

# Vancouver Island District Council

---



# Constitution and Bylaws

---

March 2017

# VIDC CONSTITUTION & BY-LAWS

---

## Table of Contents

1.	PREAMBLE .....	3
2.	OBJECTIVES .....	3
3.	MEMBERSHIP .....	4
4.	OFFICERS & EXECUTIVE BOARD .....	5
5.	DUTIES OF OFFICERS AND EXECUTIVE BOARD.....	5
6.	NOMINATIONS, ELECTIONS AND INSTALLATION OF OFFICERS.....	9
	Nominations .....	9
	Elections .....	9
	Installation of Executive Board and Committee Chairs.....	11
	By-Elections .....	11
	Complaints and Trials .....	11
7.	MEETINGS .....	11
8.	REVENUE AND EXPENDITURES .....	12
9.	ORDER OF BUSINESS .....	13
10.	RULES OF ORDER .....	13
11.	COMMITTEES .....	14
12.	EXPENSES ON AUTHORIZED COUNCIL BUSINESS .....	15
13.	AMENDMENTS .....	16
14.	PRINTING AND DISTRIBUTION OF CONSTITUTION AND BYLAWS.....	16
	APPENDIX 1: EQUALITY STATEMENT.....	17
	APPENDIX 2: CODE OF CONDUCT .....	18
	APPENDIX 3: RECOGNITION OF THE TERRITORY .....	20
	APPENDIX 4: OUT OF POCKET EXPENSES .....	21

*Presented to VIDC Membership: November 26, 2016*

*Approved by CUPE National: March 8, 2017*

## 1. PREAMBLE

- 1.1. This District Council, chartered by the Canadian Union of Public Employees, shall be known as the Canadian Union of Public Employees Vancouver Island District Council, in the Province of British Columbia.
- 1.2. The Council shall be for co-ordination of Affiliated Chartered Local Unions. It shall be authorized to enact a Constitution and By-laws subject to the Constitution of the Canadian Union of Public Employees, and the Constitution of the Canadian Labour Congress with which the Canadian Union of Public Employees is affiliated.
- 1.3. Membership shall consist of Local Unions chartered by the Canadian Union of Public Employees within this Council's jurisdiction. Membership shall also be open to that segment of a provincial Local whose members are within the jurisdiction of this Council and as authorized by their Local.
- 1.4. The jurisdiction of this Council shall be Vancouver Island, adjacent islands, and the Powell River district.
- 1.5. This Council shall be affiliated to CUPE B.C. Division.
- 1.6. The Council shall not be dissolved while there are a minimum of five (5) organizations affiliated thereto.
- 1.7. Wherever the singular is used in this Constitution it shall be considered as if the plural has been used where the context or the party or parties hereto so require.

## 2. OBJECTIVES

The objectives of the Council are to be accomplished through the following methods.

- 2.1. To support the principles and policies of the Canadian Union of Public Employees.
- 2.2. To safeguard the democratic character of the labour movement and to observe and respect the autonomy of each affiliated local union.
- 2.3. To promote the interests and principles of its affiliates and advance their economic and general welfare.
- 2.4. To organize and support central and provincial bodies of public employees for dealing with matters peculiar to a particular area or province and for assistance in the organizational efforts of this union.
- 2.5. To encourage all workers to share in the benefits of union organization.
- 2.6. To secure legislation which will safeguard and promote the principles of free collective bargaining, the rights of workers, and the security and welfare of all people.
- 2.7. To aid and encourage the sale and use of Union made goods and Union services by patronizing Union shops and demanding Union goods and services.
- 2.8. To strengthen the cause of peace and freedom in the world and to assist and co-operate with free democratic labour movements throughout the world.
- 2.9. To protect the labour movement from any and all corrupt influences and totalitarian agencies which are opposed to the basic principles of our democracy and free democratic unionism.
- 2.10. To preserve the independence of the labour movement from political control, to

encourage workers to vote, to exercise their franchise, and perform their rightful part in the political life of all levels of government.

- 2.11. To ensure equal entitlement for various sized affiliates, giving balance to voice and vote.

