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# Bylaws Local Union 387

**Bylaw Amendment – changes in bold**

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*CUPE 387 recognizes and acknowledges the Qayqayt First Nation, as well as all Coast Salish peoples, on whose traditional and unceded territories we live, learn, work, and play.*

**CUPE** / Canadian Union  
of Public Employees

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## INTRODUCTION

CUPE Local 387 of the Canadian Union of Public Employees has been formed to:

- Improve the social and economic well-being of all 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 CUPE Local 387 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 Local 387 shall respect and apply the CUPE National Equality Statement to all the chartered organizations' activities. The CUPE National Equality Statement can be found in Appendix A to these bylaws.

CUPE Local 387 will adopt a Local Union Code of Conduct that would apply to membership meetings and other functions organized by local 387. 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 387

(New Westminster Civic Employees)

Local 387 consists of the following bargaining units:

City of New Westminster

New Westminster Police Board

New Westminster Public Library Board

## SECTION 2 – OBJECTIVES

The objectives of Local 387 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; promote 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 – REFERENCES

Numbers of articles at the end of sections or subsections in this document refer to relevant articles of the CUPE National Constitution, which should be read together with these bylaws. CUPE National Constitution can be found at <https://cupe.ca/cupe-constitution>

## SECTION 4 – MEMBERSHIP

### (a) **Membership**

An individual employed within the jurisdiction of Local 387 will apply for membership in Local 387 by signing an application and paying the initiation fee set out in Section 11(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 made available 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 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 CUPE Local 387 office with their current address, telephone contact number and where available, an e-mail address. The member will advise the CUPE Local 387 office 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 letter mail, e-mail blasts or telephone town halls.

In the case of a telephone town hall, the telephone number may be shared with a service provider under contract to the Local Union to provide the technical equipment to support such a virtual meeting.

Upon request, the Local Union will share the telephone contact information with CUPE National or CUPE BC. The purpose of sharing this telephone contact information with CUPE National or CUPE BC is so that the National Union or Provincial Division can conduct a telephone town hall with members on important matters.

## **SECTION 5 – AFFILIATIONS**

In order to strengthen the labour movement and work toward common goals and objectives, Local 387 shall be affiliated to and pay per capita tax to the following organization(s):

- The CUPE British Columbia Provincial Division
- The Metro Vancouver District Council
- The BC Federation of Labour
- The New Westminster and District Labour Council

## **SECTION 6 – MEMBERSHIP MEETINGS**

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

Regular membership meetings of Local 387 shall be held in person and/or virtually on the fourth Tuesday of each month at 5:00 pm, except during the months of July, August and December, when no meeting will be held. If a change in time or location is deemed necessary, a notice of the regular membership meeting outlining the date, time and location shall be given to members at least seven days in advance of the meeting. Where virtual meetings are held, all voting will be conducted electronically provided secrecy can be maintained, where mandated.

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

### **(b) Special Membership Meetings**

Special membership meetings of Local 387 may be required and shall be called by the Executive Board or may be requested in writing by no fewer than 25 members. The President shall immediately advise members when a special meeting is called and ensure that all members receive at least twenty-four (24) hours' notice of the special meeting, the subject(s) to be discussed, the date, time and location. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

(c) **Quorum**

The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be at least ten (10) members, including four (4) members of the Executive Board.

(d) **Membership Meeting Agenda**

The order of business at regular membership meetings will generally be as follows:

1. Acknowledgment of Indigenous Territory
2. Roll call of officers
3. Reading of the Equality Statement
4. Initiation of new members
5. Adoption of the minutes
6. Matters arising from the minutes
7. 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)

(e) **Unit Meetings**

Unit meetings may be called to deal with matters that affect only members of the unit. Such meetings are not to be used to replace regular membership meetings and will not make decisions that affect the Local Union as a whole or another unit. The President shall advise members of the unit seven days in advance of the meeting providing the time and location and an agenda.

(f) **Executive Board Meetings**

The Executive Board shall meet virtually and/or in person **once a month prior to the general membership meeting**. The Executive Board shall comprise of all the elected officers, except Trustees; and any six (6) of these shall constitute a quorum for the purpose of the Executive Board meetings.

