

PACIFIC COAST BRANCH BY-LAWS



ASSOCIATION OF POSTAL OFFICIALS OF CANADA
ASSOCIATION DES OFFICIERS DES POSTES DU CANADA
P.O. BOX 687, Port Coquitlam, B.C. V3B 6H9
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In this Constitution/By-laws all genders are to be considered neutral.

Article 1 Name and Form of Organization

- 1.01 The Name of this branch shall be **The Association of Postal Officials of Canada, Pacific Coast Branch**, (hereinafter referred to as The “Branch”).

Remove old Article 1:01

Article 2 Constitution

- 2.01 The Branch shall be governed by the National APOC-AOPC constitution as amended from time to time.

Old Article 2 now Article 3

Article 3 – Objectives and Policies

- 3.01 To obtain the best standards of compensation and other conditions of employment, and to protect the rights and interests of all members in all matters connected with employer-employee relations
- 3.02 To obtain the financial recognition for the responsibility that is held by Postal Officials.

Remove old Article 2:03

- 3.03 To conduct training programs for members.

Article 4 - Membership

- 4.01 Any official who has an indeterminate appointment to a position falling within the Bargaining Unit with Canada Post, or other appropriate employer, who is eligible by law can be a member of the Association.
- 4.02 The receipt, either directly or from the Branch, of an application for membership shall constitute evidence of Membership for (as stated in the National Constitution **4.03.2 rights and authorization to attend Branch membership meetings ;**)

- 4.03 Every individual member of the Branch/Association by virtue of their membership is deemed to agree to abide by and be bound by the provisions of the National Constitution and these Branch By-Laws, upon applying for or continuing their membership in the Association.
- 4.04 Any member on leave of absence from Canada Post Corporation, or other appropriate employer, for more than six months, except for Association business, shall not be entitled to stand for elections in the Branch.
- 4.05 Any member who holds a position within the Branch shall immediately resign their office and any roles or responsibilities on behalf of either the Branch or National Association at any time they obtain an (Acting) Assignment outside the Bargaining Unit. Such individuals will not be entitled to run for positions within the Branch/Association or attend membership meetings until such time as they return back to the bargaining unit.
- 4.06 A member in good standing shall be one who:
- 4.06.1 has signed a membership card and paid their initiation fees;
 - 4.06.2 pays dues in accordance with article 10 herein or is on authorized leave from Canada Post Corporation or other appropriate employer;
 - 4.06.3 is not currently under suspension from the Association pursuant to the **National Constitution article 4.12** or the Branch clause **4.08**;
- 4.07 Any member or representative of the Branch is guilty of an offense against the Association's Constitution and/or Branch By-laws who:
- 4.07.1 violates any of the provisions of Association's Constitution and/or Branch By-laws;
 - 4.07.2 refuses to comply with a constitutional order from the Association;
 - 4.07.3 seriously neglects to perform the duties of their office;
 - 4.07.4 misappropriate of funds of the Branch/Association
 - 4.07.5 wrongfully interferes with any officer or any accredited representative of the Branch/Association in the discharge of their duties;

4.08 The **Branch Ethic Committee** will be established to review all allegations under Article 4.08 by the following:

4.08.1 **Committee Members**: The committee will consist of the following;

1. Branch President or **First** Vice-President
2. 2 Executive Members
3. In the event that the complaint is against the Branch Executive Committee all inclusive the complaint will be forwarded to the Divisional Vice-President to be heard. The DVP as the chairperson may select members-at-large to form the committee.

4.08.2 **Structure of the Committee**:

- a. The President or the C&D Vice-President will be the chairperson of the committee;
- b. The Chairperson will appoint 2 Executive Member and will determine when the committee shall meet.
- c. The 2 Executive Members appointed will be from outside the affect area of responsibility.
- d. When item 3 of 4.09.1 is enacted the DVP and 2 members-at-large of the branch shall form the committee and follow the process as descript herein.

