

KOOTENAY DISTRICT COUNCIL



BY-LAWS AND RULES OF ORDER

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ARTICLE 1 – PREAMBLE

A. Name

This District Council shall be known as the “Canadian Union of Public Employees Kootenay District Council” (KDC) and is chartered by the Canadian Union of Public Employees (CUPE) with jurisdiction throughout the Kootenays. It shall consist of local unions within the Kootenays, which are chartered by the Canadian Union of Public Employees and affiliated to the Kootenay District Council.

B. Authority

The KDC is established and operated in accordance with the provisions of the Constitution of the Canadian Union of Public Employees and the KDC derives its authority from the Constitution of the Canadian Union and from the democratic participation of the affiliated local unions whose collective interests the KDC serves and whose official views it is empowered to express as directed by the duly accredited delegates from time to time.

C. Purpose

The KDC has been formed to:

Improve the social and economic well-being of all its affiliated members;

Promote equality for all its affiliated 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 the KDC in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the KDC, and to involve as many affiliated members of the KDC as possible through the sharing of duties and responsibilities.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organizations’ activities. The CUPE National Equality Statement can be found in Appendix A of these bylaws.

ARTICLE 2 – OBJECTIVES

The objectives of the Kootenay District Council are to:

- A. Promote the best interests of the membership of CUPE in the KDC through communication, consultation and unified action;
- B. Promote co-operation among affiliates on matters of mutual concern, including negotiations;
- C. 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. Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
- E. Encourage all workers to share alike in the benefits of union organization, particularly public employees;
- F. 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;
- G. Provide, co-ordinate and promote education relative to the needs of the KDC members;
- H. Monitor the effects of Private Public Partnerships (p3s) and contracting out on our affiliates and to further assist in protecting public services.
- I. Establish strong working relationships with the public we serve and the communities in which we work and live; and
- J. Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

ARTICLE 3 – MEMBERSHIP

A. Affiliation

Application to affiliate to the KDC shall be made in writing to the Corresponding Secretary of the Council, and election to membership shall be by majority vote at a regular meeting of the KDC.

i. New member affiliates will take this oath:

"I promise to support and comply with the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union."(Article B.8.4)

B. Disaffiliation

- i. A local union shall be deemed as disaffiliated upon written notice from the local union that it wishes to disaffiliate.
- ii. The KDC may disaffiliate a local union for a breach of the National Constitution or the Council's by-laws, by a two-thirds (2/3) majority vote at a KDC meeting. At least 60 days written Notice of Motion must be given.

C. Reaffiliation

A local may reaffiliate to the KDC with a two-thirds (2/3) majority vote of the KDC on the terms and conditions as negotiated between the KDC and the local.

D. Reporting

Each affiliated local shall be expected to furnish the KDC with the following:

- i. A statement of the total membership in good standing each month, to be sent to the Treasurer.
- ii. Any other information, upon request, relative to union-employer relations that may be of assistance to another affiliate(s) or concerning any matter relating to the good and welfare of the KDC and its affiliates as a whole, or individually.

E. Dissolution

This District Council shall not be dissolved while there are five (5) or more local unions remaining in affiliation.

F. Life Memberships

Life Memberships may be granted, suspended or revoked in this Council by recommendation of the Executive Board of the Council and endorsement by the members of this Council at a duly constituted meeting.

A Life Member may attend all meetings and functions of the KDC, with voice but no vote. Per capita requirements are waived for a Life Member. A Life Member is not counted as part of a local's delegate entitlement.

ARTICLE 4 – REVENUE

A. Per Capita

The revenue of the KDC shall be derived from a monthly per capita tax of 0.05% of gross regular wages per month for each affiliated local union.

A copy of the National Monthly Membership and Dues Report shall accompany each payment.

The regular monthly dues may be amended at a regular or special membership meeting. The vote must be by secret ballot. Notice of at least seven (7) days at a previous meeting or sixty (60) days in writing must be given.

B. Property

All monies collected by the Treasurer for per capita payment or from any other source, shall remain in the property of the KDC until properly expended. Any affiliate ceasing to be an active member shall forfeit all rights, title and interest, in and to, the property of the KDC, or any part thereof.

ARTICLE 5 – MEETINGS

A. Frequency of Meetings

Meetings of the KDC shall be held a minimum of four (4) times a year. Meetings of the Executive Board shall be held a minimum of eight (8) times a year.

