

BRITISH COLUMBIA UNION WORKERS' UNION (UWU)

CONSTITUTION AND BYLAWS



Effective June 29, 2021

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UWU Constitution

ARTICLE 1 - NAME

1.1 Name

The name of the Union shall be the British Columbia Union Workers' Union (UWU).

ARTICLE 2 - PURPOSE

2.1 The purpose and objects of this Union are to unite all workers within its jurisdiction for the following purposes:

- (a) To Improve their wages and hours of work, to increase their job security and to secure working conditions conducive to safety and good health;
- (b) To advance their economic, social, political and cultural interests; to disseminate information among workers regarding economic, social, political and other matters affecting their lives and welfare;
- (c) To give assistance and encouragement to organizations in organizing workers and to engage in such other activities as may be necessary or proper to strengthen the labour movement and to extend the process of collective bargaining throughout all trades and industries;
- (d) To secure legislation safeguarding and promoting economic security and the social welfare of all workers; and
- (e) To preserve and extend civil rights and liberties within a free and democratic society.

2.2 This Union shall endeavor to accomplish the foregoing purposes by organizing the unorganized workers within its jurisdiction, educating its membership, negotiating collective bargaining agreements with employers, securing progressive legislation, and by all other appropriate means.

ARTICLE 3 – AMENDMENTS

3.1 Any provision of this constitution may be modified, amended or repealed, or new articles may be adopted by the affirmative vote of two-thirds of the members voting on the question, at a regular meeting, or special meeting called for that purpose provided, however, that notice of the proposed amendment modification of or repeal has been given to members at the previous regular meeting.

ARTICLE 4 – DISSOLUTION

4.1 In the event of dissolution, the assets of the Union, less liabilities, shall be donated to a charitable or labour organization consistent with the purpose and objects of the Union as determined by the last serving Executive Board.

*Constitution Presented on October 5, 2017 and approved on October 20, 2017.
Amended on December 6, 2017.
Amended on December 5, 2018*

UWU Bylaws

ARTICLE 1 - OFFICERS

1.1 Officers

(a) The officers of this Union shall be a President, Vice-President Administration, Treasurer, Vice-President Equity, Vice-President Vancouver Island (non-BCGEU), Vice-President Mainland (non- BCGEU), and two (2) Vice-Presidents BCGEU.

(b) It is the mandate of the Union to meet and exceed a minimum of 50% of members of the Executive board to be from equity seeking groups. Equity seeking groups shall be the defined by the equity committee's current terms of reference which can be obtained from the equity committee chair.

1.2 Nominations and Elections

All officers shall be elected every two years.

1.3 Eligibility

No member shall be eligible for nomination or election to any office in this Union, or as a representative of this Union, unless they are a member in good standing in this Union.

1.4 Term of Office

All officers shall hold office until their successors are elected and installed. Successors shall be installed within 30 days of the election. The officers will be elected for two-year terms. Four officers shall be elected each year. In even years the President, Vice-President Regional (Vancouver Island), one Vice-President BCGEU and Vice-President Equity shall be elected. In odd years the Treasurer, Vice-President Administration, Vice-President Regional (Mainland) shall be elected.

The outgoing officers shall immediately turn over all papers, money, rights, titles, chattels, books, records, property and assets belonging to the Union to their successor or to the President of the Union.

1.5 Vacancies

In case of vacancy in the office of President, the Vice-President Equity shall immediately assume all responsibilities of that office until a successor President has been elected. Vacancies in other offices shall be filled by election in the same manner as described in 1.4 of this Article.

1.6 Duties of President

The President shall:

(a) Preside at all meetings of the Union and its Executive Board.

- (b) Sign all cheques or other authorizations for the withdrawal of the funds of the Union.
- (c) Receive and read all correspondence addressed to the Union and keep such correspondence on file.
- (d) Conduct all correspondence of the Union.
- (e) Ensure Union communications are consistent.

