (2) members of the Executive Board as determined by the Executive Board and include adequate & sufficient documentation. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.
- Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.

- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- Where required, not later than February 28th each year, furnish each executive member and shop steward with a T4a for the preceding calendar year.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union's funds.
- Be a Signing Officer of the Local.
- Keep a record of all correspondence received and sent out.
- Be entitled to paid Union leave of up to four (4) days, or the equivalent number of hours, per month to accomplish the above.
- On termination of office, surrender all books and other properties of the Local to their successor.

(Articles B.3.4 to B.3.8)

(e) **Unit Chair(s)**

- Be the lead spokesperson for the unit they represent.
- Preside at all meetings of the unit and report the outcome of same to the Executive board of the Local.
- Be responsible for submitting a written report if they are unable to attend the monthly Executive or regular Membership Meeting.
- Be a member of the unit's Negotiation and Labour Management Committees.
- Be responsible for ensuring that all unit grievances are appropriately identified, investigated, and handled in accordance with the Collective Agreement and the Local's grievance procedures.
- Assign shop stewards as required and ensure leave is secured.
- Ensure all forms, notes, and documents related to all grievances are forwarded to the Local Office in a timely manner.
- Work collaboratively with Shop Stewards, and the Vice President as Chair of the Grievance Committee, and the President to ensure consistent application of grievance procedures across the Local.
- Encourage representation and participation from their unit on CUPE 338 committees and other union activities.
- On termination of office, surrender all books and other properties of the Local to their successor.

(f) **Young Worker Representative**

The Young Worker Representative shall:

- Engage young worker members of the local in union related activities and education.
- Organize and chair the Young Workers Committee

- Perform other such duties as may be assigned by the Executive board from time to time.
- On termination of office, surrender all books and other properties of the Local to their successor.

(g) **Membership Officer**

The Membership Officer shall:

- Guard the inner door at membership meetings, either in person or virtual, admit no one but members in good standing or officers and officials of CUPE, except on the order of the President and with consent of the members present.
- Maintain the record of membership attendance at meetings.
- Perform such other duties as may be assigned by the Executive Board from time to time.
- On termination of office, surrender all books and other properties of the Local to their successor.

SECTION 13 – OTHER ELECTED POSITIONS

(a) **Shop Stewards**

All Shop Stewards shall be elected by the membership of their own Department or Unit every two (2) years. Should any Shop Steward position become vacant, the Vice President shall have the power to appoint a Shop Steward to fill the vacant position temporarily until an election can be held.

The Duties of the Shop Steward are as follows:

- Generally know and uphold their Collective Agreement and report any violations of same to the Unit Chair and Vice President.
- With the oversight of the Unit Chair, investigate and process all grievances at Step 1 of the grievance procedure.
- Provide communications and information from the members in their Unit to their Unit Chair, and any communication from the Executive Board to the members.
- Attend monthly regular membership meetings and Shop Stewards meetings and any other meetings as required. Should any Shop Steward fail to answer the roll call for three consecutive regular general membership meetings, or three consecutive Shop Steward Meetings without having submitted good and sufficient reasons, they may be removed from their position as Shop Steward.
- Greet new employees and encourage participation of all members of the Unit in Union activity.
- Maintain contact with the members to provide ongoing awareness and education.

(b) **Trustees**

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 committees at least once every calendar year.
- Make a written report of their findings to the first membership meeting following the completion of each audit.
- 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.
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- Inspect at least once 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 Union and report their findings to the membership.
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
 - i. Completed Trustee Audit Program
 - ii. Completed Trustees' Report
 - iii. Secretary-Treasurer Report to the Trustees
 - iv. Recommendations made to the President and Secretary-Treasurer of the Local Union
 - v. Secretary-Treasurer's response to recommendations
 - vi. Concerns that have not been addressed by the Local Union Executive Board.

(Articles B.3.10 to B.3.12)

(c) **Member Support Coordinator**

The Member Support Coordinator shall:

- Extend the Local Union's condolences in the event of the death of a member or their spouse/partner, child, parent, sibling. This will include making a charitable donation of fifty dollars (\$50) on behalf of the member to the charity of their choice.
- Provides support to the Social Committee.

SECTION 14 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) CUPE Local 338 Nominations

1. Nominations will be received at the regular membership meetings held in the months of September and October. In person nominations will be closed at the end of the October meeting;
2. Nominations will also be accepted in writing to the Local 338 office in person or by email at admin@cupe338.ca by 2 PM on the day of the October General Membership Meeting.
3. Any member in good standing is eligible for nomination.
4. A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.
5. Members who are unable to attend the general membership meetings on nomination days, will be notified in writing via email of their nomination within forty-eight (48) hours of the October meeting. Nominees have seven (7) calendar days following the October meeting to accept their nomination in writing to the President.