### **3. MEMBERSHIP**

- 3.1. Delegates to this Council shall be members of the Local which they represent.
- 3.2. Representation in the Council shall be based on the number of members for whom per capita has been paid as follows:
  - for the first fifty (50) members: two (2) delegates;
  - for each additional fifty (50) members or major fraction thereof; one (1) additional delegate.
- 3.3. Locals whose membership scope extends beyond the geographic boundaries of the Council shall be entitled to elect delegates based on membership within the area of the Council in the amount set out in Section 2 above.
- 3.4. Locals may elect alternate delegates but shall not seat at any one meeting a number of voting delegates greater than their entitlement. Alternates without voting privileges and guests will be permitted to speak at the discretion and with the permission of the chair.
- 3.5. Locals described in Section 3 may elect alternate delegates from within their entire local, but, as in Section 4, they shall not seat at any one meeting a number of voting delegates greater than their entitlement.
- 3.6. Credentials of the delegates must be presented annually to the Council. Credentials must be duly signed by the President and Secretary of the Local Union they represent and shall bear its official seal or stamp. Credential forms may be obtained from the Secretary of the Council.
- 3.7. Application to affiliate to the Council shall be made in writing to the Secretary of the Council, and election to membership shall be by majority vote.
- 3.8. Any local or delegate affiliated with this District Council may be expelled for cause from membership in the Council by a two-thirds majority roll call vote at a meeting. It is understood that any affiliate subject to such a vote will be permitted to speak at the discretion and with the permission of the chair, but will not have a vote on this issue. Any decision to expel may be appealed to the Executive Board of the Vancouver Island District Council within six (6) months. The decision shall be in force and effect during appeal. Any motion to expel an affiliated Local shall be received and tabled until the next regular or special meeting.
- 3.9. Any delegate who is absent from two consecutive Council meetings without due cause may forfeit their credentials. Before a delegate is deprived of their credentials, in accordance with the provisions of this section, the Local Union which they represent shall be informed by letter from the Secretary of this Council.
- 3.10. Any affiliate three (3) months or more in arrears of per capita to the Council shall be notified by the Treasurer. This notification will include a request to bring payment up-to-date, and information that in the event this is not done during the current fiscal

year a Motion may be made to expel such affiliate for cause. In the event of a successful motion to expel for cause, such affiliate shall would not be entitled to seat delegates at Council meetings until arrears are were paid in full, with application for reaffiliation pursuant to Section 7 of this Article.

- 3.11. Lifetime Membership: The Executive Board and general membership may, from time to time and by motion, nominate a CUPE-VIDC delegate who has made a significant contribution to the VIDC be a Lifetime member. Lifetime membership would entitle that individual to attend VIDC general meetings, and other functions, as a guest with voice but no vote.

#### **4. OFFICERS & EXECUTIVE BOARD**

- 4.1. The officers of this Council shall be:

- President
- Vice-President
- Secretary
- Treasurer
- Sergeant-at-Arms

- 4.2. These, together with:

- Nine (9) elected Members-at-large, composed of:
  - three (3) from Malahat South;
  - three (3) from Malahat North to Deep Bay including Port Alberni and the Gulf Islands; and
  - three (3) from Deep Bay North Including Powell River;
- One (1) Diversity Executive Member-at-Large;
- Two (2) Vancouver Island CUPE BC Regional Vice-Presidents and one (1) Alternate, elected at the Division Convention.

shall form the Executive Board of this Council.

- 4.3. Should any Executive Board member fail to answer the roll call for three consecutive regular meetings or three consecutive regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following District Council meeting.
- 4.4. As required by the CUPE Constitution, the Vancouver Island District Council shall also have three (3) trustees.

#### **5. DUTIES OF OFFICERS AND EXECUTIVE BOARD**

- 5.1. In addition to the Duties of Officers as outlined below, 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.
- 5.2. All signing Officers of the Vancouver Island 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.

