



LOCAL 118

BYLAWS

Approved February 1998
Amended December 2017

PREAMBLE

In order to improve the social and economic welfare of its members without regard to sex, colour, race or creed, and to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, this Local of the Canadian Union of Public Employees (hereafter referred to as CUPE) has been formed.

We, the public employees of the City of Port Alberni, Alberni Clayoquot Regional District, District of Ucluelet, District of Tofino, believe it to be a natural right of those who toil to unite together for mutual protection, and advancement. Public employees of the City of Port Alberni are members of parent Local 118, while all other members are considered as members of a Unit of parent Local 118. We join together in order to involve as many of our members as possible through the sharing of duties and responsibilities, and to enjoy to the fullest extent the wealth created by our labours. We hereby accept the following Bylaws for the governing of this Local.

The following By-laws are adopted by the Local pursuant to, and to supplement Appendix "B" of the CUPE Constitution, to safeguard the rights of all members, and to provide for responsible administration of the Local,

BYLAWS OF LOCAL 118

SECTION 1 – NAME

The name of this Local shall be Canadian Union of Public Employees, Local 118.

SECTION 2 - OBJECTIVES

The objectives of the Local are to:

- a) Secure adequate remuneration for work performed, and to generally advance the economic, and social welfare of its members, and of all workers;
- b) Support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- c) Provide an opportunity for its members to influence, and shape their future through free democratic trade unionism;
- d) Encourage the settlement by negotiation, and mediation, of all disputes between the members, and their employers.

SECTION 3 - INTERPRETATIONS AND DEFINITIONS

- a) Masculine pronouns shall be understood to include the feminine gender.
- b) These Bylaws shall not supercede the CUPE National Constitution, but are to be read in conjunction with it.

SECTION 4 - MEMBERSHIP MEETINGS

- a) Local Meetings
 - i) Regular local membership meetings shall be held each month on the 3rd Wednesday, at 5:15 PM. If a Statutory Holiday intervenes, the Executive Board shall give seven days notice of any change in the date of the regular meeting.
 - ii) A quorum for the transaction of business at any regular, or special meeting shall be twelve (12) members, including at least three (3) members of the Executive Board.
 - iii) In the event that there is no quorum, the Executive Board will be given the power to act until the next regularly scheduled meeting. Any decision made by the Executive Board will be reported back for ratification at the next membership meeting.

- iv) The order of business at a regular membership meeting is as follows:
 1. Roll Call of Officers
 2. Voting on New Members and Initiations
 3. Reading of the Equality Statement
 4. Reading of Minutes
 5. Matters Arising
 6. Treasurer's Report
 7. Communications and Bills
 8. Executive Board Report
 9. Reports of Committees and Delegates
 10. Nominations, Elections or Installations
 11. Unfinished Business
 12. New Business
 13. Good of the Union
 14. Adjournment
- b) Unit Meetings
 - i) Unit Meetings shall be held in mid-August. Elections for the positions of one Unit Chair, and one Shop Steward, shall take place at this meeting.
- c) Special Membership Meetings
 - i) Special membership meetings may be ordered by the Executive Board, or requested in writing, by no fewer than twelve (12) members. The President, or next senior officer, shall immediately call a special meeting when so ordered, or requested, and shall see that all members receive at least twenty-four (24) hours notice of the special meeting, and subjects to be discussed. No business shall be transacted at the special meeting other than for which the meeting is called, and notice given.

SECTION 5 - VOTING AND SPENDING OF FUNDS

- a) Except for ordinary expenses, and bills, as approved at membership meetings, no sum over five hundred (\$500) shall be approved for the purpose of a grant, or contribution to a member, or any cause outside CUPE, except by notice of motion given in writing, and dealt with at the following membership meeting.
- b) Spending of Funds: All cheques of the Local require two signatures of the authorized signatories (President, Secretary-Treasurer, and Recording Secretary) one of which must be the Secretary-Treasurer. Only under specific circumstances such as cases of absence or vacation can the Secretary-Treasurer be relieved from his/her responsibility.