(b) CUPE Local 338 Elections

1. The President, Recording Secretary, and Young Worker Representative are elected in even numbered years.

Vice President, the Secretary-Treasurer, and Membership Officer are elected in odd numbered years.

Trustees: 1 trustee gets elected every year. 3yr rotations.
2. At a membership meeting, at least one month prior to Election Day the President will, subject to the approval of the members present, appoint an Elections Committee consisting of a Lead Returning Officer and assistant(s). The committee will include members of the Local Union who are neither Officers nor candidates running for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union.
3. The election will be conducted electronically using an online system approved by the Executive Board. This system will ensure secure access (such as a password or unique personalized link) to maintain secrecy of each ballot. To be elected, a candidate must receive a majority of the votes cast.
4. The Lead Returning Officer will be responsible for preparing and administering the election and being the liaison with the electronic voting organization selected by the Executive. The Lead Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.

5. The online polls, sent via email, will be open at 10:00 am on the first Tuesday in November following the October Nomination Meeting, and will remain open for 48 hours (2) calendar days. Notice for runoff votes (if any) shall be sent. Should subsequent runoff votes be required, the online polls will reopen on Friday at 10:00 am and will remain open for 48 hours (2) calendar days, closing at 10:00 am on Sunday. The final results of the Election will be announced at the next General Membership Meeting.
6. The election shall be conducted by electronic ballot unless the membership, by motion at a membership meeting, directs that the election be conducted by in person paper ballot. The Executive Board may also, by consensus, determine that an in-person paper ballot election is required. In such cases, the Elections Committee shall make the necessary arrangements to conduct a secret ballot election in person.
7. Where only one (1) candidate is nominated for any office at the close of nominations, the candidate shall be declared elected by acclamation and no election shall be conducted for that office.
8. When a member is nominated for more than one(1) position. Voting to fill the highest office will be conducted and completed, and recounts dealt with before balloting may begin to fill the next highest office.
9. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots (run offs) will be taken if necessary to obtain a majority. On the second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot will be dropped.
10. In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
11. When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

(Article 10.4)
12. Any member may request a recount of the votes for any election and a recount will 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 set out in Section 6(c).
13. All election complaints by members will be submitted in writing to the Lead Returning Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven days after the election. The Lead Returning Officer in conjunction with the Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.

(c) **Unit Nominations and Elections**

Nominations and elections for unit positions for two-year terms will take place in November following the Local elections unit meeting called by the President for the purpose of nominating and electing the following positions: voting shall be conducted as outlined in Section 14(b).

1. Unit Chair(s)
2. Shop Steward(s) as required
3. Unit Committee(s) as required

The following Unit positions will be elected in even years: City of Kelowna Outside, Kelowna Museums Society, District of Lake Country and Black Mountain Irrigation District.

In odd years: City of Kelowna Inside, Regional District of Central Okanagan, Commissionaires, and Kelowna Airport.

(d) **Installation of Officers**

1. All duly elected Table Officers shall be installed at the meeting at which elections results are announced 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 less than one year and no longer than three years. Unit Chairs shall be installed at their unit meeting.

(Article B.2.4)

2. Each year, the Local shall elect one Trustee for a three (3) year period. No member who has been a signing Officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed.
3. A candidate who is elected to office, must clearly communicate or affirm this oath:

"I, _____, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term."

(Article 10.7(b))

(e) **By-elections**

Should an office fall vacant for any reason, the resulting by-election should be conducted as closely as possible in conformity with this section. The term of office for any position filled through a by-election will be the term that the vacated position was initially elected to fulfill.

SECTION 15 – DUES AND ASSESSMENTS

(a) Monthly Dues

The monthly dues shall be 2% of regular wages. Notwithstanding the above provisions, if the CUPE Constitution raises minimum fees and/or dues above the level herein established, these bylaws will be deemed to have been automatically amended to conform to the new CUPE minima. Such dues shall not apply to overtime or standby.

(Article B.4.3)

(b) Amending Monthly Dues

The regular monthly dues may be amended at a regular or special membership meeting. The vote must be by secret ballot. Notice of at least seven (7) days at a previous meeting or sixty (60) days in writing must be given.

