



**Okanagan Mainline District Council
(hereafter known as OMDC)**

**B Y L A W S
2016**

PREAMBLE

Okanagan Mainline District Council of the Canadian Union of Public Employees has been formed to:

- *Improve the social and economic well being of all of its members;*
- *Promote equality for all members and to oppose all types of harassment and discrimination*
- *Promote the efficiency of public services; and express its belief in the unity of organized labour.*

The following Bylaws are adopted by OMDC in accordance with the CUPE National Constitution, to protect the rights of all members, to provide for responsible governance of the Union, and to involve as many members of the Union as possible through the sharing of duties and responsibilities.

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SECTION 1 NAME

- a) The name of this Council shall be: "Okanagan Mainline District Council" and it shall be subject to the Constitution of the Canadian Union of Public Employees and the Canadian Labour Congress
- b) The jurisdictional area of this Council shall cover the Central Interior of the British Columbia, to the North as far as the Northern District Council, to the South as far as the U.S.A. and Canadian Border, to the West as far as the Fraser Valley District Council and to the East as far as the Kootenay District Council.
- c) Membership in this Council shall be confined to Local Unions within its jurisdiction, and who are chartered by the Canadian Union of Public Employees, and in good standings.
- d) Member Unions shall conform with the Constitution of the Canadian Union of Public Employees, and the Constitution, rules and Bylaws of this Council, as set forth herein.
- e) This Council shall not be dissolved so long as five (5) Local Unions continue their affiliation.
- f) This Council shall affiliate to the BC Division of the Canadian Union of Public Employees.

SECTION 2 PRINCIPLES & OBJECTIVES

The principles and objective of this council shall be:

- a) Promoting the participation of all local unions in BC Division of the Canadian Union of Public Employees, Canadian Labour Congress, Provincial Federation and Local Labour Councils.
- b) To promote co-operation among affiliates on matters of mutual concern including negotiations.
- c) To further the aims, objectives and policies of the Canadian Union of Public Employees and of the BC Division of the Canadian Union (CUPE BC).
- d) To encourage all workers without regard to race, creed, color, or national origin to share alike in the benefits of union organization, particularly public employees.
- e) To promote and endeavor to secure provincial legislation in co-operation with all parts of the organized labour movement, which will safeguard and promote the interests of public employees and of free collective bargaining , and the security and welfare of the trade union movement.
- f) To provide, co-ordinate and promote education relative to the needs of the OMDC members.
- g) To monitor the effects of Private Public Partnerships (p3s) and contracting out on our affiliates and to fight to protect Public Services.

SECTION 3 AFFILIATIONS, DISAFFILIATION & REAFFILIATION

- a) Affiliation
Application to affiliate shall be made in writing to the Council and approved on the 2/3 majority vote of the Council delegates, at a regular or special meeting.
- b) Disaffiliation
 - (i) A local shall be deemed as disaffiliated upon written notice from the local that it wishes to disaffiliate.
 - (ii) The OMDC may disaffiliate a local for a breach of the National Constitution or the Council's by-laws, by a two-thirds (2/3) majority vote at an OMDC meeting.
- c) Re-affiliation
A local may re-affiliate to the OMDC with a two-thirds (2/3) majority vote of the OMDC on the terms and conditions as negotiated between the OMDC and the locals.

SECTION 4 DELEGATES

- a) Delegates shall be duly accredited by the Local Unions, signed by the President and Secretary of the Local Union represented
- b) Each affiliated local union may be entitled to representation at meetings as follows:
 - 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
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For each additional 500 members or portion thereof – 1 additional delegate.

SECTION 5 EXECUTIVE & GENERAL MEETINGS

- a) This Council shall meet quarterly: in the months of November, January, May and September, or such other time as be deemed advisable but not less than four (4) meetings per annum. Meetings of the OMDC shall be held in locations as determined by the council.
- b) Executive Board shall meet at least 8 times a year

SECTION 6 MEETINGS & QUORUM

- a) This Council shall meet quarterly: in the months of November, January, May and September, or such other time as be deemed advisable but not less than four (4) meetings per annum.
- b) Meetings of OMDC shall be held in locations as determined by the council.
- c) A quorum for the transaction of business at any regular or special meeting shall consist of at least eight (8) members in good standing, including at least three (3) officers, with representation from at least 5 locals.
- d) Delegates shall be duly accredited by the Local Union. A local may send as many representatives as desired. Representatives over the delegate entitlement shall be seated as guests with voice but no vote.