SECTION 6 - OFFICERS

- a) The Officers of the Local shall be the President, Vice-President, Second Vice President, Secretary, Treasurer, Sergeant at Arms, Member at Large, three Trustees, one Shop Steward from each worksite, the Unit Chairs and Unit Shop Stewards of each sub-unit. All officers shall be elected by the general membership except the Unit Chair, and Unit Shop Stewards, which shall be elected by the membership of each sub-unit.
- b) The President and Secretary Treasurer will be elected for a two year term with the Vice-President and Recording Secretary being elected for a two year term on the alternate year. The Unit Chair and Unit Shop Steward for each sub-unit will be elected for two year terms.
- c) The Executive Board shall comprise all of the Officers except the Trustees, and the Shop Stewards.
- d) The Executive Board shall meet at least once every month.
- d) A majority of the Executive Board constitutes a quorum, for Executive Board meetings.
- e) The Executive Board shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate without first giving notice, and then submitting the proposition to the membership meeting, and having it approved.
- f) The Executive Board shall do the work delegated to it by the Local, and shall be held responsible for the proper and effective functioning of the Units, and any Committees of the Units and/or the Local.
- g) All charges against Members, or Officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
- h) Should any Executive Board member fail to answer the roll call for three consecutive regular membership, or three consecutive regular Executive Board meetings without having submitted good reasons for those failures, his/her office shall be declared vacant, and shall be filled by an election at the following membership meeting.

SECTION 7 - DUTIES OF OFFICERS

All Officers must give all properties, assets, funds, and all records of the Local Union to their successors at the end of their term of office. All signing Officers of Local 118 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

- a) The President shall:
 - i) enforce the CUPE Constitution and these bylaws;
 - ii) preside at all Local and Executive Board meetings and preserve order,
 - iii) decide all points of order and procedure (subject always to appeal from the membership);
 - iv) have a vote on all matters (except appeals against his rulings) and in the case of a tie vote in any matter, will go back to the membership for a revote, if a tie continues it will be deferred to the next membership meeting;
 - v) ensure that all officers perform their assigned duties;
 - vi) fill committee vacancies where elections are not provided for;
 - vii) introduce new members and conduct them through the initiation ceremony;
 - viii) have signing authority and ensure that the Local's funds are used only as authorized and directed by the Constitution, by-laws, or vote of the membership;
 - ix) have first preference as delegate to the CUPE Provincial and National conference
 - x) on termination of office, surrender all books, seals, and other properties of the Local to his successor.

- b) The Vice-President shall:
 - i) if the President is absent or incapacitated, perform all duties of the President;
 - ii) if the office of President falls vacant, be Acting President until a new President is elected;
 - iii) act as Chief Shop Steward;
 - iv) render assistance to any member of the Executive Board as directed by the Executive Board;
 - v) on termination of the office, surrender all books, seals, and other properties of the Local to his successor.

- c) The Second Vice-President shall:
 - i) distribute all circulars and notices to the members;
 - ii) render assistance to any Executive Board member as directed by the Executive Board.

- d) The Secretary shall:

- i) keep full, accurate and impartial account of the proceedings of all regular, or special membership, and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports;
 - ii) record all alterations in the by-laws;
 - iii) answer correspondence and fulfill other secretarial duties as directed by the Executive Board;
 - iv) file a copy of all letters sent out, and keep on file all communications;
 - v) prepare all circulars, and notices to be distributed to members;
 - vi) have all records ready on reasonable notice for auditors, and Trustees;
 - vii) preside over membership and committee meetings in the absence of both the President, Vice-President and 2nd Vice President;
 - viii) be empowered, with the approval of the membership, to employ necessary stenographic or other assistance, to be paid for out of the Local's funds;
 - ix) on termination of office, surrender all books, seals, and other properties of the Local to his successor.
- e) The Treasurer shall:
 - i) receive all revenue, initiation fees (\$5.00), dues, and assessments, keeping a record of each members payments, and deposit promptly all money with a bank or credit union;
 - ii) sign all cheques and ensures that the Local Union's funds are use only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences;
 - iii) prepare all CUPE National per capita forms, and remit payment no later than the 15th day of each month;
 - iv) record all financial transactions in a manner acceptable to the Executive Board, and in accordance with good accounting practices;
 - v) throughout their term, and on behalf of the local union membership, be responsible for maintaining, organizing, safeguarding, and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE headquarters, as well as records and supporting documents for all income received by the local union;
 - vi) make a full financial report to meetings of the local's Executive Board, as well as a written report to each regular membership meeting, detailing all income and expenditures for the period;
 - vii) pay no money unless supported by a voucher duly signed by the President, and one other member of the Executive Board, or any two other members of the Board, except that no voucher shall be