(Article B.4.3)

(c) Assessments

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. Membership approval is required and the assessment will only be applied after the National President approves the assessment.

(Article B.4.2)

SECTION 16 – EXPENDITURES

(a) Payment of Local Union Funds

Funds can only be spent for valid purposes of the Local Union under the following circumstances:

- When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting;
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members present and voting at a regular or special membership meeting.
- Funds cannot be divided among individual members.
- A petty cash fund may be set up, if approved by a majority vote at a regular membership meeting. The petty cash fund may be used to pay small expenses. All other expenses must be paid by cheque or recognized electronic payments approved by the Secretary-Treasurer and the President or another signing officer.

(Article B.4.4)

(b) Payment of Per Capita Tax and Affiliation Fees

Authorization to pay per capita tax to CUPE National, to CUPE BC Provincial Division, or any labour organization the Local Union is affiliated with, is not required.

(c) **Payment of Local Union Funds to Members or Causes Outside of CUPE**

In the case of a grant or a contribution to a cause(s) outside of CUPE greater than five hundred dollars (\$500), a notice of motion must be made at a regular membership meeting and then approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven (7) days after the meeting where notice of motion has been given.

- (d) No Officer or member of Local 338 will be allowed to spend any Local Union funds without first having received authorization under Section 16(a) of these bylaws.

SECTION 17 – HONORARIUMS

Local Union Officers and committee members shall be provided a monthly honorarium as follows for their primary role:

Unit Chair	\$200
Recording Secretary	\$225
Secretary Treasurer	\$225
Vice President	\$300
Young Worker Representative	\$175
Membership Officer	\$125
Member Support Coordinator	\$125
Shop Stewards	\$60
Trustees (annual honorarium upon completion of audit and report to the local)	\$100 (annual)

SECTION 18 – CHILD CARE, DEPENDENT CARE AND ELDER CARE

Caring for children, dependents or the elderly are barriers to actively participating in the union or to attending membership meetings. Local 338 is committed to removing barriers within its control so that all members have equal access to participation.

- (a) When it is practical and demand warrants, Local 338 may provide on-site child care at all Local Union membership meetings. Where on-site child care is not provided, and in the case of dependent care or elder care, members will be reimbursed to a maximum of the living wage for the area for each hour of required care. Reimbursement will be provided upon proof of payment.
- (b) Any member who is on authorized Local 338 business shall be eligible for child care, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of the living wage for the area for each hour of care required.

- (c) Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

SECTION 19 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATION

- (a) Except for the President's option [Section 12(a)], all delegates to conventions, conferences, and education shall be recommended by the Executive Board and reported to the Membership.
- (b) Delegates to the Southern Interior District Council shall be elected annually. A member responsible for reporting back to the Local membership shall be appointed by the President from among these delegates, and the member appointed shall make a written report at each Local membership meeting on proceedings at recent meetings of the Council. The Local will reimburse the member's employer for any loss of wages.
- (c) Delegates to the North Okanagan CLC District Labour Council shall be elected annually. A member responsible for reporting back to the Local ~~Union~~ membership shall be appointed by the President from among these delegates, and the member appointed shall report at each Local membership on proceedings at recent meetings of the Council. The Local will reimburse the member's employer for any loss of wages.
- (d) All delegates attending conventions, conferences, or education held outside the City of Kelowna shall be paid transportation expenses (at economy, tourist or coach rates) as determined by the Secretary-Treasurer, and a per diem allowance for meals and expenses in accordance with the current CUPE BC Expense Policy. The Local will reimburse the member's employer for any loss of wages.
- (e) Delegates to conventions, conferences, and education held locally shall have no travel allowance. There shall be a per diem allowance for meals and expenses incurred by attendance at the convention, conference or educational in accordance with the current CUPE BC Expense Policy. The Local will reimburse the member's employer for any loss of wages.
- (f) Local 338 will provide members with their per diem allowance prior to their attending the convention, conference, or education.
- (g) Local 338 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and education.

SECTION 20– EXECUTIVE STRATEGIC PLANNING SESSION

Once each calendar year, the Executive shall hold a strategic planning session for the coming year. The budget for this shall be passed by the membership during the adoption of the annual budget.

SECTION 21 – COMMITTEES

For established committees, the purpose and objectives will be reviewed, and an Executive Sponsor will be selected from the Executive Board to oversee the committee. Any new committees must have their purpose and objectives clearly defined and will be brought to the membership for approval.

