

CUPE BC

CONSTITUTION

ARTICLE ONE

NAME

- 1.1 This organization shall be known as CUPE BC.
- 1.2 It shall be chartered by the Canadian Union of Public Employees.

ARTICLE TWO

OBJECTS

- 2.1 CUPE BC has as its objectives:
 - (a) The organization of workers generally, and in particular all workers in the public service of British Columbia and Yukon.
 - (b) The advancement of the social, economic and general welfare of public employees.
 - (c) The defence and extension of the civil rights and liberties of public employees and the preservation of free democratic trade unionism
 - (d) The improvement of wages, hours of work, job security and other working conditions affecting public employees.
 - (e) To promote the respect and conservation of the earth's environment.
 - (f) To support the objectives of the Canadian Union of Public Employees as set out in Article II of the CUPE Constitution.
- 2.2 To encourage CUPE Locals in British Columbia and Yukon to affiliate to the BC Federation of Labour and to their respective Labour Councils.

ARTICLE THREE

MEMBERSHIP

- 3.1 (a) Any chartered local of CUPE in the Province of British Columbia or the Yukon Territory and in good standing, shall be eligible for affiliation to CUPE BC.
- (b) Any District Council in the Province of British Columbia or the Yukon Territory chartered to the Canadian Union of Public Employees, and in good standing, shall be eligible for affiliation to CUPE BC.
- 3.2 The Executive Board shall have the authority to grant such affiliation, or alternatively, to refer the application to the next CUPE BC Convention.
- 3.3 (a) The Executive Board may suspend and/or expel an affiliate should such affiliate
- (i) be in arrears in payment of per capita for a period of sixty days
- (ii) fail to adhere to or carry out the established policies and decisions of CUPE BC.
- (b) All affiliates shall have the right to appeal from any decision to suspend or expel at the next CUPE BC Convention.
- 3.4 Any CUPE Local applying for re-affiliation to CUPE BC as a result of action against the Local under Article 3, Section 3 A (i) - (ii) of this Constitution or a voluntary withdrawal, must pay its per capita tax arrears in full to become an affiliate in good standing of CUPE BC.
- 3.5 All affiliates shall be entitled to payments under the CUPE BC Defence Fund Formula and Regulations as set out and provided for in the regulations.

ARTICLE FOUR

CONVENTIONS

- 4.1 The supreme authority of CUPE BC shall be the delegates of the affiliated organizations assembled in convention.
- 4.2 A regular convention of CUPE BC shall be held annually at the time and place determined by the Executive. Notice of such Convention shall be forwarded to all affiliated organizations at least four months prior to the date of such Convention.
- 4.3 All CUPE BC Convention credentials must be submitted to the CUPE BC Secretary-Treasurer forty-five days prior to the commencement date of the CUPE BC Convention in order to be included in the Convention booklet or to be eligible for consideration for appointment to Convention Committees.
- 4.4 Delegate credentials shall be accepted only from those Locals who have made per capita tax payments as set out in Article 8, in full to the end of the month prior to the month in which the Convention Call is sent out.

Delegate entitlement shall be based on the paid-up membership, including Rand Formula payees for the average month of the previous twelve (12) months, ending with the previous month in which the Convention Call is sent out, or the month of the previous year's convention whichever is greater

- 4.5 (a) A delegate to a CUPE BC Convention must be a member in good standing of, and duly accredited by their chartered Local Union or District Council affiliated to and in good standing with CUPE BC and the National Union.
- (b) The President and Secretary-Treasurer of CUPE BC shall be the CUPE BC delegates to the Annual Convention.

4.6 Representation at conventions by affiliated organizations shall be:

Local Unions

Up to 200 members	-	2 delegates
201 to 300 members	-	3 delegates
301 to 400 members	-	4 delegates
401 to 500 members	-	5 delegates
501 to 750 members	-	6 delegates
751 to 1000 members	-	7 delegates

For each additional 500 members or portion thereof - 1 additional delegate.

District Councils - 2 delegates, 1 of which must be a young worker in accordance with CUPE BC Policy.

