

**OPERATIONAL SERVICES COMPONENT BYLAWS
APPROVED BY PROVINCIAL EXECUTIVE SEPTEMBER 29, 2015**

File No. 4480-130

1. NAME

(a) This component shall be known as the B.C. Government and Service Employees' Union Operational Services component hereinafter referred to as the "component."

(b) The component shall consist of all union members within the bargaining units, as defined under the relevant labour legislation, **or as assigned by the provincial executive** and covered by the Operational Services component under the terms of the constitution and bylaws of the B.C. Government and Service Employees' Union.

2. HEADQUARTERS

The headquarters of the component shall be established in accordance with Article 2 of the union's constitution.

3. OBJECTS

The objects of the component shall be:

(a) To unite all members of the component in a single, democratic organization capable of acting on their behalf;

(b) To provide assistance to bargaining units and bargaining councils in their negotiations and to conduct all other matters relevant to the component.

4. MEMBERSHIP

Pursuant to Article 4 of the constitution, employees of employers in British Columbia who are certified with the union or have voluntary recognition collective agreements with the union, are eligible for full membership in the union by filling out an "application for membership" card.

5. INITIATION FEE

An initiation fee, if prescribed by law, shall be payable to the union.

6. LOCAL BYLAWS

The bylaws of a local shall be consistent with the bylaws of the component **and** with the bylaws and constitution of the union, **and if inconsistent with the constitution of the union**, the constitution shall be paramount.

7. LOCALS

(a) A local shall be formed and designated in each of the areas coinciding with the geographic boundaries of an area pursuant to Clauses 5.3 and 5.5 of the union's constitution, as described in Appendix A of these bylaws.

(b) The geographic boundaries of a local may only be changed pursuant to the policy adopted by the provincial executive and contained in Appendix B of these bylaws.

8. MEETINGS

- (a) For the purpose of meetings "component" shall be defined as the component executive as per Section 1, Clauses (c)(i)(ii)(iii) **and (iv)** of the union's bylaws and contained in the constitution.
- (b) Component meetings shall be held as determined by the **vice president**, or at the **request** of the representatives of 30% of the locals of the component.
- (c) **Fourteen** clear days' written notice shall be given of component meetings with the exception of **an urgent** situation.
- (d) Component executive meetings shall be held at least quarterly at the call of the **vice president**.
- (e) The table officers of the component executive shall meet at the call of the **vice president** to conduct normal business of the component executive, between executive meetings.
- (f) 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 local chairperson.
- (g) The order of business at component executive meetings may be:
1. Call to order
 2. Reading of minutes
 3. Business arising from minutes
 4. Communications
 5. Convention report
 6. Provincial executive report
 7. Financial report
 8. Reports of officers and committees
 9. Reports of local chairpersons
 10. Affiliation reports (CLC, NUPGE, BCFL, labour council)
 11. Unfinished business
 12. Nominations, elections and installation of officers
 13. New business
 14. Good and welfare
 15. Adjournment
- (h) As soon as possible and not more than 30 days after the date of the annual meeting, the treasurer of the component shall forward to the president an audited financial statement of the books of the component.
- (i) As soon as possible and not more than 30 days after the date of the triennial elections, the component **vice president** shall forward to the president a list of the officers and executive of the component.

9. ELECTIONS

- (a) **The** local nominating **period** shall be at least 30 clear days before the date set for local elections for the purpose of nominating candidates for all executive positions in the local for the ensuing three-year term. **The notice of nomination shall be issued before January 31 of that year but not before January 1 as per section 1(e) of the constitutional bylaws.** The component shall encourage locals to designate one) member-at-large position to be filled by a young worker representative. (Young workers are defined as 29 years of age or younger.)
- (b) (i) 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 for the first 500 members or major part thereof who shall be the chairperson of the local and one for each additional 500 members or major part thereof. One component executive member position may be designated for a young worker representative chosen by the component executive.

(ii) Where a bargaining council has been established pursuant to Clause 12(c) of these bylaws, the chairperson of the bargaining council shall sit on the component executive as of right.

(c) Component elections shall be held triennially by May on a date to be fixed by the component executive.

(d) Table officers to be elected at component elections are a **vice president**, 1st vice chairperson, 2nd vice chairperson, treasurer, recording secretary **and additional table officers as required**. These officers shall be elected for a three-year term by a vote of the component executive from among the component executive.

