

LOCAL 1201 BYLAWS
APPROVED BY THE PROVINCIAL EXECUTIVE FEBRUARY 13, 2006

File No. 4480-172

1. NAME

The name of the Local shall be Local 1201 of the B.C. Government and Service Employees' Union.

2. JURISDICTION

(a) The Local shall consist of all union members within the Component headquartered within the geographic area defined as area number 01 in the Component Bylaws.

(b) The geographic boundaries of a Local may only be changed pursuant to the policy adopted by the Union's Provincial Executive and contained in Appendix "A" of these Bylaws.

3. OBJECTS

The objects of the Local shall be:

(a) To assist in the training of a steward body within the geographic area of the Local.

(b) To bring to the attention of the Component the wishes of the membership in the form of resolutions and recommendations.

(c) To carry out ratification votes and such other referendums as are from time to time required.

4. MEMBERSHIP

(a) Any person in the bargaining unit and within the Component shall be eligible to make application for membership to the Local. Applications shall be made by way of the "Application for Membership" form supplied by the Union. If the Local, for any reason, wishes to recommend rejection of any application for membership of any member of such Local pursuant to Article 4.2 of the Union's Constitution, any such recommendation shall be reported to the Component.

(b) The Component Executive shall have the right, subject to the appeal procedures of the Union's Constitution, to reject any application for membership pursuant to Article 4.2 of the Union's Constitution.

5. INITIATION FEE

An initiation fee, if prescribed by Law, shall be payable to the Union.

6. BYLAWS

The Bylaws of the Local shall not be in any way inconsistent with the Bylaws of the Component or with the Bylaws and Constitution of the Union, and the Constitution of the Union shall be paramount.

7. MEETINGS

(a) For the purpose of meetings, Local shall be as defined in Section 2 of these Bylaws.

(b) Local meetings shall be held as determined by the Chairperson, or at the call of 50% of the stewards or 30% of the Local membership.

(c) Seven (7) clear days' written notice shall be given of Local meetings with the exception of special meetings called by the Component Executive.

(d) The annual meeting of the Local shall be held in March/April on a date to be fixed by the Local Executive.

(e) Each Local should meet as often as necessary but, in any event, not less than twice a year. Such meetings shall be at the call of the Chairperson.

(f) The Order of Business of all Local meetings may include the following:

1. Call to Order
2. Reading of Minutes
3. Business Arising from Minutes
4. Communications
5. Convention Report
6. Provincial Executive Report
7. Component Executive Report
8. Financial Report
9. Reports of Officers and Committees
10. Reports of Stewards
11. Delegate Reports (Labour Council, CLC, NUPGE, BCFL)
12. Unfinished Business
13. Nominations, Elections and Installation of Officers
14. New Business
15. Good & Welfare
16. Adjournment

(g) As soon as possible and not more than thirty (30) days after the date of the annual general meeting, the Secretary-Treasurer of the Local shall forward to the Secretary-Treasurer of the Component a verified financial statement of the books of the Local.

(h) As soon as possible and not more than thirty (30) days after the date of the triennial elections, the Local Chairperson shall forward to the President a list of the officers and executive of the Local.

8. ELECTIONS

(a) Local nominating meetings of the Local shall be held at least thirty (30) clear days before the date set for Local elections which shall be no later than March 1st, for the purpose of nominating candidates for all executive positions in the Local for the ensuing three-year term.

(b) The Chairperson of each Local shall sit on the Component Executive as of right. Additional members shall be elected to the Component Executive by the Local Executive from the Local Executive on a per capita basis. One (1) for the first five hundred (500) members or part thereof who shall be the Chairperson of the Local and one (1) for each additional one thousand (1,000) members or major part thereof pursuant to the Component Bylaws.

(c) Local elections shall be held triennially in March/April on a date to be fixed by the Local Executive.

(d) Table Officers to be elected at Local elections are a Chairperson, 1st Vice-Chairperson, 2nd Vice-Chairperson, Secretary-Treasurer and Recording Secretary. These officers, plus eight (8) executive members-at-large, shall be elected for a three-year term by a vote of the Local membership. The local may designate one (1) member-at-large position to be filled by a young worker representative. (Young workers are defined as twenty-nine (29) years of age or younger.)

(e) The staff member assigned to the Local shall be a member ex officio of the Local Executive.

(f) All elections shall be by the absolute majority and second ballot system of elections as described in the Union Bylaws.

