

INDEX

C.U.P.E. LOCAL 382 BYLAWS

REVISED 2006

SECTION	PAGE
PREAMBLE .....	1
1. NAME .....	1
2. OBJECTIVES .....	1
3. INTERPRETATION, DEFINITIONS.....	1
4. MEMBERSHIP MEETINGS .....	1
<a href="#">[a] Regular Meetings</a>	
<a href="#">[b] Special Membership Meetings</a>	
<a href="#">[c] Quorum</a>	
<a href="#">[d] Order of Business</a>	
5. VOTING OF FUNDS.....	2
6. OFFICERS .....	2
7. EXECUTIVE BOARD .....	2
8. DUTIES OF OFFICERS .....	3
<a href="#">[a] President</a>	
<a href="#">[b] Vice-President</a>	
<a href="#">[c] Treasurer</a>	
<a href="#">[d] Recording Secretary</a>	
<a href="#">[e] Chief Shop Steward</a>	
<a href="#">[f] Sergeant at Arms</a>	
<a href="#">[g] 2<sup>nd</sup> Vice President</a>	
<a href="#">[h] Members at Large</a>	
<a href="#">[i] Past President</a>	
<a href="#">[j] Trustees</a>	
10. FEES, DUES & ASSESSMENTS .....	6
11. NON PAYMENT, DUES & ASSESSMENTS.....	6
12. NOMINATIONS, ELECTIONS, INSTALLATION OF OFFICERS .....	7
<a href="#">[a] Nominations</a>	
<a href="#">[b] Election of Executive Board Officers</a>	
<a href="#">[b.1] Election of Shop Stewards</a>	
<a href="#">[c] Elections [Procedure]</a>	
<a href="#">[d] Installation</a>	
<a href="#">[e] By-Elections</a>	
13. DELEGATES OF CONVENTIONS .....	9
14. COMMITTEES .....	9

	<i>[a] Responsibility of Chairman</i>	
	<i>[b] Negotiating Committee</i>	
	1. <i>Life of the Committee</i>	
	2. <i>Makeup of Committee</i>	
	3. <i>Component Elections</i>	
	4. <i>Appointment</i>	
	5. <i>Attendance Requirements</i>	
	6. <i>Bargaining Committee</i>	
	7. <i>Strike/Lock Out Responsibility</i>	
	8. <i>Working Agreement Proofreading</i>	
	9. <i>[a] [b] Pay Raise Formula</i>	
	<i>[c] Ad Hoc Committee</i>	
	<i>[d] Appointment of Chairmen</i>	
	<i>[e] Union Members &amp; Management</i>	
	<i>[f] Reporting Letters of Censure</i>	
	<i>[g] Reporting to Shop Stewards</i>	
	<i>[h] Other Committees</i>	
	<i>[i] Education Committee</i>	
	<i>[j] Social Committee</i>	
	<i>[k] Bursary Committee</i>	
15.	SICK LEAVE, EMERGENCY SICK LEAVE .....	13
	<i>[a] MSA &amp; Group Life Payment</i>	
	<i>[b] Emergency Sick Pay</i>	
	<i>[c] Emergency Sick Leave Fund</i>	
16.	MEMBERSHIP CORRESPONDENCE .....	13
17.	CONSTITUTION, BYLAW REGULATION.....	14
18.	PARLIAMENTARY PROCEDURE .....	14
19.	AMENDMENTS .....	14
20.	MEMBERSHIP PROCEDURE .....	14
21.	RETIREMENT GRATUITY .....	14
22.	DEFENCE FUND.....	15
23.	RECESS PERIOD .....	15
24.	MILEAGE ALLOWANCE .....	15
25.	STRIKE, WORK STOPPAGE, LOCKOUT .....	15
26.	REPORTING NEW EMPLOYEES, SOLVING MEMBER CONFLICTS .....	15
27.	TO ALL FOREMEN & CUSTODIANS .....	15
28.	OFFICE ADMINISTRATION .....	15
29.	UNION WEBSITE .....	16

## **BYLAWS - C.U.P.E. LOCAL 382**

The following Bylaws are adopted by this Local pursuant to, and to supplement, Appendix "B" of the CUPE Constitution, to safeguard the rights of all Members, to provide for responsible administration of the Local, and to involve as many Members as possible through the sharing of duties and responsibilities.

