

## Proposed Local 40 Bylaw Amendments

### 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**.

### Nominations and Election

Article V. Section 1. The election of officers shall be held ~~by mail ballot~~ in the month of **May 2023, 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 2023, 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) If approved by the International Union President or Executive Committee, the election shall be conducted by mail ballot outside Vancouver, Burnaby, Richmond, Surrey, and Victoria, and within Vancouver, Burnaby, Richmond, Surrey, and Victoria if the Local 40 President decides to request approval for mail voting in those cities.**

**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.**

#### Duties of Officers

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. (b) The President may incur and authorize the payment of the routine operating expenses of the Union. Routine operating expenses include expendable supplies, cell phones, minor equipment (individual computers and ancillary devices, fax machines, low-volume copiers, phone units, bullhorns, adding machines, desktop organizers, etc.), repair and maintenance of buildings and equipment, expense reimbursement per policy and travel within the US and Canada for normal union business, campaign materials, and legal and other professional fees. All other donations and expenditures require approval of the Executive Board or in the case of**

major financial commitments, the approval of both the Executive Board and the membership. Examples of expenditures requiring Executive Board approval are real estate transactions, new construction and major remodeling, computer systems, high-volume copiers, telephone systems, furniture, expense reimbursement policies, expense allowances, travel outside the US and Canada, travel within the US and Canada for special purposes, policies regarding the lending of employees to other organizations, and policies regarding the expenses of employees borrowed from other organizations. All real estate transactions, indebtedness in excess of \$500,000 in a single transaction or series of related transactions or purchases or sales of fixtures, furniture or equipment in excess of \$100,000 in a single transaction or series of related transactions shall also require the approval of the membership at a regular or special meeting. No real property of the Local shall be transferred, conveyed, hypothecated or encumbered, unless the written consent of the International Union is first obtained.

Article IX. Section 5. (c) All salaries, wages, compensation or expense allowances for officers, employees and delegates of the Union shall be recommended by the Executive Board and shall be subject to approval or ratification by majority vote of the membership present at a regular or special meeting.

Article IX. Section 5. (d) All plans for the ownership or long-term lease of real estate or the use of any of the funds of the Local or its members for such purposes shall be first recommended by the Executive Board and submitted to the membership for final approval by a majority of those members present.

Whenever this Local Union, a trust fund, corporation or other entity created directly or indirectly from funds derived from the Local Union or its members enters into a plan for the ownership, sales, encumbrance, remodeling or long term lease of real estate or uses any of its own or its members' funds for such purposes, the entire plan, including any trust agreements, articles of incorporation, corporate bylaws, contracts and leases, shall be subject to approval of the International President before becoming effective.

This Local Union or other such entity may not establish or participate in a plan to hold real estate which does not permit the International Union to audit fully the building fund in the same manner as the Local Union's assets are audited.

**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 dispute 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.**