

CONSTITUTION - AUGUST 2000

Name

The name of this Union is the Canadian Union of Public Employees Local 391, hereafter referred to as CUPE Local 391 or the Union.

Purpose

The objectives of the Union shall be:

- a) The regulation of relations between the Vancouver Public Library Board and the Union through collective bargaining.
- b) To work together in all matters of mutual concern deemed to be in the best interest of all members.

Membership

Membership in the Union shall consist of members of the permanent and temporary staff, who have obtained membership in the Union and who pay dues.

Democratic Principles

The democratic principles of unionism to which this Union subscribes require that every member shall be entitled to express his/her opinions freely within the processes established by the Constitution and By laws.

BY-LAWS

Meetings and Year

- a) Regular general meetings of the membership shall be held at least once every three months. Notice of these regular general meetings shall be posted in all worksites at least one week prior to the meeting date. Emergency general meetings may be held at the discretion of the Executive and will require at least 24 hours notice.
- b) Special meetings of the membership must be called to conduct a strike or ratification vote. Notice of these special meetings shall be posted in all worksites at least one week prior to the meeting date. The Bargaining Committee at such a meeting must give a written report to the membership outlining the issues agreed to and the issues still in dispute. The full ramification of such a vote shall be outlined to the membership.

- c) The Annual General Meeting shall be held before the beginning of June. Annual elections shall be conducted at this meeting.
- d) The Annual General Meeting, and all special meetings of the Union, shall be held at a time when 90% of the membership is not working and in a facility that will accommodate a minimum of 30% of the membership.
- e) A quorum of any meeting of the membership shall be 30 members of the Union.
- f) Rules of Order for meetings of the Union shall be those set forth in the By-Laws of the Canadian Union of Public Employees.
- g) Voting at any meeting shall be by secret ballot in the following circumstances:
 - i. Motion of non-confidence in the Executive.
 - ii. Strike Vote
 - iii. Job action short of a strike, e.g. Day of protest, leave without pay to support part-time staff, etcetera.
 - iv. When a secret ballot is requested by a person introducing a serious, controversial motion and a simple majority approves the holding of a secret ballot.
- h) Any member in good standing may petition the Executive to call a general or special meeting provided a reason is given in writing and provided the petition is endorsed by a minimum of 30 members.
- i) The calendar year of the Union shall be from June 1 to May 31.

Nominations

- a) Nominators and nominees must be members of the Union in good standing.
- b) Nominations may be submitted to the Nominating Committee by any member of the Union. The Nominating Committee shall call for nominations from the membership eight weeks before the Annual General Meeting. These Nominations must be in writing and signed by one nominator with the signed acceptance of the nominee for a specific position. This slate of candidates shall be announced five weeks before the Annual General Meeting, with a second call for further nominations. Members shall be notified of the slate of candidates to date one week before the day of the Annual General Meeting.
- c) Nominations will be accepted from the floor at the Annual General Meeting. These nominations must have either written or oral acceptance of the nominee for a specific position.

Elections

- a) All positions which have one candidate shall be elected by acclamation.
- b) In cases where there are two or more candidates for a position a secret vote shall be held.
- c) Election shall be by simple majority.
- d) In cases where there are no nominees for a position, nominations and elections shall be held at subsequent general meetings, until the vacancy is filled.

Officers

- a) The Officers of this Union shall be a President, two Vice-Presidents, a Secretary- Treasurer, a Recording Secretary, Grievance Chair, three Members-at-Large, and three Trustees.
- b) There shall be an Executive consisting of the President, the two Vice-Presidents, the Secretary-Treasurer, the Recording Secretary and the four Members- at-Large.
- c) The terms of office are:
 - President 1 year
 - Vice-President (2) 2 years
 - Secretary-Treasurer 2 years
 - Recording Secretary 1 year
 - Member-at-Large (4) 1 year
 - Trustees (3) 3 years
- d) All Officers of the Union will be elected directly to office.
 - i. At the 1993-94 election, the Vice-Presidents will be elected so that one shall serve for a period of two years, and one for a period of one year. Each year thereafter the Union shall elect one Vice-President for a two year period. The Vice-President in the second year of their term shall be the Senior Vice-President.
 - ii. At the first election, the Trustees shall be elected so that one shall serve a period of three years, one for two years and one for one year. Each year thereafter the Union shall elect one Trustee for a three year period. The Trustee in the third year of their term shall be the Senior Trustee.
- e) The Executive as a whole shall be chosen from and represent all members of the Union.

f) The new Executive assumes duties on June 1 following their election.