5.3. The President shall:

- Enforce the CUPE National Constitution, this Constitution and Bylaws, the Equality Statement, the Code of Conduct, and function as the Chief Officer of the Council.
- Interpret this Constitution and Bylaws as required.
- Preside at all General Membership meetings and preserve order, and have the power to call all executive, regular and special meetings.
- Decide all points of order and procedure (subject always to appeal to the delegation).
- Have the same right to vote as other delegates. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.
- Ensure that all Officers perform their assigned duties.
- Fill committee vacancies where elections are not provided for and make appointments to fill vacated executive positions/committee chairs on an interim basis, until such positions can be filled by election at the next general meeting.
- Introduce new delegates and conduct them through the initiation ceremony.
- Sign official documents including cheques and ensure that the District Council's funds are used only as authorized or directed by the CUPE Constitution or vote of the delegation.
- 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 the CUPE National Convention, CUPE BC Convention and any other conventions or functions when the Council is to be represented.

5.4. The Vice-President shall:

- If the President is absent or not eligible, perform all duties of the President, and shall be the alternate signing authority to the President.
- Preside over Executive Board meetings and, in the absence of the President preside over General Membership meetings.
- If the office of the President falls vacant, be Acting President until a new President is elected through a by-election.
- Render assistance to any member of the Executive as directed by the Executive Board.
- The Vice-President shall be responsible for liaising with VIDC committee chairs and VIDC designates to CUPE BC committees and working groups, and ensure that committees and delegates report back to council.

5.5. The Secretary shall:

- 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.

- Keep a log book of pertinent motions related to the operations of the Council.
- Record all amendments and/or additions in the Constitution and Bylaws, and make certain that these are sent to the National President for approval prior to implementing.
- Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
- Keep a record of all correspondence received and sent out.
- Prepare and distribute minutes of the Council meetings to affiliated local unions and to all delegates and Vancouver Island Area Offices.
- Have all records ready on reasonable notice for the Trustees or auditors.
- Preside over membership and Executive Board meetings in the absence of both the President and Vice-President.
- Be empowered, with the approval of the delegation, to employ administrative assistance to be paid for out of the District Council's funds.
- Performs other duties required by the District Council, its bylaws or the National Constitution.

5.6. The Secretary-Treasurer shall:

- Keep all accounts of the Council, receive all revenue, dues, assessments and other monies paid to the Council, keeping a record of all payments, issue receipts as required, and deposit promptly all money in the name of the Council with a bank or credit union as the Council shall direct.
- Shall make all disbursements for the Council in the manner provided in Article Eight.
- Sign all cheques and ensure that the Council's funds are used only as authorized or directed by the CUPE Constitution, the Council's Constitution and Bylaws, or vote of the delegation. In consultation with the Executive Board, designate a signing officer during prolonged absences.
- 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's Executive Board.
- Make a written financial report to each regular membership 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.
- 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 the Trustees require to complete the audit, including forms provided by CUPE National.
- Be empowered, with the approval of the delegation, to employ necessary administrative assistance to be paid for out of the District Council's 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 affiliation fees.

5.7. The Sergeant-at-Arms shall:

- Guard the inner door at all meetings and admit no one but delegates in good standing or Officers, officials of CUPE, and invited guests, except on the order of the President and with consent of the delegates present.
- Maintain the record of delegate attendance at all meetings.
- Ensure that no local exceeds its delegate entitlement.
- Perform such other duties as may be assigned by the Executive Board from time to time.

5.8. The Trustees shall:

- Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary, and the committees at least once every calendar year, and present their report to the membership at the second meeting following the District Council's fiscal year end of August 31.
- Make a written report of their findings to the first District Council meeting following the completion of each 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 have not been paid out without proper constitutional or delegation authorization.
- Ensure that proper financial reports have been given to the delegates.
- Audit the record of attendance.



- 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 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:
    - Completed Trustee Audit Program
    - Completed Trustees' Report
    - Secretary-Treasurer Report to the Trustees
    - Recommendations made to the President and Secretary-Treasurer of the District Council
    - Secretary-Treasurer's response to recommendations
    - Concerns that have not been addressed by the District Council Executive Board.
- 5.9. Members-at-large shall contact locals on the Island and Powell River regarding meetings and events, collect reports from those locals not planning to attend and advise unaffiliated locals of the benefits of affiliation.
- 5.10. The Vancouver Island Region CUPE BC Regional Vice-Presidents, and Alternate Regional Vice-President shall liaise with Members-At-Large and present the CUPE BC report.