SECTION 7 ELECTIONS & NOMINATIONS

- a) Elections, Nominations and Duties shall be as prescribed in the Constitution of the Canadian Union of Public Employees; installation and vacancies shall be dealt with in the same manner as provided in the National Constitution as it pertains to Local Unions. Elections of Officers shall be held every two (2) years in the month of January, with the exception of the three (3) year Trustee, who shall be elected in January of each year.
- b) Nominations shall be opened at the last regular OMDC meeting prior to the January meeting. Additional nominations can be received at the January meeting in person or by letter that has been signed by the member and witnessed by another member.
- c) Election of Officers shall be determined as per the CUPE National Constitution.

SECTION 8 OFFICERS & DUTIES

- a) The Officers of this Council shall consist of a President, one (1) Vice President, Secretary, Treasurer and Sergeant-at-Arms. These five (5) members shall form the Executive committee of this Council. Three (3) Trustees shall be elected in accordance with the CUPE National Constitution.

- b) All Officers must give all properties, assets, funds and all records of the District Council to their successors at the end of their term of office.
- c) All signing Officers of the Okanagan Mainline District Council 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.
- d) The President shall:
- Enforce the CUPE National Constitution and these Bylaws and the Equality Statement.
 - Interpret these bylaws as required.
 - Preside over all District Council and Executive Board meetings and preserve order
 - Decide on all points of order and procedure (subject always to the appeal of the District Council delegates).
 - Have a vote on all matters (except appeals against presiding officer rulings), and in case of a tie vote in any matter, excluding elections, have the right to cast an additional vote to break the tie.
 - Ensure that all Executive Officers perform their assigned duties.
 - Fill committee vacancies where elections are not provided for.
 - Introduce new members and conduct them through the initiation ceremony.
 - Sign all cheques and ensure that the District Council's funds are used only as authorized or directed by the Constitution, Bylaws or vote of the District Council delegates.
 - Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the District Council. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.
 - Have first preference as a delegate to CUPE BC and CUPE National Conventions.
- e) The Vice-President shall:
- If the President is absent or incapacitated, perform all duties of the President.
 - Preside over District Council and Executive Board meetings in the absence of the President.
 - If the office of the President falls vacant, be acting President until a new President is elected.
 - Render assistance to any member of the Executive board as directed by the Executive Board.
- f) The Treasurer shall:
- Receive all revenue, dues and assessments, keeping a record of each Local's payments, and deposit promptly all money with a Bank or Credit Union.
 - Sign all cheques and ensure that the District Council's funds are used only as authorized or directed by the CUPE Constitution, District Council bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences.
 - Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including \$1.00 for each initiation fee on all members admitted, no later than the last day of the following month.
 - Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as

well as records and supporting documents for all income received by the District Council.

- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the District Council Executive Board.
- Make a written financial report to each regular District Council meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any Secretary Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capita fees to any organization to which the District Council is affiliated.
- All payments must have two (2) authorized signatures on the cheque.
- Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- Provide the Trustees with any information they may need to complete the audit form supplied by CUPE National.
- Where required, not later than February 28th each year, furnish each member on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid by him during the preceding calendar year.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the District Council funds.
- 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.

g) The Secretary shall:

- Keep full accurate and impartial accounts of the proceedings of all District Council and Executive Board meetings.
- Record all alterations to the Bylaws and forward to the National Office for approval.
- Answer all correspondence and fulfill other secretarial duties as directed by the Executive Board, and keep on file all communication to the District Council.
- Prepare and distribute all minutes and notices to delegates.
- Have all records ready on reasonable notice for the Trustees.
- Preside over District Council and Executive Board meetings in the absence of both the President and Vice-President.
- Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the District Council funds.
- Performs other duties required by the District Council, its bylaws or the National Constitution.

- h) The Sergeant-at-Arms shall:
- Guard the inner door at District Council meetings and admit only delegates in good standing, or Officers and Officials of CUPE, except on the order of the President and by consent of the delegates present.
 - Maintain the record of delegate attendance at District Council meetings.
 - Contact information shall be collected and distributed to all members of OMDC.
 - Perform other duties as may be assigned by the Executive Board.
 - Introduce new delegates.
- i) The Trustees shall:
- Act as an auditing committee on behalf of the District Council delegates and audit the books and accounts of the Treasurer, the Recording Secretary, and the committees at least once every calendar year.
 - Make a written report their findings to the first District Council meeting following the completion of the audit.
 - Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the District Council's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.
 - Be responsible to ensure that monies are not paid out without proper Constitutional or District Council authorization.
 - Ensure that proper financial reports are made to the membership.
 - Audit the record of attendance
 - Inspect once a year any stocks, bonds, securities, office furniture, equipment, and titles or deeds to property that may at any time be owned by the District Council, and report their findings to the delegates.
 - Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents.
 - I. Completed Trustee Audit Program
 - II. Completed Trustees' Report
 - III. Secretary-Treasurer Report to the Trustees
 - IV. Recommendations made to the President and Secretary-Treasurer of the District Council
 - V. Secretary-Treasurer's response to recommendations
 - VI. Concerns that have not been addressed by the District Council Executive Board.