4.08.3 **Process**:

Any member in good standing who alleges that an Executive Member or Branch Representative has committed an offence pursuant to Article 4.08 of these by-laws, may file a charge(s) against an Executive Member or Branch Representative.

4.08.3.1 The charge(s) shall be submitted in writing and shall contain the facts on which the alleged charge(s) are filed. Any and all charge(s) filed must be received by Branch Executive or Divisional Vice-President within 25 calendar days from the date that the member who is filing the charge(s) became aware of the offence.

4.08.3.2 On receipt of the charge(s) the Ethics Committee shall review the charges and make a determination as to whether to proceed with the process. Both the complainant and the accused will be advised within 30 calendar days of the decision of the Ethics Committee. If the complaint is to proceed, the plaintiff and accused shall be given not less than 7 calendar days notice, of the date and place of the hearing.

4.08.3.3 The committee shall proceed to hear the charge(s) and shall give the accused and the plaintiff the opportunity to present evidence and arguments.

4.08.3.4 In every case the onus of proof shall rest with plaintiff, and they shall present their evidence first.

4.08.4 **The Committee shall determine its own rules of procedure for the hearing and may:**

- a. determine the method of how the hearing will be held/conducted
- b. refuse the right to attend the hearing to any person who is not involved
- c. grant postponements and adjournments if/when necessary
- d. intervene in the proceedings and ask questions of the parties/witness
- e. in the absence of the plaintiff/accused, the committee may proceed unilaterally.

If the committee determines that the allegations are founded/supported, it shall decide upon the penalty in consultation with both the National Office and the Divisional Vice-President as per **article 4.14 and 4.15 of the National Constitution.**

The decision shall be rendered in writing within 30 calendar days of the conclusion of the hearing, in as much as possible. Copies of the decision shall be forwarded to the accused, the plaintiff, the Divisional Vice-President, and the National Association's Office.

Article 5 - Associate Membership (formally part of Article 3 Membership)

5.01 The Branch may extend Associate membership to a member:

5.01.1 who has accepted a position outside the Bargaining Unit for services rendered to the Association.

5.01.2 who has retired. The retired member may be entitled to some rights and privileges of membership in the Association as provided for in this Association's Constitution.

5.02 If the member retires, any arrears in Association's dues must be paid in full as a condition of his becoming an Associate member.

5.03 An Associate life membership will be deemed to be a member in good standing upon retirement or to any member who in the opinion of the membership has rendered meritorious service, i.e. a member promoted or transferred out of the bargaining unit.

5.04 An Associate members **shall not** be entitled to vote at meetings or to stand for elections in the Branch.

5.05 An Associate member shall not pay dues.

Article 6 - Boundaries (formally Article4)

6:01 The boundaries of the Branch are the areas as defined by the National Office.

Article 7 - Branch Officers (formally Article 5)

7:01 The Officers of this Branch shall be:
(different order)

1. President
2. First Vice-President
3. Vice President Fraser Valley
4. Vice-President Vancouver Mail Processing, Plant
5. Vice-President Vancouver Parcel Distribution Centre
6. Vice-President Sales
7. Executive Secretary
8. Treasurer
9. Grievance Officer
10. Staffing Grievance Officer

Article 8 - Duties of Officers (formally Article 6)

All Members of the Branch Executive must strive at all times to increase the strength and prestige of the Branch. He\she shall endeavour to resolve grievances and or other matters of concerns of the members he\she represents

8:01 **President**: shall include but not be limited to:

- a. The President shall be the recognized head of the branch, presiding at all regular and special meetings.
- b. The President shall appoint all committees not otherwise provided for, subject to approval at the next General Meeting
- c. The President shall cast the deciding vote in case of a tie on any matter being voted upon
- d. The President shall see that all Committees and all Officers are attending to their duties and that business at all times is conducted in a proper and business-like manner
- e. The President shall be an Ex-Officio member of all committees
- f. The President shall call all meetings at the time fixed by the Branch and shall conduct the business in the order hereafter named.
- g. The President shall sign all official documents on behalf of the Branch.
- h. The President will be automatic Chairman of the Grievance Committee.