(g) There shall be no "plumping." Where vacancies in office exist and more than one (1) seat is to be filled, the membership will be clearly instructed as to how many vacancies are to be filled and the number of candidates they must vote for. Where practical this information will be contained on the ballot.

(h) **Election Dispute Procedure**

A. A member of a Local, eligible to cast a ballot in Local election, who alleges there has been an irregularity in the election procedure and wishes to challenge the election, may do so by advising the Chairperson of the Administrative Services Component, in writing, stating the reason(s) and the alleged irregularity. Where the local election being challenged is the same local as the Component Chairperson, the President shall appoint an alternate to investigate the complaint.

B. The written challenges must be received by the Chairperson of the Component within ten (10) calendar days of the results of the election being published. The Balloting Committee shall retain all ballots cast in a Local election in safekeeping for a minimum of thirty (30) calendar days of the results of the election being published.

C. The Chairperson, upon receiving a complaint as per A and B above, shall investigate the matter. If, in the opinion of the Chairperson, there has been an irregularity, he/she shall order another ballot in respect to the election where the irregularity has occurred. The Chairperson's decision shall be final subject to the right of the member alleging the irregularity appealing to the Union's Provincial Executive through the President.

D. For the purposes of this procedure an irregularity shall be defined as any variance which may have affected the results of the election.

(i) In the case of nominations for Local Executive positions, a nomination form shall be made available to all members so that any member may nominate or be nominated for Local office. The nomination forms will be provided by the Component and distributed through the stewards. In accordance with the BCGEU Constitution and Bylaws, Bylaw section 2(g), all elections for local officers shall be by referendum.

9. QUORUM

Fifty percent (50%) and one of the Local Executive shall constitute a quorum for Local Executive meetings. Fifteen (15) members of the Local in attendance at a Local meeting shall constitute a quorum.

10. ATTENDANCE

Absence of a Local Executive member from two (2) consecutive membership and/or executive meetings without just cause shall constitute grounds for dismissal from the Local Executive.

11. NEGOTIATIONS

Recommendations for negotiations shall be channelled through the Local Executive.

12. GRIEVANCES

(a) No member will discuss any grievance with a supervisor without notifying his/her steward.

(b) All grievance forms will be signed by the aggrieved and/or appropriate union officers or staff member.

- (c) A copy of all grievances will be forwarded to the area office immediately after they are forwarded to Step 2 of the grievance procedure.
- (d) No steward will withdraw a grievance without the approval of the staff member.
- (e) All grievances will be processed through the procedures contained in the Collective Agreement.
- (f)
 - (i) Area Grievance Appeal Committees shall be composed of a chairperson and two members elected from amongst the local chairs in each geographic area as outlined in Articles 5.3 and 5.5 of the Union's Constitution.
 - (ii) Where a component grievance is being appealed, the local chair of that component may sit ex-officio on the Area Grievance Appeal Committee.
- (g) When a member's grievance, claim or appeal has been disallowed, a written appeal must be submitted within ten (10) days of the written decision disallowing the grievance, claim or appeal.
- (h) The decisions of the Area Grievance Appeal Committees shall be final except for an appeal as per Article 9.9(b)(ii) of the Constitution.

13. FINANCING

- (a) The Local may be financed through an imprest account in an amount determined by the Component Finance Committee.
- (b) The Local shall establish an account in a chartered bank or credit union.
- (c) The Local shall disburse the Local funds according to the guidelines set by the Union's Finance Committee and directed by the Component Executive.
- (d) On the first day of every month, each Local Secretary-Treasurer shall forward a "Local Statement," with receipts outlining the manner in which monies have been spent during the previous month, to the Component Secretary-Treasurer, and the Local shall then be reimbursed.
- (e) In the event of irregularities, the Component Secretary-Treasurer shall refer the matter to the Component Finance Committee for appropriate action.
- (f) The accounts of the Local shall be presented to the Component Standing Finance Committee, upon request, for examination.
- (g) The Local shall adhere to the Union's financial policies as outlined in the BCGEU Financial Manual.

14. RULES OF ORDER

Rules of Order and procedure shall be those contained in Roberts' Rules of Order Revised where not inconsistent with the Constitution and Bylaws of the Union.

15. EXECUTIVE

- (a) All Executive Members shall assume office on May 1st of the election year.
- (b) The fiscal year of the Local shall end on the last day of December of each year.
- (c) The Executive of the Local shall act for the Local between Local meetings.

