
**Canadian Union of
Public Employees
K-12 Presidents Council
In the Province of
British Columbia**

BYLAWS

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INTRODUCTION

The CUPE K-12 Presidents Council in the Province of British Columbia, chartered as Local 9876 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 the Council in accordance with the CUPE National Constitution to protect the rights of all members, to provide for responsible governance of the Council, and to involve as many members of the Council 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. A Code of Conduct can be found in Appendix B to these bylaws.

SECTION 1 – NAME

The name of this organization shall be CUPE K-12 Presidents Council.

The Council consists of any local union representing public education support staff in British Columbia that votes to join the council.

SECTION 2 – OBJECTIVES

The objectives of the Council are to:

- (a) Negotiate the best possible collective agreement settlements for school support staff members in BC's public education system;
- (b) Bargain sector wide issues, provincially, on behalf of all support staff local unions in BC who are members of the council;
- (c) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- (d) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (e) Encourage the settlement by negotiation and mediation of all the disputes;

- (f) 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;
- (g) Establish strong working relationships with the public we serve and the communities in which we work and live;
- (h) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution;
- (i) Consider and ratify provincial bargaining proposals received from:
 - 1. Local bargaining units
 - 2. Regional Presidents' Councils (RPCs)
 - 3. Public Education Benefits Trust (PEBT) Trustees
 - 4. Municipal Pension Plan (MPP) Trustees
 - 5. Education Assistants (EAs) Committee union caucus
 - 6. The Provincial Bargaining Committee
 - 7. Other Support Staff CUPE Unions;
- (j) Forward the ratified provincial bargaining proposals to the Provincial Bargaining Committee (PBC);
- (k) Oversee PBC activities;
- (l) Make recommendations on the provincial settlement before forwarding the settlement to local unions. Other Support Staff Unions will have voice and vote on recommendations made on the provincial settlement;
- (m) Make recommendations to local bargaining units and the PBC in the event that provincial bargaining is at an impasse;
- (n) Make recommendations to CUPE for appointments to the PEBT from time to time;
- (o) Make recommendations to CUPE as a Settler to the Trust agreement for the PEBT as appropriate; and
- (p) Make appointments to joint provincial committees that arise from provincial bargaining.

SECTION 3 – REFERENCES

Numbers of articles at the end of sections or sub-sections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

SECTION 4 – MEMBERSHIP

(a) Membership

1. Membership in the council is open to public education support staff local unions of CUPE in British Columbia.
2. The council consists of K-12 Delegates or designates of bargaining units of CUPE local unions certified as bargaining agents for support staff employees employed by Boards of Education in the Province of British Columbia.
3. Other Support Staff Unions are welcome to attend meetings of the Council, but shall have no voice or vote with the exception of submitting provincial bargaining proposals and ratification of proposals and the tentative Provincial Framework Agreement (Section 2 (j)).
4. Membership numbers of bargaining units will be based on the last twelve (12) months' average monthly membership of each K-12 bargaining unit as at May 30 of each year, as recorded and reported by CUPE National.
5. By adopting these bylaws, local unions commit to membership in the council until the expiry of the renewed collective agreements.
6. If a local union does not intend to continue to belong to the Council for subsequent negotiations, the local union shall notify the Council not less than ninety (90) days prior to the expiry of the renewed collective agreement.

(b) Approval of Membership

At the first council meeting after the letter has been submitted, the name(s) of the bargaining unit(s) will be read out and unless a majority of delegates present at the meeting object, the bargaining unit(s) will be accepted into membership.

(c) Continuation of Membership

Once accepted, a bargaining unit continues as a bargaining unit in good standing while within the jurisdiction of the Council unless the bargaining unit loses good standing under the provisions of the CUPE National Constitution.

To be consistent with the CUPE National Constitution any bargaining unit who is three (3) months or more in arrears will not be able to sit as a delegate at the Presidents Council and will not be eligible for reimbursement of expenses unless per capita payments are up to date.

(d) Reinstatement of Membership

If a local union ceases membership and subsequently rejoins the Council, the local and Executive Board shall negotiate re-payment of monthly per capita dues, in part or in full, from the date of the local's departure. Upon completing this negotiation, the Executive Board will make a recommendation to the Council regarding approval of membership.

