

CONSTITUTION
AND
BYLAWS
OF THE
CANADIAN UNION OF PUBLIC EMPLOYEES
LOCAL 387
(NEW WESTMINSTER CIVIC EMPLOYEES UNION)
Chartered Canadian Union of Public Employees
C.U.P.E. B.C. DIVISION

INDEX
CONSTITUTION

Article		Page
1.	Name and Objectives	3
2.	Meetings	3
	Special Meetings	4
3.	Officers	4
4.	Elections	4
5.	Executive Committee	5
6.	Duties of Bargaining Representatives	5
7.	Duties of Officers	5
8.	Membership	6
	Trial Procedure	7
9.	Dues and Initiation Fees	7
10.	Executive Attendance at Meetings	8
11.	Shifts	8
12.	Amendments to the Constitution	8
13.	Order of Business	8
14.	Rules of Order	9

BYLAWS

1.	Nominating Committee	10
2.	Smoking and Alcohol Consumption	10
3.	Out of Pocket Expenses and Per Diem Rates	11
4.	Committees	12
5.	Retired Members	13
6.	Members Liability	13

ADDITIONAL

Requirements for the Business Agent	14
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**Local 387
CONSTITUTION**

**Article I
NAME AND OBJECTS**

This organization shall be known as Canadian Union of Public Employees – Local 387 (New Westminster civic Employees). Its membership may include all persons employed by the City of New Westminster, and any other employees related thereto who may be deemed eligible for membership by a majority vote of the members voting at any regular meeting of the Local, except the Mayor and Councillors and certain Confidential Employees.

The aims and objects of this Union are to advance our interests and workers; to build up an organization of Civic Employees, where our members can participate in the discussion of those practical problems upon the solution of which depend our welfare and prosperity; to encourage the principle and practice of settling all differences between the City and the employee in a harmonious manner; to promote the morale and economic welfare of our members.

**Article II
MEETINGS**

The Union's members shall meet for the transaction of the Union's business on the fourth Tuesday of each month, at 5:00 p.m., unless otherwise designated by a motion adopted at a previous regular meeting.

Regular meetings shall be held each month with the exception of the months July, August and December, when the regular meetings shall be suspended, at which time the Executive of the Union shall have the power to transact the business of the Union. In order to transact the Union's business at a regular meeting a quorum of the Union's members in good standing shall be present.

A quorum shall consist of a minimum of ten (10) members in good standing, six (6) of which must be Union Executive in attendance. Failing a quorum as per above, a simple majority quorum of the Executive shall be empowered to carry on routine business of the Union, including delegates to Conventions, Conferences, Seminars and Educational programs and payment of such bills and expenses as considered part of the Union's normal administrative requirements.

SPECIAL MEETING

A special meeting may be called by the Executive or by petition of twenty-five (25) members in good standing, and shall deal only with the matter for which the meeting was called. Such Special Meetings will be held within five (5) days from the date of receipt of the petition by the Recording Secretary. Notice of such meetings shall be posted one in advance.

Article III OFFICERS

a) The Officers of this Union, and their terms of office, shall be as follows:

1. President (three (3) year term)
2. Business Agent (three (3) year term)
3. Vice President (three (3) year term)
4. Secretary Treasurer (three (3) year term)
5. Recording Secretary (three (3) year term)
6. Five (5) Executive Directors (two (2) year term)
7. Three (3) Trustees, who will not be on the Executive Board, will be elected:
One (1) (one (1) year term; One (1) (two (2) year term); One (1) (three (3) year term)

The President, and Secretary Treasurer shall be elected in alternate years to the Vice President and the Recording Secretary. The Business Agent shall be elected every three (3) years.

The Bargaining Committee shall consist of the President, Business Agent and three Executive Directors who shall be elected by the Executive Board. Every effort shall be made to ensure equal representation from all departments including inside, outside and parks if possible.

Article IV ELECTIONS

- a) The nomination and election of officers shall be in March.
- b) Shop Stewards may be selected, to represent the various departments, within the local. Where a shop Steward is selected, the Recording Secretary of the local union shall be advised of the name, address, and telephone number of such person.

Article V
EXECUTIVE COMMITTEE

The Executive Committee shall comprise all of the elected officers and any six (6) of these shall constitute a quorum for the purpose of Executive Committee meetings. The Executive shall meet at least once every month.

Article VI
DUTIES OF THE BARGAINING REPRESENTATIVES

It shall be the duty of the Bargaining Representatives (Committee) to conduct the processes of collective bargaining with the employer(s) of the members of the Union. To attend all meetings relative to Collective Bargaining, those relative to Grievances, when required and to carry out such other instructions as from time to time may be made by the meetings of the Union or at the direction of the Executive of the Union.

Article VII
DUTIES OF OFFICERS

President

The President shall preside at all meetings, preserve order, sign all vouchers for the expenditure of funds of this Union, and perform such other duties pertaining to his/her office. He/She shall also be a member ex-officio of all committees.

Business Agent

The Business Agent shall perform the day to day duties for the local as set in out in the job description for this job. He/She is required to be a member of the Bargaining Committee, all Labour Management Committees, Grievance Committee, and attend all meetings required by the job and/or as directed by the Executive. He/She is to attend all conventions, conferences and schools as required; to perform the job and keep current with up to date information.

