

COMMUNITY SOCIAL SERVICES - LOCAL 312 BYLAWS
Approved by the Provincial Executive July 22 – 23, 2015

1. Introduction

- (a) These are the bylaws of local 312 of the Community Social Services Component of the B.C. Government and Service Employees' Union.
- (b) The bylaws of the local will be consistent with the BCGEU Constitution. If there is an inconsistency, the BCGEU Constitution will prevail.
- (c) These bylaws may be amended by majority vote of the local membership after a notice of motion has been served at least **14** days prior to the vote. The component executive must also approve any amendments. **These bylaws and subsequent amendments must be submitted to the constitution & structure committee for a recommendation to the executive committee and to the provincial executive for approval.**
- (d) For the purpose of these bylaws, the membership of a local will be the number established by the union to determine convention delegate entitlement. The component executive may adjust membership numbers by majority vote.

2. Purpose and goals

- (a) The purpose of the local is to unite all BCGEU members working in community-based social services in a united, democratic workers' organization capable of acting collectively to advance our interests.
- (b) Our goals are to:
- promote union activism and education amongst our members;
 - recruit and support a strong body of stewards and occupational health and safety representatives;
 - represent the interests and wishes of our members to the component executive;
 - liaise with other BCGEU locals, our district labour council(s) and other unions and organizations to advance the interests of our members;
 - be strong advocates for an holistic and publicly funded system of community-based social services and social care in British Columbia and Canada;
 - support members through good and welfare and other means;
 - promote social solidarity through our work and advocacy.

3. Membership

- (a) The component's membership includes all BCGEU members of certifications in the community social services sector within the geographic area defined as area number **12** in the component bylaws. The community social services sector is defined under the relevant labour legislation and the terms of the constitution and bylaws.
- (b) The local's membership is organized into certifications or bargaining units that may cross boundaries with other locals.
- (c) **Pursuant to Article 4 of the constitution, employees of employers in British Columbia who are certified with the union or have voluntary recognition collective agreements with the union, are eligible for full membership in the union by filling out an "application for membership" card.**

4. Local Executive

- (a) Meetings of the local executive will be held, with reasonable notice, at least four times a year at the call of the component **vice president** or by request of at least three executive members.
- (b) The local executive will meet to conduct business between local membership meetings.
- (c) The local executive may establish and vary an agenda and order of business for its meetings.
- (d) Local executive meetings will operate by consensus whenever possible. Otherwise, Robert's Rules of Order may be used.
- (e) The local executive may establish committees to conduct business and make recommendations to the executive.
- (f) A minimum of half of the members must be in attendance at a local executive meeting to conduct and record business.
- (g) A member who is absent from either two consecutive local executive meetings or more than two meetings, without just cause, in a calendar year shall be deemed resigned her position by a vote of the local executive. The member will be given the opportunity to rebut the presumption of resignation of their position by appeal to the local executive.
- (h) The staff representative assigned to the local will be a member of the local executive with voice but no vote.

5. Local executive elections

- (a) The local executive shall consist of:
 - (1) Table officers – including a chairperson, 1st vice chairperson, 2nd vice chairperson, treasurer, recorder **and additional officers as required.**
- (b) The local executive will include **four** member-at-large positions to be elected. One member-at-large shall be elected as a young worker representative. Candidates for the young worker representative must be 29 years of age or younger at the close of nominations. **One member-at-large shall be elected as an equity worker representative. Candidates for the equity worker representative self-identify in at least one of the four equity groups:**
 - (1) **Aboriginal;**
 - (2) **workers with a disability;**
 - (3) **workers of colour; or**
 - (4) **gay, lesbian, bisexual or transgender workers.**
- (c) **In all cases, except for the election of officers at the triennial convention, the candidate(s) receiving the most votes will be declared elected as per section 2(d) of the constitutional bylaws.**
- (d) Local executive elections will be held every three years in the year following the triennial convention. The call for nomination will be issued by January 31 of that year **but not before January 1 as per section 1(e) of the constitutional bylaws.**
- (e) The call for nominations for the local executive will be a minimum of 30 calendar days.
- (f) The election period from the close of nominations to the end of voting will be a minimum of 30 calendar days.
- (g) The local chairperson will represent the local on the component executive.

(h) The local is entitled to representation on the component executive, consistent with component bylaws, section 6(i) as follows:

- 51 – 1,000 members (local chairperson)
- 1,001 – 1,750 members (one additional representative)
- 1,751 – 2,500 members (two additional representatives)
- 2,501+ members (three additional representatives)

(i) If the component **vice president** is also the only representative of her local, the local may elect another representative to the component executive. This representative will have full voice but no vote on the component executive.

(j) In the case of nominations for local executive positions, a nomination form shall be made available to all members so that any member may nominate or be nominated for office. The nomination forms will be provided by the **area office as per section 2(c) of the constitutional bylaws. All candidate names on the ballot will be in random order.** In accordance with the BCGEU constitution and bylaws, bylaw section 2(g), all elections for local officers are by referendum. **No interim local officer elections will be held during the eight months previous to the triennial local officer elections without consulting the component vice president and without a minuted decision by the local executive.**

6. Steward elections

(a) **Steward elections will be held every three years, starting in September of the year prior to the year in which local elections are held. Stewards will serve for three-year terms.**

(b) **The local executive will determine the appropriate number of stewards for their local at a common worksite or, if there is no shared worksite, by employer and geographic location. The number of stewards will be determined prior to the opening of nominations for election in September.**

(c) **The local executive may not assign less than one steward per worksite, or per 100 members, whichever is greater.**

(d) **Stewards at common worksites with more than 100 members will be encouraged to form steward committees and elect amongst themselves a lead steward for the purpose of holding regular meetings to discuss matters particular to the worksite that may arise from time-to-time.**

(e) **Nominations, balloting and voting for stewards is the same process as outlined in local elections above.**

7. Election dispute resolution procedures

(a) A member of a local may challenge the results of a local election based on an allegation of irregularities. An irregularity is a variance that may have affected the result of the election.