(e) Member Obligations

1. Members are obligated to abide by the CUPE National Constitution and these bylaws as amended from time to time.
2. Members will provide the Council with their current address, telephone contact number and *non-employer* e-mail address. The member will advise the Council 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.
3. 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.
4. Upon request, the Council will share the telephone contact information with CUPE National. The purpose of sharing this telephone contact information with CUPE National so that the National Union 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, the Council shall be affiliated to the following organization:

- The CUPE BC Provincial Division as a Council of unions.

SECTION 6 – COUNCIL MEETINGS

(a) Regular Council Meetings

A regular meeting of the Council shall be held at least once annually. Notice of each meeting outlining the date, time and location shall be given to members at least two (2) weeks in advance of the meeting.

The Executive Board will make use of available Internet and video and telephone conference technology for their meetings, decision making and information sharing.

(b) Emergency Council Meetings

The President of the Council may call for an emergency meeting of the Council as soon as possible.

(c) Special Council Meetings

Special meetings of the Council may be required and shall be called by the Executive Board or may be requested in writing by no fewer than fifty percent (50%) of the council members. The President shall immediately advise council members when a special meeting is called and ensure that all council members receive at least twenty-four (24) hours' notice of the special meeting, the subject(s) to be discussed, the date, time, location and/or the use of appropriate technology. 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, *emergency* or special meeting shall be fifty percent (50%) + one (1) of delegates or designates attending and representing fifty percent (50%) + one (1) of the K-12 members of the bargaining units present.

(e) Membership Meeting Agenda

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

1. Roll Call of Officers
2. Reading of the Equality Statement
3. Recognition of Traditional Territories
4. Roll Call of Local Delegates
5. Adoption of the Minutes
6. Matters arising from the Minutes
7. Secretary-Treasurer's Report
8. General Reports
9. Executive Report
10. Reports of Committees and Delegates
11. Nominations, Elections, or Installations (as required)
12. Unfinished Business
13. New Business
14. Good of the Union
15. Adjournment.

SECTION 7 – OFFICERS

The Officers of the Council shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, Membership Officer and three (3) Trustees.

SECTION 8 – EXECUTIVE BOARD

- (a) The Executive Board shall include all Officers, except Trustees.
- (b) The Executive Board shall meet as required.
- (c) A majority of the Executive Board constitutes a quorum.
- (d) The Executive Board shall do the work delegated to it by the Council.
- (e) Should any Executive Board member fail to answer the roll call for three (3) consecutive meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following council meeting.

SECTION 9 – DUTIES OF OFFICERS

All Officers must give all properties, assets, funds and all records to their successors at the end of their term of Office.

All signing Officers of the Council 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.

- (a) President

The President shall:

1. Enforce the CUPE National Constitution, these bylaws and the Equality Statement.
2. Interpret these bylaws as required.
3. Preside at all council meetings and preserve order.
4. Call and preside at meetings of the Executive Board as required.
5. Decide on all points of order (except appeals on their rulings).
6. Have the same right to vote as other members.
7. Ensure that Officers perform their assigned duties.
8. Sign all cheques and ensure that the council's funds are used only as authorized or directed by the CUPE Constitution, council bylaws, or vote of the membership.
9. Be Chair of the Provincial Bargaining Committee (PBC).
10. Fill board and committee vacancies where elections are not provided for.

11. Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the council. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.
12. Have first preference as a delegate to the CUPE National Convention and CUPE BC Conventions.

(b) Vice-President

The Vice-President shall:

1. If the President is absent or not eligible, perform all duties of the President.
2. Preside over Council and Executive Board meetings in the absence of the President.
3. If the office of the President falls vacant, be Acting President until a new President is elected through a by-election.
4. Render assistance to any member of the Council as directed by the Executive Board.

(c) Recording Secretary

The Recording Secretary shall:

1. Keep full, accurate, and impartial account of the proceedings of all regular, emergency, Special and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (council meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.
2. 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.
3. Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
4. Keep a record of all correspondence received and sent out.
5. Prepare and distribute all notices to members.
6. Have all records ready on reasonable notice for the Trustees or auditors.
7. Preside over Council and Executive Board meetings in the absence of both the President and Vice-President.
8. Performs other duties required by the Council its bylaws or the National Constitution.

