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# **Bylaws**

## **Canadian Union of Public Employees (CUPE), Local 825**

### **City of Port Moody Civic Workers – Inside, Outside, and Police Services Divisions**

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## **INTRODUCTION**

Local 825 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;
- Promote the efficiency of public services; and,
- Express its belief in the unity of organized labour.

The following bylaws are adopted by Local 825 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

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.

CUPE chartered organizations may also wish to adopt a Local Union Code of Conduct that would apply to membership meetings and other functions organized by the chartered organization. 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 825 (Port Moody Civic Workers).

Local 825 consists of the following bargaining units:

- Inside
- Outside
- Police Services

## **SECTION 2 – OBJECTIVES**

The objectives of Local 825 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 class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
- 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 Article II of the CUPE National Constitution.

## **SECTION 3 – UNION STRUCTURE**

Within the general structure of this Union, there shall be an "Outside Division", "Inside Division" and "Police Services Division" for the purpose of harmony, discussion and administration of the affairs and problems of this Union. These divisions are formed to promote the business and affairs of the members of this Union as a whole, and not to divide the members from the basic principle of this Union as a whole. The Officers and Committees of these Divisions shall be hereinafter provided.

## **SECTION 4 – MEMBERSHIP**

### **a) Membership**

An individual employed within the jurisdiction of Local 825 shall apply for membership in Local 825 by signing an application and paying the initiation fee set out in Section 12(a) of these bylaws

(Article B.8.1)

### **b) Approval of Membership**

At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting object, the applicant(s) will be accepted into membership.

(Article B.8.2)

**c) Oath of Membership**

New members may be sworn in by any officer of the Local Executive and will endeavour to do so soon after becoming a member of the local. New members will take 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)

**d) 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)

**e) Member Obligations**

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

Members will provide the Recording Secretary with their current address, home telephone contact number and where available, an e-mail address. The member will advise the Recording Secretary of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of mail, e-mail blasts or telephone town halls.

## **SECTION 5 – AFFILIATIONS**

In order to strengthen the labour movement and work toward common goals and objectives, Local 825 shall be affiliated, if necessary, to and pay per capita tax to the following organization(s):

- The CUPE BC Provincial Division
- The CUPE Metro District Council
- The BC Federation of Labour

## **SECTION 6 – MEMBERSHIP MEETINGS**

### **a) Regular Membership Meetings**

Regular membership meetings of Local 825 shall be held in January, June, September, and November. 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.

### **b) Annual General Membership Meeting**

An annual general meeting will be held in April. Notice of the annual general membership meeting outlining the date, time and location shall be given to members at least seven days in advance of the meeting.

### **c) Special Membership Meetings**

Special membership meetings of Local 825 may be required and shall be called by a majority vote of the Executive Board or may be requested in writing by no fewer than seven members. A special membership meeting will be scheduled to occur within two weeks from when it is requested. 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.

### **d) Quorum**

The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be seven members that are not members of the Executive Board, plus at least three members of the Executive Board.

### **e) Membership Meeting Agenda**

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

1. Acknowledgement of Indigenous Territory
2. Roll call of officers
3. Reading of the Equality Statement
4. Voting on new members and initiation
5. Reading of the minutes
6. Matters arising from the minutes
7. Secretary-Treasurer's Report

8. Communications and bills
9. Executive Board Report
10. Reports of committees and delegates
11. Nominations, elections, or installations
12. Unfinished business
13. New business
14. Good of the Union
15. Adjournment

(Article B.6.1)

## **SECTION 7 – OFFICERS**

The Officers of Local 825 shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, six (6) Shop Stewards, three (3) Trustees, and one executive member-at-large (youth worker).

(Articles B.2.1 and B.2.2)

## **SECTION 8 – 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.
- 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 and then submitting the proposal to a membership meeting and having it approved.
- 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 consecutive regular meetings or three consecutive regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting. The President shall review all Executive member absences and discuss with the member in question and shall provide a warning if required, if no valid excuse is provided for their absence.