8:01 **President** - Cont'd

i. If in the event the President is unable to fulfill the duties of the office, then the Executive will **by secret vote** appoint a replacement from among their group. The person obtaining the most votes will be elected to complete the remainder of the term or until the President returns. If in the event of a tied vote, the DVP will cast the deciding vote.

j. At the termination of their term of office they shall turn over all records of the Branch and all other Branch Property to their successor.

8:02 **First Vice-President:** shall include but not be limited to:

a. The First Vice-President shall perform the duties of the President in their absence, **as covered by Article 4.04** (except for the President in case of absence or resignation of that officer, which shall follow **8.01.i** of these by-Laws).

b. They shall discharge the duties of the chair when called upon to do so by the President and shall assist in maintaining order while occupying their office of First Vice-President.

c. First Vice-President is a member of the Grievance Committee.

d. First Vice - President must be from Collection and Delivery, Sales or Mail Operations Support.

e. First Vice-President is a member on the Scholarship Committee.

f. Shall assist Executive Committee Members in the fulfilling of their offices when requested by the President or the Executive body of this Branch.

g. At the termination of their term of office they shall turn over all records of the Branch and all other Branch Property to their successor.

8:03 **Fraser Valley Vice President** shall include but not be limited to:

a. Shall perform the duties of the First Vice President in their absence.

b. Fraser Valley Vice-President is a member of the Grievance Committee.

c. Fraser Valley Vice-President must be from the Southern or Eastern Zone. (The Fraser Valley) **As was in place in the year 2006**

d. Fraser Valley Vice-President is a member on the Scholarship Committee.

Remove of old Article 6:03.4

8:03 **Fraser Valley Vice President** Cont'd

- e. Shall assist Executive Committee Members in the fulfilling of their offices when requested by the President or the Executive body of this Branch.
- f. At the termination of their term of office they shall turn over all records of the Branch and all other Branch Property to their successor.

8:04 **Vancouver Mail Processing Plant, Vice- President**: shall include but not be limited to:

- a. The Vancouver Mail Processing Plant Vice-President shall act as a representative for a member(s) within their division, and shall endeavour to resolve grievances or other matters of interest or concerns of the Branch and/or members who they represent.
- b. They shall be responsible for signing up new members within their respective area of responsibility .
- c. They shall hold monthly meetings with their representatives and report to the next General Meeting.
- d. VMPP Vice-President must be from the Mail Processing Plant
- e. Vancouver Mail Processing Plant Vice-President is also a Member of the Grievance Committee.
- f. Vancouver Mail Processing Plant Vice-President is a member on the Scholarship Committee.
- g. At the termination of their term of office they shall turn over all records of the Branch and all other Branch Property to their successor.

8:05 **Vancouver Parcel Distribution Centre, Vice-President** shall include but not be limited to:

Same as article 8:04 (a). (b). (c)

- d. VPDC Vice-President must be from the Vancouver Parcel Distribution Center,
- e. VPDC Vice-President is also a member of the Grievance Committee.
- f. VPDC Vice-President is a member on the Scholarship Committee.
- g. At the termination of their term of office they shall turn over all records of the Branch and all other Branch Property to their successor.

8:06 **Vancouver Sales and Support, Vice-President** shall include but not be limited to:

Same as article 8:04 (a). (b). (c)

- d. Vice-President of Sales must be from within the Sales and Service Organization with the Pacific Coast local map area
- e. Vice-President of Sales is also a member of the Grievance Committee.
- f. Vice-President of Sales is a member on the Scholarship Committee.
- g. At the termination of their term of office they shall turn over all records of the Branch and all other Branch Property to their successor.

