



BC FERRY & MARINE WORKERS' UNION

LOCAL 9 BY-LAWS

1. **PREFACE**

The By-laws of the Local shall not, in any way, be inconsistent with the Constitution of the BC Ferry & Marine Workers' Union, hereinafter called the Constitution.

2. **NAME**

The name of the Local shall be Local 9 of the BC Ferry & Marine Workers' Union, hereinafter called the Local.

3. **MEMBERSHIP**

- a) The Local shall consist of all Union members within the jurisdiction specified for this Local in Article 13, Section 4 of the Constitution or within such jurisdiction as is determined by the Executive pursuant to Article 13, Section 4.
- 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 17, Section 4 of the Constitution.
- c) Associate Membership shall be granted in accordance with Article 5, Section 4 of the Constitution.

4. **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.

5. **DELEGATES TO CONVENTION**

- a) The Local shall elect, by referendum, the number of delegates to Convention to which it is entitled under Article 8, Section 7, 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.

5 DELEGATES TO CONVENTION (CONT'D)

- c) The nominees shall be ranked in order of 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.

6. RESOLUTIONS

- a) All resolutions submitted shall be in accordance with Article 8, Section 9 of the Constitution.
- b) Resolutions submitted by the Local shall be approved by majority vote as a regularly constituted Membership meeting prior to being submitted to the Convention.

7. LOCAL COMMITTEE

The Local Committee shall consist of at least the following three (3) Officers:

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

8. ELECTIONS OF OFFICERS

- a) Local Officers shall be elected by referendum vote of the Local membership conducted according to the Constitution.
- b) If only one nomination is received for any one position, a referendum ballot shall not be held for that position and the nominee shall be declared elected.

10. 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 years alternate to the BC Ferry & Marine Workers' Union Biennial Convention to begin in 1984 in accordance with Article 13, Section 4 of the Constitution.

11. 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 preside 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, and shall:
 - i) Ensure that each designated group of members elect a Shop Steward.
 - ii) Assist Shop Stewards, as may be required, with investigation of grievances, safety conditions, etc.
 - iii) Appoint committees, as required, and assist with their activities.
- f) Local President shall assign duties to the 1st Vice President.
- g) To investigate any allegations made about Shop Stewards and to report to the Local Executive who, in turn, may recommend appropriate action.

12. DUTIES OF LOCAL 1ST VICE PRESIDENT

- a) In the absence of the Local President, the 1st Vice President shall assume the duties of the President.
- b) The Local 1st Vice President shall assist the President.

13. DUTIES OF THE LOCAL SECRETARY-TREASURER

- a) The Local Secretary-Treasurer shall keep a full and impartial account of the proceedings of each meeting of the Local in a bound minute book. The Local Secretary-Treasurer shall forward, upon completion of a meeting, a copy of all minutes recorded to the Union Office within fourteen (14) days.

14. SHOP STEWARDS

Shop Stewards shall be responsible for:

- a) Processing grievances at step one.
- b) Assisting Local Officers at step two of the grievance procedure.
- c) Ensuring the 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.

15. LOCAL COMMITTEE MEETINGS

- a) Meetings to be three (3) 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.

16. COMMITTEES AND APPOINTMENTS

- a) The following Local committee shall be established:
Safety
- b) The Local Executive or the General Membership meetings of the Local may appoint committees as they see fit.
- c) All appointments shall be reported to the Union Office.

17. MEETINGS

- a) The Local President shall call such meetings of the Local membership as deemed necessary but, in any event, not less than three (3) per year.
- b) The Local President shall call meeting of the Local on the written 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 places as the President sees fit.
- d) A quorum shall be the number of Executive Officers present, plus four (4) members in good standing.
- e) Except in the case of special or emergency meetings, seven (7) days notice of meeting and proposed agenda shall be given to the membership of the Local. Additions to the agenda may be submitted by members up to seventy-two (72) hours prior to the meeting.

18. ORDER OF BUSINESS

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

1. Sign in on Attendance
2. Call to Order
3. Adoption of Agenda

4. Reading of Minutes of Previous Meeting
5. Business Arising From Minutes
6. Unfinished Business
7. New Business
8. Reports of Committees
9. Correspondence
10. Adjournment

19. TIME OFF FOR UNION BUSINESS

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

20. 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.

21. FINANCES

Expenses incurred by the Local shall be billed to the Union Office in accordance with the Financial Guide.

22. 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 By-laws 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 of order has been decided.

RULE - 2: Should two, 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 to 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 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 Re-consider shall not be entertained unless made by a member who voted in the majority, and shall receive a majority vote.

23. 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 By-Laws. I agree, upon my retirement or resignation, to turn over to the Union any electronic equipment and documents entrusted to my care."

24. AMENDMENTS TO BY-LAWS

These By-Laws may only be amended by majority vote of the members present and voting at a Membership meeting. Amendments are subject to approval by the Union Executive.

25. USE OF MASCULINE AND FEMININE

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

26. 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.

27. IRREGULARITY

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