

BC FERRY & MARINE WORKERS' UNION – LOCAL 11 BYLAWS

1. PREFACE

The Bylaws of the Local shall not, in any way, be inconsistent with the Constitution of the BC Ferry & Marine Workers' Union.

2. NAME

The name of the Local shall be Local 11 of the BC Ferry & Marine Workers Union.

3. MEMBERSHIP

- a) The Local shall consist of all Union members within the jurisdiction specified for this Local in Article 16, Section 6 of the Union Constitution or within such jurisdiction as is determined by the Executive pursuant to Article 16, Section 6.
- b) Any person in the Bargaining Unit and within the jurisdiction of the Local shall be eligible for membership in the Union. Application shall be made in accordance with Article 5, Section 1 and Article 19, Section 4 of the Constitution.
- c) Associate Membership shall be granted in accordance with Article 5, Section 3 of the Constitution.

4. AFFILIATION

A member of Local 11 may be appointed to a local or regional Labour Council where such Labour Council where such Labour Councils are established. The Union shall pay per capita fees in accordance with Article 3, Section 6 of the Constitution.

5. OBJECTIVES

The objectives of the Local shall be:

- a) To unite all Local members for their mutual benefit and conduct Union business in accordance with the Constitution.
- b) To maintain an efficient Shop Steward system within the Local 11.

6. DELEGATES TO CONVENTION

Not less than one (1) member each shall be elected from each area of the Local 11 as follows:

Little River and Vicinity Denman/Hornby and Vicinity Quadra/Cortes and Vicinity Pt.McNeil/Alert Bay and Vicinity

- a) The Local shall elect by referendum, the number of delegates to Convention to which it is entitled under Article 8, Section 5, paragraph (b) of the Constitution.
- b) Each accredited member shall cast the same number of votes as there are delegates to be elected. A ballot that does not disclose votes for the required number of delegates shall be considered a spoiled ballot.
- c) The nominees shall be ranked in order of the numbers of votes received. The highest-ranking nominees, corresponding to the number of delegates to which the Local is entitled, shall be declared elected.
- d) The unsuccessful nominees, ranked in order according to the number of votes received, shall be alternate delegates.

7. RESOLUTIONS

- a) All resolutions submitted shall be in accordance with Article 8, Section 7 of the Constitution.
- b) Resolutions submitted by the Local shall be approved by majority voted at a regularly constituted Membership meeting prior to being submitted to the Convention.

8. LOCAL COMMITTEE

The Local Committee shall consist of at least two (2) of the following five (4) Officers:

- i) Local President
- ii) 1st Vice-President
- iii) 2nd Vice-President
- iv) Recording Secretary-Treasurer
- v) All Shop Stewards (not regarded as Officers)

9. ELECTION OF OFFICERS

- a) Local Officers shall be elected by referendum vote of the Local membership conducted according to the Constitution of the BC Ferry & Marine Workers' Union.
- b) If only one (1) nomination is received for any one- (1) position, a referendum ballot shall not be held for that position and the nominee shall be declared elected.
- c) An Office vacancy shall be filled by election within sixty (60) days.
- d) Names of the elected Officers shall be reported, in writing, to the Union headquarters as soon as possible.

10. **NOMINATION FORM**

Nomination forms shall be as follows:

NOMINATION FOR LOCAL OFFICERS

Members nominating candidates to a Local Office must have the nominees sign the following form:

I, _____ of _____ accept nomination to the Office of _____.
(Nominee) (Local)

(Signature of Nominee)

(Signature of Nominator)

(Signature of Witness)

This form must be presented to the Local Returning Officer on, or before, the closing date for nominations in order to ensure the nominee's eligibility for election.

11. **TERM OF OFFICE**

The Officers of the Local shall be elected for a three-year term. Each term shall end upon the election of a new Officer. Nominations, voting and elections will take place in accordance with Article 14, Section 2 and Article 16, Section 3 of the Constitution.

12. **VACANCIES**

In the event that the position of any Officer, except that of the Recording Secretary-Treasurer, becomes vacant, the vacancy shall be filled from among the remaining Table Officers in the order established in Section 8 of these Bylaws or, if need be, by referendum ballot.