### **PREAMBLE**

In order to improve the Social and Economical Welfare of its Members without regard to Sex, Colour, Race, or Creed to promote efficiency in Public Employment and to manifest its belief in the value of organized Labour, in this Local #382 (Greater Victoria School Board Employees Union, Canadian Union of Public Employees).

### **SECTION 1 - NAME**

The name of this Local shall be: GREATER VICTORIA SCHOOL BOARD EMPLOYEES UNION, LOCAL 382, CANADIAN UNION OF PUBLIC EMPLOYEES.

### **SECTION 2 - OBJECTIVES**

The objectives of the Union are to:

- (a) Secure adequate remuneration for work performed and generally advance the economic and social welfare of its members.
- (b) Support CUPE in reaching the goals set out in Article 2 of the CUPE constitution.
- (c) Provide an opportunity for its members to influence and shape their future through free democratic Trade Unions.
- (d) Encourage the settlement by negotiation and mediation of all disputes between the members and their Employer.

### **SECTION 3 - INTERPRETATION, DEFINITIONS**

- (a) Masculine pronouns shall be understood to include the feminine gender.
- (b) Numbers of Articles at the end of sections or sub-sections refer to relevant articles of Appendix "B" of the CUPE Constitution, which should read in conjunction with a national connotation, unless stated otherwise.

### **SECTION 4 - MEMBERSHIP MEETINGS**

- (a) Regular Meetings shall be held every 2nd Saturday of each month at 10:00 a.m.
- (b) Special Membership Meetings may be ordered by the Executive Board, or requested in writing by not fewer than 10 members. The President shall immediately call a Special Meeting when so ordered, or requested, and shall see that all members receive at least one week's notice of the Special Meeting and the subjects(s) to be discussed. No business will be discussed other than that for which the meeting is called and notice given. Emergency Meetings may be called by the Executive Board without the one week's notice.

- (c) That all Meetings, Regular or Special or otherwise, a quorum, consisting of 15 Members be present.
- (d) The Order Business at Regular Meetings is as follows:
  - (1) Roll Call of Officers
  - (2) Voting on New Members, initiation
  - (3) Reading of Minutes, previous Meeting
  - (4) Matters arising from Minutes
  - (5) Treasurer's Report
  - (6) Communications, Bills
  - (7) Executive Report
  - (8) Reports, Committee's Delegates
  - (9) Nominations, Elections, Installations
  - (10) Unfinished Business
  - (11) Good of the Union
  - (12) New Business
  - (13) Adjustment

**SECTION 5 - VOTING OF FUNDS**

Except for ordinary expenses and bills approved at Membership Meetings, no sum over One Hundred Dollars shall be voted for the purpose of a grant or contribution to a member or any cause outside CUPE, except by Notice of Motion, given in writing and dealt with at the following Membership Meeting. (Article B IV, 4.4)

**SECTION 6 - OFFICERS**

President	Past President
1st Vice President	Sergeant-at-Arms
2nd Vice President	2 Members at Large
Treasurer	
Recording Secretary	

and such other Officers as the Union deems necessary.

**SECTION 7 - EXECUTIVE BOARD**

- (a) The Executive Board shall be comprised of all officers except Trustees. (Article B II, 2.2)
- (b) The Executive Board shall meet at least once every month prior to the General Membership Meeting.
- (c) The duties of the Executive Board of the Local Union shall only be such as are specifically set out in the Local Union's Bylaws. Decisions and recommendations shall be made by a majority of the Executive Board.
- (d) The Executive Officers shall hold title to any Real Estate of the Local as Trustee 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 such proposition approved.