(a) Permanent Committees

There shall be a Chairperson of each permanent committee. An Executive Officer shall be appointed by the Executive Board as chair or as a member of each committee. Permanent committee positions will have a term of two (2) years. The Chairperson and the Executive Board shall jointly appoint other members to serve on a committee. Committees will provide written reports to regular membership meetings as required or requested by the Executive Board.

There shall be five (5) permanent committees as follows:

1. Local Grievance Committee

This committee will:

- be the first step in the grievance arbitration appeal process.
- shall consist of the President, the Secretary Treasurer, and four (4) other executive board members elected by the executive board.
- have meetings called when required and chaired by the President

City of Kelowna Unit Grievance Committee

- make all decisions of filing or not filing grievances of the Kelowna unit.
- receive copies of all Kelowna Unit grievances
- be comprised of the Vice President, two (2) elected Unit Chairpersons and four (4) other members elected by the Unit.
- ensure outside counsel is not retained without prior consultation with the National Staff Representative and Executive approval.
- have a Chair elected by the committee that will: chair the meetings, ensure the minutes of the meeting are taken, prepare a report on the status of all grievances to be submitted to the President monthly, ensure all forms, notes, and documents related to all grievances are securely stored.

2. Education Committee

This committee will:

- Gather information about appropriate courses, the availability of courses, and make recommendations to the Local Union on whether or not members should be attending.

- Assist delegates in the preparation of reports to the membership on seminars and conferences and ensure that reports are captured within the minutes of the meeting.
- Cooperate with the National Union Development Department and Communications Branch of CUPE, and with the regional Education Representative, in implementing both the Local Union's and CUPE's policies in these fields.

An Executive Officer will be appointed by the Executive Board. The committee shall appoint its secretary from among its members.

3. Health and Safety Committee

This committee will:

- Work to educate members on the importance of workplace health and safety.
- Prepare and present reports to the regular membership meetings.
- Participate in the April 28th Day of Mourning ceremony each year.
- Participate on the Joint Worksite Health and Safety Committees (JWH&SC) at their workplace.
- Members that are part of their workplace Joint Worksite Health and Safety Committees (JWH&SC) may be supported in additional training provided by the union.
- Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.
- Promote the elimination all workplace hazards, be they physical, environmental, or social.

Members of this committee should be designated as a "Certified Worker Representative" in accordance with the legislation in their respective jurisdictions (provincial, federal).

An Executive Officer will be appointed by the Executive Board. The committee shall appoint its secretary from among its members.

4. Bylaw Committee

This committee will:

- Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.
- Ensure that the Local Union's bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.

An Executive Officer will be appointed by the Executive Board. The committee shall appoint its secretary from among its members.

The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.

5. Young Workers Committee

This committee will:

- Engage young worker members of the local in union related activities and education.
- Be responsible for electronic forms of communications to members (Facebook, Twitter, etc.).

The Young Worker Representative will be appointed by the Executive Board. The committee shall appoint its secretary from among its members.

(b) Special Committees

A special committee may be established for a specified purpose and a specified period of time. The members may be elected at a membership meeting, or may be appointed by the Executive Board. Three members of the Board may sit on any special committee as ex-officio members.

1. Negotiating Committee

Negotiating Committees may be established up to twelve (12) months prior to the expiry of a unit's collective agreement and will be automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. Committees shall consist of up to five (5) members. The President and the Unit Chair(s) of the applicable unit shall be on the committee. The other members as well as up to two (2) alternates shall be elected by the members of the applicable unit at a Unit meeting. The National Representative assigned to the Local -shall be a non-voting member of the committee and shall be consulted at all stages of the collective bargaining process.

All members of Local 338 negotiating committees may attend CUPE collective bargaining education.

For units that have inside and outside workers, the negotiation committee should strive to maintain equal representation to ensure that the interests of all members are fairly reflected at the bargaining table.

2. Women's Committee

This committee will:

- Advise and give guidance to Officers, committee members and the general membership on all issues that affect women in the workplace and the union movement.
- Promote leadership of women at the Local Union level and in the broader labour movement.

- Increase and support the active participation of women in the Local Union and the broader labour movement.
- Strive to eliminate gender discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in human rights activities both in and outside of the labour movement.

An Executive Officer will be appointed by the Executive Board. The committee shall appoint its secretary from among its members.

3. Committee Against Racism and Discrimination (CARD)

This committee will:

- Advise and give guidance to Officers, committee members, and the general membership on all issues that affect all equity-seeking groups, including Indigenous people, people of colour, and members of the 2SLGBTQ+ community in the workplace and the union movement.
- Promote leadership of equity-seeking workers at the Local Union level and in the broader labour movement.
- Increase and support the active participation of equity-seeking workers in the Local Union and the broader labour movement.
- Strive to eliminate racism and discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in human rights and anti-racism activities both in and outside of the labour movement.

