LOCAL 411 BYLAWS
APPROVED BY THE PROVINCIAL EXECUTIVE FEBRUARY 18 – 19, 2015

File No. 4480-291

1. NAME

The name of the local shall be Local 411 of the B.C. Government and Service Employees' Union.

2. JURISDICTION

(a) The local shall consist of all union members within the component headquartered within the geographic area defined as area number 11 in the component bylaws.

(b) The geographic boundaries of a local may only be changed pursuant to the policy adopted by the provincial executive and contained in Appendix A of these bylaws.

3. OBJECTS

The objects of the local shall be:

(a) To maintain and train a steward body within the local.

(b) To bring to the attention of the component the wishes of the membership in the form of resolutions and recommendations.

(c) To carry out ratification votes and such other referendums as are from time-to-time required.

4. MEMBERSHIP

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.

5. INITIATION FEE

An initiation fee, if prescribed by law, shall be payable to the union.

6. BYLAWS

The bylaws of the local shall be consistent with the bylaws of the component **and** with the bylaws and constitution of the union, **and if inconsistent with the constitution of the union,** the constitution shall be paramount.

7. MEETINGS

(a) For the purpose of meetings, local shall be as defined in Article 2 of these bylaws.

(b) Local meetings shall be held as determined by the chairperson, or at the **request** of 50% of the stewards or 30% of the local membership.

(c) **Fourteen** clear days' written notice shall be given of local meetings with the exception of **an urgent situation.**

(d) The annual meeting of the local shall be held in March/April on a date to be fixed by the local executive.

(e) Each local should meet as often as necessary but in any event not less than twice a year. Such meetings shall be at the call of the chairperson.

(f) The order of business of all local meetings may include the following:

1. Call to order
2. Reading of minutes
3. Business arising from minutes
4. Communications
5. Convention report
6. Provincial executive report
7. Component executive report
8. Financial report
9. Reports of officers and committees
10. Reports of stewards
11. Delegate reports (labour council, CLC, NUPGE, BCFL)
12. Unfinished business
13. Nominations, elections and installation of officers
14. New business
15. Good & welfare
16. Adjournment

(g) As soon as possible and not more than 30 days after the date of the annual general meeting, the treasurer of the local shall forward to the treasurer of the component a verified financial statement of the books of the local.

(h) As soon as possible and not more than 30 days after the date of the triennial elections, the local chairperson shall forward to the president a list of the officers and executive of the local.

8. ELECTIONS

(a) **The** local nominating **period** shall be at least 30 clear days before the date set for local elections for the purpose of nominating candidates for all executive positions in the local for the ensuing three-year term. **The notice of nomination shall be issued before January 31 of that year but not before January 1 as per section 1(e) of the constitutional bylaws.**

(b) The chairperson of each local shall sit on the component executive as of right. Additional members shall be elected to the component executive by the local executive from the local executive on a per capita basis. One for the first 650 members or part thereof who shall be the chairperson of the local and one for each additional 650 members or major part thereof to a maximum of four inclusive of the local chairperson. locals having 3,600 members or more shall be entitled to one additional representative. In this case, the maximum number of representatives from any local shall be five inclusive of the local chairperson.

(c) Local elections shall be held triennially in March/April on a date to be fixed by the local executive.

(d) Table officers to be elected at local elections are a chairperson, 1st vice chairperson, 2nd vice chairperson, treasurer**,** recording secretary **and additional officers as required**. These officers, plus two executive members-at-large, shall be elected for a three-year term by a vote of the local membership. The local may designate one member-at-large position to be filled by a young worker representative. (Young workers are defined as 29 years of age or younger.)

(e) The staff member assigned to the local shall be a member ex-officio of the local executive.

(f) **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**

(g) There shall be no "plumping." Where vacancies in office exist and more than one seat is to be filled, the membership will be clearly instructed as to how many vacancies are to be filled and the number of candidates they must vote for. Where practical this information will be contained on the ballot.

(h) 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 local 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.**

(i) ***Steward elections***

(i) 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.

(ii) 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.

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

(iv) 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.

(v) Nominations, balloting and voting for stewards is the same process as outlined in (f)(g) and (h) above.

(j) *Election Dispute Procedure*

A. A member of a local, eligible to cast a ballot in local election, who alleges there has been an irregularity in the election procedure and wishes to challenge the election, may do so by advising the **vice president** of the Health Services component, in writing, stating the reason(s) and the alleged irregularity. Where the local election being challenged is the same local as the **vice president**, the president shall appoint an alternate to investigate the complaint.

B. The written challenges must be received by the **vice president** of the component within 10 calendar days of the results of the election being published. The balloting committee shall retain all ballots cast in a local election in safekeeping for a minimum of 30 calendar days of the results of the election being published.