Duties of Officers and Executive

a) The President shall preside at all meetings of this Union and perform all duties usually pertaining to this office.

b) A Vice-President, appointed by the Executive, shall perform the duties of the President in the absence of that officer, and, in the case of resignation or death of the President, shall perform the duties of the President until such vacancy is filled. Vice-Presidents shall also preside when called upon by the President and at times when the President may be temporarily unable to discharge the duties of that office. At the beginning of each Union year, the Executive will appoint one Vice-President to the Bargaining Committee.

c) The Recording Secretary shall keep a correct, full and impartial record of the proceedings of each meeting of this Union and all meetings of the Executive.

d) The Secretary-Treasurer shall:

- i. be responsible for keeping all financial accounts of this Union and shall be responsible for maintaining correct and proper accounts of all its members. The Secretary-Treasurer shall be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, as well as records and supporting documents for all income received by this Union.
- ii. regularly make a full financial report to meetings of the Executive, as well as a written financial report to each regular general meeting of the membership.
- iii. submit the financial books and records to the Trustees for audit at least once each calendar year, and shall furnish the Trustees with a statement from the Financial Institution where the Union's funds are deposited, attesting to the amount to the credit of the Union's account.
- iv. draw up an estimated budget at the start of each fiscal year of the Union.

e) The Members-at-Large shall participate in meetings and decisions of the Executive, and perform duties as directed by the Executive.

f) The Trustees shall:

- i. audit the books of the Secretary Treasurer and shall exercise the general supervision over the property of the Union.
- ii. examine the books and records of the Secretary-Treasurer at least once each calendar year and shall submit in writing to the Executive any recommendations and/or concerns they feel should be reviewed in order

- to ensure that the Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.
- iii. make a written report to the next regular general meeting of the membership of the Union following the audit on the condition of the funds and accounts, the number of members in good standing, the number initiated, admitted or withdrawn, together with such information they may deem necessary to the efficient and honest administration of the Union.
 - iv. shall send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their report to the Union membership along with a copy of any recommendations and/or concerns to the Executive, and the Executive's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative.
- h) The Executive shall plan all meetings and shall carry out such activities as shall be delegated to it by the Union as a whole.
- i) Meetings of the Executive shall be held when deemed necessary, at least once a month. A quorum of the Executive shall be five members. If there is no quorum present at the time and place for a meeting of the Executive, the members in attendance shall not conduct any business but may adjourn the meeting to another time. In a situation where an Executive decision is required before a meeting can be called, the President, or designate, may poll Executive members for a quorum vote.
- j) All outgoing Executive members shall promptly deliver all books, records and other properties of the Union to their successors.
- k) Should any Officer fail to answer the roll-call for three consecutive Executive meetings without having good and sufficient cause, the Executive shall declare that office vacant and the position will be filled at the following general meeting.

Vacancies

Should vacancies occur among any elected office of the Union, elections shall be held to fill the unexpired terms. Nominations and elections shall be held at subsequent general meetings until the vacancy is filled.

Disputes

All charges against members or officers must be made in writing and signed, and dealt with in accordance with the provisions of the CUPE National Constitution.

Committees

- a) The Executive shall consider continuity and fair representation from the Bargaining Unit when making appointments to all committees.
- b) The President shall be ex-officio to all committees.
- c) The Nominating Committee shall be a standing committee of five members appointed by the Executive. It shall stand as a committee to take care of any changes in the Executive. Members of this committee shall not be eligible for nomination.
- d) The Bargaining Committee shall be a standing committee of six members, four to be appointed by the Executive, plus the President and one Vice President appointed by the Executive. The function of the committee is to prepare collective bargaining proposals and to negotiate the collective agreement. The term of office of the appointed members shall end when a new collective agreement has been signed.
- e) The Grievance Committee shall be a standing committee appointed by the Executive, plus the Grievance Chair. The function of the committee is to investigate and process all grievances. Grievance Chair shall be responsible to chair Grievance Committee meetings as scheduled, provide Union Representation, and report regularly to the Executive and to the membership at regular general meetings.
- f) All other standing and special committees shall be appointed by the Executive. These committees will elect their own Chair and Recording Secretary.
- g) All committees shall report to the Executive at least once within the calendar year of the Union, and in writing to the membership at the Annual General Meeting. Annual written reports shall be submitted to the Executive at least two weeks prior to the Annual General Meeting.
- h) Committee reports should bear the support of at least a majority of the committee's members. If there are irreconcilable differences within the committee, the dissidents may issue a minority report as a means of recording their opposite views. A minority report is not acted upon, however, unless it is submitted with a motion that it be adopted in substitution for the majority report.
- i) The Chair of each committee shall be responsible for passing to the incoming Chair all pertinent literature.