- (e) The Executive Board shall do the work delegated to it by the Local and deal with all grievances of members as submitted to the Executive Board in the reports of the Grievance Committee. The Executive Board shall be held responsible for the proper and effective functioning of the Grievance Committee.
- (f) All charges against Members or Officers must be made in writing, and submitted to the Executive Board, whose decision shall be final, unless an appeal be made to the Local as a whole, which appeal must be made within thirty days after a decision has been rendered. Any trials held under the provisions of these Bylaws shall be carried out in accordance with the provisions of the CUPE Constitution, Appendix "B", Article VI, SECTIONS 1 TO 7.
- (g) Should any Executive Board Member fail to answer to the Roll Call for three consecutive Regular Board Meetings without having submitted good reasons for these failures, his office shall be declared vacant and shall be filled by an election at the following Membership Meeting. (Article B II, 2.4)
- (h) All Officers must obtain approval from the President, or his or her designate, prior to taking any union paid leave. Once approval is granted, all Officers must report any union paid leave to the executive, by submitting the appropriate form, on or before the next monthly executive meeting.
- (i) All Officers must report any union paid mileage and/or out of pocket expenses, to the executive by submitting the appropriate form, including receipts, on or before the next monthly executive meeting.

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

### **(a) THE PRESIDENT SHALL:**

- enforce the CUPE Constitution and these Bylaws.
- prepare and distribute all circulars and notices to members.
- answer all correspondence, file a copy of all letters sent and keep on file all communications.
- preside at all Membership Meetings and preserve order.
- decide all questions of order and procedure (subject always to appeal to the Membership).
- have a vote on all matters (except appeals against his rulings) and in case of a tie vote in any matters, including elections, have the right to cast the deciding vote.
- enforce Executive Board or Membership decisions on fines and penalties.
- ensure that all Officers perform their assigned duties.
- fill committee vacancies where elections are not provided for.
- Introduce new Members and conduct them through the initiation ceremony. (Article III, 3.1)
- sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, Bylaws, or vote of the Membership.
- review any union paid leave requests.

(b) **THE VICE-PRESIDENT SHALL:**

- if the President is absent or incapacitated, perform all duties of the President.
- if the Office of President falls vacant, be Acting President until a new President is elected.
- be Chairman at Executive Board Meetings.
- receive all correspondence and report contents to President, Executive and Membership.
- notify all members who are one month in arrears and report to the Executive Board all members two or more months in arrears (Article B 111, 3.4-3-10)
- render assistance to any member of the Executive Board as directed by the Executive Board. (Article III, 3.2)

(c) **THE TREASURER SHALL:**

- receive all revenue, initiation fees, dues and assessments, keep a record of each member's payments, and deposit promptly all money with a bank or credit union.
- record all transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- prepare all CUPE per capita tax forms and remit payment.
- be bonded as per the National Constitution, or any greater sum as may be checked at a Membership Meeting, taking into account the assets of the Local and the amount of cash and cheques handled by the Secretary-Treasurer, through the Master Bond held by the National Office.
- make all books available for inspection by the Auditors and of Trustees on reasonable notice, and have the books audited semi-annually.
- not later than February 28th, each year, furnish each member, on the forms provided by the National Office, or otherwise, with a statement showing the new amount of tax-deductible dues paid by him during the preceding calendar year.
- fill out all tax forms as required by Revenue Canada.
- provide the Trustees with any information they any need to complete the audit report forms supplied by CUPE.
- preside over Membership and Executive Board Meetings in the absence of both the President and Vice-Presidents.
- provide a report of all monthly union paid leave, mileage allowances, plus any out of pocket expenses incurred during the month, at the next Membership Meeting.

(d) **THE RECORDING SECRETARY SHALL:**

- keep full and accurate account of the proceedings of all Membership and Executive Board Meetings.
- record all motions, with the mover's and seconder's name in the minute book of the Local.
- record all alterations in the Bylaws.
- have all books and papers ready on reasonable notice for Auditors and Trustees.
- on termination of office, surrender all books, seals and other properties of the Local to his or her successor.
- perform other duties as the Local Union or Executive may direct.

(e) **THE CHIEF SHOP STEWARD SHALL:**

- Be appointed by the President of the Local
- Handle and attend all second and third step grievances
- Prepare cases for arbitration
- Chair the Grievance Committee and hold steward meetings