- required for payment of per capita fees to any organization to which the Local is affiliated;
 - viii) make all books available for inspection by the auditors and /or Trustees on reasonable notice, and have the books audited once each year and within reasonable time, respond in writing to any recommendations and concerns raised by the Trustees;
 - ix) be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds;
 - x) notify all members who are one month in arrears and report to the Executive Board all members two, or more months in arrears in the payment of union dues;
 - xi) be bonded through the master bond held by the National Office, and any Treasurer who cannot qualify for the bond shall be disqualified from office;
 - xii) on termination of office, surrender all books, records, and other properties of the Local to his successor.
- f) The Trustees shall:
 - i) act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, Secretary, and Standing Committees at least once every calendar year;
 - ii) make a written report of their findings to the first membership meeting following the completion of the audit;
 - iii) submit in writing to the President, and Treasurer any recommendations;
 - iv) and/or concerns they feel should be reviewed in order to ensure that the Treasurer is maintaining the Local's funds, records, and accounts in an organized, correct and proper manner;
 - v) be responsible to ensure that monies are not paid out without proper constitutional, or membership authorization;
 - vi) ensure that proper financial reports are made to the membership;
 - vii) audit the record of attendance;
 - viii) inspect, at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership;
 - ix) send a copy of the completed audit report (on the prescribed form by the National Secretary-Treasurer), as well as a copy of their report to the Local membership along with a copy of their recommendations and/or concerns to the President and Treasurer and the Treasurer's response, to the National Secretary-Treasurer of CUPE, with a copy to the assigned servicing representative.
- g) The Sergeant-at-Arms shall:
 - i) guard the inner door at membership meetings and admit no one but members in good standing, or officers and officials of CUPE, except on the order of the President and by consent of the members present;
 - ii) act as Chairman of the Sick Committee;

- iii) maintain the record of membership attendance at meetings;
 - iv) perform other duties as may be assigned by the Executive Board, from time to time.
- h) The Member-at-Large shall:
- i) act as Chairman of the Education Committee;
 - ii) be responsible for all educational programmes introduced by the Local;
 - vii) act as Chairman of the Bursary Committee.
 - viii) keep the CUPE 118 website updated unless an alternate member is approved
- i) The Unit Chairs shall:
- i) enforce the CUPE Constitution and these by-laws;
 - ii) preside at all Unit meetings and preserve order;
 - iii) have a vote on all matters (except appeals against his rulings) and in case of a tie vote in any matter, will go back to the membership for a revote, if a tie continues it will be deferred to the next membership meeting;
 - iv) ensure that all stewards perform their assigned duties;
 - v) ensure all committees within the Unit function as mandated by regulations and the Collective Agreement;
 - vi) fill committee vacancies where elections are not provided for;
 - vii) on termination of office, surrender all books, seals and other properties of the Local to his successor;
 - viii) ensure that all business conducted within the Unit is brought forward to the Executive Board;
 - ix) ensure that the President of the Local is kept apprised of all of the issues affecting the Unit.
- j) The Shop Stewards shall:
- i) act as problem solvers – “solving” could mean mediating a dispute between two members, talking formally to a supervisor, submitting a written grievance, or referring the problem to the union Health and Safety or Negotiating Committee;
 - ii) build confidence and promote mutual support – achieved when the steward involves co-workers in the creative solution of a member’s problem or grievance;
 - iii) act as a link between the membership and the leadership of the Unit and Local;
 - iv) pass on important information about Union activities and encourage membership involvement in Union activities;
 - v) work with the Unit Chair;
 - vi) ensure all issues are brought to the Executive Board meetings;
 - vii) consult with the Vice-President (Chief Shop Steward) of the Local on all grievances.