## **SECTION 7 – OFFICERS**

The Officers of Local 387 shall be the President, Vice-President, Treasurer, Recording Secretary, Full Time Officer, five (5) Executive Directors and three (3) Trustees.

(Articles B.2.1 and B.2.2)

The Table Officers of Local 387 shall be the President, Vice-President, Treasurer, Recording Secretary and Full Time Officer.

**The Executive Directors shall be representatives from the following units:**

- **One from Police**
- **One from Library**
- **Three from any other department**

## **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 nine (9) times per year.

(Article B.3.14)

(c) Six (6) members of the Executive Board constitute a quorum.

(d) 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.

(e) 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.

(Article B.2.5)

## **SECTION 9 – DUTIES OF OFFICERS**

Each Officer of Local 387 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 387 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.
- Chairs all meetings of the local union
- Interpret these bylaws as required.
- Preside at all membership and Executive Board meetings and preserve order or delegate these duties to another member of the Executive Board.
- Decide all points of order and procedure (subject always to appeal to the membership).
- Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.
- Ensure that all Officers perform their assigned duties.
- When elections have not been provided to fill a vacancy, the president may appoint a member to fill the vacancy.
- Be a member of the CUPE 387 Holdings Society and Finance Committee
- Introduce new members and conduct them through the initiation ceremony.
- Be one of the signing officers 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 and CUPE BC 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.
- Be a member of the CUPE 387 Holdings Society and Finance Committee
- If the office of the President falls vacant, be Acting President until a new President is elected through a by-election.
- May be one of the signing officers 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.
- Render assistance to any member of the Executive as directed by the Executive Board.

(Article B.3.2)

**(c) Recording Secretary**

The Recording Secretary shall:

- Keep a 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 Treasurer. The record will also include Trustees' reports.
- Record all amendments and/or additions into 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.
- 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.

- Be a member of the CUPE 387 Holdings Society and Finance Committee.
- May be one of the signing officers 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.
- Performs other duties required by the Local Union, its bylaws or the National Constitution.

(Article B.3.3)

**(d) Treasurer**

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 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, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
- Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any 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 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.
- Present to the general membership, in November of every calendar year, for their approval a proposed budget for the upcoming fiscal year. The fiscal year of Local 387 will be January 1st through December 31<sup>st</sup>.

**e) Full Time Officer**

**Must have:**

- Experience as a member of a local union executive and/or relevant experience
- 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.
- The ability to communicate effectively with members of the local, CUPE 387 Executive, City Administration and City Council.
- The ability to communicate effectively with other union locals, regional and national offices.
- The ability to maintain electronic records, reports and all pertinent correspondence.
- The ability to prepare annual budget and annual financial statements.
- The ability to maintain financial records, bookkeeping, banking and investment of the local's funds
- The ability to operate a computer and computer programs such as Word, Excel and Power Point.

- The ability to educate and train members of the executive, shop stewards and committee members.
- The ability to conduct all union business in complete confidentiality.
- The willingness to attend conventions, seminars, schools, conferences and workshops that are necessary in the operation of local CUPE 387.

**and will:**

- Be a member of the CUPE 387 Holdings Society and Finance Committee.
- Chair the grievance committee. **Prepare the grievance committee's report on the status of all grievances and present that report to the Executive Board, the National Representative, and to the membership meeting each month**
- **Identify, plan and prepare membership engagement opportunities, and report on those plans at each monthly Executive Board meeting and General Membership meeting.**
- **Work in coordination with the Executive Directors and National Representative in handling disputes, including grievances.**
- **Support and mentor the Executive Directors in fulfilling their duties outlined below.**
- **File grievances, where necessary, and present all grievances impacting more than one work unit at Step 2 and Step 3 of the grievance procedure.**
- **Present all other grievances at Step 3 of the grievance procedure, consulting with the Executive Director for that particular work unit and with the National Representative.**
- **Prepare grievance files for arbitration.**
- **Maintain well-organized files**