(e) Where the component **vice president** comes from a local that is ordinarily entitled to only one position on the component executive, that local executive shall be entitled to elect a second delegate to the component who shall be the 1st vice chairperson of that local.

(f) The staff member assigned to the component shall be a member ex-officio of the component executive.

(g) **In all cases, except for the election of officers at the triennial convention, the candidate(s) receiving the most votes will be declared elected as per section 2(d) of the constitutional bylaws.**

(h) There shall be no "plumping." Where vacancies in office exist and more than one 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.

(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 area office **as per section 2(c) of the constitutional bylaws. All candidate names on the ballot will be in random order.** In accordance with the BCGEU constitution and bylaws, bylaw section 2(g), all elections for local officers **are** by referendum. **No interim local officer elections will be held during the eight months previous to the triennial local officer elections without consulting the component vice president and without a minuted decision by the local executive.**

(j) *Steward elections*

(i) **Steward elections will be held every three years, starting in September of the year prior to the year in which local elections are held. Stewards will serve for three-year terms.**

(ii) **The local executive will determine the appropriate number of stewards for their local at a common worksite or, if there is no shared worksite, by employer and geographic location. The number of stewards will be determined prior to the opening of nominations for election in September.**

(iii) **The local executive may not assign less than one steward per worksite, or per 100 members, whichever is greater.**

(iv) **Stewards at common worksites with more than 100 members will be encouraged to form steward committees and elect amongst themselves a lead steward for the purpose of holding regular meetings to discuss matters particular to the worksite that may arise from time-to-time.**

(v) **Nominations, balloting and voting for stewards is the same process as outlined in (g)(h) and (i) above.**

(k) *Election Dispute Procedure*

A. A member of a local, eligible to cast a ballot in a 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 **vice president** of the component, in writing, stating the reason(s) and the alleged irregularity. Where the local election being challenged is the same local as the component **vice president**, the president shall appoint an alternate to investigate the complaint.

B. The written challenges must be received by the **vice president** of the component within 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 30 calendar days of the results of the election being published.

C. The **vice president**, upon receiving a complaint as per (A) and (B) above, shall investigate the matter. If, in the opinion of the **vice president**, there has been an irregularity, **they** shall order another ballot in respect to the election where the irregularity has occurred. The **vice president's** decision shall be final subject to the right of the member alleging the irregularity appealing to the 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 result of the election.

10. QUORUM

Two-thirds of the component executive shall constitute a quorum at component executive meetings.

11. ATTENDANCE

Absence of a component executive member from two consecutive meetings without just cause shall constitute grounds for dismissal from the component executive.

12. NEGOTIATIONS

(a) *Local bargaining units*

(i) Where negotiations are conducted at the local bargaining unit level, a bargaining unit negotiating committee shall be elected from the members of the bargaining unit.

(ii) The committee shall consist of not more than three members **plus alternate**. If additional members are required, the bargaining unit shall request approval for additional members from the component.

(iii) **The negotiating committee shall select a chairperson by consensus, if no consensus, the member with the most votes will become chair, together with the staff member assigned to the negotiations, will co-chair the committee.**

Where local bargaining unit members are spread beyond one single geographic location, a referendum system of nominations and elections shall be utilized.

(b) **Sectoral agreement**

- (i) A **sectoral** agreement committee shall be elected from among the representatives of local bargaining units affected by the **sectoral** agreement.
- (ii) The members of the committee shall elect a chairperson from amongst themselves, who shall also be chair of the negotiating committee.
- (iii) The chairperson of the negotiating committee and the staff representative assigned shall act as co-chairs at the bargaining table.

(c) **Bargaining councils**

- (i) Bargaining councils may be established with the approval of the component or provincial executive, in accordance with the following:
 - where there is a **sectoral** agreement; or
 - where there is a possibility of achieving a **sectoral** agreement; or
 - where there are significant province-wide bargaining units such as crown corporations or agencies.
- (ii) A bargaining council shall consist of representatives from each of the bargaining units determined to be of like occupations, industry or service.
- (iii) Where a bargaining unit is a member of a bargaining council the bargaining unit chairperson shall sit as of right on the bargaining council and one additional bargaining unit representative shall be elected if the membership of the bargaining unit exceeds 15% of the bargaining council membership.
- (iv) There shall be no more than two representatives elected from each bargaining unit to sit on the bargaining council.
- (v) The bargaining council representatives shall elect a chairperson and a recording secretary.
- (vi) The chairperson of the bargaining council shall sit on the component executive as of right.
- (vii) The bargaining council will be responsible for developing **sectoral** agreements for that council and developing strategies to achieve that **sectoral** agreement.
- (viii) If a member of a bargaining council is unable to attend a meeting, the component may permit another member of that bargaining committee to attend in **their** place and have full voting privileges.
- (ix) Where the bargaining council chair is unable to attend a scheduled bargaining council meeting, the recorder shall act as chair. The recorder, while acting as chair, shall appoint a recorder. In the absence of both the aforementioned, the component **vice president** shall chair the meeting.