13. **DUTIES OF THE LOCAL PRESIDENT**

- a) The Local President shall be a member of the Union Executive Council by right.
- b) The Local President, or a member delegated by the Local President, shall reside at all meetings of the Local.
- c) The Local President shall be a member, by right, of all committees of the Local.
- d) The Local President shall, where required, have authority to appoint a Shop Steward(s).
- e) The Local President shall be responsible to the Executive and the membership for Union activities at the Local, including:
 - i) Ensuring that each designated group of members elect a Shop Steward.
 - ii) Assisting Shop Stewards, as may be required, with investigation of grievances, safety conditions, etc.
 - iii) Appointing committees, as required, and assisting with their activities.
- f) Local President shall assign duties to the Vice-President.
- g) To investigate any allegations made about Shop Stewards and to report to the Local Executive who, in turn may recommend appropriate actions.

14. **DUTIES OF LOCAL VICE-PRESIDENT**

- a) In the absence of the Local President, the 1st Vice-President shall assume the duties of the Local President.
 - i) In the absence of a Local Officer, the vacancy may be filled by appointment by the Local President.
- b) Local Vice-Presidents shall assist the Local President.

15. **DUTIES OF THE LOCAL RECORDING SECRETARY-TREASURER**

- a) The Local Recording Secretary-Treasurer shall keep a full and impartial account of the proceeding of each meeting of the Local in a bound minute book. The Local Recording Secretary shall forward, upon completion of a meeting, a copy of all minutes recorded to the Union office within fourteen (14) days.
- b) The Local Recording Secretary-Treasurer shall keep a full and impartial account of the proceedings of each monetary transaction of the Local in a bound book and make it available to the Local President upon request. The Local Recording Secretary-Treasurer shall be one (1) signing authority of the Local.
- c) In the absence of the Recording Secretary-Treasurer, the Local Executive shall have the right to appoint an alternate for a period of up to two (2) months. The alternate shall be entitled to the same privileges afforded to the regular Recording Secretary.

16. **SHOP STEWARDS**

Shop Stewards shall be responsible for:

- a) Processing grievances at Step 1.
- b) Assisting Local Officers at Step 2 of the grievance procedure.
- c) Ensuring that bulletin boards are in order and up-to-date.
- d) Ensuring that articles of the collective agreement are enforced.
- e) Ensuring that new employees are familiar with the collective agreement and membership requirement.

- f) Attending all Local meetings except for good and sufficient reason.
- g) A Shop Steward may be removed by a two-thirds (2/3)-majority vote of non-confidence of the affected membership. Such motion to be duly recorded and attested to and reported to the Local Executive for their recommendations to the appropriate body.

The term of Office shall be concurrent with Local elections as provided for in the Constitution of the Union.

17. LOCAL COMMITTEE MEETINGS

- a) Meetings to be six (6) per year, or as otherwise deemed necessary at such time and place that the Local President shall determine.
- b) Any two (2) Local Officers shall constitute a quorum.
- c) Any Local Committee member who does not attend meetings of the Committee without good and sufficient reason shall forthwith cease to be a member of the Local Committee.
- d) Except in the case of special or emergency meetings, twenty-one (21) days' notice, accompanied by agenda items, shall be given to Local Committee members.

18. COMMITTEES AND APPOINTMENTS

- a) The following Local committees shall be established:

- Safety
- Grievance
- Health, Welfare and Social Resolutions
- Communications

- b) Each committee shall be headed by a Local Officer.
- c) The Local Executive or the General Membership meetings of the Local may appoint committees as they see fit.
- d) All appointments shall be reported to the Union office.

19. MEETINGS

- a) The Local President shall call such meetings of the Local membership as deemed necessary but, in any event, not less than one (1) each quarter.
- b) The Local President shall call a meeting of the Local on the request of ten (10) percent of the Local's membership, or at the direction of the Union Executive.
- c) The meetings shall be held at such times and such place as the Local President sees fit.
- d) A quorum shall be the number of Executive Officers present, plus twelve (12) members in good standing, taken from all sessions of the meeting.

