



BC FERRY & MARINE WORKERS' UNION

LOCAL 3 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 referred to as the Union Constitution.

2. Name

The name of the Local shall be Local 3 of the BC Ferry and Marine Workers' Union.

3. Membership

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

4. Objectives

The objectives of the Local shall be:

- a) To unite all Local members for their mutual benefit and to conduct Union business in accordance with the Union Constitution and these Local By-laws.
- b) To maintain an efficient Shop Steward system within the Local.
- c) To educate members in the language and definitions of the current Collective Agreement between the BC Ferry Services Inc. (The Company) and the BC Ferry & Marine Workers' Union.

5. Term of Office

The Officers of the Local shall be elected for a three (3) year term. Each term shall end upon the election of a new Officer. In the event that a vacancy occurs during the term of office of a Local Officer the subsequent elected candidate will be elected for the remainder of the original term only. Elections will take place in accordance with the Union Constitution.

6. Local Executive Committee

The Local Executive Committee shall consist of at least three (3) members of the following six (6) Officers:

- a) Local President
- b) 1st Vice-President
- c) 2nd Vice-President
- d) 3rd Vice-President
- e) 4th Vice President
- f) Secretary-Treasurer
- g) Communications Officer (Not regarded as an Officer)
- h) Returning Officer (Not regarded as an Officer)
- i) Shop Stewards (Not regarded as Officers)
- j) Spokesperson of Local subcommittees (Not regarded as an Officer)

7. 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 by acclamation.
- c) Names of the elected Officers shall be reported, in writing, to the Union headquarters as soon as possible.

8. Vacancies of Officers

- a) An Officer vacancy shall be filled by election within sixty (60) days.
 - i. In the event that the position of any Officer should become vacant, except that of Returning Officer, the vacancy shall be filled from among remaining Table Officers in the order of succession established in Section 6 of these By-laws.
 - ii. The remaining position left shall be filled by referendum vote of the Local membership.

The Returning Officer shall conduct a ballot:

- i. Upon written notice from the Local Executive, or
- ii. Upon written notice from the Union Returning Officer.
- b) The Provincial Secretary-Treasurer shall supply the Local Returning Officer with a current list of all the members entitled to vote at the Local.
- c) Candidates shall not attend the balloting and counting except to cast a ballot, but may designate a scrutineer to attend on their behalf.
- d) The Returning Officer shall ensure the following are available:
 - i. Required number of ballots.
 - ii. List of all members entitled to vote and signature sheets.
 - iii. Explanation of the ballot.
 - iv. Balloting instructions.
 - v. Nomination forms.

- vi. One ballot container with lock.
- e) The Returning Officer shall:
 - i. Have members sign the signature sheet.
 - ii. Issue each member a ballot.
 - iii. Ensure they have received a ballot.
 - iv. Assure a private place to mark ballots.
 - v. Have the marked ballot placed in the ballot container.
 - vi. Seal the ballot container as per the Union Constitution, or, in the event of a local referendum, count the ballots as per the Union Constitution.
 - vii. Make reports to the Provincial and Local Executives as per the Union Constitution and as required.
 - viii. The Local Executive shall decide the date of any referendum, taking into consideration the urgency for the matter, shift schedules, and all relevant factors.

The Returning Officer will hold referendum ballots as per the Union Constitution.

NOMINATION FOR LOCAL OFFICERS

Members nominating candidates to a Local Office must have the nominees sign the appropriate form which must contain the following information:

- i. Name and Local of Nominee
- ii. Name of Office
- iii. Signature of Nominee
- iv. Signature of Nominator
- v. Signature of Witness
- vi. Date

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.

9. Re-call

- a) Within thirty (30) days of receipt of a written petition from a simple majority of fifty per cent plus one (50% + 1) of the registered membership of Local 3 calling for the re-call of any Local, or Union Officer, the Local President shall convene a Local Meeting to consider the matter.
- b) 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 report to the appropriate body.
- c) Any such meeting shall be conducted according to the rules set forth in Appendix 'B' attached.

10. Duties of the Local President

- a) The Local President shall be a member of the Provincial Executive 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 of all committees of the Local by right.
- d) The Local President shall, where required, have authority to appoint a Shop Steward(s).
- e) The Local President shall be responsible to the Provincial Executive and the membership for Union activities at the Local, including:
 - i. Ensuring that each designated group of members elects a Shop Steward.
 - ii. Assisting Shop Stewards as may be required with investigation of grievances, safety conditions, etc.
- f) Appointing committees as required and assisting with their activities.
- g) The Local President shall assign duties to the Local Vice-Presidents.
- h) The Local President shall investigate any allegations made about Shop Stewards and report to the Local Executive who, in turn, may recommend appropriate actions.
- i) The Local President shall take one (1) month per calendar year away from Union duties. The 1st Vice-President will assume the duties of the President.