- Perform other duties as assigned by the President or Executive Board
- (f) **THE SERGEANT-AT-ARMS SHALL:**
- guard the inner door at Membership Meetings and admit no one but members in good standing or Officers or Officials of CUPE, except on the order of the President and by consent of the members present.
  - not permit any member to retire from a meeting without permission of the Chairman.
  - assist the Executive Board in maintaining the record of membership attendance at meetings.
  - examine all present at meetings and report to the Chairman any without membership cards and allow none without a membership card to remain.
  - obtain the names for all those waiting initiation, reporting these to the Chairman.
  - perform other duties as may be assigned by the Executive Board from time to time.
- (g) **THE 2ND VICE PRESIDENT SHALL:**
- If the 1<sup>st</sup> Vice President is absent or incapacitated, perform all duties of the 1<sup>st</sup> Vice President
  - If the Office of the 1<sup>st</sup> Vice President falls vacant, be the Acting 1<sup>st</sup> Vice President until a new 1<sup>st</sup> Vice President is elected.
  - Render assistance to any member of the Executive Board as directed by the Executive Board.
  - Participate on committees as directed by the President and Executive Board
  - Perform other duties as directed by the President and Executive Board.
- (h) **THE MEMBERS AT LARGE SHALL:**
- Attend all Executive and General Meetings
  - Render assistance to any member of the Executive Board as directed by the Executive Board.
  - Participate on committees as directed by the President and Executive Board
  - Perform other duties as directed by the President and Executive Board.
- (i) **THE PAST PRESIDENT SHALL:**
- Sit on the Executive Board for a maximum of two years, to be reviewed after one year.
  - Provide the Executive with information and insight.
  - Have a voice on the Executive, but not a vote.
  - Perform other duties as assigned by the President or Executive Board.
- (j) **THE TRUSTEES SHALL:**
- act as an auditing committee and audit the books and accounts of the Treasurer, Recording Secretary and the Standing Committees semi-annually.
  - report their findings to the first Membership Meeting, the completion of each audit.
  - be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
  - ensure that proper financial reports have been made to the membership.
  - inspect at least once a year any stocks, bonds, securities, office furniture and equipment, titles and deeds to property that at any time may 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. (Article B III, 3.11-3.12.)

## SECTION 9 - OUT OF POCKET EXPENSE

President	\$200.00 per month
1st Vice President	\$140.00 per month
Treasurer	\$140.00 per month
Recording Secretary	\$140.00 per month
Chief Shop Steward	\$140.00 per month**
All Members at Large, 2 <sup>nd</sup> Vice President and Past President	\$40.00 per month

\*\* - Chief Shop Steward to a maximum of \$140.00 per month

30% of the "Out of Pocket Expenses" be returned to the Executive members to cover their increased income tax, due to the above.

## SECTION 10 - FEES, DUES, ASSESSMENTS

- (a) Initiation Fees - Each new member shall pay an initiation fee of \$10.00 or as set out from time to time in the National CUPE Constitution. The new member will sign the authorization form supplied by the Union. This authorization form is then sent to the School Board Office and payment is then forwarded to the Treasurer with the regular payment of dues. (Article B IV, 4.1)
- (b) Monthly Dues shall be 1.83% of gross wages.
- (c) Re-admittance Fee - The re-admittance fee shall be \$10.00 excluding casual help. (Article B IV, 4.1)
- (d) A member can apply for a withdrawal card, which will be good for a six-month period from the date of being issued. The Executive will decide if a withdrawal card shall be issued. A member refused a withdrawal card will have the right of appeal to the membership.
- (e) Changes in the levying of the initiation or re-admittance fee, or the monthly dues, or the levying of any special assessment, can be effected only by Notice of Motion in writing, with the additional provisions that the vote must be by secret ballot. (Article B IV, 4.1, 4.2)
- (f) Notwithstanding the above provisions, if the CUPE Convention raises minimum fees or dues above the level herein established, these Bylaws will be deemed to have been automatically amended to conform to the new CUPE minimum.

## SECTION 11 - NON-PAYMENT, DUES, ASSESSMENTS

Any member in arrears for a period of three months or more shall be automatically suspended and his suspension shall be reported to the Executive Board by the Treasurer. The Executive Board shall report to the next Membership Meeting with a recommendation. Any member under suspension wishing to be reinstated shall, upon application, pay the re-admittance fee plus any dues and assessments in arrears. This money will be returned if the application is rejected. If a member has been unemployed, or unable to work because of sickness, he shall pay the re-admittance fee.