## **6. NOMINATIONS, ELECTIONS AND INSTALLATION OF OFFICERS**

### **Nominations**

- 6.1. Nominations will be received at the second quarterly District Council meeting generally held in April or May.
- 6.2. Nominations will be accepted from delegates in attendance at the nomination meeting or from those delegates who have allowed their name to be filed in writing at the meeting, witnessed by another member.
- 6.3. To be eligible for nomination, the nominee must have been accepted into the delegation and continue to be a delegate in good standing.
- 6.4. A delegate may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.
- 6.5. No delegate will be eligible for nomination if their Local is in arrears of dues and/or assessments.

### **Elections**

- 6.6. Each officer shall be elected for a two year term of office, by secret ballot, and must receive a majority of the votes cast to be elected. No one shall be eligible for election to office unless they are a fully accredited delegate of their Local Union. The annual election will elect the required executive as follows:
- In even numbered years the election shall be for the positions of:

- President,
- Secretary and
- Sergeant-at-Arms.
- In odd numbered years the election shall be for the positions of
  - Vice-President,
  - Treasurer,
  - Diversity Executive member at Large. The Diversity Member at Large will have first right of refusal for the Chair of the Diversity Committee, and
  - All Standing Committee Chairs as listed in Section 11.2.

Executive-at-Large members shall be elected as follows:

- In even numbered years:
  - Malahat South shall elect one (1) member,
  - Malahat North to Deep Bay including Port Alberni and Gulf Islands shall elect two (2) members and
  - Deep Bay North including Powell River shall elect one (1) member.
- In odd numbered years:
  - Malahat South shall elect two (2) members,
  - Malahat North to Deep Bay including Port Alberni and Gulf Islands shall elect one (1) member and
  - Deep Bay North including Powell River shall elect two (2) members.

The Executive-at-Large members shall be nominated by their caucus and elected by the Council membership. Nominations will also be accepted from the floor.

6.7. Initially, three (3) Trustees shall be elected:

- One (1) for three (3) years,
- One (1) for two (2) years, and
- One (1) for one (1) year.

At each annual meeting thereafter a trustee shall be elected for a three (3) year period. Or, in the case of a vacancy occurring, a trustee shall be elected for the unexpired term in order to preserve overlapping terms of office.

6.8. The voting will take place at the second quarterly District Council meeting generally held in April or May. The vote will be by secret ballot.

6.9. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.

6.10. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will 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 will be dropped.

6.11. 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.

6.12. When two or more nominees are to be elected to any office by ballot, each delegate voting will be required to vote for the full number of candidates to be elected or the

delegate's ballot will be declared spoiled.

- 6.13. Any delegate may request a recount of the votes for any election and a recount will be conducted if the request is supported, in a vote, by at least the number of delegates equal to the quorum for a membership meeting as set out in Section 7.4

### **Installation of Executive Board and Committee Chairs**

- 6.14. All duly elected Executive Board and Committee Chairs shall be installed at the meeting at which elections are held and shall continue in office for two year(s) or until a successor has been elected and installed, provided, however, that no term of office shall be less than one year and no longer than three years.
- 6.15. The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the District Council shall elect one Trustee for a three year period. No delegate who has been a signing Officer for the District Council is eligible to run for Trustee, until at least one full term of office has elapsed.
- 6.16. The Oath of Office to be read by newly-elected Executive Board and Committee Chairs is:

"I, \_\_\_\_\_, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term."

(Article 11.6(b))

### **By-Elections**

- 6.17. In the event a delegate is unable to fulfil their term in office, the President may appoint a delegate to fill the vacancy until such time that proper notice of election can be given and elections can be held for the remainder of the vacancy, in order to maintain functioning of the Council and its business.

