

BY-LAWS

of the

**CANADIAN UNION
OF PUBLIC EMPLOYEES**

LOCAL UNION 1698

**CHARTERED BY THE CANADIAN UNION
OF PUBLIC EMPLOYEES AND AFFILIATED
WITH THE CANADIAN LABOUR CONGRESS**

Revised and Approved January 21, 2013

PREAMBLE

In order to improve the social and economic welfare of its members without regard to sex, colour, race or creed, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, this Local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

The following By-Laws are adopted by the Local pursuant to, and to supplement, Appendix “B” of the CUPE Constitution, the safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

SECTION 1:

NAME

The name of this Local shall be: Canadian Union of Public Employees, Local Union 1698 (Library Employees).

SECTION 2:

OBJECTIVES

The objectives of the Local are to:

- a) secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- b) support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- c) provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- d) encourage the settlement by negotiation and mediation of all disputes between the members and their employers.

SECTION 3:

INTERPRETATION & DEFINITIONS

- a) Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the CUPE Constitution (1997) which should be read in conjunction with these by-laws.

SECTION 4:

MEMBERSHIP MEETINGS

Regular and Special

- a) Regular membership meetings shall be held on the third Monday of every other month. If a statutory holiday interferes, the Executive Board shall give a week's notice of any change in the date and/or time of the regular meeting.
- b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than 15 members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours' notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- c) A quorum for the transaction of business at any regular or special meeting shall be 11 members, including at least three (3) members of the Executive Board.
- d) The order of business at regular membership meetings is as follows:
1. Roll Call of Officers
 2. Voting on new members and initiation
 3. Reading of Minutes of Previous Meeting
 4. Matters arising out of the Minutes
 5. Treasurer's Report
 6. Communications and Bills
 7. Executive Board Report
 8. Reports of Committees and Delegates
 9. Nominations, Elections or Installations
 10. Unfinished Business
 11. New Business
 12. Good of the Union
 13. Adjournment

SECTION 5:

VOTING OF FUNDS

Expenditures of the Local Union shall be only for the purposes of the Local Union, and in all cases shall be made by cheque signed by the Treasurer and counter-signed by the President or such other officer as the Local Union may designate.

SECTION 6:

OFFICERS

The officers of the Local Union shall be: President, Vice-President, Vice-President (Librarian) to be elected by the librarians, Secretary, Treasurer, seven Regional Executive Members-at-Large, Sergeant-at-Arms, three Trustees.

SECTION 7:

EXECUTIVE BOARD

- a) The Executive Board shall comprise all officers, except Trustees.
- b) The Board shall meet at least once every month.
- c) A majority of the Board constitutes a quorum.
- d) The Executive Officers shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- e) The Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- f) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
- g) The terms of office for Executive Board members shall be for not less than one year and not more than two years. No member may hold more than one elected position on the Executive Board.
- h) Should any member of the Executive Board fail to answer the roll-call for three meetings,

whether they be general, executive, bargaining or special, without having good and sufficient cause, their office shall be declared vacant and the position filled at the next general membership meeting.

SECTION 8:

TRUSTEES

- a) Three Trustees shall be elected, one of whom shall be a librarian. The Trustees shall be elected so that one shall serve for a period of three years, one for two years and one for one year. Each year thereafter, the membership shall elect one Trustee for a three year term. In the case of a vacancy occurring during the term of a Trustee the election shall be to fill only the unexpired term, at the next general membership meeting.
- b) Should any member of the Trustees fail to answer the roll-call for three consecutive general membership meetings without having good and sufficient cause, their office shall be declared vacant and the position will be filled by an election at the next general membership meeting.

SECTION 9:

DUTIES OF OFFICERS

- a) The PRESIDENT shall:
 - enforce the CUPE Constitution and these By-Laws;
 - 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 a vote on all matters (except appeals against their rulings) and in case of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie;
 - ensure that all officers perform their assigned duties;
 - fill committee vacancies where elections are not provided for;
 - sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, By-Laws, or vote of the membership;
 - have first preference as a delegate to the CUPE National Convention.
- 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;
 - render assistance to any member of the Board as directed by the Board.

c) The VICE-PRESIDENT (LIBRARIAN) shall:

- ensure that any special interests or issues regarding librarians be brought to the attention of the BOARD.