**f) Executive Directors**

- **Attend and represent their Unit on the Executive Board.**
- **Provide a verbal or written report to the Executive Board**

- Report back Executive Board decisions and other Union business to the members in their work Unit.
- Communicate effectively and on behalf of the Executive Board with members in their work unit and the Employer.
- Call and chair Unit meetings as required.
- Participate in meetings with the Employer. Support
- Stewards and Joint Occupational Health and Safety Committee (JOH&SC) representatives in their Unit and ensure Shop Steward and JOH&SC vacancies are filled.
- Ensure Stewards acquaint new members with the Union.
- Attend classes in union education wherever possible.
- Be responsible for ensuring that all Unit grievances are appropriately handled
- Work in coordination with the Full Time Officer and National Representative in handling disputes at their work unit and filing grievances, where necessary.
- Present grievances filed in their work unit at Step 2 of the grievance procedure.
- Ensure all forms, notes and documents related to all grievances are securely stored and forwarded to the President and Recording-Secretary
- Shall be a member of their bargaining unit Labour-Management Committee

**f) Trustees**

The Trustees shall:

- Act as an auditing committee on behalf of the members and audit the books and accounts of the 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 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 Treasurer in an organized, correct, and proper manner.
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union and report their findings to the membership.
- Send to the CUPE National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
  - i. Completed Trustee Audit Program
  - ii. Completed Trustees' Report
  - iii. Treasurer Report to the Trustees
  - iv. Recommendations made to the President and Treasurer of the Local Union
  - v. 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)

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

### **(a) Nomination/Elections**

1. Nominations will be received at the regular General membership meeting held in the month of April and elections will follow at the same meeting.
2. Nominations will be accepted from members in attendance at the nomination meeting or, prior to the meeting, from those members who have allowed their name to be filed in writing, 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.

**(b) Terms of Office**

1. The President, Full Time Officer and Treasurer are elected to 3 year terms commencing 2023, 2026, 2029 etc.
2. The Vice-President, and Recording Secretary are elected to 3 year terms commencing in 2022, 2025, 2028 etc.
3. **All Executive Directors will be elected to 2-year terms on a rotating basis, elected as follows:**

<b><u>Even Years</u></b>	<b><u>Odd Years</u></b>
<b>1 – Police</b>	<b>1 – Any other department</b>
<b>1 – Library</b>	<b>1 – Any other department</b>
<b>1 – Any other department</b>	

2. At a membership meeting, at least one month prior to Election Day, the President will, subject to the approval of the members present, appoint an Elections Committee consisting of an Election Returning Officer and assistant(s). The committee will include members of the Local Union who are neither Officers nor candidates for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union.
3. The Elections Committee will determine the form of the ballot, including the option of electronic voting, and ensure that sufficient quantities are made available in good time to the Election Returning Officer.
4. The Election Returning Officer will be responsible for issuing, collecting, and counting ballots. The Election Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
5. The voting will take place at the regular membership meeting in April of each year. The vote will be by secret ballot.
6. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.



7. 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.
8. In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary, until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
9. 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)
10. 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).
11. All election complaints by members will be submitted in writing to the Election Returning Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven days after the election. The Election Returning Officer in conjunction with the Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the next regular membership meeting.

(d) **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 length of their term 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.  
(Article B.2.4)
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.
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))

(e) **By-elections**

Should an office fall vacant for any reason, and if the unexpired term is greater than 6 months at the time of vacancy, the resulting by-election should be conducted as soon as possible or at the next general meeting. 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 – 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 the Local Union will be directed to the Treasurer and will be accompanied by an initiation fee of \$5.00 dollars, which shall be in addition to monthly dues

(Articles B.4.1 and B.8.2)

(b) **Monthly Dues**

The monthly dues shall be 2.4% of gross wages.

(Article B.4.3)

(c) **Amending Monthly Dues**

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

(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)

(e) **Re-admission Fee**

The re-admission fee shall be five (\$5.00) dollars.

**(f) Non-payment of Dues and Assessments**

A member who fails to pay dues and/or assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying the readmission fee and any other penalty set by 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.