C. The **vice president**, upon receiving a complaint as per A and B above, shall investigate the matter. If, in the opinion of the **vice president**, there has been an irregularity, **they** shall order another ballot in respect to the election where the irregularity has occurred. The **vice president's** decision shall be final subject to the right of the member alleging the irregularity appealing to the provincial executive through the president.

D. For the purposes of this procedure an irregularity shall be defined as any variance which may have affected the result of the election.

9. QUORUM

Fifty per cent and one of the local executive shall constitute a quorum for local executive meetings. Four members of the local in attendance at a local meeting shall constitute a quorum.

10. ATTENDANCE

Absence of a local executive member from two consecutive membership or executive meetings without just cause shall constitute grounds for dismissal from the local executive.

11. NEGOTIATIONS

(a) *Bargaining units*

(i) All elections for negotiating committees shall be conducted no more than six months, but not less than three months, prior to the expiry of the agreement.

(ii) Where negotiations are being conducted at the bargaining unit level, recommendations and resolutions for negotiations will be discussed at a general meeting whenever possible of the bargaining unit.

(iii) The general meeting referred to in (ii) will also be a nominating meeting at which the three-member negotiating committee will be elected, one of whom shall be a chairperson. Nominations will be carried out in the same way as executive nominations, as outlined in Clause 8(**h**). The election procedure will be consistent with Clause 8(**f**)(**g)** and (h) of these bylaws. A bargaining unit negotiating committee may be authorized by the component executive to elect the chairperson from amongst its members. Where bargaining unit members are spread beyond one single geographic location, a referendum system of nominations and elections shall be utilized. The committee will comprise three members. Attendance of additional members requires component approval.

(iv) *Notice of Meeting*: Notices giving the details of the matters to be discussed under (i) and (iii) above will be made available to all members of the bargaining unit at least 10 days prior to the meeting being held. This notice may take the form of individual notices to members or posting on notice boards where applicable.

(v) In a bargaining unit the negotiating committee shall be charged with the responsibility of dealing with the designated employer regarding matters arising from the collective agreement, with the exception of grievances, which shall be handled as outlined in the collective agreement.

(vi) The negotiating committee shall have the authority to call bargaining unit meetings of the members or stewards.

*(b) Sector**al** standard agreement*

(i) A sector**al** standard agreement committee shall be elected from among the representatives of local bargaining units affected by the sector**al** agreement.

(ii) The members of the committee shall elect a chairperson from amongst themselves, who shall also be chair of the negotiating committee.

(iii) The chairperson of the negotiating committee and the staff representative assigned shall act as co-chairs at the bargaining table.

(c) Bargaining councils

(i) Bargaining councils may be established with the approval of the component or provincial executive, in accordance with the following:

- where there is a **sectoral** agreement; or
- where there is a possibility of achieving a **sectoral** agreement; or
- where there are significant province-wide bargaining units such as crown corporations or agencies.

(ii) A bargaining council shall consist of representatives from each of the bargaining units determined to be of like occupations, industry or service.

(iii) Where a bargaining unit is a member of a bargaining council, the bargaining unit chairperson shall sit as of right on the bargaining council and one additional bargaining unit representative shall be elected if the membership of the bargaining unit exceeds 15% of the bargaining council membership.

(iv) There shall be no more than two representatives elected from each bargaining unit to sit on the bargaining council.

(v) The bargaining council representatives shall elect a chairperson and a recording secretary.

(vi) The chairperson of **each** bargaining council shall sit on the component executive as of right.

(vii) The bargaining council will be responsible for developing **sectoral** agreements for that council and developing strategies to achieve that **sectoral** agreement.

(viii) If a member of a bargaining council is unable to attend a meeting, the component may permit another member of that bargaining committee to attend in **their** place and have full voting privileges.

(ix) Where the bargaining council chair is unable to attend a scheduled bargaining council meeting, the recorder shall act as chair. The recorder, while acting as chair, shall appoint a recorder.

(d) The president shall be a member ex-officio of any negotiating committee established pursuant to these bylaws.

(e) In the event any negotiating committee conducts themselves contrary to the policies of the union, the union's executive committee shall have the right to remove the committee members until the negotiations are complete.

12. GRIEVANCES

(a) No member will discuss any grievance with a supervisor without notifying **their** steward.

(b) All grievance forms will be signed by the aggrieved or appropriate union officers or staff member.

(c) A copy of all grievances will be forwarded to the area office immediately after they are forwarded to Step 2 of the grievance procedure.

(d) No steward will withdraw a grievance without the approval of the staff member.