Dues

- a) There shall be an initiation fee of \$1.00 for each new member of the Union. This is to be forwarded to the CUPE National Union.

b) The regular monthly dues of each member shall be 1.6% of their gross monthly earnings.

c) The initiation fee and regular monthly dues shall be deducted by the City payroll office and forwarded to the Secretary Treasurer.

Finances

All finances of the Union are to be handled through the general account with the exception of an amount over and above the yearly working requirements of the Union which shall be transferred to an interest bearing account.

Expenditures

a) Sympathy Gifts - The Union shall send flowers or make a charitable donation not to exceed \$40 on the following occasions:

- i. As an expression of sympathy to Union members who are confined by serious illness to the hospital or to their home for periods exceeding two weeks.
- ii. As an expression of sympathy in the case of bereavement in the immediate family of a Union member.
- iii. As an expression of esteem on the death of a Union member.
- iv. As a token of esteem or sympathy when it is deemed suitable by the Executive.

b) Termination of Service Gifts - Money from the Union funds for gifts to members of the Union who are retiring or quitting permanently (not changing employment status) may be obtained in the following ratio (time calculated from the time the member joined the Union):

- i. 11 years to retirement - \$75 plus \$10 for each year above eleven to a maximum of \$175.
- ii. 6 to 10 years - \$40 plus \$5 for each year above six.
- iii. 2 to 5 years - \$25.

c) Termination of Service Parties

- i. The Union shall be responsible up to \$200.00 for the one official party held for Union members who have been employees for a period of eleven years or longer, and have expressed a desire for such a party. This applies only to parties held on Library premises. When such parties are held on Library property and Library time, permission shall be requested of the Director, or designate, of VPL.
- ii. If a full Union party is not desired, \$75 shall be given towards the cost of a worksite party, to be organized by the worksite.

- iii. Parties for Union members employed for less than eleven years may be held at the wishes of the worksites concerned. However, the Union does not assume any responsibility whatsoever for such events.
- iv. Terminating members who do not desire either of the above parties, shall receive only their gift entitlement.

d) Delegation Expenses

- i. i. Delegates attending Convention and/or Conferences shall be eligible for expenses reimbursement that are authorized by the Executive. Wages shall be paid for by the Union.
- ii. ii. Delegates attending Conventions and/or Conferences held outside of the Greater Vancouver Regional District area shall receive a per diem allowance of \$60 for expenses, plus transportation to and from the Convention/Conference and lodging expenses.
- iii. iii. Delegates attending Conventions and/or Conferences held within the Greater Vancouver Regional District area shall receive a per diem allowance of \$25 for expenses, plus transportation to and from the Convention/Conference.
- iv. iv. For reimbursement of expenses other than per diem allowance, delegates shall be required to submit receipts with their expense voucher to the Secretary Treasurer.

e) Other Expenses

- i. Members may receive a per diem and/or submit for reimbursement of their expenses for other events where Union leave is authorized or for expenses incurred in the service of the Local.
- ii. For reimbursement of these expenses, members shall be required to submit receipts with an expense voucher to the Secretary-Treasurer.
- iii. All expenses must be submitted for reimbursement within two months of having occurred. Expenses submitted after two months will be paid at the discretion of the Executive.

Disbursements

The Union shall, at each Annual General Meeting, allocate amounts to the following funds. The Executive shall have complete discretion in the disbursement of these funds. Amounts not disbursed in one year shall not be carried over to the next.

i. Charitable Organizations Fund

This fund shall be made available to service organizations offering a broad range of services to the disadvantaged and to the City of Vancouver. Recipient organizations shall be well established and shall have a reputation for cost-

effectiveness. No organization shall receive donations more than once during the term of an Executive.

ii. Labour Organizations Fund

This fund shall be made available to Unions requesting donations to their strike funds. Recipient organizations shall be required to spend the disbursement on strike pay only. No Union Local shall receive donations more than once during the term of the Executive. Disbursements shall be made only to Union locals in British Columbia. Priority shall be given to CUPE Locals. The Executive shall not attempt to judge the merits of any Union Local's strike, but shall disburse amounts consistent with the size of the Union Local.

Affiliations

The Union may affiliate with other organizations and send delegates to their meetings. Fees to affiliated organizations shall be included in the monthly dues.

Amendments

a) Amendments to the Constitution and By-laws may be proposed by any member.

b) This Constitution and By-laws shall not be amended except upon a two-thirds majority vote of those present and voting at a general meeting following seven days notice at a previous general meeting or at least sixty days written notice.

CUPE National Constitution

Nothing in the Constitution or By-laws of the Union shall be interpreted in such a way as to conflict with the CUPE National Constitution.