### **Complaints and Trials**

- 6.18. All charges against delegates or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

(Articles B.11.1 to B.11.5)

## **7. MEETINGS**

- 7.1. Meetings of the Council and the Executive Board shall be at least quarterly at a date determined prior to adjournment of each regular meeting, unless considered necessary by the President; by a majority of the members of the Executive Board, or requested by a minimum of five (5) affiliated Locals.
- 7.2. Notice of all meetings shall be sent to member Unions and accredited delegates. In the case of Special Meetings, the business of the meeting shall be stated in the notice, and no other business shall be dealt with at that meeting. The minutes of the Council meetings shall be sent to regular delegates and secretaries of each local.

- 7.3. Reports from locals shall be made at all regular meetings and submitted to the Secretary in writing.
- 7.4. A quorum of the Executive Board shall be in excess of 50% of Executive members for Executive Board meetings. For all Council meetings a quorum shall be twenty (20) members including three (3) Executive Board, for regular and special meetings, representing a minimum of five (5) affiliated local unions.
- 7.5. The Annual General Meeting shall be held at the second meeting of the calendar year, whereat the officers and trustees shall be elected for the ensuing term in accordance with Article Six.
- 7.6. Each delegate shall, before taking their seat at the Council, make the following obligation:

"I, \_\_\_\_\_, pledge my word to this Council that I will represent, faithfully and truly, the organization which has sent me here as a delegate and that I will at all times advance and maintain the principles of Unionism and abide by the Constitution and By-Laws of this Council, and of the Canadian Union of Public Employees.

## **8. REVENUE AND EXPENDITURES**

- 8.1. A per capita tax shall be paid based upon the total membership of each affiliated local union. The per capita shall be as the members shall from time to time decide. The per capita shall not be changed except upon a two-thirds (2/3) majority vote of those present and voting at a regular or special meeting following written notice of such change given at a previous membership meeting and of which all locals have received adequate notice which shall be not less than one month. Those authorized members of other CUPE locals who work within the jurisdiction of this Council and have affiliated, shall also pay the per capita tax of the membership of those members working within this Council's jurisdiction.
- 8.2. Each Local involved in a lawful strike or lock-out for a period exceeding half a calendar month, may seek a whole or partial dispensation of per capita from the Treasurer for the duration of such strike or lock-out.
- 8.3. Out-of-pocket expenses for the President, Vice-President, Secretary, Treasurer, Sergeant-at-arms, and Education Chairperson shall be determined by the general membership of the Council. Any changes of out-of-pocket expenses shall be made with Notice of Motion and two-thirds (2/3) majority vote.
- 8.4. Executive members must have prior approval by the membership in order to spend \$300 or more in the execution of Council Business.
- 8.5. The Executive Board is authorized to reimburse members of the Council for necessary expenses in performing their duties for the Council.
- 8.6. Delegates to conventions/conferences shall be compensated for loss of salary, and shall receive travel allowance (if required), at a rate equivalent to that paid by CUPE BC. Their hotel accommodation shall be paid, if required, and they shall receive a per diem equivalent to that paid by CUPE BC.
- 8.7. Expenditures of the Council shall be for the objectives of the Council only and in all cases shall be made by cheque, signed by the Treasurer and counter-signed by the

President or Vice-President. All signing officers shall be bonded according to the Constitution of the Canadian Union of Public Employees.

- 8.8. The Executive Board/Committee Chairs shall prepare an annual operating budget and submit it at the third regular meeting of each calendar year for ratification by majority vote of those present and voting at that meeting.