d) The 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 credit union;
- record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- be bonded for not less than \$500.00 (or any greater sum as may be decided at a membership meeting, taking into account the assets of the Local and the amount of cash and cheques handled by the Treasurer) through the master bond held by the National Office;
- pay no money unless supported by an expense sheet, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited quarterly;
- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- forward to the National Secretary-Treasurer of the Canadian Union, on the official monthly report forms provided, not later than the 15th day of each month, all financial obligations owing to the Canadian Union. They shall forward one dollar (\$1.00) of each initiation fee on all members admitted (except for those named on the list forwarded with the application for a charter) along with the per capita tax on all dues received by the Local Union. The report should also set out the number of those initiated, reinstated, suspended and expelled and the number of members on whom per capita is being paid;
- at the end of their term of office, the Treasurer shall turn over to their successor, all properties and assets, including funds, books and records belonging to the Local Union. Any Treasurer who cannot qualify for a bond, shall immediately be disqualified from their office and the Local Union shall proceed with the election of another Treasurer;
- make a financial report to the Local Union monthly.

e) The SECRETARY shall:

- keep full and accurate account of the proceedings of all membership and Executive Board meetings;
- record all alterations in the by-laws;
- answer correspondence and fulfill other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to members;
- have all records ready on reasonable notice for auditors and Trustees;
- preside over membership and Executive Board meetings in the absence of both the President

and the Vice-President;

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

f) The SERGEANT-AT-ARMS shall:

- guard the inner door at membership meetings and admit no one but members in good standing (or their minor children) or officers and officials of CUPE; except by consent of the members present;
- maintain the record of membership attendance at meetings;
- introduce new members and conduct them through the initiation ceremony;
- perform such other duties as required by the Board from time to time;
- maintain files of current members;
- provide current membership address list to B.C. Division of CUPE;
- insure all sworn-in members are in possession of CUPE membership card.

g) The REGIONAL EXECUTIVE MEMBERS-AT-LARGE shall:

- as their primary duty, represent the Local Union to the Regional Area and the Regional Area to the Local Union;
- perform such additional duties as may be assigned by the Executive Board from time to time.

Members-at-Large – Casual shall:

- as their primary duty, represent the Local Union specifically to the casual employees of the Regional Area and the casual employees of the Regional Area to the Local Union;**
- perform such additional duties as may be assigned by the Executive Board from time to time.**

h) The TRUSTEES shall:

- act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, the Secretary and the Standing Committees quarterly;
- report their findings to the first membership meeting following the completion of each audit;
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- ensure that proper financial reports are made to the membership;
- audit the record of attendance;
- inspect at least 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, and report their findings to the membership;
- use audit forms supplied by the National Office and send a copy of each quarterly audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution.

SECTION 10:

OUT-OF-POCKET EXPENSES

All out-of-pocket expenses incurred in the service of the Local shall be reimbursed in accordance with the policy manual.

SECTION 11:

FEES, DUES and ASSESSMENTS

- a) **Initiation Fee**
Each application for membership in the Local shall be directed to the Treasurer and shall be accompanied by an initiation fee of \$10.00 which shall be in addition to monthly dues. If the application is rejected, the fee shall be returned.
- b) **Dues**
The dues shall be one per cent plus National per capita tax.
- c) **Special Assessments**
Special assessments may be levied in accordance with Article B.4.2. of the CUPE Constitution.

SECTION 12:

NOMINATION, ELECTION and INSTALLATION OF OFFICERS

- a) **Nomination**
Nominations shall be received at the annual general membership meeting. To be eligible for nomination a member shall have attended at least fifty per cent of the membership meetings held in the previous twelve months. No nomination shall be accepted unless the member is in attendance at the annual general membership meeting, or has allowed to be filed at the meeting their consent, in writing, duly witnessed by another member.
- b) **Elections**
The Executive Board shall be elected by a majority of unspoiled ballots cast at a meeting of the Local Union for which adequate notice has been given to all members.
- c) **Installation**
All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for one (1) year or until a successor has been elected and installed, provided, however, that no term of office, except for Trustees, shall be longer than two years. (Taken from Article B.2.4)

The terms of office for Trustees shall be as laid down in Article B.3.10 of the CUPE Constitution.

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

SECTION 13:

DELEGATES TO CONVENTIONS

- a) The Executive Board shall recommend to the general membership their nominees for appointment as trustees, delegates to the various affiliates, conventions, councils, or other committees as required from time to time.

Notwithstanding that contained in this Section, the Executive Board may recommend to the general membership that any or all of the foregoing positions be elected.

- b) All delegates to conventions shall be paid transportation expenses and per diem allowance, as per the Policy Manual.
- c) Representation at educational institutes and seminars shall be on the recommendation of the Education Committee or Executive Board, subject to final approval by the membership.