## **SECTION 12 - NOMINATIONS, ELECTIONS, INSTALLATION OF OFFICERS**

- (a) **NOMINATIONS** - Any member in good standing is eligible for nomination to the Executive Board, providing the nominee has been a member for 12 consecutive months.
- (b) Election of Executive Board Officers as per amendment of the Bylaws dated January 1, 1981, the following officers will be elected:
  - (1) At the Annual Meeting, January, 1981, that is of the 1st Vice President for a term of two years.
  - (2) That of the Treasurer be elected for a term of two years.
  - (3) That at the Annual Meeting in January, 1982, the President will be elected for term of two years.
  - (4) That the Recording Secretary will be elected for a term of two years.
  - (5) Trustees will be elected as per the National Constitution.

All other Executive Board Members to be elected annually.

### **(b.1) ELECTION OF SHOP STEWARDS**

- (1) Shop Stewards be elected by the Membership for the term of one (1) year, and further;
- (2) Elections be held annually by component vote during the month of November or December, that the names of elected members be submitted to the Executive of the Union on or before their regular meeting in January of each year.
- (3) Elections be conducted in conformity with Section 12 (c) (2),(3),(5),(6),(7),(8) of these Bylaws and may be held at (1) a General Meeting, (2) a meeting place approved of by the Executive of the Union and (3) or by referendum vote.
- (4) That there be two Union Executive members present when voting of each of the following components takes place, either by secret ballot at a meeting or during the count of ballots, conducted by scrutineers and Returning Officer - returned from a referendum vote:
  - Cust. II component for one Shop Steward (1)
  - Cust. I component for two Shop Stewards (2)
  - Cert. Trades component for one Shop Steward (1)
  - Non-cert. Trades component for one Shop Steward (1)
- (5) Should any component be unable to fill a Shop Steward's position, the President shall then appoint a member to fill that vacancy.
- (6) When a Shop Steward's position becomes vacant for any reason, the vacancy shall be filled by an election to conform with paragraphs (3), (4) and (5) at the earliest possible time.

(c) **ELECTIONS**

- (1) At a membership Meeting of the day of the election, the President shall, subject to the approval of the members present, appoint a Returning Officer and Scrutineers to conduct the election.
- (2) 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.
- (3) The Returning Officer shall be responsible for issuing, collecting, and counting ballots. He must be scrupulously fair and impartial, and see that all arrangements are unquestionable democratic.
- (4) The nominating and voting shall take place at the Annual Membership Meeting in January.
- (5) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- (6) A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken.
- (7) If necessary, to obtain a majority on the second and subsequent ballot, the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In the case of a final tie vote, the presiding officer may cast the deciding vote.
- (8) Any member may request a recount of the votes for any election and a request is supported. In a vote by at least the number of members equal to the quorum for a Membership Meeting as laid down in Section 4 (c).

(d) **INSTALLATION**

- (1) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office as per Section 12 (b) or until a successor has been elected and installed, provided, however, that no term of office, except Trustees, shall be longer than two years. (Article B 11, 2.3)
- (2) The terms of office for Trustee shall be as laid down in Article III, 3.1 of Appendix "B" of the CUPE CONSTITUTION.

(e) **BY-ELECTIONS:**

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

## **SECTION 13 - DELEGATES OF CONVENTIONS**

- (a) The President shall have first choice to be a delegate to conventions; all other delegates shall be elected from the Executive Board.
- (b) Delegates to the Victoria and District Labour council shall be elected annually. An official reporter for these delegates shall be appointed by the President from amongst these delegates, and he shall be required to report at each Membership Meeting of the Local on the proceedings at recent meetings of the Labour Council. These delegates do not necessarily have to be Executive Board Members.
- (c) All delegates elected to conventions, held outside the City of Victoria, shall be paid transportation expenses (at economy tourist or coach rates) plus overnight accommodation (when necessary). Receipts for the above expenses to be turned in to the Treasurer. A per diem allowance of \$60.00 per day is to cover all other expenses, and an amount equal to any loss of salary necessitated by attendance at the convention.
- (d) Delegates to conventions held locally will receive a mileage allowance. There shall be a per diem allowance of \$25.00 and compensation for any loss of salary necessitated by attendance at the convention.

## **SECTION 14 - COMMITTEES**

It will be the responsibility of the Chairman of the following committees, when dealing with matters pertaining to their respective committees, to meet and report to the Executive Board before meeting with Management.