(d) Secretary-Treasurer

The Secretary-Treasurer shall:

1. Receive all revenue and per capita assessments, keeping a record of each affiliates payments, and deposit promptly all money with a credit union.
2. Sign all cheques and ensure that the council funds are used only as authorized or directed by the CUPE Constitution, council bylaws, or vote of the membership.
3. 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 council.
4. Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
5. Make a full financial report to meetings of the Council's Executive Board.
6. Make a written financial report to each regular council meeting, detailing all income and expenditures for the period.
7. Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
8. Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one (1) 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 Council is affiliated.
9. 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.
10. Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
11. Notify all locals who are one (1) month in arrears and report to the Executive Board all Locals two (2) or more months in arrears in the payment of per capita.

(e) Trustees

The Trustees shall:

1. Act as an auditing committee on behalf of the Council and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary, and the committees at least once every calendar year.
2. Make a written report and present their findings to the first council meeting following the completion of each audit.

3. 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 council funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.
4. Be responsible to ensure that monies have not been paid out without proper constitutional or council authorization.
5. Ensure that proper financial reports have been given to the Council.
6. Audit the record of attendance of all council and committee meetings.
7. 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 Council and report their findings to the Council.
8. Send to the National Secretary-Treasurer, with a copy to the assigned K-12 Coordinator(s), the following documents:
 - Completed Trustee Audit Program
 - Completed Trustees' Report
 - Secretary-Treasurer Report to the Trustees
 - Recommendations made to the President and Secretary-Treasurer of the Council
 - Secretary-Treasurer's response to recommendations
 - Concerns that have not been addressed by the Council and Executive Board.

(f) Membership Officer

The Membership Officer shall:

1. Guard the inner door at membership meetings and admit no one but members in good standing or Officers and officials of CUPE, except on the order of the President and with consent of the members present.
2. Maintain the record of membership attendance at meetings.
3. Perform such other duties as may be assigned by the Executive Board from time to time.

SECTION 10 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) Nominations – Executive Board

1. Nominations for Executive Board positions will be received at the regular council meeting.
2. Nominations for Executive Board positions will be accepted from members in attendance at the council meeting or from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member.

3. To be eligible for nomination, the nominee must be a local delegate and accepted into membership and continue to be a member in good standing in accordance with Section 4(e.)
4. A local delegate 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. No delegate will be eligible for nomination if their local is in arrears of per capita and/or assessments.

(b) Elections – Executive Board

1. All positions of the Executive Board will be elected every three (3) years. In the event that an elected term is to end after face- to- face collective bargaining has begun; the Council shall vote on extending the term until the conclusion of bargaining.
2. At a regular council meeting, the President will, subject to the approval of the members present, appoint an Elections Committee. The committee will include members of the Council 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 K-12 Coordinator(s) assigned to the Council shall serve as an advisor to the committee when requested by the Council.
3. Sufficient ballots will be made available to the Elections Committee.
4. The Elections Committee will be responsible for issuing, collecting, and counting ballots. The Elections Committee must be fair and impartial and see that all arrangements are unquestionably democratic.
5. The voting will take place at the regular council meeting.
6. Voting to fill one (1) office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
7. Each bargaining unit shall cast one (1) vote. A majority of votes cast will be required before any can be declared elected. 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 on 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.
9. When two (2) 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.
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 council meeting as set out in Section 6(d).

11. All election complaints by members will be submitted in writing to the Election Committee as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven (7) days after the election. The Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the Council.

(c) Election – Trustees

1. The terms of office for Trustees shall be so that one (1) serves for a period of three (3) years, one (1) for two (2) years, and one (1) for one (1) year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Council shall elect one (1) Trustee for a three (3) year period. No member who has been a signing Officer for the Council is eligible to run for Trustee, until at least one (1) full term of office has elapsed.

(d) Election - Provincial Bargaining Committee (PBC)

1. Elections for the Provincial Bargaining Committee (PBC) will take place in Regional Presidents Council (RPC) meetings held not less than six (6) months before the expiry of the renewed collective agreements.

(e) Installation of Officers

1. All duly elected Officers shall be installed at the council meeting at which elections are held and shall continue in office for three (3) year(s).
2. 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.”

(f) By-elections

1. 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 – FEES, DUES AND ASSESSMENTS

(a) Monthly Per Capita

The monthly dues shall be point two percent (0.02%) of regular wages.