B. Location and Dates

- i. The Kootenay District Council will normally hold four (4) regular meetings each year.
- ii. An Annual General Meeting will be held in May.
- iii. Three additional meetings to be held in February, September and November. The place of meetings shall be as set by the KDC at the Annual General Meeting. The Executive Board of the KDC is empowered to vary the meeting dates within the month in which the KDC meeting is scheduled to be held, or if deemed necessary, cancel a Council meeting in the event of inclement weather during the winter months or for good and just reasons.
- iv. Special Meetings of the KDC may be called on direction either of the Council President or of a regular KDC meeting or the Executive Board of the KDC or upon request of five (5) affiliated local unions.
- v. The KDC may hold membership meetings in person and/or virtually. Where virtual meetings are held, all voting will be conducted electronically provided secrecy can be maintained, where mandated.

C. Governing Body

The Council meeting shall be the governing body of the KDC. Its decisions shall be by majority vote.

D. Quorum

A quorum shall consist of eight (8) eligible delegates (two (2) of whom are table officers of the KDC) for all regular and special meetings of the KDC with representation from at least three (3) affiliated local unions.

E. Guests

National Officers, CUPE BC Division Officers, and Staff Representatives may attend KDC meetings with voice, but without vote.

Other guests, at the invitation of the KDC, may attend, with and without vote.

F. Notice of Meetings

Notice of all meetings with a minimum of ten (10) days written notice shall be sent to member unions. In the case of Special Meetings, a minimum of two (2) days written notice shall be provided. The business of the Special Meeting shall be stated in the notice, and no other business shall be dealt with at that meeting. The minutes of KDC meetings shall be sent to the Secretary of each local.

G. Scent Free Policy

Many CUPE members are extremely sensitive to perfumes, colognes, aftershave and other scented products. In order for all CUPE members to participate in all KDC sponsored functions without their allergies preventing them, PLEASE DO NOT wear or use scented products at any KDC sponsored workshops, meetings or any KDC sponsored function.

ARTICLE 6 – REPRESENTATION

Each affiliated local union shall be entitled to representation at KDC meetings as follows.

50 members or less	2 delegates
51 – 150 members	3 delegates
151 – 250 members	4 delegates
251 members and over	6 delegates

Delegate representation shall be inclusive of Executive Officers of the KDC. In order to be seated as a delegate at KDC Meetings, a delegate must be a member in good standing of their 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.

ARTICLE 7 – ORDER OF BUSINESS

At the opening of the meeting the President shall take the chair, and shall conduct the business in the following order:

1. Territorial Acknowledgment
2. Call of Meeting to Order
3. Equality Statement (Appendix "A")
4. Approval of Agenda
5. Roll Call of Officers
6. New Members
7. Approval of Minutes
8. Treasurer's Report
9. Communications and Bills
10. Committee Reports
11. Nominations and Elections
12. Unfinished Business
13. New Business
14. Good of the Union
15. Adjournment

All area reports shall be given to the Secretary in written form.

ARTICLE 8 – ELECTION OF OFFICERS AND DELEGATES

A. Elected Officers Nominations, Election and Installation of Officers

All Executive Board members shall be elected to a two (2) year term and shall be elected alternately:

Odd Years:

President
2nd Vice President
Corresponding Secretary
Treasurer
Diversity Representative
Membership Officer

Even Years:

1st Vice President
Recording Secretary
Young Worker

Three (3) Trustees. One trustee shall be elected annually for a term of three (3) years.

- i. The President will appoint an election officer, subject to approval by the membership, one (1) meeting in advance of elections. Officers and candidates for office cannot serve as members of the Election Committee.
- ii. If deemed necessary by the KDC, the positions of Recording Secretary and Treasurer may be combined and become one position of Recording Secretary-Treasurer. This decision may be reviewed at each Annual General Meeting.
- iii. Elections for various positions are held each year at the Annual General Meeting.-The Officers of the KDC shall be elected at the Annual Meeting of the Council and the term of office for all offices of the KDC, excepting the Trustees, shall be for a period of two (2) years.
- iv. Nominations shall be opened at the last regular KDC meeting preceding the date of the holding of the Annual General meeting, and additional nominations can be received at the Annual General Meeting. Election of officers shall be by secret ballot; the candidate for each office receiving the greatest number of votes shall be declared elected to that office for which they are standing.
- v. 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.
- vi. Any member 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 members equal to the quorum for a membership meeting as set out in Section 5 (d).

- vii. The National Servicing Representative assigned to the KDC shall serve as an advisor.