(d) The president shall be a member ex-officio of any negotiating committee established pursuant to these bylaws.

(e) In the event any negotiating committee conducts themselves contrary to the policies of the union, the union's executive committee shall have the right to remove the committee members until the negotiations are complete.

- (f) All elections for negotiating committees shall be conducted no more than **12** months, but not less than six months, prior to the expiry of the agreement, **or collective agreement reopener**.

13. GRIEVANCE PROCEDURE

- (a) The component table officers shall be consulted on interpretive grievances.
- (b) No member will discuss any grievance with a supervisor without notifying **their** steward.
- (c) Grievances will be processed according to the provisions of the collective agreement involved and standard forms provided by the union will be used.

14. FINANCING

- (a) The component will be financed through a portion of monthly union dues determined by the **provincial** executive pursuant to Clause 10.7 of the union's constitution.
- (b) The component shall be responsible for the funding of their locals and may do so through an imprest account system.
- (c) There shall be a standing **component** finance committee which shall consist of the treasurer as chairperson and two other members of the component executive as members. This committee will periodically examine the accounts of the locals and shall investigate all reported irregularities.
- (d) The locals may be financed through an imprest account in an amount to be determined by the component. Such funds are to be expended according to guidelines set by the component executive, i.e., day-to-day affairs of the local. Other expenditures deemed necessary by the local must be first approved by the component finance committee.
- (e) An account in a chartered bank or credit union shall be established by each local with the treasurer as signing officer and the chairperson or 1st vice chairperson as the other signing officer.
- (f) On the last day of every month each local treasurer shall forward a "local statement," with receipts outlining the manner in which monies have been spent during the previous month, to the component treasurer, and the local shall then be reimbursed.
- (g) The component shall conform to the union's financial policies as outlined in the BCGEU financial manual.
- (h) In the event of irregularities, the treasurer shall refer the matter to the **component** finance committee, **financial controller and the treasurer of the union** for appropriate action.

15. 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.

16. TABLE OFFICERS

- (a) The fiscal year of the component and locals shall end on the last day of December of each year.
- (b) Their respective officers shall act for the component and local between meetings.

- (c) If a component office becomes vacant during the term of the office, a replacement shall be elected from among the executive at the call of the **vice president** or 1st vice chairperson if the **vice president's** office is vacant.
- (d) It shall be the duty of the **vice president** to preside at all meetings of the component executive and to exercise supervision over component affairs.
- (e) The **vice president** of the component shall sit as a member of the provincial executive of the union. **If the component has more than 7,500 members, the component shall determine a second representative to the provincial executive.**
- (f) It shall be the duty of the 1st vice chairperson to act in the absence of the **vice president** and to assist the **vice president** in the discharge of the duties of the chair. In the absence of the **vice president** and the 1st vice chairperson, the 2nd vice chairperson shall so act.
- (g) It shall be the duty of the recording secretary to keep the minutes of the and to render such other services as directed by the component executive. A copy of the minutes of component meetings shall be forwarded to the president.
- (h) It shall be the duty of the treasurer to establish an account in a chartered bank or credit union and to deal with all component funds and to issue receipts and issue all cheques and prepare necessary financial statements and to render such other services as may be directed by the component executive. The **vice president**, treasurer and 1st vice chairperson shall be signing officers of such an account. All disbursements shall require the signatures of at least two signing officers. The component executive can vote to appoint the 2nd vice chairperson and recording secretary as additional signing officers at any time.