1.7 Duties of the Vice-President Equity

The Vice-President Equity shall:

- (a) The Vice-President Equity shall act for the President in their absence, and in the event of a vacancy in the office of President, until a successor is elected.
- (b) Support members from equity seeking groups.
- (c) Ensure issues of equity are addressed including acting as spokesperson.

1.8 Duties of the Vice-President Administration

The Vice-President Administration shall:

- (a) Ensure that there is a minute taker for each Union meeting and its Executive Board. After the minutes are passed, ensuring that these are stored.
- (b) Work with all Executive Board members in the administration of the Union's affairs.
- (c) Maintain grievance and arbitration tracking and timeline management system for all bargaining units.
- (d) Maintain a file of all collective agreements, including ancillary documents from each of the units within the Union, keeping track of expiry dates.

1.9 Duties of Treasurer

The Treasurer shall:

- (a) Collect all monies paid to the Union, including membership dues, fines and assessments.
- (b) Deposit same in the name of the Union in such bank or banks as the Union Executive Board may direct.
- (c) Countersign all cheques or other authorizations for the removal of the funds of the Union.
- (d) Keep true and accurate accounts of all transactions.
- (e) Make reports thereon to the Union and its Executive Board.
- (f) Track quarterly audits and reports, assisting the Trustees in scheduling audits and submitting reports on time.

1.10 Duties of the Vice-Presidents Regional

There shall be two (2) Vice-Presidents Regional; one Mainland and one Vancouver Island. They shall represent the members from certifications of fewer than 30 members. Their duties shall be:

- (a) Maintain a file of all Collective Agreements, including ancillary documents from each of the units within their region, keeping track of expiry dates.
- (b) Track grievances, arbitration dates for grievances within their region.
- (c) Provide support to members, respond to inquiries, and liaise with the Units within their region, ensuring UWU presence is provided.
- (d) Keep a record of the names and addresses of all members of the Union and their status.
- (e) Work as a liaison to at least one of the committees as defined in Article 4.

1.11 Duties of the Vice-Presidents BCGEU

There shall be two (2) Vice-Presidents BCGEU. One Vice-President seat shall be filled by the BCGEU Unit Chair, or their designate. The other shall be from an equity seeking group to ensure diversity on the Executive Board. The Vice-Presidents BCGEU shall:

- (a) Keep a record of the names and addresses of all members of the Union and their status.
- (b) Track grievances, arbitration dates for grievances within their region
- (c) Provide support to members, respond to inquiries, and liaise with the Units within their region, ensuring UWU presence is provided
- (d) Work as a liaison to at least one of the committees as defined in Article 4.
- (e) the Vice-President BCGEU from an equity seeking group may support the Vice-President Equity in their duties

ARTICLE 2 – EXECUTIVE BOARD

2.1 There shall be an Executive Board consisting of the officers of the Union.

2.2 The Executive Board shall be the highest governing authority within the Union between meetings of the Union and shall exercise general supervision over its business and affairs. It shall have power to invest the funds and properties of the Union, to authorize the expenditures of the Union or the use of the property of the Union to give effect any of its objects and to pledge any property or securities of the Union as security therefore, and to buy, sell, exchange, rent, lease or otherwise acquire or dispose of real estate or personal property, and shall fix the salaries or honoraria, if any, of the elective officers and any employees.

2.3 The Executive Board requires authorization from the membership to spend monies in excess of \$50,000. Authorization from the membership shall be by the affirmative vote of two-thirds of

the members voting on the question, at a regular meeting, or special general meeting called for that purpose.

2.4 The Executive Board shall have such powers as are necessary and appropriate to give effect to the purposes of the Union. It shall present a report of its activities to each meeting of the Union for its approval.

2.5 All requests for contributions of donations to individuals or organizations shall first be submitted to the Executive Board for its consideration and recommendation, before being received by the Union.

2.6 Executive Board Meetings

(a) The Executive Board shall meet at least quarterly, at such times and places as it shall determine.