(b) The challenge must be submitted in writing with full details to the component **vice president** within 10 calendar days of publication of the election results. If the component **vice president** is from the local whose election is being challenged, the challenge will be submitted to the president. The president will appoint an alternate to investigate the complaint.

(c) The balloting committee will retain the ballots cast in a local election for at least 30 days after the publication of the election results.

(d) The component **vice president** (or alternate) will investigate the matter. If the **vice president** determines that irregularities occurred that may have affected the outcome of the election, she may order a new ballot. The **vice president's** decision is final, subject to the complainant's right to appeal to the provincial executive through the president.

8. Meetings

- (a) The local will hold a minimum of two general membership meetings each year.
- (b) The local may also hold other meetings for stewards/activists, specific certifications/bargaining units, particular sectoral or occupational groups for a particular purpose (education, campaigns, etc.).
- (c) Fourteen days' written notice shall be given of local meetings, with the exception of an urgent situation.
- (d) All meetings will be chaired by the local chairperson or her designate.
- (e) A minimum of **eight** members are required to conduct business and record motions.
- (f) The local executive may establish and vary an agenda and order of business for its meetings.
- (g) Local meetings will operate by consensus whenever possible. Otherwise, Robert's Rules of Order may be used.

9. Negotiations

For the purposes of collective bargaining:

- (a) The three bargaining units established by the *Community Services Labour Relations Act* are:
 - Community Living Services
 - General Services
 - Aboriginal Services
- (b) Certifications not covered by the *Community Services Labour Relations Act* are independent bargaining units.

For independent bargaining unit:

- (c) Members of the bargaining unit will elect a negotiating committee of no more than three representatives. Elections will take place between six and three months prior to the expiry of the collective agreement or, in the case of a new certification, immediately.
- (d) The negotiating committee may select a chairperson by consensus, if no consensus, the member with the most votes will become chair.

For the sectoral agreement bargaining units:

- (e) The component chairperson will act as the chairperson of the provincial negotiating committee.
- (f) On a formula provided by the component executive, each sector will be represented to attend the bargaining conference.
- (g) Delegates to the bargaining conference will elect a sector representative chairperson and additional representatives to the negotiating committee from within their own sector.
- (h) The terms of the sector representatives shall be from the time of their election to the cessation of negotiations.
- (i) If the sector representative position becomes vacant before the end of her term, a new sector representative will be elected according to a process approved by the component executive.

10. Finances

- (a) The component will establish an annual budget amount for the local.
- (b) The local executive will develop a budget and work plan based on the budget allocation established by the component.
- (c) The local treasurer will liaise with the component treasurer regarding expenses and the local budget and work plan.
- (d) The component will determine what expenses the local is responsible for, according to the union's financial manual and the component's policies.
- (e) The local treasurer will report to the local on expenditures.
- (f) The local may request additional funds by application to the component finance committee through the component treasurer.

11. Conventions and affiliations

- (a) The local chairperson will be the delegate to the BCGEU triennial constitutional convention for the first 100 members of each local. Members will elect delegates for each additional 200 members or major part thereof.
- (b) Members may also elect alternate delegates.
- (c) The component executive will select delegates to conventions of the Canadian Labour Congress and the BC Federation of Labour after the provincial executive has determined delegate entitlement.
- (d) Locals must submit resolutions for the triennial constitutional and affiliate conventions for consideration by the component executive. The component executive may approve, amend or decline to submit any resolutions.
- (e) Local executives will select delegates to represent the Local at district labour councils for a three-year term. The term will be concurrent with that of the local executive.
- (f) The local will be affiliated to the **Kitimat-Terrace and District, and Prince Rupert and District labour** labour council.

12. General

- (a) The local, bargaining units or any members will not make an agreement contrary to a collective agreement or the union's constitution and bylaws and policies.
- (b) The local will not affiliate with any other organizations without written approval from the provincial executive.
- (c) A member may charge another member or members with a breach of duty of the BCGEU constitution and bylaws. A charge must be made according to Article 7 of the union's constitution.

Appendix A Duties and Responsibilities of the Local Executive

Local officers have a flexible range of duties and responsibilities. All local officers are expected to attend executive meetings and general membership meetings. Officers also maintain a communications network with local activists.

Chairperson: chairs general membership, local executive and other meetings; represents the local on the area cross-component committee (or assigns an alternate); represents the local on the component executive; **or designate will appoint OHS representatives as required by the *Workers Compensation Act* and the collective agreement.**

First vice chairperson: chairs general membership, local executive and other meetings in the absence or at the request of the chairperson; chairs committees as assigned by the local executive.

Second vice chairperson: chairs general membership, local executive and other meetings in the absence or at the request of the chairperson or 1st vice chairperson; chairs committees as assigned by the local executive.

Treasurer: authorizes local expenditures; maintains accounting of local expenses; liaises with component treasurer; makes financial report to local executive and general membership meetings; (makes arrangements for meetings with assistance of area office staff; issues meeting notices.)

Recorder: records minutes of general membership and local executive meetings; receives and records local correspondence; develops, with the local chairperson, meeting agendas.

Member(s)-at-large: assist the local chairperson and table officers with duties; may chair committees as assigned by the local executive.

Young worker representative: represents the interests of young workers on the local executive; liaises with young workers who are members of the local; assists the local chairperson and table officers with duties; may chair committees as assigned by the local executive.

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revised: July 22 – 23, 2015 = A5(b)(j) elections; APP A
September 17th = 2014 convention
July 16 – 17 = provincial executive