8:07 **Executive Secretary**: shall include but not be limited to:

- a. The Executive Secretary shall have charge of all the correspondence; reports and notices concerning the affairs of the Branch and keep all records current for the attention of General and Executive Meetings.
- b. The Executive Secretary shall receive and file pertinent order or Bulletins issued by the Corporation.
- c. The Executive Secretary shall record the minutes of all Executive, Special and General Meetings.
- d. The recording of all minutes shall be in such a manner that ready references are easily obtained.
- e. The Executive Secretary shall post all notices for regular and special meetings and notify all Executive Officers of said meetings.
- f. The Executive Secretary is responsible for the accommodations, furnishings and equipment used at each meeting.
- g. The Executive Secretary shall be responsible for the arrangements of seating, public address system, lighting, and all such essentials.
- h. The Executive Secretary is required to keep a record of attendance at each meeting and to ensure that all present are members in good standing.
- i. The Executive Secretary shall maintain an up to date mailing list of all members and be responsible for the signing up of new members, (with assistance from VMPP & VPDC Vice-Presidents).

8:07 **Executive Secretary**: Cont'd:

i. At the termination of their term of office they shall turn over all records of the Branch and all other Branch Property to their successor.

8:08 **Treasurer** : shall include but not be limited to:

a. The Treasurer shall receive all money from all sources and deposit them in a Chartered Bank, Trust, Company, or Credit Union to the credit of the Branch.

b. The Treasurer shall pay all accounts authorized and maintain an up to date and complete record of all transactions together with the supporting vouchers, cheque stubs and cancelled cheques.

c. The Treasurer shall provide financial statements at each general meeting or as directed by the Branch Executives Committee.

d. The Treasurer shall sign all cheques issued by the Branch, except for those cheques being issued to them personally.

e. The President, First Vice-President or an authorized signing officer (as registered with the Branch's financial intuition) and the Treasurer, (two of the four), must also sign the cheques.

f. In the absence of the Treasurer the signatures of the President and an authorized signing officer (as registered with the Branch's financial intuition) will suffice.

g. An independent external Audit will be conducted by a qualified auditor to coincide with the Term of the Treasurer, at the discretion of the Branch Executive

h. At the termination of their term of office they shall turn over all records of the Branch and all other Branch Property to their successor

8:09 **Grievance Officer**: shall include but not be limited to:

a. The Grievance Officer will head the grievance committee.

b. The Grievance Officer will be responsible for investigating, submitting of hearing grievances of matters of interest or concern of the Branch.

c. The Grievance Officer will be responsible for the maintaining and keeping of grievance record.

Removal of old Article 6:08.5 and re-assigning to Executive Secretary (new Article 8.07.j

8:09 **Grievance Officer** Cont'd

d. The Grievance Officer is the Official Greeter of the Branch, welcoming visitors and ensures that new members are properly seated and shall assist in maintaining order at all meetings.

e. At the termination of their term of office they shall turn over all records of the Branch and all other Branch Property to their successor

8:10 **Staffing Grievance Officer** : shall include but not be limited to:

a. Staffing Grievance Officer will co-chair the grievance committee.

b. Staffing Grievance Officer shall perform the duties of the Grievance Officer in their absence

c. Staffing Grievance Officer will be responsible for investigating, submitting of hearing grievances of matters of interest or concern of the Branch, as assigned.

d. The Staffing Grievance Officer will be responsible for the maintaining and keeping of grievance record, as assigned.

Removal of old Article 6:09.4

e. Staffing Grievance Officer shall assist the Grievance Officer as the Official Greeter of the Branch, welcoming visitors and ensures that new members are properly seated and maintains order.

f. At the termination of their term of office they shall turn over all records of the Branch and all other Branch Property to their successor

Article 9 The Executive

9:01 There shall be one standing committee which shall be Known as "The Executive" and shall be composed of the following officers: **President; First Vice-President; Fraser Valley Vice President; Treasurer; Vancouver Processing Plant; Vancouver Parcel Distribution Center;-Vice-Presidents, , Executive Secretary; Staffing Grievance Officer; Grievance Officer** and **Vice-President for Sales**. It shall meet regularly at the call of the President.

