



RESOLUTIONS:
Constitution & Bylaws Committee
 November 1 to 3, 2018

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| C 1 | <p>Amend:</p> <p>Article 10 Election Procedures</p> <p>10.1 General Elections</p> <p>a) There shall be a general election of officers: President, Secretary-Treasurer, Executive Board, and Executive Council every three years.</p> <p>b) i) Executive Council elections, referred to as the Executive Council Election, shall be counted and announced on or before May 1st of the election year. In conjunction with the Executive Council Election, Job Stewards shall be required to reaffirm their desire to remain a Job Steward.</p> <p style="padding-left: 20px;">ii) Executive Board elections will take place one month prior to the start of Convention.</p> <p style="padding-left: 20px;"><u>ii) Nominations for Executive Board will be called one-hundred and twenty-two (122) days prior to Convention. Should the 122nd day fall on a non-work day, the last business day will be used. Nominations shall remain open for 21 days.</u></p> <p style="padding-left: 20px;"><u>iii) Voting for Executive Board will begin twenty-one (21) days after the closing of nominations.</u></p> <p style="padding-left: 20px;"><u>iv) Voting shall remain open for twenty-one (21) days. Should the 21st day fall on a non-business day, the next business day shall be used. Votes shall be counted on the next business day after voting closes.</u></p> <p>c) For reference, 2005 is an election year.</p> <p style="margin-top: 20px;">Submitted by: Constitution & Bylaws Committee</p> | <p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p> |
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| C 2 | <p>New:</p> <p><u>Article 10.8</u></p> <p><u>10.8 Master Construction Trade Union Benefit Plan</u></p> <p><u>The Master Construction Trade Union Benefit Plan (“MCTUB”) is a trusteeed hour bank plan providing extended health and dental benefits for MoveUP members working under the terms and conditions of the Construction Industry Affiliated Trade Unions (“CIATU”) collective agreement. It is administered by a Board of Trustees in accordance with the Trust Agreement.</u></p> <p><u>These trustees are elected by the membership working under the CIATU collective agreement, and this section outlines the procedure that shall apply.</u></p> <p>a) <u>The number of trustees and the length of their term shall be as outlined in the MCTUB trust agreement.</u></p> <p>b) <u>The election of these trustees shall be overseen by the Returning Officer, in accordance with Article 10.2.</u></p> <p>c) <u>Nominations;</u></p> <p style="padding-left: 20px;">i. <u>In a year where elections are held for trustees, nominations shall be conducted as outlined in this article. Nominations shall be concluded and deemed closed by the Returning Officer six (6) weeks prior to the date determined for the conduct of the election.</u></p> <p style="padding-left: 20px;">ii. <u>Such notice shall only be sent to members working under the CIATU collective agreement.</u></p> <p style="padding-left: 20px;">iii. <u>A member shall need a minimum of 2 members in good standing from within this constituency to nominate them for the position of trustee.</u></p> <p>d) <u>Article 10.3 in its entirety applies.</u></p> <p>e) <u>Candidate’s Information.</u></p> <p style="padding-left: 20px;">i. <u>Candidates for any position are entitled to have access to the Union’s membership rolls and the Union’s voters’ list the first working day following the close of nominations in an election year. Such access will be limited to the candidates’ prospective constituents and shall include their home addresses and contact information.</u></p> | <p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p> |
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ii. Candidates may prepare a personal profile limited to 150 words which may include a photograph. Where such profile is provided to the Returning Officer no later than the close of nominations deadline, it will be published and distributed, by the Union, to the last known home address of each member entitled to vote for the candidate as well as the website no later than first working day after the date prescribed by the Returning Officer.

f) Balloting shall be by secret ballot.

g) Counting and Publication of Results

i. Upon completion of voting, the Returning Officer or the Officer's Deputies together with necessary Poll Clerks shall verify the ballot return envelopes against the voters' roll and then count the votes.

ii. Where more than one ballot return envelope is received in the name of the same Member it is the responsibility of the Returning Officer to determine which ballot is valid.

iii. Where the ballot return envelope is unsigned, the ballots contained in those envelopes shall be treated as spoiled and invalid.

iv. Upon completion of the vote counting, the Returning Officer shall report to the President in writing the results of the ballot, following the format outlined in Article 11.3 d). After receipt of the result of the ballots, the President shall announce the results.