17. CONVENTIONS

- (a) **Pursuant to Article 8 of the constitution**, delegates to **the** union's 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 100 members or part thereof and the local may elect one additional delegate for each additional 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. The unsuccessful candidates shall be regarded as alternate delegates ranking in accordance with the number of votes received by them.
- (c) (i) The component executive shall approve or disapprove all resolutions submitted by the locals to conventions of organizations to which **the BCGEU is** affiliated.
- (ii) Locals must submit resolutions to the component at least 90 days prior to convention to be considered.
- (d) Delegates to conventions of the Canadian Labour Congress and the BC Federation of Labour shall be selected by the component executive after delegate entitlement and allocation has been determined by the provincial executive.

18. GENERAL

- (a) No agreements contrary to the bargaining unit collective agreements or the general policy of the union shall be entered into by this component, its locals, bargaining units, bargaining councils or any of its members. This component and its locals shall not affiliate with any other organization without express written authority from the provincial executive.

(b) Members wishing to charge other member(s) with a breach of duty of the constitution and bylaws shall do so pursuant to Article 7 of the union's constitution.

(c) These bylaws may be altered or amended by a majority vote of those members of the component executive present at a meeting, providing that notice of motion has been served **to each component executive member** at least **14** days prior to the meeting.

(d) For the purpose of these bylaws, the number of members in a local shall be that **number** provided by headquarters for the purpose of determining convention delegate entitlement. In special circumstances that **number** can be adjusted by majority vote of the component executive.

(e) These bylaws and subsequent amendments must be submitted to the **constitution & structure committee for recommendation to the executive committee and to the** provincial executive for approval.

APPENDIX A

Local Boundaries

(a) **Region 1 - Vancouver Island**

- (1) *Victoria and vicinity*, consisting of that part of Vancouver Island from Chemainus south including the lower Gulf Islands of Saltspring, Mayne, Galiano, Saturna and Pender.
- (2) *Courtenay and vicinity*, consisting of the remainder of Vancouver Island and the mainland coast north of Powell River as far as Owikeno Lakes.

(b) **Region 2 - Lower Mainland/Fraser Valley**

- (3) *Vancouver and vicinity*, consisting of the area north of the South Arm of the Fraser River inland as far as Port Moody/loco and north to Powell River and Pemberton.
- (4) *Langley and vicinity*, consisting of the area south of the South Arm of the Fraser River to the Port Coquitlam and the Fraser Valley and Canyon to include Boston Bar. Eastward the area includes Manning Park.

(c) **Region 3 - Southern Interior**

- (5) *Kamloops and vicinity*, which includes the area centred at Kamloops and includes the North Thompson to Birch Island and east to Sicamous (Perry River), excluding Ashcroft, Lillooet and Goldbridge.
- (7) *Kelowna and vicinity*, which includes the Okanagan Valley from Enderby to the U.S. border and also includes Princeton.
- (8) *Cranbrook and vicinity*, which includes the Kootenays east of Sicamous (Perry River) and the Salmo-Creston summit.
- (9) *Nelson and vicinity*, which includes the West Kootenays from Rock Creek/Beaverdell and Galena Bay and includes the area east of the Monashee Pass and Crawford Bay.

(d) **Region 4 - Northern**

- (6) *Williams Lake and vicinity*, which includes the large central plateau centred at Williams Lake and including Clinton, Ocean Falls, Hixon, Ashcroft, Lillooet, Goldbridge and the Bowron Lakes.
- (10) *Ft. St. John and vicinity*, which centres at Dawson Creek, includes the Peace River country east of Pine Pass and the Alaska Highway to Lower Post.
- (11) *Prince George and vicinity*, including that area west to Fraser Lake.
- (12) *Terrace and vicinity*, including the northwest part of the province to Burns Lake and the **Haida Gwaii**.

APPENDIX B

Union policy regarding changing of local boundaries

The 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 **constitution & structure committee** with a recommendation for or against the change.
4. The **constitution & structure committee**, 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 **constitution & structure committee** will make the appropriate recommendations to the 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 C

The component shall establish the following committees whose members will be appointed by the component **vice president**:

- 1. Bylaws committee: Component **vice president** (chairperson)
Two executive members
- 2. Finance committee: Treasurer (chairperson)
Two executive members

The component may establish the following committees whose members will be appointed by the component **vice president**:

- 1. Membership committee: Recording secretary (chairperson)
Three executive members
- 2. Resolutions committee: 1st vice chairperson (chairperson)
Three executive members
- 3. Occupational Health & Safety: Chairperson
Two executive members
- 4. Any other committees deemed necessary.