4.7 CUPE BC shall reimburse small locals attending a CUPE BC Convention, the cost to the Local in paying lost wages, hotel and transportation as follows:

- (i) Locals with one hundred (100) or fewer Members, fifty percent (50%) of the cost of two (2) delegates or one hundred percent (100%) of the cost of one (1) delegate;
- (ii) Locals with between one hundred and one (101) and one hundred and twenty-five (125) Members, twenty-five percent (25%) of the cost of two (2) delegates or fifty percent (50%) of the cost of one (1) delegate;
- (iii) Locals with between one hundred and twenty-six (126) and one hundred and fifty (150) Members, twelve and one half percent (12.5%) of the cost of two (2) delegates or twenty-five percent (25%) of the cost of one (1) delegate;

Provided that:

- a) Locals applying are otherwise unable to send two (2) delegates;
- b) Locals applying for such reimbursement shall have a dues structure of no less than one and one half percent (1.5%);
- c) Locals applying for such reimbursement shall submit their request to the CUPE BC

Secretary-Treasurer at least forty-five (45) days prior to the commencement date of the CUPE BC Convention for which they wish to receive the above noted reimbursement;

- d) Final approval of any reimbursement shall be subject to a two thirds (2/3) vote of the CUPE BC Executive Board.

- 4.8 Any affiliated local union being on strike or locked out at the time CUPE BC is in Convention shall be entitled to have their delegates cast ballots for the entire delegation entitlement of the local;

Such delegates casting ballots on behalf of their Local's entire delegation entitlement, shall be required to have the written authority signed by the President and Secretary of their local.

- 4.9 In the instance of a local affiliating after the end of the fiscal year, or other special circumstances, the Credentials Committee shall be empowered to accept credentials on the recommendation of the CUPE BC Executive Committee.
- 4.10 The registration fee for each delegate and alternate delegate to the CUPE BC Convention shall be One Hundred and Seventy-five Dollars (\$175.00).
- 4.11 Each local will be entitled to one alternate delegate. The alternate delegate may replace a regular delegate who is unable to attend the Convention or is required to leave the Convention; in which case the alternate becomes the regular delegate and the former delegate may not be re-seated.
- 4.12 Voting shall be by a show of hands unless otherwise requested. The Executive Board may institute an electronic voting system to be used at the discretion of the Chair for any vote. A roll call vote or secret ballot shall be taken if demanded by one-fourth of the delegates present.
- 4.13 A quorum at Convention of CUPE BC shall consist of a majority of the delegates seated and in attendance when the first report of the Credentials Committee is

presented.

- 4.14 (a) Resolutions and constitutional amendments to be introduced for consideration at the Convention shall be signed by the President and Secretary of an affiliated organization or Chair of a Committee, and be authorized by that organization or Committee. They shall be received by the Secretary-Treasurer of CUPE BC not later than sixty days prior to the opening of the Convention. If the deadline for resolution submission falls on a Saturday, Sunday or Statutory Holiday, it shall automatically be moved to 12:00 pm (noon) on the next business day.
- (b) That all resolutions submitted in accordance with (a) above be forwarded for the information of each affiliated local no later than thirty (30) days prior to the opening of the Convention.
- (c) Resolutions may be submitted prior to or during the CUPE BC Convention by the CUPE BC Executive Board and all Committees appointed by the Executive Board.
- (d) Resolutions may be submitted by a Committee of the Convention or the CUPE BC Executive, provided such resolution is the result of the deliberations of that Committee or the CUPE BC Executive.
- 4.15 The Convention in session may accept emergency resolutions. Such resolutions must be signed by the submitting delegate(s), and must deal with a specific incident occurring after the deadline for submission of resolutions.
- 4.16 (a) Any resolution not submitted under Section 4.14 or 4.15 will be considered a late resolution and will be dealt with only after all other resolutions have been presented.
- (b) No resolution will be accepted after the hour of

five p.m. on the first day of the Convention except as outlined in Articles 4.14 (c) and (d).

ARTICLE FIVE

OFFICERS AND COMMITTEES

- 5.1 (a) The officers of CUPE BC shall consist of the following:

President
Secretary-Treasurer
Four (4) General Vice-Presidents
Nine (9) Regional Vice-Presidents
Four (4) Diversity Vice-Presidents

These shall constitute the Executive Board.

- (b) The following officers of CUPE BC shall constitute the Administrative Committee:

President
Secretary-Treasurer
Four (4) General Vice-Presidents

- (c) The nine Regional Vice-Presidents shall consist of the following:

2 representing Vancouver Island
3 representing Metro-Vancouver
1 representing Fraser Valley
1 representing Okanagan
1 representing Kootenays
1 representing Northern B.C.