(b) Amending Monthly Per Capita

The regular monthly per capita may be amended at a regular or special council meeting. Notice of at least seven (7) days at a previous meeting or sixty (60) days in writing must be given.

(c) 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.

SECTION 12 – NON-PAYMENT OF PER CAPITA AND ASSESSMENTS

To be consistent with the CUPE National Constitution any Local who is three (3) months or more in arrears will not be able to sit as a delegate at the Council and will not be eligible for reimbursement of expenses unless per capita payments are up to date.

SECTION 13 – EXPENDITURES

(a) Payment of Funds

1. Funds can only be spent for valid purposes of the Council under the following circumstances:
 - When the expenditure is authorized by a budget approved by a double majority of locals present and voting at a regular or special council meeting;
 - When these bylaws approve the expenditure; or
 - Through a vote of a double majority of locals present and voting at a regular or special council meeting.
2. The Council will finance its activities with a per capita tax of the K-12 bargaining units. The per capita tax will be at the rate approved by a meeting of the Council. Per capita payments will be collected from the date approved by the Council up to and including the last month of the renewed collective agreements.
3. The Council will seek funding from the National Defense Fund, the National Strategic Directions Fund, and other National or Provincial funds to support our efforts in coordinated bargaining.
4. The Council will use available internet, video and telephone conference technology to improve participation by delegates in decision making and information sharing.
5. Expenses will be reimbursed per the Expense Policy appended to these bylaws as appendix D and shall automatically align with the CUPE BC Expense Policy immediately upon receiving notice of any changes from the CUPE BC executive board.

(b) Payment of Council Funds to Causes Outside of CUPE

1. In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than one thousand dollars (\$1,000), a notice of motion must be made at a regular, emergency or special council meeting and then approved at the following regular, emergency or special council meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven (7) days after the meeting where notice of motion has been given.
2. No Officer or member of the Council will be allowed to spend any council funds without first having received authorization under Section 13(a) of these bylaws.

SECTION 14 – CHILD CARE, DEPENDENT CARE AND ELDER CARE

If required, child and dependent care will be paid outside of regular working hours per the CUPE BC Division Expense policy.

SECTION 15 – DELEGATES TO CONFERENCES, CONVENTIONS

- (a) The delegate or their designate may attend conventions, conferences.
- (b) All delegates selected by the Council attending conventions, conferences shall be paid as per the CUPE BC Expense Policy.
- (c) The Council will provide members with their per diem allowance prior to attending the convention, conference.

SECTION 16 – COMMITTEES

(a) Local Bargaining Committee (LBC)

1. The local union remains the bargaining agent for its bargaining unit members.
2. Each local bargaining unit elects or appoints a LBC pursuant to local union bylaws or policy.
3. Each LBC is responsible for bargaining local issues and a local settlement.
4. A local settlement and the provincial settlement together will constitute the amendments to the local collective agreement.
5. Each local union is responsible for strike votes and ratification votes in consultation with the Council and CUPE National Representatives.

(b) Regional Presidents' Council (RPC)

1. There will be seven (7) RPCs covering the following regions:
 - Northern – RPC
 - Kootenays – RPC
 - Thompson-Okanagan – RPC
 - Fraser Valley – RPC

- South Island – RPC
 - North Island – RPC
 - Metro Vancouver – RPC
2. Each Regional Council shall have terms of reference that may include the following:
- Name
 - Purpose – To support the coordination of collective bargaining, provincial, regional issues of common concern and provincial Collective Agreement provisions.
 - Membership – Shall consist of all CUPE K-12 locals in the region until the expiry of the collective agreement.
 - Finances
 - I. RPC's shall be entitled to a financial subsidy for up to one (1) representative from each K-12 unit in the region.
 - II. The following expenses will be financed from council funds for up to three (3) meetings each school year:
 - Wages – Book off will be reimbursed in accordance with the P.C. Expense Policy.
 - Transportation – Shall be reimbursed in accordance with the CUPE B.C. Expense Policy.
 - Per Diem – Up to seventeen dollars (\$17.00) for each local for lunch and refreshments for the day of the meeting.
 - Accommodation – Only in special circumstances and upon request in advance.
 - To provide funds for a meeting room for the RPC to meet.
 - III. RPC's shall create and administer a special fund exclusively for the purpose of offsetting any other expenses incurred in the carrying out of its business.
 - IV. Officers of RPC's shall elect four (4) table officers; Chairperson, Vice-Chairperson, Recording Secretary-Treasurer.
 - V. Each local shall cast one (1) vote and the election shall be by majority vote.
 - VI. Each RPC Treasurer shall submit an invoice on behalf of their region with all of the supporting documents.