(Article B.2.5)

## **SECTION 9 – DUTIES OF OFFICERS**

Each Officer of Local 825 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

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 825 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.
- Fill committee vacancies where elections are not provided for.
- Introduce new members and conduct them through the initiation ceremony.
- Sign all cheques and review monthly credit card statements and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership.
- 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.
- Have first preference as a delegate to the CUPE National Convention.

(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.
- If the office of the President falls vacant, 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.

(Article B.3.2)

- Sit in on grievances and any other meetings, as required.
- Be a signing officer.
- Be a permanent member on the Social Committee.

**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.
- Coordinate the dates and venues for membership meetings, with assistance from other members of the executive, when required.
- Record all amendments and/or additions in the bylaws and make certain that these are sent to the National President for approval prior to implementing.
- Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
- Keep a record of all correspondence received and sent out.
- Prepare and distribute all notices to members.
- Maintain a full and accurate list of all 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.
- Keep all documents in electronic form and appropriately back them up.

- Coordinate good of the union to be paid for out of the Local Union's funds.
- Ensure copies of the collective agreements, bylaws, and national constitution are available online, and perform any necessary updates on local 825's website [www.825.cupe.ca](http://www.825.cupe.ca).
- Performs other duties required by the Local Union, its bylaws, or the National Constitution.

(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.
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences.
- 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.
- 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 the President and one other member of the Executive Board as determined by the Executive Board. 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 28<sup>th</sup> each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid by them during the preceding calendar year.
- With the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union's funds.
- Notify all members who are one month in arrears and report to the Executive Board all members two or more months in arrears in the payment of union dues.

(Articles B.3.4 to B.3.8)

e) **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.
- Review employee lists to be used in any election or vote held digitally.
- 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)

**f) Shop Stewards**

The Shop Stewards shall:

- Be a committee of six (6) Shop Stewards who will be elected at the Annual General Membership Meeting for a two-year term. If no member from that department chooses to run, nominations will extend to members outside of that department at a subsequent meeting.
  - i) City Hall
  - ii) Library
  - iii) Recreation Services
  - iv) Facilities
  - v) Works Yard
  - vi) Police Services Division
- Ensure all new members are familiar with the Union and Health and Safety bulletin boards
- At the direction of the President or Vice President, attend meetings with members and employer.

**g) Executive Member-At-Large (Youth Worker)**

The Executive Member-At-Large (Youth Worker) shall:

- Be 30 years old or younger at the time of nomination.
- Attend executive meetings, participate in local committees, and assist other members of the executive.
- Bring young workers (30 years old and younger) together for education, discussion, and support to develop skills, and gain experience in labour activism.

**SECTION 10 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

**a) Nominations**

1. Nominations will be received at the Annual Membership Meeting held in the month of April.
2. Nominations will be accepted from members in attendance at the nomination meeting or from those members who have allowed their name to be filed in writing (or electronic communication) at the meeting, witnessed by another member.
3. To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.

(Articles B.8.1,B.8.2 and B.8.3)

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. To be eligible for nomination for President or Vice President, the nominee must have been accepted into membership and have attended at least 60% of the membership meetings held in the previous twelve (12) months or in the period they were a member, if less than a year.
6. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

**b) Elections**

1. At the Annual General Membership meeting, the President will, subject to the approval of the members present, appoint an Elections Committee consisting of two members, neither of whom are candidates for office or are members of the Executive Board. 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.
2. The Elections Committee will determine the format of the vote (in-person, online, etc.) and ensure that sufficient quantities of ballots are made available for the date of the election, if necessary.
3. The Elections Committee will be responsible for issuing, collecting, and counting ballots, if necessary. In the case of an online vote, they will ensure an up-to-date member list and the vote is set up properly. They will also ensure that the vote remains secure and anonymous, regardless of the format of the vote. The Elections Committee must be fair and impartial and see that all arrangements are unquestionably democratic.
4. The voting will take place during a special voting period within a month subsequent to nominations. The polls will be open for a minimum of eight (8) hours. The vote will be by secret ballot.

5. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots 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.
6. 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.
7. 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 11.4)

8. 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).
9. All election complaints by members will be submitted in writing to the Elections Committee 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 Elections Committee will investigate the complaint and issue a ruling as soon as is practical and report the ruling at the very next regular membership meeting.

**c) Installation of Officers**

1. All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office for the years below 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.
  - 2 Year
    - Even Years: President, Recording Secretary, Executive Member-At-Large (Youth Worker)
    - Odd Years: Vice President, Secretary-Treasurer
  - 2 Year (Shop Stewards)
    - Even Years: City Hall, Library, Facilities
    - Odd Years: Works Yard, Recreation, Police Services Division
2. The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three-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.

(Article B.2.4)

3. The Oath of Office to be read by the newly-elected Officers is:

*"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 11.6(b))

**d) 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 11 – VACANCIES**

If for any reason the position of President, Vice President, Recording Secretary, or Secretary-Treasurer becomes vacant, and it is less than 120 days before the position would come up for nomination, the executive board will appoint an executive member to fill the role by majority vote. That executive member's current position will be temporarily vacated and be replaced if required. If no one from the executive is willing to fill the vacant role, an election will be held to cover the remainder of the term. If the vacancy is a shop steward position, the executive board may appoint a member from the general membership to the position.

Should the incumbent in any Executive Board role become temporarily unable to perform the duties of their position, the executive will appoint a member to the role for that temporary period.

**SECTION 12 – FEES, DUES AND ASSESSMENTS**

**a) Initiation Fee**

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. ~~Each application for membership in Local 825 will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of ten dollars which shall be in addition to monthly dues. If the application is rejected, the fee shall be returned. The readmission fee will be ten dollars. The readmission fee will only be charged to members after a 12-month lapse in their membership.~~

(Articles B.4.1 and B.8.2)

**b) Monthly Dues**

The monthly dues shall be the current National per capita dues plus 1.15% of regular wages.

(Article B.4.3)

**c) Amending Initiation Fee or Monthly Dues**

Changes in the levels of the initiation fee or monthly dues can be enacted only by following the procedure for amendment of these bylaws (See section 19, with the additional provision that the vote must be by secret ballot)

Notwithstanding the above provisions, if the CUPE convention raises minimum fees and/or dues above the level herein established, these bylaws would be deemed to have been automatically amended to conform to the new CUPE minima.

(Article B.4.3)

**d) 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 13 – NON-PAYMENT OF DUES AND ASSESSMENTS**

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union.

A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but may not be required to pay arrears.

(Article B.8.6)

## **SECTION 14 – 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 825 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 825 will provide on-site child care at all Local Union membership meetings. Where on-site child care is not provided, members will be reimbursed at the current costs of dependent care or elder care as per the CUPE BC Expense Policy. Reimbursement will be provided upon proof of payment.
- b) Any member who is on authorized Local 825 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 15 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS**

- a) Except for the President's option [Section 9(a)], all delegates to conventions, conferences, and educational shall be chosen by the executive board.
- b) All delegates attending conventions, conferences, or educational shall be paid transportation expenses and a per diem allowance as per the Local 825 Expense Policy (Appendix D). The Local Union will reimburse the member's employer for any loss of wages.
- c) Local 825 will provide members with their per diem allowance as per the Local 825 Expense Policy (Appendix D), prior to their attending the convention, conference, or educational.
- d) Local 825 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educational.

## **SECTION 16 – COMMITTEES**

### **a) Special Committees**

A special committee may be established for a specified purpose and a specified period of time by the membership at a meeting. The members shall be elected at a 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.

#### **1. Negotiating Committee**

This will be a special committee established at least 4 months prior to the expiry of the Local Union's collective agreement and 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. The Committee may bring in any outside party for additional information, as required.

The committee shall consist of 4 members, the President, Vice President and two (2) members elected at a membership meeting. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

All members of Local 825's negotiating committee shall attend Level 1 and Level 2 of CUPE's collective bargaining courses.