An Executive Officer will be appointed by the Executive Board. The committee shall appoint its secretary from among its members.

4. Membership Support Committee

This committee will:

- Extend the Local Union's condolences in the event of the death of a member or one of their immediate family, and make other appropriate gestures in accordance with custom or the wishes of the family concerned.

An Executive Officer will be appointed by the Executive Board. The committee shall appoint its secretary from among its members.

5. Social Committee

This committee will:

- Arrange and conduct all social, cultural, and recreational activities of the Local, either on the committee's own initiative or as a result of decisions taken at membership meetings. The committee shall submit reports and proposals to the Executive Board or to the membership as required.

A budget for the committee will be fixed annually by the membership but, other than that, all social, cultural, and recreational events and activities shall be self-supporting.

An Executive Officer will be appointed by the Executive Board. The committee shall appoint its secretary from among its members.

6. Communicating CUPE Committee

This committee will:

- Be responsible for all of the CUPE bulletin boards in workplaces.
- Maintain communication with members.
- Be responsible for social media of the local (Instagram, Facebook & website)

The committee shall appoint its secretary from among its members.

7. Community Action Tent Committee

This committee will:

- Attend community events to raise awareness of the local in the community.
- Plan events to promote the local's involvement in the community.
- Organize Labour Day activities and events in the community in collaboration with other locals and labour councils.

An Executive Officer will be appointed by the Executive Board. The committee shall appoint its secretary from among its members.

8. Political Action Committee

This committee will:

- Organize and coordinate initiatives that ensure representation of CUPE's political views in elected bodies affecting the local.
- Keep members informed about basic political choices in our society and to participate in the political process.

An Executive Officer will be appointed by the Executive Board. The committee shall appoint its secretary from among its members.

SECTION 22– COMPLAINTS AND TRIALS

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

(Articles B.11.1 – Appendix F)

SECTION 23 – RULES OF ORDER

All meetings of the Local Union will 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 C. 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 C to these bylaws, the CUPE National Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

SECTION 24– AMENDMENTS

(a) CUPE Constitution

These bylaws 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 bylaws and the CUPE Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE Constitution.

(Articles 8.2(c), 12.3 and B.5.1)

(b) Additional Bylaws

A Local Union can amend or add to its bylaws only if:

- (i) the amended or additional bylaws do not conflict with the CUPE Constitution;
- (ii) the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and
- (iii) notice of the intention to propose the amended or additional bylaws was given at least seven (7) days before at a previous membership meeting or thirty (30) days before in writing.
- (iv) Once a bylaw amendment has been considered and defeated, it cannot be brought forward for reconsideration for a six (6) month time period following the meeting at which the vote took place.

(Articles 12.3 and B.5.1)

(c) Effective Date of Amended or Additional Bylaws

The amended or additional bylaws do not come into effect until they have been approved in writing by the National President. The National President will decide whether to approve the amended or additional bylaws within ninety (90) days of receiving them and will withhold approval only where they conflict with the CUPE Constitution.

(Articles 12.3 and B.5.1)

SECTION 25– PRINTING AND DISTRIBUTION OF BYLAWS

Members can access a copy of Local 338 bylaws, either in paper format or via the Local Union website at www.cupe338.ca. Members requesting a copy of these bylaws will be provided a copy. Members with special needs may request a copy of the bylaws in larger font.

SECTION 27 – NOTICE OF MOTION

A Notice of Motion must be provided for motions involving the additions to, or amendments of the local bylaws, the sale, conveyance, or encumbrance of any real estate owned by the Local Union and for financial disbursements in excess of five hundred dollars (\$500) *that is not authorized through a membership approved budget.*

The procedure for a Notice of Motion shall be as follows:

1. A member who intends to move a motion that requires a Notice of Motion will notify the Recording Secretary of such motion with the exact wording of the motion. Those motions involving a request for funds must include the exact amount of funds being requested or a maximum amount that is not to be exceeded.
2. The Recording Secretary will then ensure the motion with its exact wording is placed on the Notice of Meeting for the next general membership meeting as a Notice of Motion.
3. The Recording Secretary will also ensure that the motion, with its exact wording is then placed on the agenda for that meeting as a Notice of Motion.
4. The President will ensure that the Notice of Motion with its exact wording is read at the meeting by the mover or other member. No member may speak to the motion or debate the motion at this time; it is simply intended to ensure members are officially notified.
5. The Recording Secretary will then ensure that the motion along with its exact wording is placed on the Notice of Meeting for the next general membership meeting, including a notation of when the Notice of Motion was provided.
6. The Recording Secretary will also ensure that the motion, with its exact wording is placed on the agenda for that meeting including a notation of when the Notice of Motion was provided
7. The President will at that next general membership meeting accept the moving of this motion from the mover or other member. If it is then so moved and seconded the motion will be debated and decided on by the membership at the meeting, by means of all appropriate rules of order.