- (d) If a Local office becomes vacant during the term of office, a replacement shall be elected by the Local membership.
- (e) It shall be the duty of the Chairperson to preside at all meetings of the Local and to exercise supervision over Local affairs.
- (f) The Chairperson of the Local shall sit as a member of the Executive of the Component.
- (g) It shall be the duty of the 1st Vice-Chairperson to act in the absence of the Chairperson and to assist the Chairperson in the discharge of the duties of the Chair. In the absence of the Chairperson and the 1st Vice-Chairperson, the 2nd Vice-Chairperson shall so act.
- (h) It shall be the duty of the Secretary-Treasurer of the Local to establish an account in a chartered bank or credit union, to deal with all Local funds, to issue receipts, to issue all cheques, to prepare necessary financial statements and to render such other services as may be directed by the Local Executive. The Chairperson, Secretary-Treasurer and 1st Vice-Chairperson shall be signing officers of such an account. All disbursements shall require the signatures of at least two (2) signing officers.
- (i) It shall be the duty of the Recording Secretary to keep the minutes of the Local in a minute book. The Recording Secretary shall reproduce and distribute the attested minutes of the Local in accordance with Component policy.
- (j) The Recording Secretary shall within fifteen (15) days of the Local meeting being held send copies of the minutes to the President and the Component Secretary-Treasurer.
- (k) Monies shall be used for the purposes of conducting the affairs of the Local in accordance with the Union's financial policy.

16. LABOUR COUNCIL

- (a) The Local shall be an affiliate of the Victoria and Nanaimo, Duncan & District Labour Councils.
- (b) The Local's delegates to the Labour Council may be nominated at a Local meeting. Elections shall be as per the Bylaws contained in the Union's Constitution. Delegates shall be elected for a one-year term.
- (c) Delegates to the Labour Council shall be elected at least six (6) months prior to the date set for Labour Council elections.

17. CONVENTIONS

- (a) Delegates to B.C. Government and Service Employees' Union Triennial Constitutional Convention shall be elected from each Local's membership on the following basis: the Chairperson of each local within a component shall be a delegate for the first one hundred (100) members or part thereof and the local may elect one additional delegate for each additional two hundred (200) members or major part thereof.
- (b) When a Local elects its delegates to the Triennial Constitutional Convention, nominations shall exceed the number of delegates to be elected by at least two (2). The unsuccessful candidates shall be regarded as alternate delegates ranking in accordance with the number of votes received by them.
- (c) Local Chairs, and members of the Provincial Executive who are not already delegates by virtue of being a local chair, shall be delegates to the Triennial Policy Convention as of right. If entitled to additional delegates, components shall elect these in a manner to be determined by each Component Executive on the following basis: the component shall be entitled to a delegation, inclusive of local chairs, equal to one-third of the number of delegates which the locals of the component would be eligible to send to a triennial constitutional convention if held in the same year. Component Executives shall elect one (1) alternate delegate for each five (5) accredited delegates.

(d) Delegates to conventions of the Canadian Labour Congress and the B.C. Federation of Labour shall be selected by the Component Executive after delegate entitlement and allocation has been determined by the Provincial Executive.

(e) Members may bring matters before a convention only by means of a resolution approved by their Component and submitted through their Local to the Component at least ninety (90) days prior to convention.

18. GENERAL

(a) No agreements contrary to the Master Agreement or Component Agreement or general policy of the Union shall be entered into by this Component, its Locals, or any of its members, nor may this Component or its Locals affiliate with any other organization without express written authority from the Union Executive.

(b) Members wishing to lay charges against other members for breach of duty under the Constitution and Bylaws shall do so pursuant to Article 7 of the Union's Constitution.

(c) These Bylaws may be altered and/or amended by a majority vote of those members of the Local present at a meeting, providing that notice of motion has been served at least seven (7) days prior to the meeting.

(d) These Bylaws and subsequent amendments must be submitted through the Component to the Union's Provincial Executive for approval.

APPENDIX "A"**Union Policy Regarding Changing of Local Boundaries**

The Union's Provincial Executive at its regularly scheduled meeting held March 16, 1978 adopted the following procedure for the changing of Local boundaries. This policy has been adopted in response to the change in the Constitution and the commitment made at the 1977 BCGEU Convention to provide a method by which Locals could alter their boundaries to better serve the needs of the membership.