11. Duties of Local Vice-Presidents

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

12. Duties of the Local Recording Secretary-Treasurer

- a) The Secretary-Treasurer shall keep a full and impartial account of the proceedings of each meeting of the Local in a bound minute book. The Secretary-Treasurer shall forward, upon completion of a meeting, a copy of all minutes recorded to the Union office within fourteen (14) days.
- b) In the absence of the Secretary-Treasurer, in the role as a Recording Secretary, 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 but not any Treasurer duties.
- c) The Secretary-Treasurer shall be the Chairperson of the Finance Committee.

13. Duties of Shop Stewards

Shop Stewards shall be responsible for:

- a) Attending Local meetings, except for good and sufficient reason.
- b) Ensuring that new employees are familiar with the Collective Agreement and membership requirements, benefits and responsibilities.
- c) Processing grievances at Step One.
- d) Assisting Local Officers at Step Two of the grievance procedure.

- e) Ensuring that bulletin boards are in order and up to date.
- f) Ensuring that Articles of the Collective Agreement are enforced.
- g) The term of Office for a Shop Steward shall be concurrent with Local elections as provided for, and listed in, in the Union Constitution.

14. Local Executive Committee Meetings

- a) Upon the convening of the Local Executive, the Local Executive shall determine a specific day of every other month in which to hold Executive as well as General meetings. This schedule shall remain in effect for the duration of the term, but may be changed by majority vote of the Executive; the changes decided upon to take effect no sooner than two (2) months from the vote.
- b) At such meetings any three (3) Local Officers shall constitute a quorum.
- c) Any Local Executive 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 Executive Committee upon the resolution of the Committee.
- d) Except in the case of Special or Emergency meetings, seven days' notice, accompanied by agenda items, shall be given to the Local Executive Committee members.

15. Committees and Appointments

- a) The following Local committees shall be established:
 - i. Safety
 - ii. Grievance
 - iii. Communication
 - iv. Human Rights
 - v. Health, Welfare and Social
 - vi. Young Workers
 - vii. Finance
- b) Each committee shall be chaired by a Local Officer.
- c) The Local Executive Committee 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.

16. Meetings

- a) It is recognized that there are three (3) types of meetings to which the membership may attend:
 - i. **General Meetings:** Where the business of the Local is carried out.
 - ii. **Special Meetings:** Where the Provincial Executive or Local Executive requires a meeting in which to bring specific information to the membership.
 - iii. **Emergency Meetings:** Where business of an urgent nature is to be put before the membership.
- b) Upon the convening of the Local Executive they shall determine a specific day of every other month in which to hold Executive and General meetings. This schedule shall remain in effect for the duration of the

term, but may be changed by majority vote of the Executive; the said changes decided upon to take effect no sooner than two (2) months from the vote.

- c) The Local Executive shall call a Special Meeting of the Local on the written request of ten percent (10%) of the Local's membership, or at the direction of the Union Executive.
- d) The meetings shall be held at such times and such places as the Local Executive sees fit.
- e) A quorum shall be three (3) Executive Officers, plus thirteen (13) members in good standing taken from all sessions of the meeting.
- f) Except in the case of special or emergency meetings, twelve (12) days' notice of meeting shall be given to the membership of the Local.
- g) Notices of Motions shall be included in any Notice of Meeting.
- h) All motions shall require a simple majority to be carried, unless otherwise specifically required under these bylaws.
- i) Meetings shall be limited to two (2) hours per session.

17. Order of Business

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

- a) Sign in on Attendance
- b) Call to Order
- c) Roll Call
- d) Adoption of Agenda
- e) Executive Officers' Reports
- f) Reports from Committees
- g) Unfinished Business
- h) New Business
- i) Approval of Minutes from Previous Meeting
- j) Good and Welfare
- k) Adjournment

18. Delegates to Trades and Labour Councils

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

19. Time off for Union Business

Requests for time off from work to carry out Union business shall be made through the Union Office with the approval of the Local President, 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. Delegates to Convention

- a) The Local shall elect, by referendum the number of delegates to Convention to which it is entitled under the Union Constitution.
- b) Nominations for delegates shall be made by any two (2) accredited members of the Local and shall be accompanied by a written agreement to stand signed by nominee and nominators.
- c) 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.
- d) The nominees receiving the most votes by way of referendum from the eligible voters of the Local, corresponding to the number of delegates to which the Local is entitled, shall be declared elected.
- e) The unsuccessful nominees, ranked in order according to the number of votes received, shall be alternate delegates.
- f) The Local shall endeavor to have an equal number of delegates elected to Convention from Ship and Shore.
- g) If possible, one (1) delegate seat will be reserved for a member from the Commercial Services Division; and one (1) delegate seat will be reserved for a member from Terminal Maintenance.