### **(a) NEGOTIATING COMMITTEE**

- (1) This committee shall remain active during the process of negotiations; the committee will be elected by the Membership and dissolved by the Membership.
- (2) The President of the Local shall be the Chairman of the Negotiating Committee which will consist of a total of five (5) members with the following representation:

Custodial Component	(1)
Janitorial Component	(1)
Certified Trades Component	(1)
Non-Certified Trades Component	(1)
- (3) Elections for the Negotiating Committee will be by Component Vote. Elections will take place for the Negotiating Committee in accordance with the Executive Board's decision, and keeping in mind the Policy and Bylaws of the Joint Negotiating Committee
- (4) Should any Component be unable to field a representative, the President shall appoint other members to fill the vacancies.
- (5) Any member of the Negotiating Committee missing three (3) meetings without good reason shall be dismissed from the Committee and the Component concerned elect a new representative.

- (6) The Negotiating Committee which will consist of five (5) elected members shall decide the number of members who will form the Bargaining Committee. The spokesperson of the Bargaining Committee shall be elected or appointed by the Negotiating Committee. In the event that agreement cannot be reached, the President shall appoint a spokesperson from the Negotiating Committee. The Bargaining Committee will act only as spokesperson for the Negotiating Committee as a whole.

The President is automatically a member of the Bargaining Committee, and may attend any or all meetings as required.

- (7) The Negotiating Committee and the Executive Board will be solely responsible for the policy of any strike action or action on Lock Out required during the Bargaining process.

- (8) The President and two (2) members of the Executive Board will be responsible for the final proofreading of the Working Agreement before the Contract will be signed.

- (9) In future Negotiations the Negotiating Committee shall Negotiate on the following basis:

- i. Beginning 1990 Negotiations the Negotiating Committee shall bargain an "across the board" pay raise.

The following Negotiation year the Negotiating Committee shall bargain a "percentage pay raise" to all classifications.

- ii. Definition of "across the board" - All Brothers and Sisters receive in dollars and cents, the same pay raise.

Definition of "percentage pay raise" - Percentage of raise is applied to each classification.

Each negotiating year shall alternate the above.

- iii. A special ad hoc committee may be established for a specified purpose and period by the Executive Board. The members shall be elected at a Membership Meeting or by specific authorization of the membership, be appointed by the President or the Executive Board. Two members of the Executive Board may sit on any special committee as ex-officio members.

- iv. Members of the Executive Board other than the table officers will be members at large; the President will appoint the Chairman for the following committees:

Grievance; Shop Stewards; Social; Educational; Labour Management; Bursary; Editor.

The Sick Committee and the Social Committee will be elected from the Union, but not form part of the Executive Board other than the said Chairman. No Union Member or Executive Member when applying for a

vacancy may sit on a committee with Management pertaining to that position.

- v. No Union Member will approach Management pertaining to Union business on his own behalf, or on behalf of the Union, unless directed to do so by the Union or the Executive Board, and then not less than two (2) Union Members will meet with Management.
- vi. A Member will report all letters of censure to their Shop Steward immediately on receipt so that the matter can be dealt with forthwith.
- vii. All Union Members having problems regarding their working agreement will report their problems to the Shop Steward of their respective classifications. The Shop Steward will have the said Union Member fill out a grievance form in writing on the forms provided by the CUPE office. These forms are to be signed by the Shop Steward. The complainant and/or complainants will have the right to appeal to the Union membership at the General Meeting.
- viii. Other committees may be set up as outlined, on recommendations from the President or the Executive Board.

(b) **EDUCATION COMMITTEE**

It shall be the duty of this committee to:

- Arrange for the representation of the Local at any appropriate and educational seminar or conference and submit recommendations accordingly to the Executive.
- Instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file on these reports.
- Cooperate with the Executive Board in preparing press releases and other publicity material.
- Cooperate with the Educational and Public Relations Department of CUPE, and with the regional Educational representatives in implementing both the Local's and CUPE's policies in these fields.
- The Committee shall comprise between 3 and 5 members and shall appoint its Secretary from among its members.

(c) **SOCIAL COMMITTEE**

It is the function of this committee to arrange and conduct all social and recreational activities of the Local of decisions taken at Membership Meetings. The Executive Board shall be held responsible for the proper and effective functioning of this committee. The Treasurer shall be the Chair of this committee. The committee shall comprise of at least two members.) .035% of gross wages shall be deposited into the Social Fund.