- (d) Six Alternate Regional Vice-Presidents shall be elected; one from each region. Alternate regional representatives may in emergency situations attend CUPE BC Executive Board meetings and when replacing the regular regional representative shall be entitled to full voice and vote.

- (e) The four (4) Diversity Vice-Presidents shall

consist of one (1) representing members with disabilities, one (1) representing members who are lesbian, gay, bisexual, transsexual or transgender (LGBT), one (1) representing indigenous members and one (1) representing members of colour.

- (f) Four Diversity Vice-Presidents shall be elected. Alternate Diversity Vice-Presidents may in emergency situations attend CUPE BC Executive Board meetings and when replacing a Diversity Vice-President shall be entitled to full voice and vote.
- (g) There shall be three Trustees elected by the CUPE BC Convention. One Trustee shall be elected each year at Convention and shall serve a three year term of office. In the case of vacancies occurring, the CUPE BC Convention shall elect Trustees to fill the unexpired terms of office in order to preserve overlapping terms of office.

- 5.2
- (a) The President shall be a fulltime officer of CUPE BC.
 - (b) The President shall function as the Chief Executive Officer of CUPE BC. The President shall exercise supervision over the affairs of CUPE BC, sign all official documents, and preside at conventions and all meetings of the Executive Board. The President shall have first preference as a delegate to the CUPE National Convention.
 - (c) It shall be the duty of the President to carry out the directives of the Executive Board, to promote the welfare and purpose of CUPE BC and to exercise supervision of CUPE BC in accordance with the Constitution.
 - (d) The President shall be primarily responsible for communications with the membership, to attend District Council meetings and attend Local Union meetings whenever and wherever

possible.

- (e) The President shall act as a liaison person with other unions and organizations.
- (f) The President shall represent CUPE BC on the BC Federation of Labour.
- (g) The President shall keep informed of current affairs pertaining to the labour movement and shall from time to time attend sessions of the legislature.
- (h) The President shall assist Committees in the preparation of Briefs and other presentations and/or submissions to be made on behalf of CUPE BC.
- (i) The President shall be responsible for the establishment and maintenance of a good working relationship with CUPE Staff personnel and officers; also other structural bodies such as District Councils, occupational groupings and regional authorities.
- (j) The President shall work in close cooperation with all departments of the Canadian Union of Public Employees in advancing the policies and programs of the parent organization within CUPE BC's purview.
- (k) The President shall ensure officers and Committees perform their duties strictly in accordance with the Constitution and By-Laws.
- (l) The President shall be an ex-officio member of all Committees.
- (m) The President shall have the authority to enforce and interpret the Constitution of CUPE BC and such interpretation shall be conclusive and in full force and effect unless reversed or changed by the CUPE BC Executive Board or by the CUPE BC Convention subject always to appeal to the National Executive Board.

- (n) The President shall, in order to carry out the day-to-day function of CUPE BC utilize the CUPE BC office located in Burnaby, BC.
- (o) The salary of the President shall be tied to that of a Regional Director.
- (p) The President shall submit a monthly activity report to the members of the Executive Board and a monthly expense account together with all covering receipts to the Secretary-Treasurer.
- (q) The President shall receive a daily per diem, the amount to be set and reviewed by the CUPE BC Executive Board.

5.3 The General Vice-Presidents shall assist the President and the Secretary-Treasurer in the performance of their duties as they may request of them, and they shall perform the duties of the President in their absence.

5.4 The Secretary-Treasurer shall be a full time officer of CUPE BC under the direction of the President and the Administrative Committee of the Executive Board the Secretary-Treasurer may act as spokesperson for CUPE BC staying within the policies and resolutions adopted by the Provincial Convention and in keeping with the practices and policies of the parent organization, the Canadian Union of Public Employees.

Under the direction of the President and the Administrative Committee the Secretary-Treasurer shall be responsible for:

- (a) When required, assist Committees in the preparation of briefs and other presentations and/or submissions to be made on behalf of CUPE BC at the level of the Provincial Government or any of its Ministries.
- (b) The general administration and operation of

