



# BC FERRY & MARINE WORKERS' UNION

## LOCAL 1 BY-LAWS

### **Preface**

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

### **1. Objective**

- a) To unite all Local members for their mutual benefit and conduct Local business in accordance with the BCFMWU Constitution.
- b) To maintain, assist, and provide guidance to an efficient Shop Steward system within the Local.

### **2. Name**

The name of the Local shall be Local 1 of the BC Ferry & Marine Workers' Union.

### **3. Membership**

- a) The Local shall consist of all Union members within the jurisdiction specified by the BC Ferry & Marine Workers' Union Constitution or within such jurisdiction as specified by the Provincial Executive.
- b) Any person in the Bargaining Unit and within the defined jurisdiction of the Local shall be eligible for membership in the Union. Application shall be made in accordance with the BCFMWU Constitution.
- c) Honourary Membership and Associate Membership may be granted in accordance with the BCFMWU Constitution.

### **4. Amendments to Local By-laws**

These by-laws may be amended at any General Meeting.

- a) A Notice of Motion will be posted two weeks prior to a Local General Meeting.
- b) A two thirds (2/3) majority vote, by the members present and voting, is required to amend the by-laws.
  - i) The total number of votes will be counted from all the members present at a general meeting held regarding the motion.
- c) A motion to suspend the Local by-laws for extraordinary situations can only be done at a Local General Meeting and only if passed by a two thirds (2/3) majority of the members present.
- d) Amendments are subject to approval by the Provincial Executive.

## **5. Local Executive**

The Local Executive shall consist of the following:

- a) The Local President, Local Executive Officer
- b) The 1<sup>st</sup> Vice President, Local Executive Officer
- c) The 2<sup>nd</sup> Vice President, Local Executive Officer
- d) The 3<sup>rd</sup> Vice President, Local Executive Officer
- e) The Secretary-Treasurer, Local Executive Officer
- f) The Communications Officer
- g) The Returning Officer

All Local Executive Members shall be members in good standing.

## **6. Local Elections**

- a) The term of office for Local Executive positions shall be three (3) years, or until Local elections are held following the BCFMWU Triennial Convention.
- b) Local elections for all positions of the Local Executive shall be held in the final year of the term after Provincial Elections, and shall be held no later than thirty (30) days after the results of the election are determined for the Provincial Executive Officers following the BCFMWU Triennial Convention.

Names of the Local Executive shall be reported to the Provincial Union Office.

## **7. Vacancies In Local Executive or Committee Positions**

### **Temporary Vacancies**

- a) Where a temporary vacancy occurs in the Local Executive the duties allotted to that vacancy shall be distributed by the decision of the Local Executive.
- b) Where a temporary vacancy occurs in a Local Committee the duties allotted to that vacancy shall be distributed by the decision of the Local Committee.

### **Permanent Vacancies**

- a) Where a permanent vacancy occurs, the remaining Officers will be given the option to succeed.
- b) The resulting vacant Executive positions shall be filled by:
  - i. Within the first two (2) years of the term, by a Call to Nomination for that position. If the position continues to be vacant Officers positions will be filled by Local election and committee positions will be filled by appointment at a Local General Meeting.
  - ii. During the last year of the term, by majority vote at the next Local meeting.
- c) Where a permanent vacancy occurs in a Local Committee, the nominees shall be selected by:

- i. Within the first two (2) years of the term, by a Call to Nomination for that position.
- ii. During the last year of the term, by majority vote at the next Local meeting.

## **8. Election Procedures**

Elections will be held as per the BC Ferry & Marine Workers' Union Constitution and the Provincial Election Policy and Procedure Guidelines.

## **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 will not be held for that position and the nominee shall be declared elected.
- c) Names of the elected Officers shall be reported in writing to the Union Office.

## **10. Nomination Form**

Members nominating candidates to a Local Officer position must have their nominees sign as per the Constitution.

## **11. Delegates to Local Trade and Labour Councils**

Local 1 shall be affiliated to the Local or Regional Labour Council in accordance to the BC Ferry & Marine Workers' Union Constitution.