### **b) Permanent Committees**

#### **1. Grievance Committee**

This committee will:

- Consist of President, Vice-President, Recording Secretary, and at least one executive member from the relevant division, unless there is a conflict of interest, in that case the remainder of the grievance committee will assign another shop steward.
- Oversee the handling of all local grievances.
- Receive copies of all grievances.
- When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether or not the grievance should proceed to arbitration.
- If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board.

## **2. Bylaw Committee**

This committee will:

- Consist of two elected non-officer members of the local union, as well as two members of the Executive Board as ex-officio 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.
- 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, while preserving the original intent and meaning of the bylaws.

## **3. Social Committee**

This committee will:

- Consist of the Vice President, one other member of the executive as an ex-officio member, as well as two elected non-officer members of the Local Union.
- Arrange and conduct all social, cultural, and recreational activities of the Local Union, either on the committee's own initiative or as a result of decisions taken at membership meetings.
- 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.

## **4. Bursary Committee**

This committee will:

- Consist of two elected non-officer members of the local union, as well as two members of the Executive Board as ex-officio members.
- Review bursary policies and forms annually.
- Review submissions and make decisions regarding eligibility.

## **5. Political Action Committee**

This Committee will:

- Consist of two members of the Local Union.
- Monitor City Council meetings and any affiliated political action groups' meetings as required, and provide reports to the Executive and at General Membership Meetings.
- Implement any political action as deemed appropriate by the membership.

## **6. Health and Safety Committee**

This Committee will:

- Work to educate members on the importance of workplace health and safety.
- Participate on the Joint Occupational Health and Safety Committee (JOHSC).
- Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.
- Immediately bring to the attention of the employer any workplace hazard that has the potential to cause members' illness or injury.
- Work to eliminate all workplace hazards, be they physical, environmental, or social.
- Attend any Joint Health and Safety Conferences, as required with permission of the Local Executive

## **SECTION 17 – 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 to B.11.5)

## **SECTION 18 – 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 19 – 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 9.2(c), 13.3 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 days before at a previous membership meeting or 60 days before in writing.

(Articles 13.3 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 90 days of receiving them and will withhold approval only where they conflict with the CUPE Constitution.

(Articles 13.3 and B.5.1)

## **SECTION 20 – SMOKING, ALCOHOL, OR ILLEGAL SUBSTANCES**

Members shall ensure all membership meetings are smoke free. No member shall attend membership meetings under the influence of alcohol or an illegal substance.

## **SECTION 21 – EDUCATION**

Any member wishing to attend any education session must receive the approval of the Executive Board (by majority vote).

## **SECTION 22 – PRINTING AND DISTRIBUTION OF BYLAWS**

Members will receive a copy of Local 825 bylaws, either in paper format or via the Local Union website at 825.cupe.ca. Members requesting a copy of these bylaws will be provided a copy as requested. Members with special needs may request a copy of the bylaws in larger font.

## **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 825, 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  
EXPENSE POLICY**

**1. Preamble**

The purpose of this expense policy is to reimburse members for expenses incurred on behalf of CUPE 825 while also creating a working procedure that is clearly defined and forms a part of the Bylaws of CUPE 825.

Matters of policy shall only be changed in accordance with the Amendments section of the Bylaws, unless an emergency arises that would warrant a Special Meeting of the Union as a whole, called for such purpose by the Executive Board.

All payment from Union held funds be made only after approved and reviewed by 2 (two) members of the Union executive that retain signing authority over said funds.

**2. Expenditures**

All expenditures of the Local shall be for the purpose of the Local only and in all cases, shall be paid by a cheque which will be signed by the Secretary-Treasurer and countersigned by a member of the executive that retains signing authority.

The Executive Board is authorized to approve and commit to expenditures on behalf of the Local during the time in between General Meetings when it is not possible to table the expenditures for approval of the membership, provided that the sum total does not exceed five hundred dollars (\$500.00).

The Executive Board is authorized to deal with and approve expenditure motions as outlined in the agenda posted before the General Meeting when approval from the membership is not obtained at the General Meeting because of lack of quorum. Any expenditures resulting from this process will be reported back and ratified by the membership at the next General Meeting.