(c) PROVINCIAL BARGAINING COMMITTEE (PBC)

1. Representation to the PBC is based on membership in each of the seven (7) regions.

2. Local delegates or their direct designates are entitled to stand for election to PBC pursuant to local bylaws or policy. In the event that a regional representative cease to be a local delegate eligible to be a member of the PBC.
3. Each region elects one (1) alternate PBC member. Local delegates or their direct designates are entitled to stand for election as an alternate to the PBC pursuant to local bylaws or policy. Alternate PBC members attend meetings of the PBC only when a regular PBC member is unable to attend or if the PBC invites alternates by motion.
4. Alternates take the place of regular PBC members until such time as a meeting of the RPC can take place to elect a replacement member.
5. The PBC will bargain with employer representatives to reach a tentative provincial settlement.
6. The PBC will meet as required prior to and during bargaining to reach a tentative settlement.
7. A debriefing session of the PBC will be scheduled within thirty (30) days of the provincial agreement being ratified.
8. Regional entitlement is as follows:
 - 1 to 5000 – two (2) PBC members
 - 5001 to 7500 members – three (3) PBC members
 - 7501 to 10,000 members – four (4) PBC members
 - 10,001 or more members – five (5) PBC members
9. All PBC members shall be entitled to attend the council meetings during bargaining preparations and face to face collective bargaining up to and including ratification.

A committee may be established for a specified purpose and a specified period of time by the Council at a meeting. The members shall be elected at a regular, emergency or special meeting, or may, by specific authorization of the Council, be appointed by the President or the Executive Board. Two (2) members of the Board may sit on any committee as ex-officio.

SECTION 17 – COMPLAINTS AND TRIALS

All charges against the Council or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

SECTION 18 – RULES OF ORDER

All meetings of the Council 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.

A motion of the Council will be considered adopted if:

1. Fifty percent (50%) + one (1) of delegates or designates attending the council vote in favour of adopting the motion; and
2. The affirmative votes taken together represent fifty percent (50%) + one (1) of the K-12 members of the bargaining units present.

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.

(b) Additional Bylaws

The Council can amend or add to its bylaws only if:

1. The amended or additional bylaws do not conflict with the CUPE Constitution;
2. The amended or additional bylaws are approved by double majority vote at a regular council meeting or at a special council meeting called for that purpose; and
3. Proposed amendments shall be forwarded by a member local at least sixty (60) days prior to the meeting to the Recording Secretary. The Recording Secretary will circulate the proposed amendment to all affiliated locals no less than forty-five (45) days prior to the meeting.

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

SECTION 20 – PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of the council bylaws, either in paper or electronic format. Members requesting a copy of these bylaws will be provided a copy in either French or English 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, language 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 council is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

The council strives to promote 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.

The council is committed to creating a council union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. The council needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. The council expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for the council sets out standards of behaviour for members at meetings, and all other events organized by the council. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. 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 members of the council 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;
and
- Take responsibility for not engaging in inappropriate behaviour due to abuse 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 this 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 the person 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. Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Local Union shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

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 Bylaws of the council, 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 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 (5) 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 (15) minutes. With the agreement of the members present, the fifteen (15) 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 (2/3) 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 (i) 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 (6) 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 (2/3) 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

CUPE K-12 PRESIDENTS COUNCIL EXPENSE POLICY

1. PREAMBLE

The purpose of this expense policy is to reimburse local unions and provincial bargaining committee members for expenses incurred on behalf of the council. This policy shall be reviewed annually by the trustees. Expense vouchers must be submitted within six (6) months of when the expense(s) for were incurred.

2. WAGES

Lost Wages are payable for:

- Provincial Bargaining Committee Members and Trustees
- Regional Presidents Council meetings
- Attending Council meetings scheduled under Section 6 – Council Meetings and Section 8 – Executive Board
- Travel time for local delegates or their direct designate and Officers to attend council meetings, where additional day(s) of book off are required to travel to a meeting.
- Wages are repaid at cost directly to the employer or the local union.
- Wage loss shall not be paid directly to individuals.