SECTION 9 **PER-CAPITA ASSESSMENTS**

- a) Per Capita Tax shall be thirty-five (35) cents per member per month, or other amounts as may be determined by the Council from time to time. Such per capita shall be paid in advance, based on the membership of the previous month or months.
- b) Per Capita Tax shall not be paid while Locals are on strike or locked out. Per Capita Tax already paid by Locals who are on strike or locked out shall be refunded.

SECTION 10 **SPECIAL COMMITTEES**

- a) Special committee may be set up either by election at any meeting or by appointment of the President as directed by the meeting, and at least one Executive Officer shall sit on all Special Committees.

SECTION 11 **DELEGATES ELECTED TO REPRESENT OMDC**

- a) Delegates elected to represent the OMDC shall be paid in accordance with the CUPE BC expense Policy (Appendix "A"). The president shall be given first preference to attend CUPE BC & CUPE National conventions.

SECTION 12 **EXPENDITURES & AUDITS**

- a) Expenses as outlined in CUPE BC Expense Policy Appendix "A" shall be paid to the Executive Committee for attendance at all meetings of the Executive Committee.
- b) Mileage will be paid to Locals on the basis of one vehicle per local at a rate to coincide with the CUPE BC mileage rate. Appendix "A"
- c) The Executive Committee is empowered to spend up to a maximum of \$250.00 without formal approval at a Regular Meeting.
- d) Out of Pocket expenses as follows:
 - (a) President: \$50 per month
 - (b) Vice President - \$50 per month
 - (c) Treasurer: \$50 per month
 - (d) Secretary: \$50 per month
- e) The provisions for audit of Locals set out in the Constitution of the Canadian Union of Public Employees, shall likewise apply to this Council; Trustees Reports shall be made available to Locals affiliated, at least annually.
- f) Expenses as outlined in CUPE BC Expense Policy Appendix "A" shall be paid to the Trustees for the purpose of audit and reporting.

SECTION 13 **GENERAL INFORMATION**

- a) Should this Council become defunct, its funds and property shall revert to the Canadian Union of Public Employees.
- b) The National Executive Board shall have the same power over this Council as chartered Local Unions, in accordance with the terms of the Constitution of the Canadian Union of Public Employees.

SECTION 14 **AMENDMENTS AND ALTERATIONS**

- a) These Bylaws 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 meeting following seven (7) days notice at a previous meeting or at least (60) days written notice.

- b) The Bylaws of the Council shall at all times be subordinate and subject to the provisions of the Constitution of the Canadian Union of Public Employees, as such Constitution and Bylaws exist or may, from time to time hereafter, be altered or amended; and in any event of conflict, the Constitution of the Canadian Union of Public Employees shall govern.
 - c) Any changes in these Bylaws shall not be valid until approved by the National President of the Canadian Union of Public Employees.
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APPENDIX "A"

CUPE BC EXPENSE POLICY

1. PREAMBLE

Purpose of this expense policy is to reimburse members for expenses incurred on behalf of Okanagan Mainline District Council, as per the CUPE BC Expense Policy.

2. WAGES

Lost wages for regularly scheduled hours of work shall be repaid at cost directly to the employer or Local Union only. Wage loss will not be paid directly to individuals.

3. ACCOMMODATION

If required, will be paid at prevailing rates. Members are entitled to a single room, where members choose to share their room; they should clarify that with CUPE BC. Where possible all room, taxes and parking will be billed directly to CUPE BC.

4. DEPENDANT CARE

If required, dependent care will be paid outside or regular working hours at the rate up to \$20.00/hour to a maximum of \$300.00/day (which includes travel time) upon completion of the CUPE BC Dependant Care form. Other dependent care expenses will be paid at a realistic rate with prior approval of the Secretary-Treasurer and upon completion of the CUPE BC Dependant Care form.

5. TRANSPORTATION

To be the most convenient and economical means with the maximum mileage not to exceed airfare:

- Airfare where required (economy class)
- Car mileage **55¢** km.
- Parking cost when receipt provided and when on CUPE BC business.
- Taxi or airport shuttle from airport to hotel to meeting place upon submission of receipts. *Taxis to be shared when possible, and cheaper than combined shuttles.*

6. PER DIEM

- a. **\$43.00** per half day meeting (when no meal provided).
- b. **\$86.00** per day for an all day meeting (when no meals are provided).
- c. **\$43.00** for half-day of incoming travel to next day meeting or return travel day, next day after meeting
- d. **\$86.00** for full day travel to and from meetings.
- e. Evening meetings requiring meals **\$43.00** (unless already receiving **\$86.00** full day per diem).
- f. Meetings where all expenses (meals) are included **\$17.00**

7. RECEIPTED EXPENSES

Where receipted expenses are being submitted, a credit card slip will not be accepted on its own. If no receipt is available due to special circumstances a declaration providing an explanation may be accepted, signed by the member and authorized by the Secretary-Treasurer. These receipts will be reviewed by the trustees. An itemized receipt from the agency must also be included (eg: hotels etc)

APPENDIX "B" RULES OF ORDER

The rules of Order of Okanagan Mainline District Council shall be Bourinot's Rules of order.