1. The Local wishing to change its boundaries shall serve the appropriate Component with a notice of motion containing the reasons why the request is being made, and reasonable proof that the proposed change is endorsed by the majority of the Local membership affected.
2. The motion referred to in (1) above must provide the Component with specific information on the change requested, including a description of the proposed new boundaries.
3. The Component, after considering the foregoing motion and hearing the views of the other Local(s) affected, will refer the matter to the Committee on Constitution & Structure with a recommendation for or against the change.
4. The Committee on Constitution & Structure, upon receiving a request for a Local boundary change endorsed by the appropriate Component, will have the Committee Secretary obtain a joint report from the area representatives concerned.
5. After considering all available information, the Committee on Constitution & Structure will make the appropriate recommendations to the Union's Provincial Executive for action.

This policy has been formulated not to discourage Locals from changing their boundaries, but to ensure that the rights and wishes of all the members concerned are fully protected. The Provincial Executive considers the changing of Local boundaries to be an important matter, and a great deal of care must be taken before any binding decisions are made.

All Locals considering changing their boundaries should pay special attention to the section of the policy which requires proof that the membership affected are involved in the decision and have an opportunity to have their views heard.

APPENDIX "B"

The Local shall establish the following committees whose members will be appointed by the Local Chairperson:

1. Bylaws Committee: 1st Vice-Chairperson (Chairperson)
Two (2) Executive Members
2. Finance Committee: Secretary-Treasurer (Chairperson)
Two (2) Executive Members

The Local may establish the following committees whose members will be appointed by the Local Chairperson:

1. Stewards & Membership Committee: Executive Member (Chairperson)
Maximum of six (6) Executive Members
2. Resolutions Committee: Local Chairperson (Chairperson)
Three (3) Executive Members
3. Visiting & Counselling Committee: Executive Member (Chairperson)
Two (2) Members
4. Balloting Committee: Executive Member (Chairperson)
Three (3) Members
5. Occupational Health & Safety Committee: Executive Member (Chairperson)
Three (3) Members (who are OH&S Representatives)
6. Any other committees deemed necessary.

APPENDIX "C"**Local Executive - Duties of the Table Officers****1. CHAIRPERSON**

- (a) It shall be the duty of the Chairperson to preside at all meetings of the Local and to exercise supervision over Local affairs.
- (b) The Chairperson shall be a representative from the Local to sit on the Component Executive. The Chairperson shall make a report on behalf of the Local at all Component Executive meetings.
- (c) The Chairperson shall appoint committees as required by the Bylaws.
- (d) The Chairperson shall chair the Local's Resolutions Committee.

2. 1st VICE-CHAIRPERSON

- (a) It shall be the duty of the 1st Vice-Chairperson to act in the absence of the Chairperson and to assist the Chairperson in the discharge of the duties of the Chair.
- (b) The 1st Vice-Chairperson shall chair the Local's Bylaws Committee.
- (c) Such other duties as assigned by the Local Chairperson or the Bylaws.

3. SECRETARY-TREASURER

- (a) It shall be the duty of the Secretary-Treasurer to establish an account in a chartered bank or credit union, to deal with all Local funds, to issue receipts, to prepare necessary financial statements and to render such other services as directed by the Local Executive and required by the Financial Manual.
- (b) The Secretary-Treasurer shall arrange for the annual audit and shall make such financial reports as are required by the Financial Manual and the Bylaws.
- (c) The Secretary-Treasurer shall chair the Local Finance Committee.

4. 2nd VICE-CHAIRPERSON

- (a) It shall be the duty of the 2nd Vice-Chairperson in the absence of the Chairperson and 1st Vice-Chairperson to assume the Chair and discharge the duties of the Chair according to the Bylaws.
- (b) Such other duties as may be assigned by the Chairperson or the Bylaws.

5. RECORDING SECRETARY

- (a) It shall be the duty of the Recording Secretary to keep the minutes of the Local in a minute book. The Recording Secretary shall reproduce and distribute the attested minutes of the Local in accordance with Component policy.
- (b) The Recording Secretary shall chair the Local Membership Committee.
- (c) Such other duties as may be assigned by the Chairperson or the Bylaws.

Approved by the Local May 7, 1992

Approved by the Component Executive on September 11, 2005

Approved by the Provincial Executive on April 3 & 4, 2007

(Consequential amendment to Section 8(a) Elections)