## **9. ORDER OF BUSINESS**

- 9.1. At the opening of the General meeting the President shall take the Chair, and shall conduct the business in the following order:
1. Roll Call of Officers
    - Health and Safety – Emergency Preparedness,
    - Recognition of Territories,
    - Equality Statement,
    - Green Statement
  2. Sergeant at Arms Report & Presentation of Affiliates and Credentials
  3. Obligation of New Delegates
  4. Approval of the Agenda
  5. Minutes of Previous Meeting
  6. Matters Arising from Minutes
  7. Treasurer's Report
  8. Communications and Correspondence
  9. Report of the VIDC Executive Board
  10. CUPE BC Report
  11. Strong Communities Report
  12. CUPE National Committee Report(s)
  13. Area Reports
  14. Reports of Committees and Delegates
  15. Nominations, Elections and Installation of Officers
  16. Unfinished Business
  17. New Business
  18. Good and Welfare of the Council
  19. Adjournment

## **10. RULES OF ORDER**

- 10.1. The President, or in their absence or at their request, the Vice-President shall take the chair at the time specified at all regular and special meetings. In the absence of the President and their designated representative, a Chair shall be chosen by the Executive Board.
- 10.2. No question of a sectarian character (that is to say, religious character) shall be discussed at meetings.
- 10.3. When a delegate wishes to speak, they shall be recognized by the Chair and shall give their name and the organization they represent, and shall confine their remarks to the question at issue.
- 10.4. A delegate shall not speak more than once upon a subject until all who wish to speak have had an opportunity to do so.

- 10.5. A delegate shall not interrupt another except it be to call to a point of order or on a question of privilege.
- 10.6. If a delegate be called to order they shall, at the request of the Chair, take their seat until the question of Order has been decided.
- 10.7. Should a delegate persist in unparliamentary conduct, the Chair will be compelled to name them and submit their conduct to the judgement of the meeting. In such case, the delegate whose conduct is in question should explain and then withdraw, and the meeting will determine what course to pursue in the matter.
- 10.8. When a question is put, the Chair, after announcing the question, shall ask, "Are you ready for the question?" If no delegate wishes to speak, the question shall be put.
- 10.9. Question may be decided by a show of hands, or a standing vote, but a roll call vote may be demanded by thirty percent (30%) of the delegates present. In a roll call vote each delegate shall be entitled to one vote.
- 10.10. Two delegates may appeal the decision of the Chair. The Chair shall then put the question thus: "Shall the decision of the Chair be sustained?" The question shall not be debatable, but the challenger may explain their reasons for the challenge and the Chair may give an explanation for their decision before the vote on the question is put.
- 10.11. The Chair shall have the same rights as other delegates to vote on any question. In the case of a tie vote, the Chair shall cast the deciding vote
- 10.12. When the previous question is moved, no discussion or amendment of either motion is permitted. If the majority vote that "the question be now put," the original motion has to be put without debate. If the motion to put the question is defeated, discussion will continue on the original motion.
- 10.13. All rules and proceedings of debate not herein provided for shall be decided in accordance with Bourinot's Rules of Order.

## **11. COMMITTEES**

### **11.1. Special Committees:**

A special ad hoc committee may be established for a specified purpose and period of time by the membership at a meeting, or may, by specific authorization of the membership, be appointed by the President or Executive Board. Two (2) members of the Executive Board may sit on any Special Committees as ex officio members.

### **11.2. Standing Committees:**

The Standing Committees of the Council are:

- Anti-Contracting Out
- Anti-Poverty
- Communications and Technology
- Constitution
- Diversity
- Education
- Environment
- Hospitality
- International Solidarity

- Municipal
- Occupational Health & Safety
- Pensions
- Political Action
- Resolutions
- Women's
- Young Workers

All standing committee chairpersons shall be elected at the Annual Meeting of the Council on odd numbered years. The chairperson shall be empowered to appoint members to the committee subject to the approval of the Executive Board.

The Chairs shall have first option to be recommended to CUPE BC to sit on their corresponding committees.

### 11.3. Constitution Committee

The Constitution Committee shall be a standing committee. Representation on this committee shall be as follows:

- One (1) delegate from the Greater Victoria Area
- One (1) delegate from the Mid-Island Area
- One (1) delegate from the Alberni Area
- One (1) delegate from the Northern Area, including Powell River

All proposed amendments shall be referred to this committee in writing for consideration and recommendation.

11.4. Delegates, Locals or Committees wishing to submit resolutions for approval by VIDC for the annual CUPE BC Convention must submit them to the VIDC Resolutions Committee Chair at least one week prior to the first VIDC meeting in the calendar year.