Secretary Treasurer

The Treasurer shall receive all monies due the Union and deposit same in the bank. He/She shall issue cheques to pay accounts owed by the Union, only on the authority of bills or vouchers approved by the Union. He/She shall report at each meeting the financial transactions of the preceding month and submit his/her books to the auditors for auditing when ordered to do so.

Recording Secretary

The Secretary shall keep a true account of the proceedings of the meeting, call the roll of officers, and perform such other duties as may be assigned him/her from time to time, and to see that a notice of all General and Special Union meeting shall be posted at all designated locations at least three (3) days prior to the meetings.

Warden

The Executive shall appoint a Warden who shall have charge of the entrance door to all meetings of the Union and shall admit only such persons as are members of the Union.

Trustees

The Trustees will examine and audit all accounts semi-annually and report results of the same to the Union; also they will have general supervision over the property of the local, see that all bills are paid, see that all money of the local has been deposited, in such places as the local designates.

Article VIII MEMBERSHIP

- a) All members of the (New Westminster Civic Employees Union) , as of September 24, 1963, on which date this local union became a chartered local of the Canadian Union of Public Employees, shall be members of Local 387 for as long as they are eligible and maintain themselves in good standing.
- b) All eligible persons accepted for membership after September 24, 1963, as per (c) the following.

- c) Any worker employed within the jurisdiction covered by the Charter of the Local Union or full-time official, representative or business agent of the Canadian Union of Public Employees or on the same becoming a full-time officer or officer of the Canadian Labour Congress shall be eligible for membership. He/She must make application on the regular form provided for that purpose, sign his/her name to it, and be recommended by a member in good standing. The application must be accompanied by the regular initiation fee or the initiation fee set for an organizing drive. The application shall be admitted or rejected by a majority vote of the members present at the meeting. In the event of the application being rejected the fee shall be returned. Applicants who have been accepted shall be required to take the following obligation within six months of their acceptance:

“I solemnly promise and declare, that I will support, and obey the Constitution of this Union; that I will strive to improve economic and social conditions, for my fellow members, and for working people generally; that I will defend and strive to extend the democratic rights and liberties of all working people, that I will not purposely or knowingly wrong, or assist others in wronging, a member of the Union; that I will make every possible effort to attend the meetings, and will pay all dues and assessments levied in accordance with the Bylaws.”

- d) A member in good standing shall be one who has paid all dues and assessment levied and any fine properly imposed by the Union.

TRIAL PROCEDURE

Shall be as outlined in Appendix B of the National Constitution of the Canadian Union of Public Employees.

Article IX DUES AND INITIATION FEES

- a) The initiation fee shall be Five Dollars (\$5.00) or any sum established by the membership.
- b) The dues of each member shall be two point four percent (2.4%) of their gross pay, per month, subject to revision as established by the membership. This shall not include overtime, but shall be at their regular posted rate. Dues to be maintained by the member during Sick Leave, WCB etc. to remain a member in good standing. Dues shall be paid by payroll deduction.

Article X
EXECUTIVE ATTENDANCE AT MEETINGS

Any Executive member missing three (3) consecutive meetings (Executive or Regular meetings) without just cause (just cause to be determined the Executive) shall have his/her position declared vacant and the membership shall be advised at the following regular monthly meeting when an election to fill such vacancy shall be held.

Article XI
SHIFTS

All members working on a shift when a Union meeting occurs shall be excused from attending Union meetings.

Article XII
AMENDMENTS TO THE CONSTITUTION

All changes and amendments to this Union's Constitution must be made by NOTICE OF MOTION, and such Notice of Motion shall be posted on Union Bulletin Boards prior to the meeting at which such Notice of Motion is to be considered. Voting on any subject relative to this section will be by secret ballot. Two-thirds (2/3) majority of those in such meetings will be required for the passing of any changes or amendments to the Constitution. Any changes in the Constitution shall not be valid until approved by the National President of the Canadian Union of Public Employees in accordance with Article XII, Section 3 of the CUPE National Constitution.

Article XIII
ORDER OF BUSINESS

1. Opening
2. Roll Call of Officers
3. Application for Membership and Initiation
4. Warden's Report
5. Reading of the Minutes
6. Receipts and Expenses (Secretary Treasurers Report)
7. Communications
8. Reports of Delegates and Committees

9. Unfinished Business
10. New Business
11. Nomination, Election and Installation of Officers
12. Good and Welfare
13. Adjournment

Article XIV
RULES OF ORDER

1. When a decision of the President is appealed, he shall state his decision and the reasons therefore from the chair. The party appealing shall then briefly state the reasons for the appeal; after which without further debate, the question shall be put thus: "Shall the decision of the Chair stand as the judgement of the Union?"
2. Every member while speaking shall adhere to the question under debate; avoid all personalities and indecorous language, as well as any reflection on the Union or any member thereof.
3. Any member while speaking, being called to order by another, at the request of the Chair, shall cease speaking and be seated until the question of order is determined.
4. No member shall speak more than once on the same question, until all members wishing to speak shall have had an opportunity to do so, not more than twice, without permission of the Chair, nor more than five minutes at one time.
5. All votes other than amendments to the Constitution, Bylaws or Rules of Order may be reconsidered at the same or next succeeding meeting upon a motion, made and seconded by two members who voted in the majority, provided the Union agrees thereto; but after a motion to reconsider has once been lost it shall not be renewed.
6. No member shall enter or leave the Union meeting during the reading of the Minutes, admission of new members, installation of officers, or the taking of the question by yeas and nays; and no member shall be allowed to leave the Union meeting without the permission of the presiding officer.