- a) The Provincial Union shall pay the per capita fees for Local 1 delegates to attend.
- b) Selection of delegates will be completed by majority vote of members attending a Local General meeting.
- c) Delegate's duties will include attending Labour Council meetings and reporting back to the Local Executive about monthly meetings and events.

## **CONVENTION**

### **12. Delegates to Convention**

- a) The Local shall elect, by referendum, the number of delegates to Convention to which it is entitled under the BC Ferry & Marine Workers' Union Constitution.
- b) Nominations for delegates shall be made by any two accredited members of the Local and shall be accomplished by a written agreement to stand, signed by nominee and nominator.

- c) The nominees shall be ranked in the order of the number of votes received. The highest ranking nominee, corresponding to the number of delegates to which the Local is entitled shall be declared elected.
- d) The unsuccessful nominees, ranked according to the number of votes received, shall be alternate delegates.
- e) At least one (1) member of Sidney Terminal Maintenance shall be a delegate by right to the Convention of the Union.

### **13. Resolutions**

- a) Resolutions submitted to Convention shall have the approval of the Local membership by way of majority vote at a regularly constituted membership meeting prior to being submitted to the Union's Resolution Committee.
- b) All resolutions submitted shall be in accordance with the BC Ferry & Marine Workers' Union Constitution.

## **MEETINGS**

### **14. Local Executive Officer Meetings**

- a) The Local Executive Officer (LEO) shall meet, when summoned by the Local Chairperson, at such times and places as the Chairperson shall determine.
- b) Any three members of the Local Committee shall constitute a quorum.
- c) Any LEO member who does not attend two consecutive 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, seven (7) days' notice, accompanied by agenda items, shall be given to the LEO members.

### **15. Local General Meetings**

- a) The Local Chairperson shall call a minimal number of general meetings as per the BC Ferry & Marine Workers' Union Constitution.
- b) The Chairperson shall also have the discretion to cancel a regular monthly meeting if s/he deems it necessary. However, there shall not be more than four (4) consecutive months between meetings.
- c) The Local Chairperson shall call a meeting of the Local on the written request of the percent of the Local's membership or at the direction of the Union Executive.
- d) Meetings shall be held in two parts so as to accommodate members shift schedules, henceforth, for the purpose of clarity, the meetings shall be known as part one (1) and part two (2).
- e) A quorum shall be twice the number of Local Executive members present. The sum total of members in attendance at both parts of the meeting shall be the number determining whether or not a quorum has been reached.
- f) Except in the case of special or emergency meetings, fourteen (14) days' notice of a meeting shall be given to the membership of the Local.

- g) This Local, in keeping with Union policy, shall ensure all its functions take place on unionized premises, where possible.

## **16. Order of Business**

- a) The agenda shall be established at the beginning of part one (1) of the meeting. In order to have an item included on the agenda, it must be made available to the Chairperson prior to the adoption of the agenda.
- b) So far as practicable and subject to the alteration by the meeting, the order of business at all meetings shall be:
1. Call to Order
  2. Roll Call
  3. Adoption of the Agenda
  4. Reading of Minutes of Previous Meeting
  5. Adoption of Minutes
  6. Business Arising from the Minutes
  7. Executive Members Report
  8. Reports of Committees
  9. Correspondence
  10. Unfinished Business
  11. New Business
  12. Good and Welfare
  13. Adjournment

## **17. Rules Governing Meetings**

The rules governing meetings shall be the most current revision of Bourinot's Rules of Order. All members will be provided with a simplified guideline, pertaining to Parliamentary Procedure upon request.

Any meeting not having a quorum will be conducted as normal with the exception that any Motions passed at such meeting will be considered a suggestion and not the will of the Local.

***In particular, the following rules of procedure shall apply:***

- RULE 1** If a delegate, while speaking, be called to order, s/he shall, at the request of the Chair, take his/her seat until the question of order has been decided.
- RULE 2** Should one or more delegates 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 re-read, except whilst a member is speaking.

