

# Proposed Local 40 Bylaw Amendments

Approved by Local 40 Executive Board, 26 June 2017 and 26 July 2017

To be voted on at Membership Meeting, 25 October 2017

## Name and Object

Article I, Section 3. Wherever a masculine pronoun occurs in these bylaws, it shall be deemed to include the feminine pronoun, **and vice versa**.

## Officers

Article IV, Section 1. Officers of this Local Union shall be the President-Administrator, Vice-President, Financial Secretary-Treasurer and three Trustees. The President-Administrator and the Financial Secretary-Treasurer shall be the Executive Officers of the Local Union. The first three named Officers and ~~13 Regional~~ 12 Executive Board members (~~seven members from the Lower Mainland, and one member each from the following geographic zones: Camp membership or Service contract membership, North Vancouver Island, South Vancouver Island, Cariboo/Prince George and Okanagan/Kamloops, and one Member-at-Large~~) shall constitute the Executive Board of the Local Union. ~~The 12 Executive Board members shall be comprised of 9 Members-at-Large and 3 members from outside the Lower Mainland.~~

## Nomination and Election

Article V, Section 1. The election of officers shall be held ~~by mail ballot~~ in the month of ~~May 2018, February, 2003~~, and every five years thereafter among the members in good standing in this Local Union. No write-in votes shall be permitted. The election shall be conducted by ~~Australian secret~~ ballot and the candidate receiving the highest number of votes for each office shall be declared elected.

Article V, Section 2. A reasonable opportunity shall be given to the members to nominate candidates for office. Nominations of officers shall be received in the month of ~~April 2018, January, 2003~~, and every five years thereafter.

Article V, Section 3. (a) In order to be eligible to be nominated for office, a member must have been an active member of Local 40 in continuous good standing for a period of ~~12~~ 24 calendar months immediately preceding nomination;

Article V, Section 5. (a) All active members of this Local who are in good standing as of the first day of ~~December~~ April immediately preceding an election ~~year~~ are eligible to receive a ballot. ~~The Election Committee shall be responsible for having the ballots printed and mailed to all members eligible to receive ballots. Each ballot shall be numbered with the heading, UNITE HERE Local 40, Official Election Ballot." Below the heading shall be a perforation so that the top of the ballot, containing the number, can be torn off and kept by the Election Committee.~~

~~During the month of January, 2003, and every five years thereafter, the Election Committee shall mail, at least 21 days prior to the date of the election, to each eligible member, an envelope marked "Local 40 Election Ballot." Said envelope shall contain a ballot, an official ballot envelope of Local 40 and a return envelope, which shall be addressed to "Election Committee, P.O. Box # \_\_\_\_\_, Vancouver, British Columbia. The ballot envelope shall be marked "Election Ballot" and the return envelope shall be marked "Local 40 Ballot Return."~~

~~The Chairman of the Election Committee shall obtain a special post office box in the name of "Local 40 Election Ballots." The Election Committee shall obtain the return envelopes from the post office box, remove the ballot envelopes from the mailing envelopes and shall deposit the ballot envelopes in the ballot box. Ballot envelopes addressed to the Election Committee's post office box must be received no later than the election date in order to be counted in the election. On the date of the election, the ballots shall be removed from the ballot envelopes and counted.~~

New Article V. Section 5. (b) The Election Committee shall determine whether the voting shall be conducted at polling site(s) or by mail ballot or by a combination thereof.

New Article V. Section 5. (c) If mail ballots are used, the Election Committee, not less than 21 days prior to the date of the election, shall mail to each member in good standing to the member's last known home address a mail ballot which shall contain: 1) instructions for voting, including the deadline for return of ballots; 2) a return envelope addressed to the Committee's post office box; 3) a secret ballot envelope; and 4) a secret ballot containing the names of all eligible candidates. The deadline for return of ballots shall be 20 days from the date of mailing. All ballots shall be mailed on the same date.

### **Vacancies**

Article VI. Section 1. Vacancies in any office shall be filled for the unexpired term by appointment of the President-Administrator, subject to the approval of the Executive Board. ~~If an Executive Board position from outside the Lower Mainland remains vacant for more than 12 months, the President-Administrator shall be entitled to fill it for the unexpired term with a member from anywhere in Local 40's jurisdiction.~~

### **Duties of Officers**

Article IX. Section 3. Financial Secretary-Treasurer. (g) ~~She He~~ shall compile or cause to be compiled under ~~her his~~ direction and supervision the roster of the Local Union as required by ~~Article 5, Section 5 Article XI, Section 13~~ of the International Constitution.

Article IX. Section 3. (h) ~~She He~~ shall compile or cause to be compiled under ~~her his~~ direction and supervision monthly reports to the International Union as required by ~~Article 18, Section 3 Article XI, Section 14~~ of the International Union Constitution.

Article IX. Section 4. Trustees. They shall review the books of the Financial Secretary-Treasurer each month and verify the quarterly financial reports and annual audit required by ~~Article XIV, Section 11 Article 20~~ of the International Constitution.

Article IX. Section 5. Executive Board. The Executive Board shall consist of the President-Administrator, Vice-President, Financial Secretary-Treasurer, ~~and 12 Executive Board members~~ ~~12 Regional Executive Board members,~~ ~~and one Member-at-Large.~~ The Executive Board shall meet monthly... following duties:

**NEW Article XIV. Strike and Lock out Fund**

The Union shall maintain a Strike and Lock out Fund. The Fund shall be accounted for separately from the Union's other assets but does not need to be segregated from those assets and may be commingled for custodial and investment purposes. The Fund may be used to pay benefits to workers, whether members or not, who are not working due to a labour disputes arising from collective bargaining or organizing, including but not limited to workers who are on strike, locked out or suspended or terminated due to their union activity. The Fund may also be used to alleviate hardship in individual cases arising from involvement in labour disputes. Expenditures from the fund shall be proposed by the President and approved by the Executive Board. Expenditures may be made in accordance with policies set by the Executive Board without additional approval of specific items.