7. When a motion has been declared carried or lost by acclamation, any member before the Union proceeds to other business, may call a count, but the yeas and nays cannot be called unless demanded before the president calls the next order of business.
8. No subject of a religious, racist or sexist nature shall at any time be admitted.
9. ALL BUSINESS DONE IN THIS UNION SHALL BE STRICTLY SECRET TO ALL OUTSIDE THE UNION
10. All rules and proceeding in debate not herein provide for, shall be guided by Bourinot's Rules of Order.

BYLAWS

Article I

Nominating Committee

The Executive Committee shall appoint three members, who are not planning to stand for an Executive or a Trustee position at an upcoming general election to form a Nominating Committee..

The Nominating Committee shall be appointed two months prior to such an election

The Nominating Committee shall canvass and seek members who are willing to stand for an Executive or Trustee position.

Members willing to stand for a position on the Executive committee are required to sign the appropriate form which is then witnessed by a member of the Nominating Committee prior to the election

Article II

Smoking and Alcohol Consumption

There shall be no smoking or consumption of alcohol prior to or during any Cupe 387 meeting.

Article III

Out of Pocket Expenses and Per Diem Rates

Executive Honorarium:

President	\$200.00 per month
Vice President	\$200.00 per month
Secretary Treasurer	\$200.00 per month
Recording Secretary	\$200.00 per month
Business Agent	\$200.00 per month
Executive Director	\$50.00 per month

Per Diem Rates:

All Out of Pocket Expenses and Per Diem Rates will be paid according to the current Cupe BC Expense Policy

Accommodations:

If accommodations are required, they will be paid at the prevailing rates. Members are entitled to a single room however in some instances i.e. residential schools, rooms may have to be shared. All rooms, taxes, parking, phone calls for union business and one call home every other day shall be charged to the hotel room and will be paid by the union.

Dependant Care:

If required, child care and elder care will be paid outside regular working hours at the rate established by CUPE BC each year.

Travel:

Travel including airfare, ferries, car rentals, taxis will be paid at the current rate (receipts required) by the union.

Parking:

Parking will be reimbursed (receipts required except in circumstances where parking meters must be used) by the union.

Mileage:

Mileage will be reimbursed at the current rate established by the City of New Westminster each year.

Car Insurance:

Car insurance (for union business) to be paid by the Union if required.

Changes to the per diems, etc. will be made annually or when CUPE BC changes their expense policy or in the case of mileage when the City of New Westminster changes the

Article IV

Committees

The following committees will be appointed by the Executive Committee:

- Finance Committee
- Labour/Management Committee
- Bargaining Committee
- By-Law Review Committee
- Health and Safety Committee
- Long Term Total Disability Committee
- Social and Welfare Committee

Committee Duties

The duties of the Committees shall be deemed advisory and consultative.

Article V

Retired Members

Retired members in good standing shall be awarded a gift upon their retirement according to their years of service:

5 – 9 years of service	\$250.00
10 – 14 years of service	\$300.00
15 – 19 years of service	\$350.00
20 – 24 years of service	\$400.00
25 – 29 years of service	\$500.00
30 years and more	\$600.00

Article VI

Members Liability

- a) No member of Cupe 387 shall in their individual capacity be liable for any debt or liability by the local.
- b) Cupe 387 shall indemnify and save harmless from personal liability; any member of the Executive or any person appointed by the Executive from personal liability incurred by such person in the administration of the affairs of the local, provided that such protection shall extend only to persons acting bona fide in the interest of the local.

Requirements for the Business Agent (Executive Officer/ Fulltime Officer)

- Minimum of 2 Terms as member of the local Executive.
- Sound knowledge of the current CUPE 387 Collective Agreement.
- Sound knowledge of the grievance process as per the current CUPE 387 Collective Agreement.
- Sound knowledge of arbitration procedures.
- Ability to communicate effectively with members of the local, CUPE 387 Executive, City Administration and City Council.
- Ability to communicate effectively with other union locals, regional and national offices.
- Ability to maintain electronic records, reports and all pertinent correspondence.
- Ability to prepare annual budget and annual financial statements.
- Ability to maintain financial records, bookkeeping, banking and investment of the local's funds
- Ability to operate a computer and computer programs such as Word, Excel and Power Point.
- Ability to educate and train members of the executive, shop stewards and committee members.
- Ability to conduct all union business in complete confidentiality.
- Willingness to attend conventions, seminars, schools, conferences and workshops that are necessary in the operation of local CUPE 387