**3. Wages**

Lost wages for regularly scheduled hours of work shall be repaid at cost directly to the employer only. Wage loss will not be paid directly to individuals.

**4. Accommodation**

If required, accommodation will be paid at prevailing rates. Members are entitled to a standard single room (at the best rate available), where members choose to share their room; they should clarify that with CUPE 825. Where possible all room, taxes and parking will be billed directly to CUPE 825.

**5. Dependent Care**

If required, dependent care will be paid outside of regular working hours as per the CUPE BC Expense Policy (which includes travel time) upon completion of the CUPE BC Dependant Care form. Other dependent care expenses will be paid at a realistic rate with prior approval of the Secretary-Treasurer and upon completion of the CUPE BC Dependant Care form.

**6. Transportation**

To be the most convenient and economical means possible with the maximum mileage not to exceed airfare:

- Airfare where required (economy class)
- Car mileage will be paid at the per km rate as per the current CUPE BC Expense Policy
- Parking cost when receipt provided and when on CUPE 825 business.
- Taxi, airport shuttle, or ride share from airport to hotel to meeting place upon submission of receipts. *Taxis to be shared when possible, and cheaper than combined shuttles.*

Accommodation will be made for those members with disabilities. Medical documentation is required.

**7. Per Diem**

Members engaged in business for the local, shall be paid the following:

- All per diems to be paid for members attending seminars / conventions lasting longer than 4 hours will be paid in accordance with the current per diem rates as approved by CUPE BC Expense Policy.

**8. Receipted Expenses**

Where receipted expenses are being submitted, a credit card slip will not be accepted on its own. An itemized receipt from the agency must also be included (e.g. hotels etc.) If no receipt is available due to special circumstances a declaration providing an explanation may be accepted, signed by the member, and authorized by the Secretary-Treasurer. These receipts may be reviewed by the Trustees.

## **9. Honorariums**

Providing that members of the executive attend a minimum of 75% of yearly executive and General Membership meetings (except for where excused by the Meeting Excuse Policy) the following expense allowance shall be provided.

President \$560.00 per month

Vice-President \$410.00 per month

Recording Secretary \$260.00 per month

Secretary-Treasurer \$260.00 per month

Shop Stewards \$80.00 per month (to be paid quarterly)

Members of the executive board can only receive 1 (one) honorarium per month.

## **10. Other Expenses**

- **Sick**

In accordance with the Bylaws, an appropriate gift (not exceeding \$125.00) may be presented to a member that is off work due to illness or injury for more than 4 (four) consecutive weeks.

- **Retirement**

Upon retirement, each member will receive a gift product worth \$30.00 dollars per year of service. This is dependent on the member completing 10 (ten) years of service. A member with less than 10 years of service will receive a gift product worth \$300.00 dollars. Members receiving this donation must be eligible for pension under the terms of the Municipal Pension Act.

- **Condolences**

- In the event of the death of a current member's immediate family, or in the event of a death of a retired member, make appropriate gestures in accordance with the customs or wishes of the family concerned (not exceeding \$125.00).
- In the event of the death of a current member, make appropriate gestures in accordance with the customs or wishes of the family concerned (not exceeding \$500.00).

## **11. Discretionary Donations**

The Executive Board will review requests for charitable donations up to, but not exceeding \$500 dollars and not exceeding the budget amount set for donations.

**12. Administrative Days**

Members of the Executive Board may book off administrative time as needed; however, prior approval must be granted by both the President and one (1) other Officer designated as a signing officer.

**13. Cell Phone and Computer Reimbursement**

The following members of the executive will be provided with a computer and phone, or reimbursement if they choose to use their own.

President

Vice-President

Recording Secretary

Secretary-Treasurer

- Reimbursement at the rate of \$25.00 per month for computer use
- Reimbursement at the rate of \$25.00 per month for cell phone use

All printer ink or other personal office expenses will be reimbursed upon the presentation of a receipt and approval from the President and one (1) other Officer designated as a signing officer.