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| C 3 | <p>Article 11 – Voting and Balloting Procedures</p> <p>Add New 11.2 (c)</p> <p>Article 11.2 Strike Votes and Ratification of Collective Agreements</p> <p style="margin-left: 20px;">a) A Collective Agreement covering Members of this Union shall not be signed until the proposed Agreement has been approved by the majority of the Members concerned voting in accordance with the procedures set out in this Article.</p> <p style="margin-left: 20px;">b) A strike vote affecting members of this Union shall not be implemented until approved by the majority of members, in the affected bargaining unit, casting ballots is achieved.</p> <p style="margin-left: 20px;">(c) <u>All votes taken during the bargaining process, such as contract ratification or job action votes, will require as much notice as possible for the membership, based on the recommendation of the bargaining committee as a whole.</u></p> <p style="margin-top: 20px;">Submitted by: Constitution & Bylaws Committee</p> | <p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p> |
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| C 7 | <p>Article 16 - Discipline</p> <p>Amend 16.2 b)v)</p> <p>16.2 Form of Charges</p> <p>a) Any proceedings shall commence with a complaint filed with the President of the Union in writing who shall then submit it to the Executive Board of the Union. The President shall also notify, by mail, the charged Member that a complaint has been filed and the reasons thereof, unless adequate disposition of the complaint requires that the charged party not be informed of the filing of the complaint. To that effect, the President shall consider the seriousness of the prejudice the complaint may cause to the Union notably when an allegation is made with regards to the finances, fraud or falsification of documents or books.</p> <p style="padding-left: 40px;">In the event the President of the Union is charged in the complaint filed, the Secretary-Treasurer of the Union shall replace him/her for the purpose of application of these procedures. These procedures apply only to Members and officers.</p> <p>b) All complaints should include the following:</p> <ul style="list-style-type: none"> i) The name of the charged member; ii) The date or dates of each alleged offense; iii) The sections of the By-Laws or the Constitution of the Union, or the Constitution of the National Union which are alleged to have been violated; iv) A brief statement of the facts describing each alleged violation; v) The printed name, <u>Member ID</u>, address, telephone number and the signature of the person filing the complaint. <p>c) Any officer or member in good standing is entitled to file complaints.</p> <p>d) In the event one of the Members of the Executive Board of the Union is charged in the complaint filed, he/she shall refrain from participating in the disposition of the complaint.</p> <p>e) The charged Member shall have the right to contest such complaint in writing by transmitting his/her statement to the Union President within fifteen working days of the charge being</p> | <p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p> |
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mailed to the Member. The President shall transmit such statement to the Executive Board.

- f) It is within the power of the Executive Board of the Union to decide, at its next meeting, to:
 - i) Pursue the field complaint; or
 - ii) Appoint an Investigator(s) to investigate the complaint and to report to the Executive Board whether or not to pursue the complaint; or
 - iii) Dismiss the statement of the complaint as unwarranted.

Written notification of any action taken shall be sent to the complainant and the charged party.