- RULE 4** No delegate shall interrupt another in his remarks except to call to a point of order.
- RULE 5** A delegate shall not speak more than once upon a question until all who wish to speak have had an opportunity to do so.
- RULE 6** That any motion presented to the Chairperson shall be the property of the Union. Prior to conclusion of said motion, withdrawal may be made by majority vote only.
- RULE 7** That any member, who upon 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 minutes.
- RULE 9** A motion to reconsider shall not be entertained unless made by a delegate who voted in the majority, and shall receive a majority vote.
- RULE 10** Reports of Committees are not subject to amendment, but an amendment to refer back to the Committee for reconsideration shall be in order. A motion to refer back is not debatable and when properly seconded the question shall be immediately put to the members present. A member shall not move a motion to refer back after s/he has spoken to the question at issue.

## **COMMITTEES**

### **18. Committees and Appointments**

Local Committees will be set out as per the BC Ferry & Marine Workers' Union Constitution, as well as directed by the Local membership to the Local Executive.

## **OPERATION OF THE LOCAL**

### **19. Time Off for Union Business**

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

### **20. Finances**

Expenses incurred by the Local shall be billed in accordance with the BC Ferry & Marine Workers' Union Financial Guide.

## **APPENDIX**

### **Duties of the Local President**

- a) The Local President is a member of the Provincial Executive by rights. In the event the Local president cannot attend the monthly Provincial Executive meeting, or any other event, the order of the alternate list shall be:
  - i. 1<sup>st</sup> Vice President
  - ii. 2<sup>nd</sup> Vice President
  - iii. 3<sup>rd</sup> Vice President
  - iv. Secretary-Treasurer
- b) The Local President shall preside at all meetings of the Local.
- c) The Local President shall be responsible to the Provincial Executive and 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 required, with investigations of grievances, safety conditions, etc. as may be required.
  - iii. Appointment of Committees and Committee members as required and assisting with their duties; shall be a member of each Local Committee by right.
- d) The Local President shall delegate duties to Local Executive Officers.
- e) The Local President shall have the following information available at General Meetings:
  - i. Current Auditor's Report
  - ii. Current Revenue and Expense Report
  - iii. Any additional Reports or Updates as required

### **Duties of the 1<sup>st</sup> Vice President**

- a) In the absence of the President, to assume the duties of the President.
- b) Assist the President with his/her duties.
- c) Shall Chair and oversee the Local Grievance Committee.
- d) Shall be responsible for organizing Local meetings and UMC meetings throughout the year.

### **Duties of the 2<sup>nd</sup> Vice President**

- a) Shall oversee the structure, elections, and be responsible for the maintenance of the Local's Site Safety Committees.
- b) Shall be a delegate by right to the Local Trade and Labour Council.
- c) To support and provide relief to the Local President and 1<sup>st</sup> Vice President, when required.

### **Duties of the 3<sup>rd</sup> Vice President**

- a) Shall be responsible for new hire orientations each year and greeting new members to the Union.
- b) To support and provide relief to the Local president and 1<sup>st</sup> Vice President, when required.

## **Duties of the Secretary/Treasurer**

- a) The Local Secretary/Treasurer shall keep meeting proceedings. The Local Secretary/Treasurer shall forward, immediately upon completion of the meeting, a copy of all recorded Minutes to the Union Office and Local President.
- b) The Secretary/Treasurer shall assist the Local President in the preparation of letters and pertinent correspondence as required.
- c) Shall keep a full and impartial account of each meeting's minutes in a bound minute book. The Local Secretary-Treasurer shall forward a copy of all minutes recorded at a meeting to the Local Executive and the Union Office within fourteen (14) days of the completion of the meeting.
- d) Shall provide a record of all Local expenditures (reconciled with bank statements) and minutes for the current and previous terms of office at all Local meetings.

## **OATH OF OFFICE**

The Union Oath of Office is:

"I, \_\_\_\_\_ **(NAME)** \_\_\_\_\_ 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 documents entrusted to my care."