SECTION 8 - REMUNERATION AND BENEFITS

a) Remuneration

The President shall receive an honorarium of \$300 per month. The Vice President, Secretary, and Treasurer shall receive an honorarium of \$200 per month.

b) Per Diem

Members of Local 118 required to be away from home in the performance of their duties, including attendance at meetings, seminars, lectures, etc., shall be reimbursed for reasonable out-of-pocket expenses and meals at the following rates:

Breakfast	\$17.00
Lunch	\$22.00
Dinner	\$27.00
Overnight	\$16.00

Where a union member is required to be away from home overnight on union business, he shall be entitled to the overnight rate. These per diems are to be adjusted in conjunction with the CUPE National rate. Where the union member chooses not to stay in a hotel overnight, but at a private residence, their overnight rate shall be \$30.

c) Travel Subsidy

Members of Local 118 required to travel using their personal vehicles on Union business, or to attend Union functions shall be paid a mileage subsidy consistent with that which is paid by CUPE BC to their employees.

d) Bursary

A \$1000.00 bursary will be awarded to a student who will be registered in any Post-Secondary Institution for that year. This money may be deferred until the next year if the recipient so wishes. A Post-Secondary Institution includes a University, Nursing School, B.C.I.T., Vocational Institute, Regional College, etc.

i) To be eligible for this bursary a student must be:

- Enrolled in a Secondary School for the current year.
- A legal dependent of a member of CUPE Local 118; or a member of CUPE Local 118.

ii) Applicants will be judged on the basis of:

- Financial need
- Marks overall
- Marks pertaining to chosen field

-Information received about the applicant, and his plans for the future.

- ix) CUPE Local 118 Bursary Committee must receive applications on, or before June 30 of the current year.
 - x) Application forms will be made available at ADSS, City Works Yard, City Hall, Echo Centre, Port Alberni RCMP Station, Regional District Office, District of Ucluelet, and District of Tofino.
 - v) The decision of the committee shall be final.
- b) **Retirement Benefit**
All members of CUPE Local 118, upon retirement only, will be eligible for a retirement gift. Local 118 will purchase a gift for retirees based on their years of service. For anyone having five years service, or less, the gift will have a value not exceeding \$100.00. All other retirees will be entitled to a gift valued at \$30.00 for each year of service.
- e) **Childcare Expenses**
All members in good standing while attending schools, conferences, seminars, meetings and conventions on behalf of the Local Union shall be reimbursed for child care expenses at the rate of \$4.00 per hour to a maximum of \$35.00 per day. Receipts must support such claims. Claims should not be paid for a spouse, partner, or a family member who normally provides care without charge, or for periods of time where a member would normally have paid for care such as during normal hours of work at their job.
- f) **Death Benefit**
In the case of the death of a member of Local 118, \$100 will be paid to the charity of choice of the family.

SECTION 9 - FEES, DUES, AND ASSESSMENTS

- a) **Initiation fees**
Each application for membership in the Local shall be directed to the Treasurer and shall be accompanied by an initiation fee of five dollars (\$5.00), which shall be in addition to the monthly dues. Upon readmission to the Local, the member shall be assessed a \$5.00 readmission fee. If the application is rejected, the fee shall be returned.
- b) **Monthly Dues**
The amount of monthly dues shall be 1.15% plus the national per capita based on gross income. Changes in the levels of the initiation fee, or the monthly dues can be effected only by following the procedure for the amendment of these bylaws (see AMENDMENTS), with the additional provision that the vote must be by secret ballot.

Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established, these bylaws will be deemed to have been automatically amended to conform to the new CUPE minimum.

Special assessments may be levied in accordance with Art. B.4.2 of the CUPE Constitution.

SECTION 10 - NON-PAYMENT OF DUES AND ASSESSMENTS

- a) Any member in arrears for a period of three months, or more, shall be automatically suspended, and the Treasurer shall report his suspension to the Executive Board. The Executive Board shall report to the next membership meeting with a recommendation. Any member under suspension wishing to be reinstated shall, upon application, pay any dues and assessments in arrears. This money will be returned if the application is rejected. If a member has been unemployed or unable to work because of sickness, he will not be required to pay his arrears.

SECTION 11 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

- a) **Nomination**
Nominations shall be received at the regular membership held in the month of February. There is no attendance criteria, all members in good standing are eligible for nomination. No nomination shall be accepted unless the member is in attendance at the meeting, or has allowed to be filed at the meeting his consent in writing, duly witnessed by another member. No member shall be eligible for nomination if he is in arrears of dues and/or assessments.
- b) **Elections**
 - i) At a membership meeting at least one month prior to election day the President shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee shall include members of the Local who are neither officers nor candidates for office. It shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
 - ii) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
 - iii) The Returning Officer shall be responsible for issuing, collecting, and counting of the ballots. He must be fair and impartial and see that all arrangements are unquestionably democratic.
 - iv) The voting shall take place at a regular membership meeting in February. The vote shall be by secret ballot.
 - v) Voting to fill one office shall be conducted and completed, and recounts dealt with before balloting may begin to fill another office.