- the CUPE BC Office, including the supervision of clerical staff.
- (c) Maintaining a good working relationship with CUPE BC Staff personnel and officers; also other structural bodies such as District Councils, Occupational groupings and regional authorities.
 - (d) Working in close cooperation with all departments of the Canadian Union of Public Employees in advancing the policies and programs of the parent organization within CUPE BC's purview.
 - (e) All administrative matters emanating from the CUPE BC Office, including correspondence, accounting and any other responsibilities which have been delegated by the Executive Board to the President and/or Administrative Committee for action.
 - (f) Keeping a correct and impartial record of all proceedings of CUPE BC in Convention, and of the Executive Board meetings. The Secretary-Treasurer shall receive and answer all communications in consultation with the President, Administrative Committee and/or the Executive Board.
 - (g) Keeping all financial accounts of CUPE BC and shall maintain correct and proper records. The Secretary-Treasurer shall receive and give receipts for all money paid to CUPE BC and shall deposit same in such banking facility as the Executive Board may direct in the name of CUPE BC Disbursements shall be for the purpose of CUPE BC only, and in all cases shall be made by cheque signed by the Secretary-Treasurer and the President, or such other officer as the Executive Board may designate.
 - (h) Being bonded in such amount as may be determined by the Executive Board.

- (i) Submitting the books and records to the Trustees for audit at the end of each fiscal year, which shall be December 31 in each year, and shall furnish the Trustees with such information as they may require for the performance of their duties.
 - (j) The salary of the Secretary-Treasurer be tied to that of an Assistant Regional Director.
 - (k) The Secretary-Treasurer shall receive a daily per diem, the amount to be set and reviewed by the CUPE BC Executive Board.
- 5.5
- (a) The Trustees shall audit the books of CUPE BC once yearly, and submit their report to the CUPE BC Convention.
 - (b) The Trustees shall work with the Secretary-Treasurer in the preparation of a proposed budget for the oncoming year.
 - (c) All recommendations from the Trustees must be submitted to the Executive Board, who then will submit an Executive Board resolution to the Convention.
- 5.6
- (a) The Executive Board shall appoint the following Standing Committees and Chairpersons thereof:
 1. Anti-Privatization Committee
 2. Education Committee
 3. Environment Committee
 4. International Solidarity Committee
 5. Occupational Health & Safety Committee
 6. Pension Committee
 7. Political Action Committee
 8. Women's Committee
 9. Young Worker's Committee
 10. Skilled Trades Committee
 - (b) The Executive Board shall appoint the following Sectoral Committees and Chairpersons thereof:

1. Colleges Committee
2. Community Social Services Committee
3. K-12 Committee
4. Libraries Committee
5. Municipal Committee
6. Transportation Committee
7. Universities Committee

(c) The Executive Board shall appoint the following Equity Committees:

1. Indigenous Committee
2. Persons with Disabilities Committee
3. Pink Triangle Committee
4. Workers of Colour Committee

The relevant Diversity Vice President shall be the Chairperson of that Equity Committee.

(d) Each standing, sectoral and equity committee shall have co-chairpersons, one to be appointed pursuant to 5.6 (a), (b) or (c) above and the other to be elected by committee members. Wherever possible gender and racial parity shall be taken into consideration.

5.7 Terms of Reference of Standing, Sectoral and Equity Committees:

- (a) All committees shall take direction from, and be responsible to the Executive Board. However, between meetings of the Executive Board, tasks may be assigned to committees by the Administrative Committee or by the President.
- (b) Each Committee within three (3) months of appointment must meet to identify goals and objectives for the ensuing term, which must be submitted to the Executive Board for endorsement.
- (c) Standing Committees, Sectoral Committees, Equity Committees and committees

established through the CUPE BC Executive Board shall call meetings through the Secretary-Treasurer of CUPE BC. The Executive Board shall call meetings through the Secretary-Treasurer of CUPE BC and shall submit signed copies of minutes of all meetings held to the Secretary-Treasurer.

- (d) Committee chairpersons shall submit interim reports to all regular Board meetings. Committees shall submit a report of activities to the membership at Convention.
- (e) Reports of Committees activities for the preceding year shall be submitted to the Secretary-Treasurer of CUPE BC at least 30 days prior to the opening day of the Convention and be presented with their accompanying resolutions to the Convention Floor.
- (f) Budgetary requests for Committees be prepared and submitted to the Secretary-Treasurer by the end of each fiscal year for inclusion in the annual budget for approval at the Annual Convention.
- (g) Budgetary provisions for Standing Committees, and if possible for Special Committees, shall be prepared and submitted to the Trustees by the end of each fiscal year for inclusion in the annual budget for approval at the Annual Convention.

5.8 Responsibilities of Regional Vice-Presidents:

They will maintain close liaison with CUPE Locals and the Area Council in the region they represent and keep them informed of the activities of CUPE BC. They will keep the President informed of all matters in their region which may affect the general welfare of Public Employees throughout the Province.