(b) Special meetings of the Executive Board may be called at any time by the President or by three members of the Board upon not less than 72 hours' verbal or written notice to the Executive Board members of the time and place of the meeting and of the business to be transacted.

(c) A majority of the members of the Executive Board shall constitute a quorum for the transaction of any business.

ARTICLE 3 – TRUSTEES AND PENSION BOARD APPOINTEES

3.1 The Union shall have two trustees. The trustees will be elected by the membership for a term of two years, one trustee being elected each year. The trustees shall maintain the constitution and bylaws for the Union. They shall work in conjunction with the bylaws committee. The trustees shall provide clarification on any bylaw interpretation.

3.2 Duties of Trustees

The Trustees shall examine and audit the books and records of the Union at least four times a year and shall submit a written report on each audit to the Union as required.

3.3 Pension Board Appointees

While the Union remains entitled to appoint a member, or members, to the Public Service Pension Plan, they shall be elected by the membership for a term of two years.

ARTICLE 4 - COMMITTEES

4.1 Committee Structure and Resourcing

a. Committees are the key mechanism through which members get involved in the Union and ensure the objectives of the membership as set out in the Article 2 of the Union's Constitution are met. Committees are driven by members and can build their own terms

of reference and mandates provided they are consistent with the Union’s Constitution and Bylaws.

- b. Any member may join a committee by notifying either the Chair or Executive Resource Person, notwithstanding that, the Women’s and Gender Rights Committee and Equity Committee may establish eligibility requirements through their own internal democratic mechanisms.
- c. Each Committee, whether Standing or Ad-Hoc, shall have a member of the Executive Board who shall serve as the Executive Resource person. At the Executive Meeting subsequent to each election Executive Resource persons shall be assigned to each Committee.
- d. Unless specified below, each committee shall democratically select a Chair from amongst its members. The Executive Resource person may also be the Chair.
- e. The Chair and Executive Resource person shall work together to ensure that: regular meetings occur as per the bylaws, a minute taker is assigned for each meeting, minutes are filed, and the activities of the community are regularly communicated to the membership.
- f. A Chair may be recalled by the members for failing to perform their duties by two-thirds majority vote of members at a General Meeting. The membership may initiate such a meeting and vote by having no less than 25% of members as signatories on a petition, or by a two-thirds vote of the Executive Board. The subject of the recall must be notified upon recall being actioned and have a reasonable time period to reply to any recall attempt at a General Meeting. A Chair can only face recall once per calendar year.
- g. Unless otherwise stated, quorum for a committee meeting shall be three (3) members of the committee.
- h. The Standing Committees, and their Chairs and Executive Resource person shall be as in the following table:

Standing Committee (in alphabetical order)	Chair	Executive Resource
Bylaws Committee	Determined by committee	Secretary
Education Committee	Determined by committee	Assigned by executive
Equity Committee	Determined by committee	VP Equity
Finance Committee	Treasurer	Treasurer
Solidarity and Social Justice Committee	Determined by committee	Assigned by executive

Women's and Gender Rights Committee	Determined committee	by	Assigned by executive and must be eligible to sit on committee
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4.2 Ad Hoc Committees

The Executive Board or the membership of the Union may establish Ad Hoc committees as deemed necessary. The establishment of Ad Hoc committees shall include provision of the process for the selection of a Chair and assignment of an Executive Resource person.

4.3 Committee Descriptions

(a) Bylaws Committee

The Bylaws Committee shall be responsible for reviewing and developing updates as necessary to the Bylaws and Policies of the Union, as directed by and with the approval of Union members. The Committee shall also be responsible for maintaining institutional memory regarding the source and interpretations of bylaws.

The Bylaws Committee shall consist of the Secretary, who shall act as the Executive Resource, at least one Trustee, and at least one other member and shall meet on an as needed basis but no less than twice per year.

(b) Education Committee

The Education Committee shall be responsible for building the capacity and knowledge-base of members concerning all matters related to promotion, maintenance, and operation of the Union and its goals, through education and related means.