B. Eligibility

Each officer must be a member in good standing of their affiliated local union in order to stand for election or continue to hold office.

Should any executive board member fail to answer the roll call for three (3) consecutive membership meetings or three (3) consecutive executive meetings without having submitted good and sufficient cause, their office shall be filled by an election at the following membership meeting.

C. Vacancies

In the event of a vacancy in any office, such vacancy shall be filled at the next regular meeting of the KDC, except in the case of the President or Treasurer, in which case a special meeting of the KDC may be called to elect a new President or Treasurer.

D. Installation of Officers

- i. All duly elected Officers shall be installed at the meeting at which elections are held;
- ii. The Oath of Office to be read by the newly elected Officers 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."

E. By-elections

- i. Should an office fall vacant for any reason, the resulting by-election should be conducted as closely as possible in conformity with this section. The term of office for any position filled through a by-election will be the term that the vacated position was initially elected to fulfill.

ARTICLE 9 – DUTIES OF OFFICERS

A. The President shall:

- enforce the CUPE Constitution, these bylaws and the Equality Statement;
 - interpret these bylaws as required;
 - preside at all Membership and Executive Board meetings and preserve order;
 - decide all points of order and procedure (subject always to appeal to the membership);
 - have the same right to vote as other members (except appeals against their rulings) and in case of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie or 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;
 - introduce new members and conduct them through the initiation ceremony;
 - be one of three signing officers and ensure the District Council funds are used only as authorized or directed by the Constitution, bylaws, or vote of the delegates.
 - 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.
 - have first preference as a delegate to the CUPE National Convention and CUPE BC Division Convention and Think Tank.
 - Upon termination of office, surrender all books, seals and other properties of the Council to their successor.
- The 1st Vice-Presidents shall:
 - perform all duties of the President if the President is absent or incapacitated;
 - if the office of President falls vacant, be Acting President until a new President is elected;
 - render assistance to any member of the Board as directed by the Board.
 - If made a signing authority by the Executive Board, 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.
 - Upon termination of office, surrender all books, seals and other properties of the Council to their successor.

B. 2nd Vice President shall:

- perform all duties of the 1st Vice President if the 1st Vice President is absent or incapacitated;
- if the office of the 1st Vice President falls vacant, be Acting the 1st Vice President until a new 1st Vice President is elected;
- render assistance to any member of the Board as directed by the Board.
- If made a signing authority by the Executive Board, 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.
- Upon termination of office, surrender all books, seals and other properties of the Council to their successor.

C. The Recording Secretary shall:

- keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive meetings, ensuring that these records include a copy of the full financial report presented by the Treasurer and will include the Trustees' reports
- record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval prior to implementing;
- prepare and distribute all circulars, minutes and notices to affiliated Locals;
- have all records ready on reasonable notice for auditors and Trustees;
- be empowered, with the approval of the membership to employ necessary clerical or other assistance to be paid for out of the Council's funds;
- upon termination of office, surrender all books, seals and other properties of the Council to their successor.
- The Secretary of the KDC is responsible to issue scholarship and bursary application forms to all affiliates and high schools in the month of January.
- The Secretary of the KDC will co-ordinate receipt of all applications by April 15th of each year (a postmark of April 15th will also be accepted)

D. The Corresponding Secretary shall:

- answer correspondence and fulfill other secretarial duties as directed by the President and the Executive Board;
- file a copy of all correspondence sent out and keep on file all communications;
- coordinate and book the venue for all meetings and ensure adequate technology is available for communication at the venue;
- order refreshments and reserve accommodations as needed;
- read all correspondence at Membership Meetings;

- file a copy of all letters sent out and keep on file all communications;
- include a copy of the full financial report (Executive Board meetings) and the written financial report (Membership meetings) provided by the Treasurer;
- have all records ready on reasonable notice for auditors and trustees;
- prepare and distribute all documents and notices to members;
- on termination of office, surrender all books, seals, and other properties of the Council to their successor.