- 5.9 The Diversity Vice-Presidents will maintain a close liaison with the members they represent and keep them informed of the activities of CUPE BC.

ARTICLE SIX

ELECTIONS

- 6.1 (a) To be eligible for election or re-election to any office, a candidate shall be a member in good standing of any affiliated organization and an accredited delegate of that organization to the Convention.
- (b) The President and Secretary-Treasurer will be considered members in good standing of CUPE BC and will be eligible for re-election to any office.
- (c) Regional Vice-Presidents and Alternates shall be elected by the delegates from locals and district councils in the respective regional caucus. Provincial locals and multi-regional locals shall specify on the credential forms which region each delegate from their local is designated for. No delegate shall vote in more than one regional caucus. The Executive Board shall have the responsibility to establish such rules as required to ensure that regional elections are conducted in a manner consistent with the spirit and intent of the constitution of CUPE BC.
- (d) Diversity Vice-Presidents shall be elected by members of their respective equity caucus in accordance with procedures recommended by the caucus and approved by the Executive Board.
- (e) The President, Secretary-Treasurer, four (4) General Vice-Presidents and Trustees shall be elected by the convention as a whole in accordance with the provisions of the CUPE BC Constitution.

- 6.2 Voting shall be by secret ballot or by electronic vote and the successful candidate must receive a majority of the votes cast. If no candidate on the first vote receives a majority of the votes cast, the candidate receiving the least number of votes shall be dropped in each successive vote. In the case of a final tie vote, the presiding officer may cast the deciding vote. Notwithstanding the foregoing, election for offices noted in 6.1 (d) may be by consensus or other process approved in advance by the CUPE BC Executive Board.
- 6.3 The term of office shall be for two years. An elected official shall serve in office until a successor has been elected, provided that they retain their membership in their local organization in good standing.
- 6.4 (a) If an Officer resigns, or ceases to be a member in good standing of an affiliated organization, or misses three (3) consecutive meetings without good cause (as established by the Executive Board) or for any other cause is no longer an officer of CUPE BC, the vacancy shall be filled for an interim basis as soon as possible by the Executive Board, subject to the following provisions.
- (b) The next CUPE BC Convention shall hold elections to fill the position and/or positions for the remainder of the term, or regular term of office, whichever applies.
- (c) In the event of a vacancy in the office of a General Vice-President, the Executive Board shall have the power to fill the vacancy, by majority vote of all its members, for the period of the unexpired term, or until the next CUPE BC Convention, whichever comes first.
- (d) In the event of a vacancy in the office of a Regional Vice-President, the Alternate Regional Vice-President from that region shall fill the vacancy for the period of the unexpired term or until the next CUPE BC Convention,

whichever comes first. In the event of a vacancy in the office of an alternate Regional Vice-President, all affiliated bodies in the region shall then be consulted as to a nomination for a replacement of the Alternate Regional Vice-President.

- (e) In the event of a vacancy in the office of a Diversity Vice-President, the Alternate Diversity Vice-President from the respective caucus shall fill the vacancy for the period of the unexpired term or until the next CUPE BC Convention, whichever comes first. The CUPE BC Executive Board will fill the vacated Alternate Diversity Vice-President position with the recommendation from the appropriate equity Committee.

- 6.5 The CUPE BC Convention immediately prior to the biennial CUPE Convention, may select a nominee for the office of BC Regional Vice-President on the National Executive Board of CUPE.

ARTICLE SEVEN

INSTALLATION OF OFFICERS

- 7.1 (a) the newly elected officers shall take their places in front of the presiding officer and facing the assembly for the purpose of being obligated as an officer of CUPE BC.
- (b) The presiding officer shall then cause the assembly to stand and bear witness to the installation of the officers.

- 7.2 The presiding officer shall state:

"Newly elected members repeat after me the following obligation:

"I. sincerely promise that I will truly and faithfully, and to the best of my ability, perform the duties of my office for the ensuing term as

prescribed in the Constitution and By-Laws of CUPE BC and the Constitution of the Canadian Union of Public Employees and as an officer of CUPE BC will at all times endeavour, both by my council and example, to promote the harmony and preserve the dignity of its sessions. I further promise that at the close of my official term, I will promptly deliver any monies or property of CUPE BC in my possession to my successor in office".