The Committee shall consist of at least two members and an Executive Resource person, shall elect its own Chair, and shall meet at least three times per year.

(c) Equity Committee

The Equity Committee shall have the mandate as determined by the Equity Committee.

(d) Finance Committee

The Finance Committee shall be responsible to both the Executive and the membership of the Union for matters relating to the Union's financial affairs, including assisting the Treasurer with their duties.

The Finance Committee shall consist of the Treasurer (who shall act as Chair and Executive Resource person), the two Trustees, and at least one other member, shall meet at least four times per year.

(e) Solidarity and Social Justice Committee

The Solidarity & Social Justice Committee shall, both independently and in conjunction with the Equity and the Women and Gender Rights Committees, cultivate direct, engaged solidarity with peoples or nations marginalized and oppressed by forces including but not limited to capitalism, colonialism, imperialism, resource extraction, racism, sexism, homophobia, trans exclusion/erasure, ableism, and classism.

The Committee shall consist of at least two members and an Executive Resource person, shall elect its own Chair, and shall meet at least three times per year.

(f) Women's and Gender Rights Committee

The Women's and Gender Rights Committee shall have the mandate as determined by the Women's and Gender Rights Committee.

ARTICLE 5 – UNITS AND STEWARDS

5.1 Each certification of the Union shall be deemed a Unit of the Union. Each Unit of the Union shall be presided over by a member of the Executive Board as defined in the duties.

5.2 Each Unit shall elect a Unit Chairperson. If the number of members at the worksite is less than 30 members, the Unit Chairperson acts as a steward for the purposes of representational rights within the collective agreement for the certification.

5.3 If there are 30 or more members within the unit, the members covered under the collective agreement shall elect a Unit Committee consisting of no more than four members. The Unit Committee shall act as the Union's appointees to the joint Union/Management committees and as stewards for the purposes of representational rights under the collective agreement.

5.4 Unit Committee Elections

(a) Each bargaining unit will elect a Unit Representatives in accordance with 5.2 and 5.3 of this Article. Unit Committee elections will be conducted in the manner described in this article unless the bargaining unit involved has both:

(1) provided in writing to the Executive Board an alternative process, and

(2) the Executive Board has approved the alternative process. The committee shall be elected not less than three months, and not more than six months prior to the expiry of the collective agreement. The Unit Committee will have the responsibility to carry out negotiations for a collective agreement and will provide labour relations assistance to stewards and the membership of the bargaining unit.

(b) Stewards are elected for a term of two years. The election of stewards will be conducted in the manner described in this Article unless the bargaining unit involved has both

(1) provided in writing to the Executive Board an alternative process, and

(2) the Executive Board has approved the alternative process. The Executive Board can authorize the election of stewards in addition to a Unit Committee based on the needs of the unit.

5.5 The Executive Board may authorize each bargaining unit or group with a unit to hold regular or special meetings, with proper notice, as may be required to transact such unit matters as are of concern to the group.

5.6 Units will not take any action that conflicts with either the Union's Constitution or Bylaws. All actions not specifically authorized and all agreements negotiated by any unit within the Union shall be subject to review and concurrence or non-concurrence by the Executive Board.

ARTICLE 6 – ELECTIONS

6.1 Notices as to the date of nominations and elections of Officers shall be emailed to all members, not less than 15 days in advance, and reasonable efforts shall be made to notify all members.

Any member in good standing shall be eligible to submit a written nomination. Members may self-nominate. The nomination period shall be open for 15 days. Nominees may submit a one-page candidate information sheet that will be distributed to eligible voters. The information sheet shall be submitted within one-day of the close of nominations. Within 24 hours of the close of nominations, nominees shall receive an electronic list of eligible voters.

6.2 Members from certifications with fewer than 30 members are eligible to run for any position except the Vice-Presidents BCGEU. There shall be one Vice-President Regional from the mainland and one Vice-President Regional from Vancouver Island.