3. DEPENDENT CARE

If required, dependent care will be paid outside of regular working hours per the CUPE BC Expense Policy and upon completion of the CUPE BC Dependent Care Form.

4. ACCOMMODATION

If required, will be paid at the prevailing rates. Where possible all room, tax and parking will be billed directly to council.

5. TRANSPORTATION

Provincial Bargaining Committee members, trustees and one local per bargaining unit or direct designate is entitled to claim transportation expenses.

6. PER DIEMS

Per diem expenses apply only to Provincial Bargaining Committee members, Trustees and one delegate or direct designate per local bargaining unit for travel.

7. PAYMENT OF EXPENSES

All expenses and per diems shall be paid upon submission of a properly completed and supported (by attached receipts) expense voucher, to the Secretary Treasurer.

All expenses and per diems shall be paid only upon proper authorization of the council signing officers.

APPENDIX E

CUPE BC EXPENSE POLICY

1. PREAMBLE

The purpose of this expense policy is to reimburse members for expenses incurred on behalf of CUPE BC. This policy shall be reviewed annually by the Trustees. Expense vouchers must be submitted within six (6) months of when the expense(s) for were incurred. The Secretary-Treasurer is authorized to approve expense claims past the six (6) months for extraordinary circumstances.

2. WAGES

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

3. ACCOMMODATION

If required, will be paid at prevailing rates. Members are entitled to a single room, where members choose to share their room; they should clarify that with CUPE BC. Where possible all room, taxes and parking will be billed directly to CUPE BC.

4. DEPENDENT CARE

If required, dependent care will be paid outside or regular working hours at the rate up to \$20.00/hour to a maximum of \$300.00/day (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.

5. TRANSPORTATION

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

- Airfare where required (economy class)
- Car mileage .55¢ km.
- Parking cost when receipt provided and when on CUPE BC business.
- Taxi or airport shuttle from airport to hotel to meeting place upon submission of receipts. Taxis to be shared when possible, and cheaper than combined shuttles.

6. PER DIEM

- a. \$43.00 per half day meeting (when no meal provided).
- b. \$86.00 per day for an all-day meeting (when no meals are provided).
- c. \$43.00 for half-day of incoming travel to next day meeting or return travel day, next day after meeting.
- d. \$86.00 for full day travel to and from meetings.
- e. Evening meetings requiring meals \$43.00 (unless already receiving \$86.00 full day per diem).
- f. Meetings where all expenses (meals) are included \$17.00.
- g. Where members are booked off for special projects (e.g. Zone coordinators, Campaign Workers, etc.), the full-time officers per diem policy will apply.

7. FULLTIME OFFICERS

The General Expense Policy will apply for fulltime officers as follows when conducting the duties of their office for meetings of the Admin Committee, Executive Board, BC Fed., etc. and committee meetings on behalf of CUPE BC away from the office.

When daily per diem is not in effect regular in town per diem will apply as per the Constitution. (\$17.00 per day).

8. DAYS IN LIEU

In cases where CUPE BC business causes Executive Board members and/or Trustees to lose both of their consecutive regularly scheduled days off, they will be allowed to book off days in lieu at CUPE BC's expense. Prior authorization of the Secretary -Treasurer is required for book off of days in lieu. ** An approval form is available upon request **

9. CONVENTION COMMITTEES

- a) Convention committee members will have wages and rooms paid for those days the committee is required to meet prior to Convention convening.
- b) Per diem for days committee meets when Convention is not in session will be \$86.00.
- c) The following per diems will apply to the Credentials, Resolutions and Sergeant-at-Arms Committees when Convention is in session:

- i. Chairperson - \$35.00 per day.
 - ii. Committee Members - \$30.00 per day.
 - iii. Hotel room at prevailing rates and loss of wages as required.
- d) Convention Committee members who wish to forfeit per diem may have this amount donated to the Colleen Jordan Humanity Fund.
- e) Resolutions committee — When required to meet prior to the start of convention, lunch will be provided. When required to meet prior to daily convening of convention and through the lunch break food will be provided.

10. 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.