ARTICLE EIGHT

REVENUE

- 8.1 The revenue of CUPE BC shall be derived as follows:
- (a) Each affiliated District Council shall pay a fee of five dollars (\$5.00) per year.
 - (b) Each affiliated Local Union shall pay a Per Capita Tax of .14% of the Local Union's average regular monthly wages of which .05% will be placed in the CUPE B.C. Defence Fund, and .01% will be placed in the CUPE BC - Colleen Jordan Humanity Fund.
 - i) The CUPE BC - Colleen Jordan Humanity Fund shall be administered by the CUPE BC Executive Board in accordance with the Humanity Fund Guidelines.
 - ii) In the event the CUPE BC - Colleen Jordan Humanity Fund balance exceeds \$1,250,000.00, 50% of all further revenue to the fund shall be re-directed to the CUPE BC Defence Fund. If the Colleen Jordan Humanity Fund balance falls below \$750,000.00, all fund revenue shall be re-instated until it reaches a balance of \$1,250,000.00.
 - iii) In the event the Defence Fund is reduced to \$750,000.00 the Per Capita shall

automatically increase by .03% of the Local Union's average regular monthly wages, the total of which will be placed in the Defence Fund until it reaches a balance of \$1,500,000.00."

- (c) A payment thereto of additional per capita tax as set by the Executive Board of CUPE BC as may be required for the specific purpose of maintaining the CUPE BC Defence Fund.
- (d) Local Unions or District Councils applying for affiliation shall pay a fee of Two Dollars and Fifty Cents (\$2.50).
- (e) Any per capita tax payments as set by the Executive Board of CUPE BC under section 1(c) of this Article Eight shall be forwarded to the Secretary-Treasurer of CUPE BC.
- (f) In lieu of increasing per capita by .03% of the Local Union's average regular monthly wages as provided for in Article 8.1(b) (iii), CUPE BC shall increase its contribution to the CUPE BC Defence Fund from .05% to .06% and also redirect to the CUPE BC Defence Fund the .01% contribution for the CUPE BC – Colleen Jordan Humanity Fund. The Per Capita Tax of .14% for each affiliated Local Union will remain unchanged.

This provision shall be effective January 1, 2015 and shall only remain in effect until the closing of the CUPE BC 2016 Convention or such earlier date as determined by a majority vote of the CUPE BC Executive Board upon recommendation of the CUPE BC Secretary Treasurer.

ARTICLE NINE

- 9.1 In accordance with guidelines established by the Executive Board CUPE BC will provide a full travel subsidy to help small Locals attend CUPE National Conventions.

ARTICLE TEN

AMENDMENTS

- 10.1 (a) This Constitution can be amended or altered at a regular session of the CUPE BC Convention only, and to do so, it shall require two-thirds of the votes of the delegates present and voting.
- (b) Such amendments and/or additions to the Constitution of CUPE BC shall not conflict with the Constitution of the Canadian Union of Public Employees and its principles and policies.
- (c) Notwithstanding the above, any resolutions dealing with amendments to Article Eight shall be circulated by the Secretary-Treasurer of CUPE BC to all affiliates thirty (30) days prior to commencement of the CUPE BC Convention.
- 10.2 This Constitution and/or amendments thereto shall become effective upon approval by the National President in accordance with the CUPE Constitution.

BY-LAWS

1. EXECUTIVE

- A. The Executive Board shall constitute the administrative body of CUPE BC between Conventions and shall meet at least four (4) times a year. Meetings of the Provincial Executive of CUPE BC shall be at the call of the President, or in the absence of that officer, at the call of the Secretary-Treasurer, or upon the request of a majority of the members of the Executive provided that a minimum of seven (7) days' notice of such meetings shall be sent to all members of the Executive.
- B. The Provincial Executive shall at all times adhere to the provisions of the Constitution of the Canadian Union of Public Employees, and shall follow and faithfully carry out all instructions given to it by Conventions of CUPE B.C.
- C. A quorum of the Executive of CUPE BC shall consist of seven (7) members of such Executive at any meeting thereof.
- D. The Executive Board may appoint special committees as required. The Chairperson shall be an elected member of the CUPE BC Executive Board.
- E. The CUPE BC Executive Board may dissolve any committee established by the Executive Board, by a two-thirds majority vote of the CUPE BC Executive Board. This decision is subject to appeal at the next Convention of CUPE BC.
- F. The Executive Board shall appoint such committees as are necessary to conduct the affairs of the Convention. The Executive Board may request any such committee to meet prior to the opening of the Convention for the purpose of considering matters placed

before it.