Members from the BCGEU certification are eligible to run for any position except the Vice-Presidents Regional. There shall be at least one Vice-President BCGEU who is from an equity seeking group, as defined by the UWU equity committee.

The Vice-President Equity shall be determined pursuant to the election process set out in the UWU equity committee terms of reference.

6.3 The election of officers, delegates, stewards and trustees shall be by majority vote of the votes cast by a secret electronic ballot.

6.4 Voting shall commence no sooner than seven (7) days after the close of nominations. Voting shall be open for not less than three (3) days. Elections for officers shall be completed by the end of October each year.

6.5 Any candidate may assign an observer at the counting of the ballots.

6.6 In the event no candidate for office receives a majority of the votes cast, the two nominees receiving the greatest number of votes on the first ballot shall be the nominees on the second ballot and the balloting shall continue electronically for 2 (two) additional days.

6.7 Each member shall be entitled to one vote per position, provided the member is eligible to vote in that election. Vice-Presidents Regional shall be elected by certifications with fewer than 30 members who work in that region. Vice-Presidents BCGEU shall be elected from members in the BCGEU certification.

6.8 An Officer of the Union may be recalled by the members for failing to perform their duties by two-thirds majority vote of members at a General Meeting. The membership may initiate such a meeting and vote by having no less than 25% of members as signatories on a petition, or by a two-thirds vote of the Executive Board. The subject of the recall must be notified upon recall being

actioned and have a reasonable time period to reply to any recall attempt at a General Meeting. An Officer can only face recall once during their term of office.

6.9 Prior to the call for nomination of officers, the Executive Committee shall conduct a call out for three members to form a Balloting Committee. The committee shall be comprised of interested members. There shall be one member from each of the following groups: the BCGEU unit, the non-BCGEU units and the equity committee. The Vice-President Equity shall make the final determination. The Balloting Committee's duties shall be to safeguard the secrecy and honesty of the election, prepare and count the ballots, and announce the results of the election in a signed statement. The Balloting Committee shall preserve all records pertaining to the election for one year after the election. The Balloting Committee shall elect a chair from the three members.

(a) In cases of an election complaint, the complaining member or candidate shall submit the complaint in writing to the membership and administration and the Balloting Committee chair within 48 hours after the election results have been announced. Such complaint shall be heard and determined within five (5) working days by the Balloting Committee. A new election may be ordered only if it is determined that the matter complained of might reasonably have changed the results of the election.

ARTICLE 7 – GENERAL MEETINGS

7.1 Meetings of the Union are the highest authority of the Union. All officers, the Executive Board, and all other committees of the Union are accountable to the membership of the Union and are subject to membership approval at meetings, except as may be otherwise provided.

7.2 The Union shall meet at least twice a year via such mechanism as the Executive Board shall decide. The annual general meeting will be held in December of each year. The time, place and date of the meeting shall be properly posted so that all members may attend. Members shall also have the ability to attend virtually.

7.3 Members will be notified of meetings at least 15 days in advance of the meeting, and reasonable efforts shall be made to notify all members.

7.4 A quorum for the purpose of transacting any business by the Union shall not consist of fewer than 30 members present in person at any regular or special meeting. No action of any meeting shall be invalid for lack of a quorum unless the question of lack of a quorum was raised before such action was taken. A regular meeting may transact any and all business coming before it without prior notice of the business to be at such meetings, except as otherwise specifically provided in these constitution and bylaws. Unless otherwise specifically provided by the constitution and bylaws, all decisions of a general meeting shall be by a majority of the members voting.

7.5 The order of business at the regular meeting shall be:

- i. Call to Order
- ii. Land acknowledgment
- iii. Roll Call of Officers

- iv. Approval of Agenda
- v. Approval of Previous Minutes
- vi. Correspondence
- vii. Executive Report and Recommendations
- viii. Financial Report
- ix. Unit Reports
- x. Committee Reports
- xi. Unfinished Business xi. New Business
- xii. Election and Oath of Office (if any)
- xiii. Initiation of New Members (if any)
- xiv. Good and Welfare
- xv. Adjournment

7.7 The rules of order not specifically covered by these Constitution and Bylaws shall be in accordance with Bourinot's Rules of Order.