- vi) A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken, if necessary, to obtain a majority. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In case of a final tie vote, the presiding officer may cast the deciding vote.
 - vii) When two or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
 - xi) Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for the membership meeting as laid out in **Section 4 a) ii).**
 - xii) In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
- c) Installation
- i) All duly elected officers shall be installed at the meeting at which the elections are held and shall continue in office for one year or until a successor has been elected and installed provided, however, that no term of office shall be longer than three years.
 - ii) The terms of office for Trustees shall be as laid down in **Article B.2.4** of the CUPE Constitution.
- d) By-Election
- i) Should an office fall vacant pursuant to these bylaws, or for any other reason, the resulting By-Election should be conducted as soon as possible in conformity with this section.

SECTION 12 - DELEGATES TO UNION FUNCTIONS

- a) Except for the President's option, all delegates to union functions shall be chosen by election at membership meetings.
- b) Delegates to the Vancouver Island District Council shall be elected annually. The President from among these delegates shall appoint an official reporter for these delegates annually, and he shall be required to report at each membership meeting of the Local on proceedings at recent meetings of the Council.
- c) All delegates elected to union functions shall be paid an amount equal to any loss of salary incurred by attendance at the union function.

- d) Representation at education institutes and seminars shall be on the recommendation of the Education Committee, subject to final approval by the membership.
- e) Employees with at least 10 years service will be permitted to attend one retirement seminar held at a reasonable distance from their place of employment. They will be reimbursed for reasonable travel expenses, and be allowed the appropriate per diem to attend this seminar. Lost wages will not be paid.

SECTION 13 - COMMITTEES

- a) **Negotiating Committee**
This shall be a special ad hoc committee established at least 9 months prior to the expiry of the Local's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. Members shall be elected at a membership meeting, and every attempt will be made to have representation from the different sectors of the work force. The CUPE representative assigned to the Local shall be a non voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.
- b) **Special Committees**
A special ad hoc committee may be established for a specified purpose and period by the membership at a membership meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two members of the Executive Board may sit on any special committee as ex-officio members.

SECTION 14 - STANDING COMMITTEES

There shall be seven standing committees as follows:

- a) **Grievance Committee**
This Committee shall process all grievances not settled at the initial stage and its report shall be submitted to the Executive Board, with a copy to the CUPE Representative, and then to a membership meeting. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement. The Committee shall comprise the Vice-President as chairman and all shop stewards.

b) Education Committee

This Committee is chaired by the Member-at-Large and it shall be the duty of this committee to:

- i) Arrange for representation of the Local at any appropriate, and available education seminar, or conference, and submit recommendations accordingly to the Executive Board.
- ii) Instruct delegates in the preparation of reports to the membership on seminars, and conferences, and maintain a reference file of these reports.
- iii) Cooperate with the Executive Board in preparing press releases and other publicity material.
- iv) Cooperate with the Education and Public Relations departments of CUPE, and with the Regional Education Representative, in implementing both the Local's and CUPE's policies in these fields. The Committee shall comprise of between one and four members and shall appoint its secretary from among its members.

c) Sick Committee

This Committee is chaired by the Sergeant-at-Arms and may:

- i) Visit members who are ill
- ii) If a member is ill for more than one week, have sent some token of the Local's concern and desire to help, whether the member is at home or in the hospital.
- iii) Arrange for blood donors to replace blood or plasma required by a member or one of his immediate family.
- iv) Extend the Local's condolences in the event of a death of a member or one of his immediate family and make other appropriate gestures in accordance with custom or the wishes of the family concerned.
- v) The Committee shall comprise between one and four members and may appoint a secretary-treasurer from among its members. It shall be reimbursed by the Executive Board for expenses incurred in the performance of its duties.

d) Social Committee

It is the function of this Committee to arrange and conduct all social and recreation activities of the Local either on the Committee's own initiative, or as a result of decisions taken at membership meetings. The Committee shall submit reports and proposals to the Executive Board or to the membership as required. A ceiling for the Committee's net expenditures shall be fixed annually by the membership, but other than that, all social and recreation events and activities shall be self-supporting. The Executive Board shall be held responsible for the proper and effective functioning of this Committee. The Committee shall comprise between one and six members and may appoint a secretary-treasurer and chairman from among its members.