Submitted by: Constitution & Bylaws Committee



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| <p>E 1</p> | <p>Whereas, those members interested in becoming Job Stewards need adequate training before being listed as an ‘active’ steward; and</p> <p>Whereas, existing Job Stewards have experienced the lack of experience by those who have not had formal training prior to being recognized as Job Stewards; and</p> <p>Whereas, existing Job stewards are noticing disparity amongst the stewards due to lack of formal training amongst those who have not taken formal training prior to being listed as Job Stewards; and</p> <p>Whereas, Level 1 Job Steward Training, prior to becoming active, can empower a ‘new’ Job Steward and offer effective skills to be capable of supporting the membership; and</p> <p>Whereas, existing Job Stewards strongly feel it necessary for new stewards to first take training before being recognized as ‘active’ Job Steward so that each other’s work is congruent with formal practice; and</p> <p>Whereas, those without formal training are either inadequate at being Job Stewards or simply ‘shy’ away from being ‘active’; and</p> <p>Whereas, a past practice directive, by a MoveUP Union Representative, expressed the requirement to have to take Level 1 Job Steward training prior to being recognized as a Job Steward.</p> <p>Therefore be it resolved that, MoveUP require those applying to become Job Stewards take, at a minimum, Level 1 Job Steward training PRIOR to holding position as an active Job Steward; and</p> <p>Therefore be it further resolved that, Union Representatives will inform those interested in becoming a Job Steward that, at a minimum, Level 1 Job Steward training is required PRIOR to being recognized as a Job Steward; and</p> <p>Therefore be it further resolved that, those interested in becoming a Job Steward must first take, at a minimum, Level 1 Job Steward training PRIOR to being recognized as an active Job Steward.</p> <p>Submitted by: Ruth Ritchey, Coast Mountain Bus Company</p> | <p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p> |
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| <p>F 1</p> | <p>Whereas, travelling on behalf of MoveUP for any reason is a privilege as the member is traveling on other members' dues; and</p> <p>Whereas, when members travel to Union sponsored events they can choose to extend their stay; and</p> <p>Whereas, MoveUP endeavors to be fiscally responsible</p> <p>Therefore be it resolved, that it will be the members' responsibility to pay for any costs in excess of the originally booked trip including but not limited to airline, associated travel, luggage, hotel, taxi and per diems if they chose to extend their stay</p> <p>Therefore be it further resolved, that the Secretary-Treasurer will incorporate this into the Expense Policy to ensure all members are aware of this prior to travel arrangements being made.</p> <p>Submitted by: Rysa Kronebusch, BC Hydro & Power Authority</p> | <p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p> |
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| <p>G 2</p> | <p>Whereas, Canada’s inefficient patchwork system of prescription drug coverage show that 3.5 million people are unable to afford to fill their prescriptions; and</p> <p>Whereas, Canada is the only developed country in the world with a universal health care program that doesn’t include a universal prescription drug plan; and</p> <p>Whereas, two reports released in September 2017 demonstrate that a universal pharmacare plan will save Canada billions of dollars (estimates of almost \$11 billion a year in savings for federal, provincial and territorial governments, the private sector and individual Canadians); and</p> <p>Whereas, while some Canadians do have coverage, other Canadians are at risk and one in five Canadians are paying out of pocket for their medication because they either don’t have a prescription drug plan, or have plans that don’t cover the cost</p> <p>Therefore be it resolved that, MoveUP will lobby federal Members of Parliament to ensure that the Advisory Council on the Implementation of National Pharmacare moves from studying to recommending a national pharmacare plan.</p> <p>Submitted by: MoveUP Executive Board</p> | <p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p> |