(e) All grievances will be processed through the procedures contained in the collective agreement.

(f) (i) Area grievance appeal committees shall be composed of a chairperson and two members elected from amongst the local chairs in each geographic area as outlined in Clauses 5.3 and 5.5 of the union's constitution.

(ii) Where a component grievance is being appealed, the local chair of that component may sit ex-officio on the Area grievance appeal committee.

(g) When a member's grievance, claim or appeal has been disallowed, a written appeal must be submitted within **20** days of the written decision disallowing the grievance, claim or appeal.

(h) The decisions of the area grievance appeal committees shall be final except for an appeal as per Clause 9.9(a)(iii) of the constitution.

13. FINANCING

(a) The local may be financed through an imprest account in an amount determined by the component finance committee.

(b) The local shall establish an account in a chartered bank or credit union.

(c) The local shall disburse the local funds according to the guidelines set by the union's finance committee and directed by the component executive.

(d) On the first day of every month, each local treasurer shall forward a "local statement," with receipts outlining the manner in which monies have been spent during the previous month, to the component treasurer, and the local shall then be reimbursed.

(e) In the event of irregularities, the component treasurer shall refer the matter to the component finance committee**, the financial controller and the treasurer of the union** for appropriate action.

(f) The accounts of the local shall be presented to the component standing finance committee, upon request, for examination.

(g) The local shall adhere to the union's financial policies as outlined in the BCGEU financial manual.

14. RULES OF ORDER

Rules of order and procedure shall be those contained in Roberts' Rules of order Revised where not inconsistent with the constitution and bylaws of the union.

15. TABLE OFFICERS

(a) The fiscal year of the local shall end on the last day of December of each year.

(b) The executive of the local shall act for the local between local meetings.

(c) If a local office becomes vacant during the term of office, a replacement shall be elected by the local membership.

(d) It shall be the duty of the chairperson to preside at all meetings of the local and to exercise supervision over local affairs.

(e) The chairperson of the local shall sit as a member of the executive of the component.

(f) It shall be the duty of the 1st vice chairperson to act in the absence of the chairperson and to assist the chairperson in the discharge of the duties of the chair. In the absence of the chairperson and the 1st vice chairperson, the 2nd vice chairperson shall so act.

(g) It shall be the duty of the treasurer of the local to establish an account in a chartered bank or credit union, to deal with all local funds, to issue receipts, to issue all cheques, to prepare necessary financial statements and to render such other services as may be directed by the local executive. The chairperson, treasurer and 1st vice chairperson shall be signing officers of such an account. All disbursements shall require the signatures of at least two signing officers.

(h) It shall be the duty of the recording secretary to keep the minutes of the local. The recording secretary shall reproduce and distribute the attested minutes of the local in accordance with component policy.

(i) The recording secretary shall within 15 days of the local meeting being held send copies of the minutes to the president and the component treasurer.

(j) Monies shall be used for the purposes of conducting the affairs of the local in accordance with the union's financial policy.

16. LABOUR COUNCIL

(a) The local shall be an affiliate of the Prince George & District labour council.

(b) The local's delegates to the labour council may be nominated at a local meeting. Elections shall be as per the bylaws contained in the union's constitution. Delegates shall be elected for a one-year term.

(c) Delegates to the labour council shall be elected at least six months prior to the date set for labour council elections.

17. CONVENTIONS

(a) **Pursuant to Article 8, d**elegates to **the** union**'s** triennial constitutional convention shall be elected from each local's membership on the following basis: the chairperson of each local within a component shall be a delegate for the first 100 members or part thereof and the local may elect one additional delegate for each additional 200 members or major part thereof.

(b) When a local elects its delegates to the triennial constitutional convention, nominations shall exceed the number of delegates to be elected by at least two. The unsuccessful candidates shall be regarded as alternate delegates ranking in accordance with the number of votes received by them.

(c) Delegates to conventions of the Canadian Labour Congress and the BC Federation of Labour shall be selected by the component executive after the delegate entitlement and allocation has been determined by the provincial executive.

(d) Members may bring matters before a convention only by means of a resolution approved by their component and submitted through their local to the component at least 90 days prior to convention.

18. GENERAL

(a) No agreements contrary to the collective agreement or general policy of the union shall be entered into by this component, its locals, bargaining units, bargaining councils or any of its members. This component and its locals shall not affiliate with any other organization without express written authority from the **provincial** executive.

(b) Members wishing to charge other member(s) with a breach of duty of the constitution and bylaws shall do so pursuant to Article 7 of the union's constitution.

(c) These bylaws may be altered or amended by a majority vote of those members of the local present at a meeting, providing that notice of motion has been served at least **14** days prior to the meeting.