- e) Women's Committee
This Committee's mandate is to deal with women's issues and educate people about women's issues such as, but not limited to, wage parity, sexual harassment, hiring discrimination, health and safety.
- f) Bursary Committee
The Bursary Selection Committee shall consist of three members, one being the Member-at-Large, and the other two elected annually, and, in conjunction with the High Schools involved shall select an appropriate candidate to receive the Local's bursary.
- g) JE Committee
This Committee will consist of 2 elected members with 2 alternates. With the goal of this Committee to maintain gender neutrality and looking for compensation for all of its members. It will consist of both a man and a woman.
 - i. It will follow the outline of the Job Evaluation Program that is in place.
 - ii. The Committee will consist of 2 Union Members (will 2 alternates) and 2 Management.
 - iii. It will meet 2 times a year or as needed to finalize evaluated positions.

SECTION 15 - RULES OF ORDER

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these by-laws as Appendix "A". These rules shall be considered as an integral part of these by-laws and may be amended by the same procedure as used to amend these by-laws.

In situations not covered by Appendix "A", the CUPE Constitution may provide guidance, but if the situation is not dealt with there, Bourinot Rules of Order shall be consulted and applied.

SECTION 16 -AMENDMENT

- a) These by-laws are always subordinate to the CUPE Constitution (including Appendix "B") as it now exists or may be amended from time to time, and in the event of any conflict between these by-laws and the CUPE Constitution, the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.
- g) These by-laws shall not be amended, added to, or suspended except upon a 2/3 majority vote of those present and voting at a regular or special membership meeting following seven days notice at a previous meeting or at least 60 days written notice.

- h) No change in these by-laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

APPENDIX "A" TO THE BY-LAWS OF LOCAL 118

RULES OF ORDER

1. The President or, in his absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and Vice-President the Second Vice-President shall act as President, and in his absence a President pro-tem shall be chosen by the Local.
2. No member, except the Chairman of a Committee making a report or the mover of a resolution shall speak more than five minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.

3. The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.
4. A motion to be entertained by the presiding officer must be moved and seconded, both the mover and seconder must rise and be recognized by the chair.
5. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted.
6. On motion, the regular order to business may be suspended by a 2/3 vote of those present, to deal with any urgent business.
7. All resolutions and motions other than those named in rule 17, or those to accept or adopt the report of a Committee shall, if requested by the presiding officer, be presented in writing before being put to the Local.
8. At the request of any member, and upon a majority vote of those present, a question may be amended when the sense will admit it.
9. Any members having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
10. When a member wishes to speak on a question or to make a motion, he shall rise in his place and respectfully address the presiding officer, but, except to state that he rises to a point of order or on a question of privilege, he shall not proceed further until recognized by the chair.
11. When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
12. Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Local or any member thereof.
13. If a member, while speaking, is called to order, he shall cease speaking until the point is determined; if it is decided he is in order, he may again proceed.
14. No religious discussion shall be permitted.
15. The President shall take no part in debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.

16 The presiding officer shall have the same rights as other members to vote on any question. In case of a tie he may, in addition, giving a casting vote, or, if he chooses, refrain from breaking a tie, in which case the motion is lost.

17. When a motion is before the Local, no other motion shall be in order except:

- a. To adjourn
- b. To put the previous question
- c. To lay on the table
- d. To postpone for a definite time
- e. to refer
- f. To divide or amend

such motions shall have precedence in the order named. The first three of these shall be decided without debate.

18. A motion for the previous question, when regularly moved and seconded, shall be put in this form: "shall the main question now be put?" If a 2/3 majority adopts it, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended shall be put to the Local.

19. A motion to adjourn is in order except when:

- a. A member has the floor
- b. Members are voting.

20. A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until 15 minutes have elapsed.

21. After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count it.

22. If any member wishes to challenge (appeal) a decision of the chair, he must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for his challenge. The chairperson may then briefly state the basis for his position, following which the chairperson shall immediately and without debate put the question: "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie the chair is sustained.

23. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.

24. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Vice-President.
25. The Local's business, and the proceedings at meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