ARTICLE 8 – SPECIAL GENERAL MEETINGS

8.1 The President may call a special meeting of the Union. The President shall call a special meeting at the request of the Executive Board or on the written request of 50% plus one of the members in good standing. Members will be notified of a special meeting at least 15 days in advance of the meeting, and reasonable efforts shall be made to notify all members. Notice will include the date, time and place or mechanism of meeting, and state the purpose for which the meeting is called. No business other than that for which the meeting is called may be transacted.

8.2 A quorum for the purpose of transacting any business by the Union shall not consist of fewer than 30 members present at any regular or special meeting. No action of any meeting shall be invalid for lack of a quorum unless the question of lack of a quorum was raised before such action was taken. A regular meeting may transact any and all business coming before it without prior notice of the business to be at such meetings, except as otherwise specifically provided in these constitution and bylaws. Unless otherwise specifically provided by the constitution and bylaws, all decisions of a general meeting shall be by a majority of the members voting.

8.3 The order of business at a Special General Meeting normally shall be:

- i. Call to Order
- ii. Land acknowledgment
- iii. Roll Call of Officers
- iv. Election and Oath of Officers (if any)
- v. Business of the Meeting
- vi. Adjournment

8.4 The rules of order not specifically covered by these Constitution and Bylaws shall be in accordance with Bourinot's Rules of Order.

ARTICLE 9 – MEMBERSHIP, CODE OF ETHICS AND DISCIPLINE

9.1 Membership

- (a) The membership of the Union shall be any member of a bargaining unit certified to the Union who has duly applied for membership and is remitting dues to the Union in accordance with the Constitution and Bylaws.
- (b) Membership shall only be withheld upon proper and just cause by the Executive Board. Any person who has been denied membership may appeal such a decision before the membership at a General Meeting of the Union.
- (c) Any member who is on maternity, parental or adoption leave shall remain a member of the Union for the duration of their leave in accordance with the collective agreement in force.
- (d) Any member who has suffered layoff shall remain a member of the Union for the duration of their recall period in accordance with the collective agreement in force.
- (e) Any member who is no longer submitting dues due to illness or injury shall remain a member of the Union as long as they have a reasonable prospect of a return to work.
- (f) Any member who has severed employment due to workplace closure shall be deemed to no longer be a member.
- (g) Any member who retires as a member in good standing shall have the right to participate in activities of the Union but shall only have a voice and no vote. Retired members shall also be eligible to be appointed to the Retiree's Committee.
- (h) Any member who has not paid dues for a period of three months shall be deemed to no longer be a member of the Union unless Sections 3, 4 or 5 listed above apply.
- (i) These rules are subject to the applicable federal or provincial labour relations statutes and regulations.

9.2 Code of Ethics

- (a) All members must adhere to the principles of the applicable human rights, bullying, harassment legislation and rules.
- (b) The Union and its members are bound by the principles of democratic freedom.
- (c) The Union and its members are bound by the principles of financial ethics and reasonable accounting methods.
- (d) In all proceedings of the Union, the Constitution and Bylaws will be applied consistently, reasonably and fairly.
- (e) The principles of natural justice and duty of fair representation shall guide all processes and procedures of the Union where a member's rights are impacted.

(f) The Officers of the Union shall declare any conflict of personal or financial interest as it arises to the Executive Board and shall recuse themselves of any voice or vote that they may have on the issue.

9.3 Discipline

(a) Any member, or group of members, may file a charge if they have reasonable cause to believe that another member has violated the Constitution or Bylaws of the Union.

(b) Any member, or group of members, may file a charge if they have reasonable cause to believe that another member has violated the Code of Ethics under this article.

(c) No charge shall be considered under this Article if a resort to a court, civil authority, or other external body has been commenced prior to exhausting this procedure. Any charge that has been lodged may be deemed abandoned if it is referred to a court, civil authority or other external body.