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| <p>G 3</p> | <p>Whereas, drug-related overdoses and deaths from opioids have become a very serious concern; and</p> <p>Whereas, the arrival of illicit fentanyl has spurred a devastating surge in overdose deaths; in 2017 alone, around 4,000 Canadians died of opioid overdoses; and</p> <p>Whereas, in British Columbia, public health officials, front-line health providers, first responders, the BC Coroners Service and law enforcement are taking a comprehensive approach to address this crisis and prevent future tragedies.</p> <p>Therefore be it resolved that, MoveUP will write a letter to the BC Minister of Mental Health & Addictions to commend them for their swift action on the opioid crisis and encourage them to continue this life-saving work.</p> <p>Submitted by: MoveUP Executive Board</p> | <p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p> |
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| <p>G 5</p> | <p>Whereas, the NDP government announced union labour is to build major infrastructure projects in B.C. under a new NDP policy; and</p> <p>Whereas, skilled trades ensure quality of the workmanship within B.C. and Canada; and</p> <p>Whereas, with this announcement Christian Labour Association of Canada (CLAC) and a group of eight significant industry stakeholders, including business associations and independent unions, have submitted an open letter to BC Premier John Horgan and the NDP cabinet, urging the government to reverse its decision to apply restrictive project labour agreements to public infrastructure projects; and</p> <p>Whereas, unions need to ensure our message gets out that unions are good for workers, the community and the economy; and</p> <p>Whereas, we need to have a more positive voice to ensure our message is heard.</p> <p>Therefore be it resolved that, MoveUP will start a campaign promoting the community and worker sustaining Community Benefit Agreements and will enlist the support of other Canadian Labour Congress affiliated unions.</p> <p>Submitted by: Rysa Kronebusch, BC Hydro & Power Authority</p> | <p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p> |
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| <p>G 6</p> | <p>Whereas, Public Sector employees are offered various opportunities to assist with the funding of post-secondary education including scholarships for workers and their children and student loan forgiveness; and</p> <p>Whereas, MoveUP members who work at ICBC, BC Hydro, BC Transit and Capilano University are only considered to be Public Sector employees in terms of bargaining, and</p> <p>Whereas, MoveUP members who work at ICBC, BC Hydro, BC Transit and Capilano University should be entitled to programs offered to Public Sector employees.</p> <p>Therefore be it resolved that, through the bargaining process MoveUP demand that funding of post-secondary education including scholarships for workers and their children and the student loan forgiveness program be offered to our members at ICBC, BC Hydro, BC Transit and Capilano University.</p> <p>Submitted by: Shahbaz Khan, ICBC</p> | <p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p> |
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| <p>G 7</p> | <p>Whereas, emergency and rescue volunteers can include search and rescue, firefighters, police, paramedics and ambulance attendants; and</p> <p>Whereas, all emergency and rescue volunteers dedicate personal time and money to train in order to use their skills to help others; and</p> <p>Whereas, the community suffers when emergency and rescue volunteers are unable to attend during their working hours.</p> <p>Therefore be it resolved that, MoveUP will, through the bargaining process, attempt to negotiate language into all collective agreements to ensure volunteer emergency and rescue workers receive up to their regular net pay for their volunteer services provided.</p> <p>Submitted by: Jenn Adrienne, BC Transit</p> | <p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p> |
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| <p>P 1</p> | <p>Whereas, fair voting procedures should result in representation of political parties in proportion to their popular vote; and</p> <p>Whereas, most democratic countries have systems of proportional representation, and</p> <p>Whereas, vote PR BC is a non-governmental organization that is the official proponent for the 'Yes' campaign whose goal is to educate and inform voters on the benefits of proportional representation, and</p> <p>Therefore be it resolved that MoveUP will affirm its support for proportional representation and actively campaign in favour of proportional representation, and</p> <p>Therefore be it further resolved that MoveUP will endorse and support the efforts of Vote PR BC and encourage all members to support democratic voting reform.</p> <p>Submitted by: Political Action Committee</p> | <p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p> |
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Seniority Policy