9.01.1 At the request of the Branch President the outgoing President shall act as advisor for the Branch Executives.

9:01.2 That the President; First Vice-President; Vice-President of the Vancouver Mail Processing Plant and Vancouver Parcel Distribution Center; Fraser Valley, Vice-President; may appoint association representatives as required to represent APOC members.

Article 9 The Executive Cont'd

9:02 **The Duties of The Executives** are but not be limited to:

- a. The recommendations of expenditures; the examination of accounts and bills; will bring forth reports concerning financial matters to the General Meeting of the Branch.
- b. The consideration of all membership applications, the calling of Special Meeting by the President, as well as such other matters as may from time to time be referred to the Executives by an APOC Representative or the membership at the General Meetings, and provide leadership to the members
- c. To be responsible to the members for the conduct of the affairs of the Branch.
- d. The Executives may make interim appointment:
 - i. The Executives may fill vacant positions for a period not to exceed six months.
 - ii. This is subject to ratification at the next General Meeting.
 - iii. The Executives Committee may declare an office vacant and call for a By-election for the following reason:
 - a. The member in question has failed to discharge his duties in an acceptable manner. In declaring a position vacant, the executive committee must have a recorded vote of all its members with a clear two-thirds (2/3) of the vote in favor of censure.
 - b. A member in question has been found to be guilty of an offence under the National Constitution and/or these By-Laws and has received due process under Articles 4.07; 4.08; & 4.09 or those procedures found in the National Constitution.

Article 10 Nominations

10:01 Nominations of Officers shall be opened at the General Meeting in September and closed at the General Meeting in October each year. At the October meeting, three members who do not intend to run for office will be elected to run as an Election Committee. It will be their responsibility to see that every member has had an opportunity to cast a ballot; such balloting is to be done by mail. It will be the responsibility of any member who has not received a ballot at least five days prior to an election, to inform the election committee.

10:02 A member may hold one elected office only

Article 10 Nominations Cont'd

10:03 A National Executive Officer may not hold office in the Pacific Coast Branch.

10:04 A member in good standing must have attended a minimum of four (4) Pacific Coast Branch General Meetings during the twelve (12) months preceding last call for nominations in order to be eligible for office.

10:05 The Executive Secretary shall notify all eligible nominees of such nominations.

10:06 The elections must be completed and the election committee report submitted to the membership at the next General Meeting in November,

10:07 All officers shall be eligible for re-election subject to Article 11:05

Article 11 Elections of Executive Officers

11:01 Election for Executive Officers shall be as follows, for terms starting January 1st of:

11.01.1 Odd Number Years (term starts the following January 1st of the odd numbered Year)- President, Executive Secretary, Vice-President of Sales, Vancouver Mail Processing Plant-Vice President, and Vancouver Parcel Distribution Vice President,

11.01.2 Even Number Years (term starts the following January 1st of the even numbered Year) - First Vice President, Fraser Valley Vice President, Treasurer, Staffing Grievance Officer and Grievance Officer.

11:02 An individual Branch Executive member, who as per Article 4.05 or who is unable to perform his or her duties shall submit his/her resignation to the Branch Executive Committee.

11.03 All properties of the local shall be return to the Branch immediately upon submission of their resignation.

11.04 Remaining Term of Office:

11.04.1 Should the term remaining be six months or less the executive may appoint for the remainder of the term.

11.04.2. Should the term remaining be more than six months it shall be filled by election.

11.05 In order to be eligible for said vacancy a member in good standing must have attended at least four (4) APOC Branch General Meetings not limited to the Pacific Coast Branch during the twelve (12) months preceding nominations.