SECTION 27– 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 an 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 or Unit Chair. The Steward or Unit Chair will then consult with the Vice President before advising 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 Vice President within seven (7) days of receiving this decision from their Steward or Unit Chair.
2. The Vice President will add the matter to the agenda of the next Grievance Committee meeting.
3. The Vice President 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 or Unit Chair 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 Local 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 Vice President 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 Executive Board.
2. To do so they must notify the President within seven (7) days of receiving the decision on the first appeal.
3. The President will then have the matter placed on the agenda of the next Executive Board meeting
4. The President 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.
5. Prior to the meeting The Executive Board shall request the opinion of the National Representative
6. At that meeting the Vice President will present the Grievance Committee's reasons for not advancing the matter to grievance, or arbitration.
7. 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.
8. The Member will then be excused from the meeting.
9. The Executive Board will then conduct a secret ballot vote to decide on whether to advance the matter or not.

10. The member will be notified of the decision by the President.
11. The decision of the Executive is final and unless new and cogent evidence arises there will be no further appeal.

Appendix A

CUPE NATIONAL EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation, and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile, or offensive environment.

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 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 grow as a 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, safe working conditions, and justice in the workplace, society, and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all persons deserve dignity, equality, and respect.

Appendix B

CODE OF CONDUCT

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination, and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff, and elected officers to carry out our work. CUPE's expectation is that mutual respect, understanding, and co-operation will be the basis of all our interaction.

This Code of Conduct sets out standards of behaviour for participants at national convention, conferences, schools, meetings, and any other union events organized by CUPE National, Local 338, or any other CUPE chartered body. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National and at events, meetings, and activities by other CUPE bodies. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As CUPE members, staff, and elected officers, we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement.
- Respect the views of others, even when we disagree.
- Recognize and value individual differences.
- Communicate openly.
- Support and encourage each other.
- Make sure that we do not harass or discriminate against each other.
- Commit to not engaging in offensive comment or conduct.
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating.
- Take responsibility for not engaging in inappropriate behaviour due to use of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding the Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. A complaint shall be brought to the attention of an ombudsperson when there is one available. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
3. The ombudsperson or the person in charge will work to seek a resolution. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge. The person in charge has the authority to expel members from the event for serious or persistent offenses.
4. If the complaint involves a national staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another CUPE chartered organization, the complaint shall be referred to the person responsible for their employment.
5. If the person in charge is a party to the complaint, an alternate will be designated to assume the role.
6. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For other events, the presiding officer shall receive a report on the matter.
7. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. For other events, the presiding officer shall consult the National President.

This Code of Conduct is designed to create a safe, respectful, and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member's right to access the trial provisions under Appendix F of the CUPE National Constitution.

Appendix C

RULES OF ORDER

1. The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President will be the Chairperson at the membership meeting. In the absence of the President and Vice-President, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: "Is the Local ready for the motion?" If no member rises to speak, the motion will be voted upon.
5. A motion must be moved and seconded. The mover and seconder must ~~rise and~~ be recognized by the Chairperson.
6. A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
7. An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
8. On motion, the regular order of business at a membership meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
9. Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
10. At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.
11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.

13. The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
15. A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
16. Religious discussion of any kind is not permitted.
17. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
18. The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
19. When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.
20. The Chairperson will ask "Will the main question be now put?" where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
21. A motion to adjourn is in order except when a member is speaking or when members are voting.
22. A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
24. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, "Will the decision of the chair be upheld?" A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.

25. At a membership meeting where a question has been decided any two members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds majority of members who vote. If two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.
26. Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
27. The Local Union's business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.

Appendix D

CUPE BC EXPENSE POLICY

1. PREAMBLE

The purpose of this expense policy is to reimburse members for expenses incurred on behalf of CUPE BC.

The CUPE BC Expense policy can be found on the CUPE BC website at cupe.bc.ca

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