At MoveUP, we recognize that seniority is often used to determine someone's vacation entitlement, job placement, shift choice and other collective agreement entitlements. We also know that different employers calculate seniority differently, as well as determining start dates to initiate the calculation of seniority.

Transparency and fairness of the process is paramount.

We will not stand for, agree to or allow lists to be unfairly merged, whereupon one group is advanced or receives an advantage over another. We will not tolerate employers negotiating a reduction in seniority for any reason. We will not agree to disadvantaging any new group of members to protect existing members.

This policy lays out how seniority will be recognized, and names integrated into existing certifications at MoveUP.

Start Dates:

Should be the first day an employee joined the business, including time as a temporary employee, trainee, apprentice, intern (paid or unpaid?)

Before a merger, the seniority date of each employee must be reconciled. No merger of the list can happen until the lists are 'clean' and all groups involved are clear that the lists to be used have been fairly created.

In the situation of a merger between MoveUP members and an unorganized group of employees, the provisions in the collective agreement will stand, and be used.

Part Time vs. Full Time:

Unless otherwise stipulated in the applicable collective agreement, credit for time worked will be based on full time hours. Part time employees will be prorated.

The expectation of MoveUP is that employers will provide part time hours for proration.

If two organizations both recognize full credit of seniority for PT workers, that practice will not be challenged or altered for the purposes of a merger.

MoveUP/unorganized merger:

The rules of determining seniority will be taken from the MoveUP collective agreement and will be applied to the unorganized members.

The employer will provide start dates for all employees to be merged, their hours of work if part time, and any relevant information which could alter their seniority such as time in management, unpaid Leave of Absences or any other situations specific to the workplace.



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MoveUP/MoveUP merger:

The applicable collective agreement will apply for confirming start dates and seniority provisions.

MoveUP/other union merger:

In the event one of our employers merges with another organization who's staff are represented by a different union, MoveUP will make every effort to meet with the other union. The purpose of the meeting will be to discuss the implications of the merger to the members of both union.

MoveUP's position is that we only support a dovetailing system of merging seniority, regardless of the size or perceived power of one group over the other. Similarly, the seniority lists including seniority start date, should be shared between the unions so that they can be reviewed for accuracy. All affected unions should be able to explain how they calculated the seniority dates and ensure that no one group will received a windfall.

Ultimately, MoveUP's goal will be that at the end of the merger, no one group should be disadvantaged or advantaged over the other. The process needs to be fair and transparent to ensure integration of workers are as smooth as possible and hard feelings are minimized. This will be our goal, regardless if the merger results in the other union's members coming to MoveUP or vice versa.

In the case of multi union mergers, MoveUP will support a representation vote of the affected members from the applicable unions, allowing them to choose their successor union.

Fairness of the Process:

MoveUP does **not** support any systems which would allow one group to have a wind fall over another. We will not support concepts such as 'super seniority', end tailing of lists (one entire group or workers goes ahead of another group of workers) or weighted mergers.

NB. Some examples of weighted mergers: when there is a group of 400 members at Employer A and 100 at Employer B. Weighting says, for every 4 members from A, we add in 1 from B. Another example is where one group of employees will get only one year of service for every 4 years of service for the other group and then lists are merged.

Assigning of Seniority when Start Dates are Matching:

For some of our bargaining units, their collective agreement stipulates specifically how matching start dates are placed into seniority order. In those situations, where an unrepresented group of workers is going to merge into a MoveUP group of employees, the provisions of the applicable collective agreement will apply for start date assignment.

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New Certifications and Collective Agreements:

Should a MoveUP collective agreement be silent on how members' start dates are assigned for workers commencing work on the same day, the following system will be used:

When there are two or more employees with the same start date, a lottery will be held between the affected members who have matching start dates. The results of the lottery will be shared with the employer and the affected employees. This process will be the preferred method and will be included as a bargaining proposal when bargaining first time collective agreements.

For the purposes of mergers, where collective agreements are silent on how matching start dates are reconciled for order, the following system will be preferred by MoveUP:

When there are two or more employees with the same start date, and to be sure no one worker or group of workers is weighted more than the other, a lottery will be held between the affected members who have matching start dates. *For illustration purposes, the lottery will work as follows: When there are two employers involved in a merger. Employer A has 50 employees and Employer B has 4 employees with the same start date, the lottery will be two coloured balls in a bag (one red, one green). Red will be for Employer A and Green for Employer B. One ball will be drawn from a bag or box. If the first ball drawn is red, the first name on the list for Employer A will be first on the list for this group. The red ball goes back in the bag and another ball is drawn. If it is red again then the second name from Employer A is second on the list. On the third time, if the ball is green, then first name from employer B goes into the third position on the list. This is repeated until all the names are merged.*

This system eliminates the weighting of one group over the other and ensures that no one group is advantaged or disadvantaged due to the size of their membership. There will be a representative from each group present for the lottery. The results of the lottery will be provided to the employer(s) and to the affected members.