E. Treasurer shall:

- receive all revenue, dues and assessments, keeping a record of each affiliates' payments, and deposit promptly all money with a bank or credit union;
- pay all CUPE affiliation fees as required;
- Sign all cheques and ensure that the Local Union's funds are used 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.
- throughout their term, and on behalf of the District Council 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 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 and in accordance with good accounting practices;
- make a full financial report and provide to the Corresponding Secretary for meetings of the District Council Executive Board, as well as a written financial report to each regular Council meeting, detailing all income and expenditures for the period;
- be bonded for not less than five hundred dollars (\$500) (or any greater sum as may be decided at a Council meeting), taking into account the assets of the District Council and the amount of cash and cheques handled by the Treasurer, through the master bond held by the National Office, and any Treasurer who cannot qualify for the bond shall be disqualified from office;
- pay no money unless supported by a voucher duly signed by two (2) members of the Board, except that no voucher shall be required or the payment of per capita fees to any organization to which the Council is affiliated;

- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books 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 report forms supplied by CUPE:
- be empowered with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Council's funds;
- notify all Local Presidents who are six (6) months in arrears and report to the Board all affiliates two (2) or more months in arrears in the payment of union dues;
- on termination of office, surrender all books, records and other properties of the Council to their successor.

F. The Diversity Representative shall:

- function as an Executive position on the District Council,
- have their name put forward on behalf of KDC for the CUPE BC committee of their choice.
- report to the District Council on the activities of the Committee chosen, in writing, so that it can be included in the District Council's minutes,
- be an advocate on diversity / equity issues to the District Council and act as a liaison between the Committee chosen and the District Council.
- Upon termination of office, surrender all books, seals and other properties of the Council to their successor.

G. The Young Worker shall:

- function as an Executive position on the District Council,
- shall be the name put forward on behalf of KDC to CUPE BC Young Worker's committee
- report to the District Council on the activities of the Young Workers Committee in writing so that it can be included in the District Council's minutes,
- be an advocate on young worker's issues to the District Council and act as a liaison between Young Workers and the District Council and affiliated Locals.
- Upon termination of office, surrender all books, seals and other properties of the Council to their successor.

H. The Trustees shall:

- act as an auditing committee on behalf of the affiliates and audit the books and accounts of the Treasurer, the Recording/Corresponding Secretary at least once every calendar year.
- make a written report of their findings to the first Council meeting following the completion of each audit;
- submit in writing to the President and Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the District Councils' funds, records, and accounts are being maintained by the Treasurer in an organized, correct and proper manner;
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization; ensure that proper financial reports are made to the affiliates;
- 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 Council, and report their findings to the affiliates;
- 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. Treasurer Report to the Trustees
 - iv. Recommendations made to the President and Treasurer of the Local Union
 - v. Treasurer's response to recommendations
 - vi. Concerns that have not been addressed by the Local Union Executive Board.

I. The Membership Officer Shall:

- Guard the inner door at meetings of the KDC and admit only affiliated members in good standing or Officers and Officials of CUPE, except on order of the President and by consent of the members present.
- Assist in maintaining the record of attendance at meetings by making sure the members sign the attendance book as they enter.
- Perform such other duties as may be assigned by the Executive Board from time to time
- Maintain a nominal roll of the Local's Officers showing an affiliate's attendance record at meetings
- On termination of office, surrender all monies, books and other property to their successor.

ARTICLE 10 – EXECUTIVE BOARD MEETINGS

A. Executive Board Members

The Executive Board shall be composed of:

President	1 st Vice-Presidents
Treasurer	2 nd Vice-President
Corresponding Secretary	Recording Secretary
Membership Officer	Young Worker Representative
Diversity Representative	

B. Meetings

The Executive Board of the KDC shall hold regular meetings or may meet prior to the meeting of the Council and shall make recommendations on all such matters as may arise or be required concerning the affairs of the Council.

- i. A majority of the Executive Board constitutes a quorum.
- ii. The Executive Board shall hold title to any real estate of the KDC as trustees for the KDC. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.
- iii. The Executive Board shall do the work delegated to it by the KDC and shall be held responsible for the proper and effective functioning of all committees.
- iv. Should any Executive Board member fail to answer the roll call for three consecutive regular delegate membership meetings or three consecutive Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting.

C. Special Meetings, Communications

On call of the President or on request of a majority of the Executive Board, a special meeting of the Executive Board shall be convened. Otherwise, all business and consultations of the Executive Board between regular meetings shall be conducted by phone or mail.

ARTICLE 11 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

- A. Except for the President's option [Section 9(a)], all delegates to conventions, conferences, and educational functions shall be chosen by election at membership meetings.
- B. Delegates to conventions, conferences, and educational functions held locally shall have no travel allowance. There shall be a per diem allowance as per the CUPE BC expense policy. The Local Union will reimburse the member's employer for any loss of wages.
- C. KDC will provide members with their per diem allowance prior to their attending the convention, conference, or educational function.
- D. KDC encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educational functions.