(d) These bylaws and subsequent amendments must be submitted through the component to the **constitution & structure committee for recommendation to the executive committee and to the** provincial executive for approval.

APPENDIX A

Union policy regarding changing of local boundaries

The provincial executive at its regularly scheduled meeting held March 16, 1978 adopted the following procedure for the changing of local boundaries. This policy has been adopted in response to the change in the constitution and the commitment made at the 1977 BCGEU convention to provide a method by which locals could alter their boundaries to better serve the needs of the membership.

1. The local wishing to change its boundaries shall serve the appropriate component with a notice of motion containing the reasons why the request is being made, and reasonable proof that the proposed change is endorsed by the majority of the local membership affected.

2. The motion referred to in (1) above must provide the component with specific information on the change requested, including a description of the proposed new boundaries.

3. The component, after considering the foregoing motion and hearing the views of the other local(s) affected, will refer the matter to the **constitution & structure committee** with a recommendation for or against the change.

4. The **constitution & structure committee**, upon receiving a request for a local boundary change endorsed by the appropriate component, will have the committee secretary obtain a joint report from the area representatives concerned.

5. After considering all available information, the **constitution & structure committee** will make the appropriate recommendations to the provincial executive for action.

This policy has been formulated not to discourage locals from changing their boundaries, but to ensure that the rights and wishes of all the members concerned are fully protected. The provincial executive considers the changing of local boundaries to be an important matter, and a great deal of care must be taken before any binding decisions are made.

All locals considering changing their boundaries should pay special attention to the section of the policy which requires proof that the membership affected are involved in the decision and have an opportunity to have their views heard.

APPENDIX B

The local shall establish the following committees whose members will be appointed by the local chairperson:

1.	Bylaws committee:	1st vice chairperson (chairperson) Two executive members
2.	Finance committee:	Treasurer (chairperson) Two executive members

The local may establish the following committees whose members will be appointed by the local chairperson:

1.	Membership committee:	Recording secretary (chairperson) Maximum of six members
2.	Resolutions committee:	Local chairperson (chairperson) Three executive members
3.	Visiting & counselling committee:	Executive member (chairperson) One member
4.	Balloting committee:	Executive member (chairperson) One member
5.	Stewards committee:	2nd vice chairperson (chairperson) One executive member
6.	Any other committees deemed necessary.	

APPENDIX C

Local executive - duties of the table officers

1. CHAIRPERSON

(a) It shall be the duty of the chairperson to preside at all meetings of the local and to exercise supervision over local affairs.

(b) The chairperson shall be a representative from the local to sit on the component executive. The chairperson shall make a report on behalf of the local at all component executive meetings.

(c) The chairperson shall appoint committees as required by the bylaws.

(d) The chairperson shall chair the local's resolutions committee.

(e) The local chairperson or designate will appoint OHS representatives as required by the *Workers Compensation Act* and the collective agreement.

2. 1st VICE CHAIRPERSON

(a) It shall be the duty of the 1st vice chairperson to act in the absence of the chairperson and to assist the chairperson in the discharge of the duties of the chair.

(b) The 1st vice chairperson shall chair the local's bylaws committee.

(c) Such other duties as assigned by the local chairperson or the bylaws.

3. TREASURER

(a) It shall be the duty of the treasurer to establish an account in a chartered bank or credit union, to deal with all local funds, to issue receipts, to prepare necessary financial statements and to render such other services as directed by the local executive and required by the financial manual.

(b) The treasurer shall arrange for the annual audit and shall make such financial reports as are required by the financial manual and the bylaws.

(c) The treasurer shall chair the local finance committee.

4. 2nd VICE CHAIRPERSON

(a) It shall be the duty of the 2nd vice chairperson in the absence of the chairperson and 1st vice chairperson to assume the chair and discharge the duties of the chair according to the bylaws.

(b) The 2nd vice chairperson shall chair the local stewards committee.

(c) Such other duties as may be assigned by the chairperson or the bylaws.

5. RECORDING SECRETARY

(a) It shall be the duty of the recording secretary to keep the minutes of the local. The recording secretary shall reproduce and distribute the attested minutes of the local in accordance with component policy.

(b) The recording secretary shall chair the local membership committee.

(c) Such other duties as may be assigned by the chairperson or the bylaws.

Approved by the local on

Approved by the component executive on March 2011.

Approved by the provincial executive on February 18 – 19, 2015

(AMENDED PER 2014 CONVENTION/MODEL BYLAWS)

cope 378/L411 bylaws 1507
revised: February 18 – 19, 2015 = A8(h) elections
September 17th = 2014 convention
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