Article 12 Nominations of Delegates to National Convention

- 12:01 Election of Delegates to the National Convention shall be done by mail-in Ballot
- 12:02 Nominations of delegates to National Convention shall take place at the November General Meeting. The Ballots will be counted after the January General Meeting.
- 12:03 A member in good standing must have attended a minimum of four (4) monthly Pacific Coast Branch General Meetings during the twelve (12) months preceding first call for nominations for convention, to be eligible as a delegate or alternate.
- 12:04 There shall be two (2) alternates elected, these two (2) shall receive the same Convention Allowance (to include travel and accommodation as per National Regulations)as per national constitution. The Branch shall be responsible for these expenditures.
- 12:05 There shall be a minimum of fifty percent of eligible delegates/alternates to attend the national convention, must come from the Branch executive members either as elected delegates or alternates.
- 12:05.1 The President , First Vice President , and the Fraser Valley Vice President will hold positions as delegates to the National Convention, and form part of the fifty (50) percent.

Article 13 General By-Law

- 13:01 Three Auditors shall be elected by the November General Meeting.
- 13:02 They will audit the accounts, supporting vouchers and the annual statement of the Treasurer, and will present a certified statement together with their written report of the audit to the following General Meeting.
- 13:02.1 That a copy of our yearly audit is submitted to national office by the auditors in the format national office has set forth. This must be completed by March 15 of each year.
- 13:03 The Branch fiscal year shall be from January 1st (1) to December thirty-first (31) of each year.
- 13:04 These by-laws shall not be amended, rescinded or altered in any way whatsoever unless a Notice of Motion in writing is given setting forth the nature of the proposed amendment.
- 13:05 Notice of Motion must be submitted in writing at a meeting of the Branch.
- 13:06 Members must be notified of the Proposed Notice of Motion and it shall require two-thirds (2/3) vote of the members in attendance.

Article 13 General By-Law Cont'd

13:07 Except as laid down in the constitution and by-laws - "Roberts Rule of Order" shall apply.

13:08 The Branch shall be responsible for providing Accident Life Insurance coverage for all Executive Members. (still checking on requirements)

13.09 The Branch shall hold a minimum of six (6) General Meetings each year.

13.09.1 Ten (10) members in good standing of the Branch shall constitute a Quorum.

13.09.2 The Branch Executive Committee will meet every month, except December.

13:10 Special Meetings may be called at the President's discretion.

13.10.1 All Special Meetings must be advertised at least one (1) week in advance of the meeting, the meeting shall deal only with the business for which it is called.

13:11 When a member is required by the Branch to apply for leave without pay or annual leave to attend Branch affairs, they are to be compensated by an amount equal to the equivalent pay at the maximum level of their classification and expenses as laid down by the National Constitution.

13:12 Should it be necessary for a member to use their own vehicle for short trips on Branch business, they shall be paid a Mileage allowance. Mileage will be paid at the national APOC rate.

13:13 The Branch President shall be paid a monthly honorarium of \$600.00. The remainder of the elected Executives shall receive a monthly honorarium which shall be one quarter (1/4) of that of the President honorarium. Paid to each Executive Member by the National Office, and deducted from the Monthly remittance of dues

13.14. The amount of the Honorarium will be reviewed every 3 years linked to the convention years. An Executive member must attend a minimum of 50% of the meetings in the year to qualify for the Honorarium.

13:15 Members on annual leave who are unable to attend General Meetings may be recorded in attendance if submitted in writing a minimum of one (1) week prior to meeting

13:16 Executives shall not have authority to make expenditures in excess of two thousand dollars (\$2,000.00), unless authorized at a General Meeting. This amount will be reviewed every 3 years linked to the convention years.

13:17 Any member of the Executive absent without good reason in the opinion of the other members for three (3) consecutive Branch and or Executive meeting shall be retired and his/her office filled at the next General Meeting, according to procedures governing a vacancy on the executive.

Article 14 Web Master Duties

14:01 With the Executives direction the Web Master would maintain and update the APOC Web Site www.apocpacificcoast.com .

14:02 The Web Master would ensure that all of the requirements of the Internet Service Provider are met.

14:03 The Web Master must be a member in good standing or an Associate member. The Web Master is not a member of the Executive.

14:04 The Web Master shall be paid a monthly honorarium of \$100.00 payable in December.