2. **ADMINISTRATIVE COMMITTEE**

- A. The Administrative Committee shall be responsible for the administration of the affairs and activities of the Union, when the Union is not in Convention and the Executive Board is not in session.
- B. The Administrative Committee shall meet immediately prior to each meeting of the Executive Board, and at the call of the chair but not less than six times per year.
- C. When in session a majority of the Administrative Committee shall constitute a quorum.

3. **ORDER OF BUSINESS**

The Agenda for each CUPE BC Executive Board meeting shall be prepared by the Administrative Committee and pre-submitted to the meeting for approval. Upon adoption this agenda shall include the following:

- (a) reading of minutes of previous meetings.
- (b) matters arising out of minutes.
- (c) correspondence and business arising therefrom.
- (d) nomination and/or appointment of committees.
- (e) applications for affiliation.
- (f) reports of committees.
- (g) financial reports.
- (h) unfinished business.
- (i) new business.
- (j) good and welfare.

4. **PARLIAMENTARY PROCEDURE**

All questions of a parliamentary nature, not provided for in the Constitution and By-Laws of CUPE BC, shall be decided in accordance with "Bourinot's Rules of Order".

5. **RULES OF ORDER**

- A. The convention shall be called to order annually, in accordance with Article 4, Section 2. The times and places shall be reported to each local and appear in the agenda.
- B. If any delegate, while speaking, be called to order, they shall, at the request of the Chair, take their seat until the question of order has been decided.
- C. Should one or more delegates arise to speak at the same time, the Chair shall decide who is entitled to the Floor.
- D. No delegate shall interrupt another in their remarks, except if it be to call a point of order.
- E. A delegate shall not speak more than once upon a question until all who wish to speak have had an opportunity to do so.
- F. Delegates shall be allowed five minutes when moving a motion; other delegates – three minutes to speak to a motion.
- G. When a question is pending before the Convention, no motion shall be in order except - to adjourn - to refer - for the previous question - to postpone indefinitely – to postpone for a certain time - to divide or amend - which motions shall have precedence in the order named.
- H. A motion to reconsider shall not be entertained unless made by a delegate who voted in the majority and shall receive a majority vote.

- I. Reports of committees are not subject to amendments except such as is acceptable to the committee, but a motion to refer back to the committee for reconsideration shall be in order.
- J. Delegates wishing to speak on any subject shall, after they are recognized by the Chair, announce their name and that of the organization they represent.
- K. Guests and/or alternate delegates will not be permitted to move or second motions nor will they be permitted to vote. Guests and/or alternate delegates will be permitted to speak at the discretion of and with the permission of the Chair.
- L. Nomination and election of officers shall follow the final report of the Trustees Committee. Secret ballot and overall majority shall govern the election of officers. The President shall have the power to appoint scrutineers.
- M. Elected officers shall be obligated and their term of office shall commence upon the conclusion of the convention.
- N. No alternate delegate shall be permitted to vote unless cleared by the Credentials Committee and seated as a delegate.
- O. CUPE National Officers and Staff Representatives shall be allowed a voice but no vote at CUPE BC Executive Board meetings.
- P. CUPE National Officers and Staff Representatives shall be allowed a voice but no vote at CUPE BC Conventions.

APPENDIX "A"

CUPE B.C.

CUPE BC DEFENCE FUND FORMULA AND REGULATIONS

1. PURPOSE

The purpose of the Defence Fund is to provide supplementary financial assistance to a Local Union and its membership when faced with a strike or lockout. The Defence Fund is related to, and intended to supplement, the National Strike Fund and its regulations. Only those members of a Local Union who are actively participating in a strike or lockout are eligible for CUPE BC Defence Fund payments.

The Defence Fund may also be used to promote and defend CUPE BC, our Local Unions, and the work of our members, at the discretion of Convention and/or the CUPE BC Executive Board.

2. ELIGIBILITY

In order to collect CUPE BC Defence Fund benefits, a Local Union must be affiliated to CUPE BC for at least three (3) months prior to the date of application for assistance.

A Local Union that is, or becomes, delinquent in the payment of per capita tax for a period of sixty (60) days and acquires good standing by paying back dues prior to a strike and/or lockout shall be penalized one (1) week benefits.