(d) **BURSARY COMMITTEE**

- (1) The Bursary Committee will have no less than three members.\*
- (2) The Bursary Committee is governed by Section 14 (a) of CUPE Local 382 bylaws. It will be the responsibility of the Chairman of the following committees when dealing with matters pertaining to their respective committees, to meet and report to the Executive Board before meeting with Management.
- (3) Duties and Responsibilities:
  - (a) Arrange to have copies of the bursary applications made as required.
  - (b) Treasurer of Local 382 to make contribution to the bursary fund no later than May 31st of each year.
  - (c) Responsibility for all inquiries of successful applicants to be made by the committee:
    - no exams required
    - Local Members and spouses ineligible
    - older applicants who return to school to complete Grade 12 are eligible
    - once a student starts post secondary education it is preferred that year 1, or 2, or 3 are continuous in order to be eligible
    - applicant to be interviewed by committee if necessary.\*\*
  - (d) Make sure required documents are attached to the application:
    - final grade transcripts for the current year
    - letter of reference from principal or counselor
    - acceptance letter or receipt from the institution of full time student.

If any of the above criteria is not met, then an explanation from the applicant is necessary or the application is void.

- (4) Administration of the Bursary Fund
  - (a) Definition of "Major Award" as outlined on application form will not exceed a total of \$5000.00. Applicants receiving major awards will be void.
  - (b) The intent of the bursary is a desire and need of the applicant, rather than scholastic achievement. i.e. applicants' attendance at school is a selection factor.
  - (c) The bursary fund is to be maintained at \$1500.00 per year. If the fund is not depleted in a given year, the balance of the account will be returned to general revenue of Local 382 for education of union members.
  - (d) Awards can be distributed to any of the categories (not to exceed \$1500.00) only if there are no applicants in a given category.

i.e.:

3 <sup>rd</sup> year bursary -	\$ 700.00
2 <sup>nd</sup> year bursary-	\$ 500.00
<u>1<sup>st</sup> year bursary -</u>	<u>\$ 300.00</u>
Total -	\$1500.00

or:

1-2 <sup>nd</sup> year bursary -	\$ 500.00
<u>2-1<sup>st</sup> year bursaries-</u>	<u>\$ 600.00</u>
Total	\$1100.00

\*\*The disbursement of funds is the responsibility of the Bursary Committee. All funds (awards) to be disbursed at the October General Meeting of each year.

If an applicant is a son/daughter/ward of a committee member then the member must be replaced due to conflict of interest.

\*\*Executive Members will be appointed to sit in on interviews when a total of three committee members are not available.

## **SECTION 15 - SICK LEAVE, EMERGENCY SICK LEAVE**

At the expiration of Sick Leave and emergency Sick Leave, for a member in good standing, Local 382 will assume his or her contribution to MSA and Group Life Insurance on a three (3) month basis only. Each case must be authorized by the Executive Board.

### **(a) EMERGENCY SICK PAY**

Payment of Emergency Sick Pay shall be administered by the Executive Board, and each application will be dealt with separately, and provided sufficient days are on credit in the fund in accordance with the provisions in the Working Agreement. The executive Board should be encouraged to keep a healthy amount of Emergency Sick Days accredited to the fund.

### **(b) EMERGENCY SICK LEAVE FUND**

Payment shall be 60% of members pay rate for ten (10) days then 100% for remainder of days approved.

- (1) Benefits to be granted on the recommendation of the executive of the Union according to the following schedule, providing sufficient days are on credit in the fund:
  - during the 1st to 5th year of employment, 5 days leave;
  - during the 6th to 10th year of employment, 15 days leave;
  - during the 11th to 15th year of employment, 30 days leave;
  - during the 16th to 20th year of employment, 50 days leave;
  - during the 21st year of employment to retirement, 70 days leave.

- (2) Emergency Sick Leave shall not exceed the above allowance for any one illness.

## **SECTION 16 - MEMBERSHIP CORRESPONDENCE**

- (a) It shall be the responsibility of a Union Member to notify the the employer in writing of any change of address or phone number.
- (b) Union Members who have applied on a job vacancy and wish to withdraw their application shall notify Management.