SECTION 14:

COMMITTEES

- a) **Special Committees**
A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two members of the Board may sit on any special committee as ex-officio members. One position on each special committee shall be made available to a librarian.
- b) **Standing Committees**
The Chairperson and committee members of each standing committee shall be appointed by the Executive Board or elected by the membership at a meeting. The President or Vice-President

shall be member, ex-officio, of each committee. There shall be seven standing committees as follows:

- 1) **Negotiating Committee**
This shall be a committee elected or appointed at the annual general membership meeting. The function of the Committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The Committee shall consist of four members, at least one of whom shall be a librarian. The CUPE Representative assigned to the Local shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership. Shall perform their duties with respect to collective agreement article 8.03.
- 2) **Grievance Committee**
This Committee shall process all grievances not settled at the initial stage and its reports shall be submitted first to the Executive Board, with a copy to the CUPE Representative, and then to a membership meeting. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement. At least one position on the committee shall be made available to a librarian.
- 3) **Education Committee**
It shall be the duty of this Committee to:
 - arrange for representation of the Local at any appropriate and available educational seminar or conference and submit recommendations accordingly to the Executive Board;
 - instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports;
 - co-operate with the Executive Board in preparing press releases and other publicity materials;
 - co-operate with the Education and Public Relations Departments of CUPE, and with the regional Education Representative, in implementing both the Local's and CUPE's policies in these fields. The Committee shall comprise between two and four members and shall appoint its secretary from among its members. At least one position on the committee shall be made available to a librarian
- 4) **Job Evaluation Committee**
Shall perform their duties with respect to collective agreement schedule B. At least one position on the committee shall be made available to a librarian.
- 5) **Labour Management Committee**
Shall perform their duties with respect to collective agreement article 8.02. At least one position on the committee shall be made available to a librarian.
- 6) **Health and Safety Committee**
Shall perform their duties with respect to collective agreement article 23.02. At least one

position on the committee shall be made available to a librarian.

- 7) Technological Change Committee
Shall perform their duties with respect to collective agreement article 24.01. At least one position on the committee shall be made available to a librarian.

SECTION 15:

SHOP STEWARDS

At least one shop steward shall be elected by the librarians.

SECTION 16:

RULES OF ORDER

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are included in these by-laws. These may be amended only by the same procedure used to amend the by-laws.

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

- 1) The President or, in their absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and Vice-President, the Secretary shall act as President, and in their absence a President pro-tem shall be chosen by the Local.
- 2) No member except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than five minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairperson and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.
- 3) The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?". Should no member rise to speak, the question shall then be put.
- 4) A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
- 5) A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or

amendment to an amendment, which is a direct negative of the resolution shall be in order.

- 6) On motion, the regular order of business may be suspended, by a two-thirds vote of those present, to deal with any urgent business.
- 7) All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
- 8) At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
- 9) Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
- 10) When a member wishes to speak on a question or to make a motion, they shall rise in their place and respectfully address the presiding officer, but, except to state that they rise to a point of order or on a question of privilege, they shall not proceed further until recognized by the chair.
- 11) When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
- 12) Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Local or member thereof.
- 13) If a member, while speaking, is called to order, he shall cease speaking until the point is determined; if it is decided they are in order, they may again proceed.
- 14) No religious discussion shall be permitted.
- 15) The President shall take no part in debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
- 16) The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, they may in addition give a casting vote, or, if they choose, refrain from breaking the tie, in which case the motion is lost.
- 17) When a motion is before the Local, no other motion shall be in order except: i) to adjourn, ii) to put the previous question, iii) to lay on the table, iv) to postpone for a definite time, v) to

refer, vi) to divide or amend, which motions shall have precedence in the order named. The first three of these shall be decided without debate.

- 18) A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?". If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
- 19) A motion to adjourn is in order except, i) when a member has the floor, and ii) when members are voting.
- 20) A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.
- 21) After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.
- 22) If any member wishes to challenge (appeal) a decision of the chair they must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for their challenge. The chairperson may then state briefly the basis for their decision, following which the chairperson shall immediately and without debate put the question: "Shall the decision of the chair be sustained?". A majority vote shall decide except that in the event of a tie the chair is sustained.
- 23) After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
- 24) No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Sergeant-at-Arms.
- 25) The Local's business, and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

SECTION 17:

AMENDMENT

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

the CUPE Constitution the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.

- b) These by-laws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting following written notice given at a previous regular membership meeting.
- c) No change in these by-laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.