APPENDIX D
COMPONENT EXECUTIVE – DUTIES OF THE TABLE OFFICERS

1. VICE PRESIDENT

- (a) It shall be the duty of the **vice president** to preside at all meetings of the component executive and to exercise supervision over component affairs.
- (b) The **vice president** shall chair the component bylaws committee.
- (c) The **vice president** shall sit as a member of the provincial executive and serve on committees as appointed by the president of the union.
- (d) The **vice president** shall represent the component at conventions of the union and other organizations to which the union is affiliated.

2. 1st VICE CHAIRPERSON

- (a) It shall be the duty of the 1st vice chairperson to act in the absence of the **vice president** and to assist the **vice president** in the discharge of the duties of the chair.
- (b) The 1st vice chairperson shall chair the component resolutions committee.
- (c) Shall perform such other duties as assigned by the **vice president**.

3. TREASURER

- (a) It shall be the duty of the treasurer to establish an account in a chartered bank or credit union and to deal with all component and local funds, to issue receipts and issue all cheques and prepare necessary financial statements and to render such other services as may be directed by the component executive and required by the financial manual.
- (b) The treasurer shall arrange for the annual audit of the component's finances and shall submit financial statements as per Clause 4.2 of the financial manual. The treasurer shall be responsible for the handling of the component's correspondence.
- (c) The treasurer shall forward to the president, within 30 days of the annual meeting, a list of the officers and executive of the component.
- (d) The treasurer shall chair the component finance committee.

4. 2nd VICE CHAIRPERSON

- (a) It shall be the duty of the 2nd vice chairperson in the absence of the **vice president** and 1st vice chairperson to assume the chair and discharge the duties of the chair according to the bylaws.
- (b) Such other duties as might be assigned by the **vice president**.

5. **RECORDING SECRETARY**

- (a) It shall be the duty of the recording secretary to keep the minutes of the component and to ensure that all members of the component executive receive an attested copy of the minutes following each component executive meeting.
- (b) The recording secretary shall chair the component membership committee.
- (c) Assume such other responsibilities as assigned by the **vice president**.

APPENDIX E
TERMS OF REFERENCE FOR OPERATIONAL SERVICES COMPONENT

1. BARGAINING COUNCILS

- (a) Bargaining councils will be established by motion of the component executive pursuant to Clause 12(c) of the component bylaws.
- (b) Bargaining councils shall be structured from groups of bargaining units determined to be of similar occupations, industry, or service.
- (c) Bargaining council activities will be reported to the component executive by the bargaining council chairperson.
- (d) Meetings of bargaining councils shall be called by the chairperson of the bargaining council with the approval of the **vice president** and treasurer of the component, subject to the union's financial policies.
- (e) The cost of bargaining council meetings and member expenses will be in accordance with the union's financial policy.
- (f) Bargaining councils shall schedule meetings to make the maximum use of component financial resources.
- (g) Bargaining councils will be responsible for developing strategies to coordinate, strengthen or otherwise improve collective agreements and the bargaining process through methods such as industry standard agreements, "layered" agreements or bargaining support for individual agreements.
- (h) The **vice president** of the component may sit as an ex-officio member of a bargaining council to work with the staff representative assigned to the council and assist the members of the bargaining council.

2. BARGAINING COMMITTEES

- (a) Request bargaining proposals from members.
- (b) Research and formulate bargaining proposals.
- (c) Liaise (through chair of bargaining council) with other bargaining units to maintain continuity and formulate strategy.
- (d) Maintain solidarity of committee in front of the employer and membership.
- (e) Maintain regular contact with bargaining unit members during bargaining – bulletins, strategizing, etc.
- (f) There shall be no "back room bargaining" by anyone and all decisions shall be made by consensus of the bargaining committee.
- (g) Once bargaining is concluded, bargaining committee to act as bargaining principals and joint committee members until bylaws require elections.

Approved by the component executive on September 16, 2015

Approved by the provincial executive September 29, 2015

(AMENDED PER 2014 CONVENTION/MODEL BYLAWS)

/C10 model bylaws 1509

revised: September 29 = 12(a)(ii)(iii)(f) = negotiations
February 18 – 19 = A9(b)(i) PE women's cmtee ; A9(i) - elections
September 17th = 2014 convention
May 12 – 13th, 2014 = C&S cmtee