The rules of Order and Business shall be as follows. In the event that any of the following rules of order are in contradiction to the Constitution of the Canadian Union of Public Employees those of the Constitution shall apply.

ORDER OF BUSINESS

1. Roll Call of Officers
 2. Equality Statement
 3. Recognition of Territory
 4. Voting on new members and initiations
 5. Reading of minutes of previous meeting
 6. Matters arising out of minutes
 7. Correspondence and communications
 8. Treasurer's Report
 9. Executive Board Reports
 10. Reports of Committees and Delegates
 11. Nominations, Elections & Installations
 12. Unfinished Business
 13. New Business
 14. Good of the Union
 15. Adjournment
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- a) The President, or in their absence, the Vice President shall take the chair at the time specified, at all regular and special meetings. In the absence of both the President and the Vice President, the Treasurer shall act as President, and in their absence a President pro tem shall be chosen by the local.
 - b) The President shall state every question coming before the Local and before allowing debate thereon, and immediately before putting it to a vote, shall ask: "Is the Local ready for the question?". Should no member rise to speak, and the Local indicates readiness, the question shall be put. After the President has risen, no member shall be permitted to speak on the question.
 - c) A motion to be entertained by the presiding officer must be seconded, and the mover as well as the seconder must rise and be recognized by the chair.
 - d) 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. No amendment or amendment to an amendment which is a direct negative of the resolution shall be in order.
 - e) On motion, the regular order of business may be suspended, by a two-thirds vote of those present, to deal with any urgent business.
 - f) All resolutions and motions, other than those named in Rule (p) or those to accept or adopt the report of the committee, shall if requested by the presiding officer, be presented in writing before being put to the Local.

- g) At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
- h) When a member desires to speak on a question, or offers a motion, he/she shall rise in place and respectfully address the presiding officer; but he/she shall not proceed further until recognized by the chair, except to state that he/she rises to a point of order or on a question of privilege.
- i) When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
- j) Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any reflection of the Local or any member thereof.
- k) If a member, while speaking, is called to order, he shall cease speaking until the point is determined, when, if decided in order, he may again proceed.
- l) No sectarian discussion (that is to say, religious discussion) shall be permitted in the meeting at any time.
- m) No member, except the Chairperson of a Committee or the mover or seconder of a resolution, shall speak more than (3) minutes at any one time, or more than once on the same question, until all members wishing to speak have had an opportunity to do so, when he may be allowed, by permission of the chair, to speak a second time.
- n) 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 introduce a new question.
- o) The presiding officer shall have the same right as other members to vote on any question. In case of a tie, he/she may give a casting vote, if he/she chooses, refrain from voting, in which case the motion does not prevail and the decision is negative.
- p) When a question has been put, no motion shall be in order except (1) to adjourn, (2) to move the previous question, (3) to lay on the table, (4) to postpone for a definite time, (5) to refer, (6) to divide or amend, which motion shall have precedence in the order named. The first three of these shall be decided without debate.
- q) A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, 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.
- r) A motion to adjourn is in order except (1) when a member has floor, and (2) when members are voting. A motion to adjourn, having been put and lost, shall not be in order again if there is further business before the local, until fifteen minutes have elapsed.
- s) Before the presiding officer declares the vote on a question or after a vote has been declared lost or carried by acclamation, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall be taken and the Secretary shall count same.

- t) If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal.
- u) When the decision of the President is appealed from, he/she shall state his/her decision, and the reasons therefore, from the chair. The party appealing there from shall state briefly the reasons for the appeal, after which, without further debate, the question shall be put thus: "Shall the decision of the chair stand as the decision of the Local?" It shall require majority vote to sustain such appeal.
- v) After a question has been decided, any two members who have voted in the majority may at the same or next meeting move consideration thereof.
- w) 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.
- x) All business done in the Local shall be strictly secret to all outside the Local.
- y) All rules and proceedings of debate not herein provided for, shall be defined in the Constitution of the Canadian Union of Public Employees.

APPENDIX “C” EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic or homophobic hurts and thereby divides us. So too, does discrimination on the basis of ability, age, class, religion, language and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff and elected officers must be mindful that all sisters and brothers deserve dignity, equality and respect.

MARK HANCOCK
National President

CHARLES FLEURY
National Secretary-Treasurer