20. ORDER OF BUSINESS

So far as practicable, and subject to alteration by the meeting, the order of business at all meetings shall be:

1. Sign-in on Attendance
2. Call to Order
3. Introductions of Head Table
4. Adoption of Agenda
5. Reading of Minutes of Previous Meeting
6. Disposition of the Minutes
7. Business Arising from Minutes
8. Unfinished Business
9. Executive Member's Report
10. Reports of Committees
11. Correspondence
12. New Business
13. Good and Welfare
14. Adjournment

21. DELEGATES TO TRADES AND LABOUR COUNCILS

The Local shall elect delegates and alternate delegates to the Trades and Labour Councils to which they are an affiliate.

22. TIME OFF FOR UNION BUSINESS

Requests for time off from work to carry out union business shall be made through Union headquarters and are subject to approval by Union headquarters.

23. **RECOMMENDATIONS FOR NEGOTIATIONS**

Recommendations for negotiations shall be made to the Standing Bargaining Committee through the Local Committee after membership of the Local has approved such recommendations.

24. **FINANCES**

- a) Local funds shall be administered by the Local Executive.
- b) Expenses incurred by the Local shall be billed to the Union headquarters in accordance with the Financial Guide.

25. **RULES OF PROCEDURE**

The rules of procedure governing Local Committee and Local Membership meetings shall be Robert's Rules of Order Revised, except when the rules are inconsistent with the Constitution and bylaws or when special rules are adopted by the Local membership, in particular, the following rules of procedure shall apply:

- Rule 1 - If a member, while speaking, be called to order, he shall, at the request of the Chair, take his seat until the question or order has been decided.
- Rule 2 - Should one, or more, members rise to speak at the same time, the Chair shall decide who is entitled to the floor.
- Rule 3 - That any members, for informative purposes, may request a motion under discussion be re-read, except whilst a member is speaking.
- Rule 4 - No member shall interrupt another in his remarks except it be to call a point of order.
- Rule 5 - A member shall not speak more than once on a question until all who wish to speak have had an opportunity to do so.
- Rule 6 - That any motion presented to the Local President shall be the property of the Local, prior to conclusion of said motion, withdrawal may be made by majority vote only.
- Rule 7 - That any member, who upon a request from the Chair, refuses to take his seat, shall be subject to suspension for the remainder of the deliberations.
- Rule 8 - Speeches shall be limited to three (3) minutes.
- Rule 9 - A motion to reconsider shall not be entertained unless made by a member who voted in the majority, and shall receive a majority vote.

26. **OATH OF OFFICE**

The Union oath of Office is as follows:

I, -----, do hereby sincerely pledge my word to the BC Ferry & Marine Workers' Union that I will, without evasion, truly and faithfully perform the duties of my Office in accordance with the laws of the Union. I will, at all times advance and maintain the principles and established policies of the Union and abide by its Constitution and Bylaws. I agree, upon retirement or resignation, to turn over to the Union any documents entrusted to my care.

27. **AMENDMENTS TO BYLAWS**

- a) Amendments may be proposed by a signed petition of not less than twelve (12) Local members in good standing and presented to any Local General meeting, to be voted on at the next General meeting.
- b) The Local Executive will discuss and put forward a recommendation. The proposed amendment will be put forward with a notice of motion at the next General meeting and shall be passed by a legally formed quorum.
- c) A notice of proposed amendments by Local Executive shall be posted seven- (7) days' prior to a Local meeting.

28. **USE OF MASCULINE AND FEMNINE**

For the purposes of clarification, when the term "he" or "she" is used, it is understood that the words "he" and "she" should apply and refer to persons of either sex.

29. **MEANING OF CONTEXT**

This document shall not be voided by typographical or spelling errors, provided that the basic concept of the idea is correct and aligned with the Constitution of the BC Ferry & Marine Workers' Union.

30. **IRREGULARITY**

An action under these Bylaws shall not be deemed invalid by reasons of a defect in form, a technical irregularity or an error of procedure that does not result in a denial of natural justice.