## **SECTION 17 - CONSTITUTION, BYLAW REGULATION**

Any Member contravening Local 382 bylaws and CUPE constitution and obligations will be tried, as laid out in the CUPE constitution. (B.V.)

## **SECTION 18 - PARLIAMENTARY PROCEDURE**

All meetings of the Local shall be conducted in accordance with the principles of Canadian Parliamentary procedure. Some of the important rules to ensure free debate are appended to these bylaws by Appendix "A". These rules shall be considered as an integral part of the bylaws and may be amended by the same procedure used to amend the bylaws. In situations not covered by Appendix "A", the CUPE constitution may provide guidance, but if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

## **SECTION 19 - AMENDMENTS**

- (a) 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. Constitutional interpretation, including determination of conflict is the prerogative of the National President.
- (b) These bylaws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a Regular or Special Meeting, following written "Notice of Motion" given at a previous Regular Membership Meeting. (Article VI, 6.1)
- (c) No change in these bylaws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval to the National President. (Article XII).

## **SECTION 20 - MEMBERSHIP PROCEDURE**

- (a) It will be the responsibility of each Union Member when directed by Management to perform duties other than his or her normal duties, to report same to the Shop Steward.
- (b) No Union Member or group of members will call or hold a meeting pertaining to Union business or their welfare without permission of a General Meeting or from the Executive Board.
- (c) All Union Members will make every effort to wear their CUPE Union buttons on the job.

## **SECTION 21 - RETIREMENT GRATUITY**

Upon retirement a member shall receive the following gratuity from the Union:

up to 15 years continuous service	\$150.00
15 years continuous service	\$200.00
20 years or thereafter	\$400.00



The beneficiary of a Member of the Union in good standing shall receive the same amount normally given the Member on retirement provided the member has not already received the retirement gratuity.

## **SECTION 22 - DEFENCE FUND**

The Union will maintain a Defense Fund from 0.135% of gross wages, per member, per month shall be deposited in a Defense Fund. The Membership shall administer the Defense Fund on recommendation from the Executive Board.

## **SECTION 23 - RECESS PERIOD**

The Executive Board shall have the power to carry on the normal business of the Union during the recess period of July and August.

## **SECTION 24 - MILEAGE ALLOWANCE**

- (a) Members of the Executive and Members of the Union directed by the Executive Board to carry out Union business and use their cars for transportation will be paid at the rate negotiated in the existing contract inside the Greater Victoria area and \$ .05, per mile less outside the Greater Victoria area. Mileage Allowance sheets will be filled in and turned over to the Treasurer before the next monthly executive meeting..
- (b) In the event of a strike or lockout, the honoraria expenses will be discontinued for the strike or lockout period, including mileage allowance.

## **SECTION 25 - STRIKE, WORK STOPPAGE, LOCKOUT**

It will be the responsibility of all Union Members to fulfill their duties as directed by the Executive Board and the Strike Committee. Failing to do so, they will forfeit all CUPE National, Divisional and Local benefits.

## **SECTION 26 - REPORTING NEW EMPLOYEES, SOLVING MEMBER CONFLICTS**

- (a) It will be the responsibility of the Custodians, Foremen, and Department Heads to report to the Shop Stewards, all new employees of their Departments within 24 hours.
- (b) In the event of conflict of interest or a personality difference, all members are urged to use the services of the Chairman of the Shop Stewards Committee, and notify the Shop Stewards of the respective Departments of any problems among members of 382 CUPE.

## **SECTION 27 - TO ALL FOREMEN AND CUSTODIANS**

Should you have a problem between Members and yourselves, please notify the Shop Steward of your Department.

## **SECTION 28 - OFFICE ADMINISTRATION**

That when the Executive Board deems it to be necessary, the equivalent of 2 non-cumulative working days per month be paid by the Union to compensate for lost wages while performing administrative duties at the office of 382 CUPE.

## **SECTION 29 - UNION-WEBSITE**

### **WEBMASTER AND CONTENTS:**

- (a) Webmaster to be selected by the President from among interested Members and be appointed with the support of the Union Executive.
- (b) Contents of the Newsletter to be approved by the Webmaster and President or Vice-President before same goes to Union Website
- (c) Comment, quotations and/or names of members are not to be printed without the specific approval of such members.