



BC FERRY & MARINE WORKERS' UNION

LOCAL 2 BY-LAWS

1. Preface

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

2. Name

The name of the Local shall be Local 2 of the BC Ferry and Marine Workers' Union.

3. Membership

- a. The Local shall consist of all Union Members in good standing within the jurisdiction specified for this Local in Article 16, Section 6 and 7 of the Union Constitution, or within such jurisdiction as is determined by the Executive pursuant to the Constitution.
- 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 the Constitution.

4. Affiliation

The Local shall be an affiliate to the Local or regional Labour Council where such Labour Councils are established.

5. Objectives

- a. To maintain an efficient Shop Steward system within the Local.
- b. To unite all Local 2 Members for their mutual benefit, and conduct Union business in accordance with the Constitution.
- c. To educate Members in the language and definitions of the current Collective Agreements between the Employer and the BC Ferry and Marine Workers' Union.

6. Delegates to Convention

- a. Members in good standing of the Local, subject to Article 8 Section 5 of the Constitution of the Union, at the following work locations shall choose one (1) delegate to represent each of their corresponding departments (where nomination received):
 - Catering Stores
 - Commercial Services
 - Fleet Maintenance
 - Gabriola Island and Nanaimo Harbour

- b. Nominations for delegates shall be made by any one (1) accredited Member and shall be accompanied by a written agreement to stand signed by the nominee and the nominator and a witness.
- c. The nominees shall be ranked in order of the number 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 according to the number of votes received, shall be alternate delegates.
- e. Only members in good standing may stand as candidates for election to Local delegation to convention.

7. Resolutions for Convention

Pursuant to Article 8, Section 7 of the Constitution for Bargaining Resolutions and Article 21 of the Constitution for Constitutional Resolutions, All resolutions for convention shall be passed by a majority vote by attending members in good standing of a regularly scheduled Local Membership meeting prior to being submitted to their respective Provincially designated resolution committee.

8. Local Executive

- a. The Local Executive shall consist of the following five (5) Table Officer positions:
 - i. President
 - ii. 1st Vice President
 - iii. 2nd Vice President
 - iv. 3rd Vice President
 - v. Recording Secretary-Treasurer
- b. Notwithstanding any duties as assigned to Local Executive Officers by the Constitution of the BCFMWU, the President of the Local may assign additional duties to the Vice Presidents as deemed necessary.
- c. The President of the Local may appoint, upon the advice and consent of the Local Executive, any Member in good standing of the Local to sit on or chair any Committees and/or assign duties as deemed necessary.
- d. The President may appoint on an 'as needed' basis, any Member of the Local in good standing, to assist any of the Local Executive in the execution of his or her duties.

9. Officers of the Executive

- a. The following positions are appointed by the Local Executive to serve the Local as per the terms identified below.
 - i. Communications Officer
 - 1. Appointed by the Local Executive to facilitate two-way communications between the Local Executive and Membership.
 - 2. Will report to the Executive on a regular basis on the status of the Communications Strategy.
 - 3. Enforces the Communications and Privacy Policy (Article 28, Local 2 BCFMWU Bylaws) as the Constitution of the

Union allows.

- ii. Returning Officer
 1. Appointed by the Local Executive to facilitate free and fair elections to Local Offices.
 2. The Returning Officer of the Local shall enforce the principle of "one Member, one vote".
 3. The Returning Officer is the chairperson of the Balloting Committee.
 4. The Balloting Committee is appointed by the Local Executive upon advice from the Returning Officer.
 5. The Local 2 Returning Officer is empowered to conduct the business of the election in whatever means available to ensure that every Member has the opportunity to vote pursuant to the Constitution of the Union.
- b. Appointed Officers of the Local as selected under (9) shall not participate in political activity of the Union and are to remain neutral in elections for any and all position(s) being contested.
- c. Appointees under this article will serve a term concurrent with the Local Executive itself and may have their appointment renewed by a new Executive upon being sworn in.

10. 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 and 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 that nominee will be declared elected by acclamation.
- c. Names of the elected Officers shall be reported in writing to the Union headquarters.
- d. All voting matters will be handled by the Local Returning Officer and the balloting Committee.

11. Nomination Form

- a. The official Nomination Form used for election purposes is the form as published by the Union and attached to these bylaws as Attachment #1 "Nomination Form". Nominations can only be considered valid if this form is filled out fully and correctly and by the dates as ordered by the Local Returning Officer.
- b. All names on the nomination form must be Members in good standing of the Local and of the Union

12. Balloting Procedures

In the referendum ballots provided for in Sections 6 and 9 of these Bylaws, the balloting procedures outlined in Article 15 of the Union Constitution shall be followed.

13. Term of Office

The Local 2 Executive term of office is set out in Article 16 Section 3 of the Constitution of the BCFMWU.

14. Vacancies

- a. In the event that the position of any Officer becomes vacant, the vacant position shall be offered to the remaining Table Officers in the order established in Section 8 of these Bylaws.
- b. If no Table Officer wants the vacant position, it shall be filled by nomination and, if necessary, referendum vote by the Local Membership.
- c. Elections should be held no later than ninety (90) days after the position becomes vacant.