(d) Charges must be filed within 30 days of the violation or knowledge of the violation. Only the President can amend this time limit, and a charge(s) must be submitted in writing and signed, with specific details of the alleged violation.

(e) The Executive Board may attempt to mediate the dispute, but if unsuccessful, it shall investigate the charge and render a decision in writing.

(f) In the event the charge is against an Executive Board member, they shall not participate in any proceedings, except when providing a defence.

(g) The Executive Board may find that the charge is warranted and reprimand any member, and if necessary, order specific remedies, such as expulsion as a member or removal from an office or position they hold.

(h) If a party to the charges disputes the outcome of charge filed under this section, they may present their appeal to the membership at the next General Meeting of the Union. The appeal must be sent in writing to the President of the Union by no later than 15 days prior to the meeting.

ARTICLE 10 – DUES AND ASSESSMENTS

10.1 Each member of the Union shall pay dues in an amount equal to 1.25% of gross pay.

10.2 A member in default, without good cause, in the payment of dues, fines, assessments, for 90 days from the date such amount becomes due, may be suspended from the rights of membership and, if the default continues without good cause for additional 30 days after notice in writing by the Treasurer, may be expelled from the Union.

10.3 Any member who has been suspended for non-payment of dues, fines or assessments, may be reinstated upon payment for a reinstatement fee of ten dollars (\$10), together with a new initiation fee and all dues due at the time of their suspension.

10.4 The Executive Board of this Union shall have the power to levy a per capita assessment, in addition to dues, upon the members of this Union provided that the amount and method of payment of such assessment has first been approved by the majority of those voting in a secret ballot among the members in good standing, either at a regular or special meeting or in a membership referendum. Notice of the proposed assessment shall be given to the members at least 10 days before the vote is to be taken.

ARTICLE 11 – BARGAINING AUTHORITY AND RATIFICATION

11.1 Bargaining Authority

- (a) The Union shall have the exclusive authority to bargain on behalf of its members.
- (b) All collective bargaining shall be coordinated by the President of the Union or their designate. Notice to bargain in each unit of the Union shall be served by the President.
- (c) All tentative agreements are subject to ratification by the Executive Board.
- (d) Collective bargaining shall be conducted with the participation of an elected committee and such an election shall be fair and representative of the unit. Any and all disputes regarding a bargaining committee election shall be heard and ruled upon by the President of the Union.
- (e) In the event that the election of a bargaining committee is not practical, the President may approve the appointment of a committee.

11.2 Ratification

- (a) Any tentative agreement reached in collective bargaining shall be ratified by a secret ballot vote of members covered by terms of the agreement.
- (b) Such a vote shall be conducted at a meeting, or other established process, or otherwise required by law.
- (c) Ratification shall be by a majority of those voting.

11.3 Signing Authority for Agreements

All collective agreements ratified by the bargaining unit and the Executive Board shall require the signature of the President of the Union or their designate.

11.4 Letters and Memorandums of Agreement or Understanding

- (a) Any other agreement that alters or defines the terms and conditions of a collective agreement shall require the ratification of the Executive Board.
- (b) Such an agreement requires the signature of the President of the Union or their designate and the Unit Chairperson.

ARTICLE 12 – STRIKE VOTES AND STRIKES

12.1 Strike Votes

- (a) A strike vote can only commence with authorization of the President or their designate.
- (b) Strike Votes shall be conducted by a secret ballot vote of members covered by that collective agreement, and members impacted must have reasonable notice of such a vote.
- (c) All strike votes are subject to the applicable laws of the appropriate jurisdiction.

12.2 Strike action can only commence upon the authorization of the President or their designate.

12.3 Strike pay shall be in accordance with the bylaw concerning the Defence Fund.

12.4 The Union shall endeavor to include in each collective agreement language that protects members' rights not to cross picket lines.