All Local Unions in BC seeking a first contract shall be eligible for benefits provided that they agree to affiliate to CUPE BC at the conclusion of their negotiations.

3. APPLICATION FOR ASSISTANCE

- a) A Local Union faced with a strike or lockout must first consult with the National Union through their National Representative.
- b) A Local Union that is entitled to strike benefits under the National Strike Fund Regulations shall

be entitled to the benefits of the CUPE BC Defence Fund upon application to the Secretary-Treasurer of CUPE BC. Such application must be accompanied by a copy of each of the National Strike Fund Forms submitted to the National Union.

- c) In the event a Local Union is denied benefits under the National Strike Fund Regulations, the CUPE BC Executive Board may choose to provide additional financial assistance.
- d) The Secretary-Treasurer of CUPE BC shall have the authority to dispense funds in accordance with these regulations.

4. SCHEDULE OF BENEFITS

Benefits provided by the CUPE BC Defence Fund Formula shall be \$15.00 per day, to a maximum of \$75.00 per calendar week.

The CUPE BC Executive Board shall have the authority to adjust the benefits payable under these Defence Fund Regulations.

5. FINANCIAL PAYMENTS AND PROCEDURES

- a) Payments will commence on the third (3rd) calendar day of the strike or lockout.
- b) At the termination of the strike or lockout, two (2) days additional benefit shall be paid to the Local Union.
- c) The striking or locked out Local Union must provide CUPE BC with a full and factual account of the distribution of CUPE BC Defence Fund benefits every week, using the form(s) provided. Failure to submit this information may delay subsequent payments.
- d) A copy of the National Strike Fund Form H "Strike Terminated (or averted)" must be submitted to CUPE BC immediately following the settlement of the dispute.
- e) A final report of the Strike Benefits received from CUPE BC must be submitted as soon as possible after the settlement of the dispute.

f) All unused Defence Fund monies received from CUPE BC will be returned immediately following the settlement of the dispute for redeposit into the CUPE BC Defence Fund Account.

6. Local Unions that are on strike or locked out and are eligible for Defence Fund benefits may apply to the CUPE BC Secretary-Treasurer for an exemption from Per Capita Tax for the duration of the strike or lockout.”

APPENDIX "B"

CUPE BC Constitution

CUPE BC - Colleen Jordan Humanity Fund Guidelines

1. PURPOSE

The purpose of the Humanity Fund is to provide an accountable and ongoing source of funding to support appeals, programs and initiatives in the following areas:

- Emergency relief and humanity programs in Canada and around the world;
- International development work;
- Canadian anti-poverty and development work;
- Hardship support for CUPE members.

2. FUND ADMINISTRATION

The Humanity Fund shall be administered in accordance with these guidelines and the following formula:

- (a) Twenty percent of the annual income to the fund shall be reinvested in the fund each year;
- (b) Up to fifty percent of the annual income to the fund shall be reserved for international humanity and development work;
- (c) Up to thirty percent of the annual income to the fund shall be reserved for Canadian anti-poverty and development work and for hardship requests from locals on behalf of members.

3. APPLICATIONS TO THE FUND

All applications to the fund shall be directed to the CUPE BC Secretary-Treasurer.

- (a) International Humanity Initiatives and International Development Projects.

Applications for International Humanity Initiatives and International Development Projects shall be forwarded to the CUPE BC International Solidarity Committee who will make recommendations to the CUPE BC Executive Board through the CUPE BC Administrative Committee.

- (b) Canadian Anti-poverty and Development Works.

Application for Canadian anti-poverty and development work shall be accepted from affiliated locals, district councils or community organizations. The Secretary-Treasurer shall record the date applications are received and obtain any information necessary for its consideration. The Secretary-Treasurer shall then prepare recommendations in consultation with the Administrative Committee for the CUPE BC Executive Board.

- (c) Member Hardship

Application for member(s) hardship shall be accepted for extraordinary circumstances from affiliated locals or district councils on a form established for that purpose. The Secretary-Treasurer shall record the date applications are received and obtain any information necessary for its consideration. The Secretary-Treasurer shall then prepare recommendations in consultation with the Administrative Committee for the CUPE BC Executive Board.

4. REPORTS

The Secretary-Treasurer shall submit quarterly reports on the Humanity Fund to the Executive Board and mail an Annual Report to all local unions affiliated to CUPE BC. The Annual Report shall also be submitted to the CUPE BC Annual Convention. Reports shall include both financial information and narrative details of each project and program.