## **SECTION 12 – EXPENDITURES**

**(a) Payment of Local Union Funds**

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

- When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting;
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members present and voting at a regular or special membership meeting.

(Article B.4.4)

**(b) Payment of Per Capita Tax and Affiliation Fees**

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

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

In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than \$250, a notice of motion must be made at a regular membership meeting and then approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven days after the meeting where notice of motion has been given.

(d) No Officer or member of Local 387 will be allowed to spend any Local Union funds without first having received authorization under Section 13(a) of these bylaws.

## **SECTION 13 – OUT-OF-POCKET EXPENSES**

Please refer to CUPE 387 finance policy, where CUPE 387 finance policy is silent, **CUPE BC** policy will prevail.

## 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 387 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 387 will provide on-site childcare at all Local Union membership meetings. Where on-site child care is not provided, and in the case of dependent care or elder care, members will be reimbursed a maximum of the living wage for the area for each hour of required care. Reimbursement will be provided upon proof of payment.
- (b) Any member who is on authorized Local 387 business shall be eligible for childcare, 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) the Executive members shall be delegates to conventions, conventions and educationals. Where applicable, preference will be given to appropriate Executive members(s) to attend other conferences and educational opportunities. At the discretion of the Executive Board, delegates may be selected from the general membership
- (b) Delegates to the Metro District CUPE Council shall be **appointed from** the current Executive Board Members. A member responsible for reporting back to the Local Union membership shall be appointed by the President from among these delegates, and the member appointed shall make a written report at each Local Union membership meeting on proceedings at recent meetings of the Council. The Local Union will reimburse the member's employer for any loss of wages.
- (c) Delegates to the New Westminster and District Labour Council shall be appointed from the current Executive Board Members. A member responsible for reporting back to the Local Union membership shall be appointed by the President from among these delegates, and the member appointed shall report at each Local Union membership on proceedings at recent meetings of the Council. The Local Union will reimburse the member's employer for any loss of wages.

- (d) All delegates attending conventions, conferences, or educational events held outside the town of New Westminster shall be paid transportation expenses (at economy, tourist or coach rates) as determined by the Treasurer, and a per diem allowance as per CUPE BC expense policy for meals and expenses. The Local Union will reimburse the member's employer for any loss of wages.
- (e) Delegates to conventions, conferences, and education held in New Westminster shall have no travel allowance. There shall be a per diem allowance as per CUPE BC Expense policy for meals and expenses incurred by attendance at the convention, conference or educational. The Local Union will reimburse the member's employer for any loss of wages.
- (f) Local 387 will provide members with their per diem allowance prior to their attending the convention, conference, or educational.
- (g) Local 387 encourages the participation of young workers and all equity-seeking groups in their delegation to conventions, conferences, and education.

## **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 appointed by the Executive Board. Two members of the Board may sit on any special committee as ex-officio members.

### **(b) Negotiating Committee**

This will be a special committee established at least 6 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 shall consist of the President, Full-time Officer and 3 other members, appointed from the Executive Board, one of which will be an alternate. 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 387's negotiating committee shall attend Level 1 and Level 2 of CUPE's collective bargaining educationals.

### **(c) Bargaining Preparation Committee**

The Bargaining Preparation Committee shall consist of the current Executive Board Members. These representatives will gather and review priorities from the membership and forward the recommendations to the Negotiating Committee. Every effort shall be made to ensure equal representation from all departments including inside, outside, police, library and parks if possible

(d) Permanent Committees

Permanent committees will have a term of two years. The Executive Board after posting an expression of interest will appoint members to serve on each committee. Committees will provide written or verbal reports to each regular membership meeting. An Executive Board member shall be a member, ex-officio, of each committee.

1. Grievance Committee

This committee will:

- Oversee the handling of all local grievances.
- Receive copies of all grievances.
- Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting.
- When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether the grievance should proceed to arbitration.
- If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board.

The committee members will be the Full-time Officer and two stewards. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages.

2. Bylaw Committee

This committee will:

- Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.

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

The committee members will be the Full-time Officer and four additional members. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.