15. Duties of the Local President, 1st Vice President, and Secretary Treasurer

- a. The duties of the Local President are set out in Article 16 Section 11 of the Union Constitution. Duties of the Local 1st Vice-President are set out in Article 16 Section 12 of the Union Constitution. Duties of the Local Secretary-Treasurer are set out in Article 16, Sections 13 of the Constitution of the Union. They may also have other duties the Executive may delegate to them.
- b. Duties of the 2nd and 3rd Vice President are to support and provide relief when needed for the 1st Vice President and President.

16. Local Executive Meetings

- a. Local Executive shall meet when summoned by the Local President, at such times and such places as the President shall determine.
- b. A Local Executive shall consist of at least three (3) Members of the Local. The maximum number of Members in any one (1) Committee shall be decided by the Local Executive.
- c. 50% + 1 Member of the Local Executive shall constitute a quorum, or in the case of a three (3) person Executive two (2) Members shall be a quorum.
- d. Any Local Executive Member who does not attend two (2) consecutive meetings of the Executive without good and sufficient reason shall forthwith cease to be a Member of the Local Executive.
- e. Except in the case of a special or emergency meetings, seven (7) days' notice, accompanied by agenda items, shall be given to Local Executive Members.

17. Committees and Appointments

- a. Pursuant to the Constitution of the BCFMWU, the Local Executive shall appoint at least three (3) members in good standing to the following committees:
 - i. Good and Welfare
 - ii. Occupational Safety and Health

- iii. Human Rights
- b. All other Local committees, their mandates and agenda, may be appointed by the Local Executive as it deems appropriate.
- c. All appointments shall be reported to the Union office.

18. Meetings

- a. Unless good and sufficient reason is posted to the Membership, meetings of the Membership shall be held no less than four (4) times a year.
- b. A minimum of seven (7) days' written notice of a Local Membership meeting shall be given to Members. Such notice will be given officially via Local Union area bulletin boards with subsequent notice by email tree and other digital media as it becomes available and practical to do so.
- c. Emergency meetings shall be held at the Local President's discretion, or at the direction of the Union Executive, or when requested by 10% of the Local Membership in writing.
- d. Emergency meetings shall not take the place of a regularly scheduled meeting.
- e. In the case of an emergency meeting the seven (7) days' written notice shall be waived.
- f. A quorum shall be twice the number of Local Executive Members (5), excluding Local Executive Members present. When two Local meetings are called for one day Members from both meetings will be counted to establish a quorum. One quorum will constitute both meetings.
- g. A Local meeting shall not run longer than two (2) hours unless a majority of Members present vote in favour of continuance.

19. Order of Business

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

1. Call to Order
2. Roll Call
3. Adoption of Agenda
4. Reading of the Minutes of Previous Meeting
5. Adoption of Minutes
6. Business Arising from Minutes
7. Executive Members' Report
8. Report(s) of Committees
9. Correspondence
10. Unfinished Business
11. New Business
12. Good and Welfare
13. Adjournment

20. 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. Elections shall be held on alternate years

between Biennial Conventions. In the event of a vacancy on the delegate entitlement to the Labour Council the Local Executive may appoint a delegate or an alternate.

21. Time off for Union Business

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

22. Finances

Expenses incurred by the Local shall be billed to the Local funds unless approved by the Provincial President in accordance with the Financial Guide of the Union.

23. Rules of Procedure

- a. The rules of procedure governing Local Committee and Local Membership meetings shall be Bourinot's Rules of Order Revised in all cases to which they are applicable where they are not inconsistent with the Constitution and Bylaws. Members attending a meeting shall have one (1) vote. In the event of a tie vote, the motion fails.
- b. Union Meetings at the Local level shall include but are not limited to:
 - i. Local Executive Meetings
 - ii. General Membership Meetings
 - iii. Local Committee Meetings

24. Oath of Office

The Union Oath of Office is:

"I, _____, do sincerely pledge my word to the BC Ferry and 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 its established policies of the Union and abide by its Constitution and Bylaws. I agree upon my retirement or resignation, to turn over to the Union all documents entrusted to my care."

25. Amendments to Bylaws

A Notice of Motion will be required to address a Bylaw amendment. These Bylaws may only be amended by a majority vote of the Members present and voting at a Membership meeting. When two Local meetings are called for one day the votes from both meetings will be counted to determine the resolution. No Member shall be entitled to vote more than once. Amendments are subject to approval by the Union's Provincial Executive.

26. Use of Masculine and Feminine

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.

27. Communications and Privacy Policy

- a. The Local’s primary means to communicate to the membership is through Union Bulletin boards. The Local may supplement its communication efforts through any and all other forms as technology allows.
- b. All contact information gathered for the purposes of communication between the Local and its Membership shall be protected from outside use and will not be sold, leased, used for any other purposes except as explicitly stated in this policy.
- c. Breach of confidentiality and inappropriate usage of secure contact information shall be subject to disciplinary action as allowed under Article 6 of the BCFMWU Constitution.

Effective on this day, February 28, 2018 in the City of Nanaimo, BC, Canada.

Signed

Peter Kelly - Local 2 President

Eric McNeely - Local 2 1st Vice President