ARTICLE 13 – GRIEVANCES AND ARBITRATION

13.1 Grievances or complaints filed must follow the process as prescribed in a unit's collective agreement.

13.2 Once a grievance or complaint is submitted formally and in writing, it becomes the property of the Union.

13.3 No matter that is in dispute may be submitted to a third party for resolution without authorization of the Executive Board. Grievances or formal complaints must be submitted in writing for the Executive Board to review and approve before proceeding to a third party for resolution.

13.4 If the Executive Board does not grant authority to proceed with a grievance or complaint, the member shall have the opportunity to seek an appeal through the membership at the next General Meeting. They may present their appeal to the membership, and the membership may overturn the decision of the Executive Board by a majority vote. The appeal must be sent in writing to the President of the Union by no later than 15 days prior to the meeting.

ARTICLE 14 – DEFENCE FUND

14.1 The Union shall establish and maintain a Defence Fund of not less than \$1,200,000.

14.2 The Executive Board shall deposit the monies in term deposits in a manner that is financially advantageous to the fund, as well as being secure and accessible as required by the Union.

14.3 Members of the Union who are locked out or on an authorized strike shall receive defence fund payments of \$300 per week from the first full day of the dispute, prorated for partial weeks and those members employed less than full time. To be eligible, members must participate in job action as required by the Executive Board.

14.4 The Defence Fund shall also cover any health and welfare premiums during the period of the dispute, if necessary, and as approved by the Executive Board.

14.5 The Defence Fund shall also cover any costs associated with the legal defence of members' rights as approved by the Executive Board.

14.6 In the event the Defence Fund exceeds \$1,500,000, the additional funds shall be transferred to the Union's general fund.

14.7 In the event the Defence Fund has a balance of less than \$1,200,000, the membership of the Union shall be levied a per capita assessment, in accordance with Article 10.4 of the Bylaws.

14.8 The Treasurer shall provide a financial report of the status of the fund two times per year at a general meeting, and as required by the membership or the Executive Board.

ARTICLE 15 – ADOPTIONS AND AMENDMENTS

15.1 Any provision of the Bylaws may be modified, amended or repealed, or additions may be adopted, by the affirmative vote of two-thirds of the members voting on the question, at a regular meeting, or special meeting called for that purpose.

15.2 Any amendment to Article 10 - Dues and Assessments must be voted upon by secret ballot.

15.3 Any member may propose an amendment to these bylaws by submitting a notice of motion to the President no later than 30 days prior to the next regular or special general meeting.

15.4 The Executive Board may propose an amendment to these bylaws by submitting a notice of motion to the membership at the time the regular or special general meeting notice is provided, and subject to the timelines stated in Article 7 and Article 8.

15.5 The Executive Board may make use of method to allow for voting remotely. If such a method is used, the requirement to be in attendance to exercise a vote shall be waived, as long as the method protects the secrecy of the ballot.

ARTICLE 16 – OATH OF OFFICE AND MEMBERSHIP

16.1 Obligation of Union Officers

Officers of the Union shall affirm the following upon being elected, and prior to commencing their term of office:

I, _____, do solemnly affirm to faithfully execute the office to which I have been elected and will, to the best of my ability, preserve, protect and defend the Constitution and Bylaws of the British Columbia Union Workers Union, and Upon completion of my term of office, I will deliver to my successor all Union books, papers and property that may be in my possession.

16.2 Pledge for New Members

All eligible members, before being admitted to full membership, shall subscribe to the following obligation:

I, _____, pledge my honour to faithfully observe the Constitution and laws of this Union; to comply with all the rules and regulations for the government thereof, not to divulge or make known any private proceedings of this Union; to faithfully perform all the duties assigned to me, that I will not wrong a member, or see them wronged, if in my power to prevent; to so conduct myself at all times as not to bring reproach upon my Union, and at all times to bear true and faithful allegiance to the British Columbia Union Workers Union.

The membership present shall respond with: "Your pledge will be remembered".

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Amended on December 5, 2018

Amended on June 13, 2019

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