ARTICLE 12 – COMMITTEES

The KDC shall establish temporary or permanent Standing Committees as shall be deemed necessary for the proper functioning of the KDC.

SECTION 13 – COMPLAINTS AND TRIALS

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

The Trial Procedure is found at Appendix F of the National Constitution and will apply to Local Unions, Airline Division Components, Provincial Councils of Unions, and Councils of Unions. For purposes of the Trial Procedure, the term Local Union will include Airline Division Components, Provincial Councils of Unions, and Councils of Unions.

ARTICLE 14 – SIGNING AUTHORITY

Expenditures of the KDC shall be for the purpose of the KDC only and in all cases shall be made by cheque, signed by two of the three signing officers, one of which must be the Treasurer, or other officer the KDC may designate.

ARTICLE 15 – EXPENSES

A. Payment of KDC Funds

Funds can only be spent for valid purposes of the KDC under the following circumstances:

- When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting;
- When these bylaws or KDC policies approve the expenditure; or
- Through a vote of the majority of members present and voting at a regular or special membership meeting.
- In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than one thousand dollars (\$1000), a notice of motion must be made at a regular membership meeting and then approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven (7) days after the meeting where notice of motion has been given.

B. Payment of Per Capita Tax and Affiliation Fees

Authorization to pay per capita tax to CUPE National, to CUPE BC Provincial Division, or any labour organization the KDC is affiliated with, is not required.

C. 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.

Other Reasonable Expenses

Any reasonable and related expenses over and above the per diem will be paid upon presentation of receipts, only after approval of the membership.

D. Transportation/mileage/accommodation

- As per CUPE BC expense policy.
- Reasonable accommodation expenses will be reimbursed if an individual must travel 2 hours or more. Members are entitled to a single room, where members choose to share their room; they should clarify that with the KDC. Where possible all room, taxes and parking will be billed directly to the KDC.

E. Authorization

No Officer or member of the KDC will be allowed to spend any KDC funds without first having received authorization under Article 15(a) of these bylaws.

F. QUARTERLY OUT OF POCKET EXPENSES FOR EXECUTIVE MEMBERS

President \$75.00 per quarter

Vice Presidents \$37.50 per quarter

Secretary \$100.00 per quarter

Treasurer \$100.00 per quarter

Membership Office \$37.50 per quarter

Diversity Seat \$37.50 per quarter

Young Worker \$37.50 per quarter

Out of pocket expenses will be paid quarterly.

The President's cell phone expenses will be paid to a maximum of \$150.00/year.

G. Bursaries

KOOTENAY DISTRICT COUNCIL BURSARY OF \$500.00

- The Kootenay District Council Bursary is to be awarded to a CUPE young Worker or Grade 12 graduating dependent of KDC affiliate CUPE member based on financial need.
- The KDC Executive will then determine the award beneficiaries and report them to the Council.
- Any disputes arising from the awarding of the subsidies will be referred to the Executive, who will bring forward a recommendation for the delegate's consideration.
- Students must be pursuing post-secondary studies at a community college, university or institute of technology.
- Proof of registration from a post-secondary institution is required before funds are released. The money must be claimed within twenty-four (24) months of receiving the award.
- Students will be awarded the Bursary only once.
- For consideration, applications must be post marked no later than April 15th.

KOOTENAY DISTRICT COUNCIL SCHOLARSHIP OF \$200.00

- The Kootenay District Council Bursary is to be awarded to a CUPE young Worker or Grade 12 graduating dependant of KDC affiliate CUPE member based on financial need.
- The KDC Executive will then determine the award beneficiaries and report them to the Council.
- Any disputes arising from the awarding of the subsidies will be referred to the Executive, who will bring forward a recommendation for the delegate's consideration.
- Each applicant will be required to write an essay on their life goals.
- Students must be pursuing post-secondary studies at a community college, university or institute of technology.
- Proof of registration from a post-secondary institution is required before funds are released. The money must be claimed within twenty-four (24) months of receiving the award.
- Students will be awarded the Bursary only once.
- For consideration, applications must be post marked no later than April 15th, accompanied by the essay.

EDUCATION WORKSHOPS

- As demands indicate, Enrollment fee will be a minimum of:
- \$25.00 per person for CUPE members affiliated to the KDC
- \$50.00 per person for non CUPE or KDC affiliates
- Will canvas KDC affiliates for education needs and work with the CUPE BC Education rep to deliver the workshops.