11.5. All committee motions shall be presented first to the Executive Board and then to the Council.

## **12. EXPENSES ON AUTHORIZED COUNCIL BUSINESS**

12.1. Events and seminars sponsored by the VIDC:

- A Secretary needed for registration.
- The President or President's designate needed for greetings.
- Per diem and reimbursement for loss of pay will be paid for these two positions. Per Diem equivalent to that paid by CUPE BC.
- Travel and Accommodation as per Article 8.6.

12.2. Committee expenses as authorized by the VIDC, to be submitted in the form of an annual operating budget:

- Travel and lost wages as per Article 8.6.
- Meeting expenses (room rental, refreshments, etc.),
- Communications (postage, fax transmissions, telephone, photocopying, etc.),
- Office supplies and equipment, and
- Miscellaneous costs as may be from time to time authorized.

### **13. AMENDMENTS**

- 13.1. Amendments to this Constitution as per Article B.VII.I of the National Constitution may be adopted, provided that notice of the proposed amendments, in writing, is presented to one meeting and read again at the next succeeding meeting, where it shall require a two-thirds (2/3) vote of the members present and voting for adoption.
- 13.2. The amendments do not come into effect until they have been approved in writing by the National President. The National President will decide whether to approve the amended Constitution and Bylaws within 90 days after receiving them and will withhold approval only where they conflict with the CUPE Constitution.

### **14. PRINTING AND DISTRIBUTION OF CONSTITUTION AND BYLAWS**

- 14.1. Delegates will receive a copy of the Vancouver Island District Council Constitution and Bylaws, either in paper format or via the VIDC website at [www.vidc.cupe.ca](http://www.vidc.cupe.ca). Delegates requesting a copy of these bylaws will be provided a copy in English. Delegates with special needs may request a copy in larger font.



## **APPENDIX 1: 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 persons deserve dignity, equality and respect.

## APPENDIX 2: CODE OF CONDUCT

The Vancouver Island District Council is committed to ensuring that all of its meetings and activities are safe environments where delegates are encouraged to speak. Existing delegates are encouraged to welcome, mentor and support new delegates and equity-seeking delegates.

The Vancouver Island District Council strives to promote core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

The Vancouver Island District Council is committed to creating a council which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. The Vancouver Island District Council needs to ensure that it provides a safe environment for delegates, staff and elected officers to carry out our work. The Vancouver Island District Council expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for the Vancouver Island District Council sets out standards of behaviour for delegates at meetings, and all other events organized by the Vancouver Island District Council. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and this Constitution and Bylaws. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As delegates of the Vancouver Island District Council, we commit to one another and to the council to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement;
- Respect the views of others, even when we disagree;
- Recognize and value individual differences;
- Communicate openly;
- Support and encourage each other;
- Make sure that we do not harass or discriminate against each other;
- Commit to not engaging in offensive comment or conduct;
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating; and
- Take responsibility for not engaging in inappropriate behaviour due to abuse of alcohol or other drugs while participating in council activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding this Code of Conduct will be handled as follows:

1. If possible, a delegate may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking the person to stop such

behaviour. If that is not possible, or if it does not resolve the problem, a delegate may bring forward a complaint.

2. Once a complaint is received, a designated officer of the Vancouver Island District Council will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Vancouver Island District Council shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Constitution and Bylaws of the Vancouver Island District Council, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a delegate's right to access the trial provisions of the CUPE National Constitution.

### **APPENDIX 3: RECOGNITION OF THE TERRITORY**

The Vancouver Island District Council acknowledges with respect, the history, customs and culture of the Snumeymuxw First Nation, on whose territory we hold our meetings.

**APPENDIX 4: OUT OF POCKET EXPENSES**

Out of pocket to Expenditures to be paid as per Section 8.3 are:

- President, Vice president, Treasurer, Secretary: \$150 each per month
- Education chair: \$25 per month
- Sergeant-at-Arms: \$50 per General Meeting
- Trustee's Annual Audit: \$75 per trustee in attendance.