### 3. Member Engagement Committee

This committee will:

- 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. The committee shall submit reports and proposals to the Executive Board or to the membership as required.
- Will maintain and update the Local's social media platforms.

A budget for the committee will be fixed annually by the membership

The committee members will be the Full-time Officer and three additional members and may appoint a Treasurer from among its members.

### 4. Finance Committee

The Finance Committee members shall consist of the table officers.

The meetings will take place on the second Tuesday of every month. The Finance Committee will review financial decisions and bring recommendations forward to the 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)

## **SECTION 20 – PRINTING AND DISTRIBUTION OF BYLAWS**

Members will receive a paper copy of Local 387 bylaws upon request, or access a copy via the Local Union website at [www.cupe387.ca](http://www.cupe387.ca). Members with special needs may request a copy of the bylaws in larger font.



## SECTION 21 – GRIEVANCE/ARBITRATION APPEAL

The decision to file a grievance and proceed to any step of the grievance procedure, including arbitration, rests exclusively with the Local Union and not an individual member. To ensure that decisions are fair and not arbitrary, the following appeal process is available to members.

If a member feels they have an issue that warrants a grievance and/or arbitration, they must first discuss the matter with their assigned Steward or contact the Local office. The Steward or office will then consult with the Grievance Committee and advise the member on the merits of taking the matter forward. If the decision is not to take the issue forward, the following appeal process may occur.

- a) A member who wishes to appeal a decision not to proceed with a grievance or arbitration will notify the President within seven (7) days of receiving this decision from their Steward or Local office.
- b) The President will add the matter to the agenda of the next Local Executive Board meeting.
- c) The President will take any and all necessary steps with the Employer to ensure the matter is not lost due to any timelines outlined in the grievance procedure of the collective agreement.
- d) Prior to the meeting, the President shall request the opinion of the National Representative.
- e) At that meeting, a grievance committee member will present the committee's reasons for not advancing the matter to grievance or arbitration.
- f) The member will then be asked to present their case along with their reasons for why they feel the matter should be advanced and any other information they feel is relevant.
- g) The member will then be excused from the meeting.
- h) The Local Executive Board will then conduct a secret ballot vote to decide on whether to advance the matter or not.
- i) The member will be notified of the decision by the President.
- j) The decision of the Executive is *final*, and unless new and cogent evidence arises, there will be no further appeal.

## **Appendix A – CUPE National Equality Statement**

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

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

Discriminatory speech or conduct, which is racist, sexist, transphobic, or homophobic hurts and thereby divides us. So too does discrimination on the basis of ability, age, class, religion and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue, or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society, and in our union.

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

## Appendix B – Code of Conduct

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

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

This Code of Conduct sets out standards of behaviour for participants at national convention, conferences, schools, meetings, and any other union events organized by CUPE National, Local 387, 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.
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.

<b>Policy:</b>	CUPE Local 387 Finance Policy
<b>Issue Date:</b>	May 3, 2022
<b>Revised Date:</b>	N/A

**1) Out of Pocket Expenses**

President	<b>\$300.00</b> per month + \$100.00 per month cell phone reimbursement
Vice President	<b>\$300.00</b> per month
Treasurer	<b>\$300.00</b> per month
Recording Secretary	<b>\$300.00</b> per month
Full Time Officer	<b>\$300.00</b> per month
Executive Directors	<b>\$150.00</b> per month

**2) Per Diem Rates:**

All Per Diem Rates will be paid according to the current CUPE BC Expense Policy

**3) 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 day shall be charged to the hotel room and will be paid by the union.



**4) Dependent Care:**

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

**5) Travel:**

The union will pay travel, including airfare, ferries, car rentals, and taxis at the current rate (receipts required).

**6) Parking:**

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

**7) Mileage:**

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

**8) Retired Members**

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

5-9 years of service	\$ 300.00
10-14 years of service	\$ 350.00
15-19 years of service	\$ 400.00
20-24 years of service	\$ 600.00
25-29 years of service	\$ 800.00
30 years + of service	\$1,000.00