EDUCATION MILEAGE SUBSIDY

- To aid locals in attendance at meetings of the Kootenay District Council the following subsidy has been enacted:
- \$0.20 per kilometer will be paid based on distance travelled
- Travel subsidy cheques be made payable to affiliated locals only.

J. DONATIONS

- Requests for donation/financial support must be received, in writing, by the Executive Board, prior to the KDC considering the issue.

K. GOOD OF THE UNION - FOR KDC DELEGATES

- The good will committee will consist of the KDC Executive. For illness, congratulations, condolences and distressed delegates, those issues will be brought to the membership as needed to respond appropriately.
- The KDC Executive will extend appropriate gestures, card of thanks, get well, congratulations, condolences or token gifts of goodwill in the amount of fifty (\$50.00) dollars as one-time recognition.

ARTICLE 16 – AMENDMENTS TO THESE BYLAWS

A. Procedure

Amendments to these By-Laws, so long as they do not conflict with the Constitution of the Canadian Union of Public Employees nor its principles and policies, may be adopted, provided that notice of, intention to propose the amended or additional bylaws was given at least seven (7) days before at a previous membership meeting or sixty (60) days before in writing when it shall require a two-thirds (2/3) vote of the members present and voting for adoption.

B. Effective

Amendments shall be effective only after approval in writing of the National President of the Canadian Union of Public Employees.

APPENDIX "A" – 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 "B" – CODE OF CONDUCT

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our 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.

CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff and elected officers to carry out our work. CUPE's expectation is that mutual respect, understanding and co-operation will be the basis of all our interaction.

The Code of Conduct sets out standards of behaviour for participants at national convention, national conferences, schools, meetings, and all other events organized by CUPE National. It is also applicable to structures of CUPE – locals, Provincial and Service Divisions, District Councils, Provincial Unions, Councils of Unions, Provincial Councils of Unions, and Provincial Sectoral Groups. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National and at events, meetings and activities by other parts of CUPE referenced above. 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 CUPE members, staff, and elected officers, we commit to one another and to the union 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.

Take responsibility for not engaging in inappropriate behaviour due to use of alcohol or other drugs while participating in union 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 the Code of Conduct will be handled as follows:

If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.

At national convention, national conferences, schools, meetings, and all other events organized by CUPE National, a complaint shall be brought to the attention of an ombudsperson.

At a meeting, event, or activity held by a structure of CUPE, should an ombudsperson be available, the same process would be used. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.

If the complaint involves a staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another part of CUPE, the person responsible for their employment will be the one to whom a complaint is referred and the relevant collective agreement, should it exist, would be applicable.

Once a complaint is received where an ombudsperson is being used, the ombudsperson will work to seek a resolution.

If this fails to resolve the matter, the ombudsperson 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.

At CUPE National events where an ombudsperson is not available, a person properly appointed and designated to be in charge shall receive the complaint. Depending on the nature of the problem, the person in charge may attempt to resolve it through conflict resolution. If this fails to resolve the matter, the person in charge shall determine whether there is a need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses. The same process is to be used for other parts of CUPE where an ombudsperson is not available.

For National events, if the person in charge is a party to the complaint, the director or designate shall assume that role. For all other parts of CUPE, an alternate will be designated to assume the role.

In a case where a member has been expelled from an event, the National President shall receive a report on the matter. For all other structures of CUPE, the presiding officer shall receive a report on the matter.

For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. A similar process may be applicable to the other parts of CUPE, done in consultation with the National President.

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

All chartered organizations are subject to this Code of Conduct, to apply to conventions, conferences, schools, and meetings which they organize.

APPENDIX "C": RULES OF ORDER

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

1. The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President will be the Chairperson at the membership meeting. In the absence of the President and Vice-President, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: "Is the Local ready for the motion?" If no member rises to speak, the motion will be voted upon.
5. A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
6. A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
7. An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.

8. On motion, the regular order of business at a membership meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
9. Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
10. At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.
11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
13. The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
15. A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.

16. Religious discussion of any kind is not permitted.

17. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.

18. The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.

19. When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.

20. The Chairperson will ask "Will the main question be now put?" where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.

21. A motion to adjourn is in order except when a member is speaking or when members are voting.

22. A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen minutes have elapsed.

23. After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.

24. 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. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, "Will the decision of the chair be upheld?" A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.

25. At a membership meeting where a question has been decided any two members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds majority of members who vote. If two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.

26. Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.

27. The Local Union's business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.