22. Resolutions

- a) All resolutions submitted shall be in accordance with the Union Constitution.
- b) Resolutions submitted by the Local shall be approved by majority vote at a regularly constituted Membership meeting prior to being submitted to the Convention.

23. Finances

- a) Local funds shall be administered by the Local Finance Committee.
- b) Expenses incurred by the Local shall be reimbursed as per Appendix A of these Bylaws and the Union's Financial Guide.

24. Rules of Procedure

The rules of procedure governing Local Committee and Local Membership meetings shall be **Bourinot's Rules of Order**, 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 of 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** Any member, for information 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 for 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** Any Motion presented to the membership shall be the property of the Local. Prior to disposition of said Motion, withdrawal may be made by majority vote only.
- RULE 7** 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 two thirds (2/3) majority vote to be carried.
- RULE 10** A Motion shall not be considered for debate at a general meeting unless it has been received by the President or Recording Secretary of the Local fifteen (15) days prior to the next general meeting. Such a Motion should be clearly expressed and must be in writing.
- RULE 11** Notices of Motions will be the last order of business under New Business as per the Union Constitution.

25. Oath of Office

The Union Oath of Office is as follows - "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 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 any documents entrusted to my care."

26. 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 at any Local General meeting, to be voted on at the next Local General Meeting.
- b) The Local Executive Committee shall consider all such proposed amendments and shall submit these to the Local Membership at the next General Meeting, together with the Committee's recommendations.
- c) The Local Executive may also propose amendments to these bylaws upon its own initiative.
- d) Any proposal to amend these bylaws must be published twelve (12) days prior to the General meeting at which it is to be considered.
- e) Any proposal to amend these Local Bylaws must be approved by a simple majority of the membership voting at a General Meeting at which the proposal is considered.

27. Use of Masculine and Feminine

When the term "he" or "she" is used within these Local By-laws, it is understood that the words "he" and "she" apply and refer to persons of any sex.

28. 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 and Marine Workers' Union.

BC FERRY & MARINE WORKERS' UNION

LOCAL 3 FINANCIAL GUIDE

Appendix "A"

ARTICLE 1 – FINANCE COMMITTEE:

- 1.01.1** The Finance Committee, hereinafter called "the Committee", shall consist of the Local President, the Local Recording Secretary and one other Table Officer from the Local Executive Committee. These three shall be the authorized officers. The Local Recording Secretary shall be the Chairperson of this Committee.
- 1.01.2** The Committee shall pay approved expenses, subject to the following:
- a) Receipt of full documentation in support of the expense, including, but not limited to, invoices purpose, location of meetings, names, telephone numbers, etc.
 - b) Approval of any two of three authorized officers.
- 1.01.3** The Committee shall not pay expenses not provided for in this Guide and the Committee shall not pay any expenses in excess of those allowed for in this Guide.
- 1.01.4** The Committee shall consider expense claims during the last week of every month and shall use its best efforts to issue payment of approved expense claims during the first week of the following month.

ARTICLE 2 – MILEAGE EXPENSES:

- 2.01** While on business of the Union, members shall receive a mileage expense as per the Union's Financial Guide.
- 2.02** While on business of the Local, members shall not receive any mileage expense.

ARTICLE 3 – ACCOMMODATION:

- 3.01** No payment will be made for over-night accommodation.
- 3.02** Meeting Rooms must be authorized by, and booked through, the Committee.

ARTICLE 4 – MEAL ALLOWANCES:

- 4.01** While on business of the Union, members shall receive a meal allowance as per the Union's Financial Guide.
- 4.02** While on business of the Local, members shall receive a meal allowance.

ARTICLE 5 – TELEPHONE EXPENSES:

- 5.01** Any member phoning the Union office on a matter of urgent business should phone the office at 1-800-663-7009.
- 5.02** Telephone expenses incurred by the Local Executive Committee for business of the Local shall be reimbursed.

5.03 Routine local business should be handled by mail using special memos and envelopes available upon request from the Union office.

ARTICLE 6 – EXTRA-ORDINARY EXPENSES:

6.01 Expenses, other than those provided for in the Guide, incurred while on authorized Local business must be referred to the Committee for authorization. In the event that such authorization is withheld, the claim may be referred to the Local Executive Committee for re-consideration.

ARTICLE 7 – FINANCIAL STATEMENTS:

7.01 The financial year shall be the calendar year, and within thirty (30) days of the financial year-end the Local President shall prepare and publish to the Union and the Local membership an appropriate statement of the Local's financial affairs.

7.02 Financial records, their maintenance and preparation, shall be the responsibility of the Chairperson of the Finance Committee.

ARTICLE 8 – HEALTH, WELFARE AND SOCIAL:

8.01 A separate account and operating fund will be maintained for this Committee.

ARTICLE 9 – INSURANCE OF LOCAL EQUIPMENT:

9.01 The Union shall be encouraged to include a rider on their insurance plan to cover equipment purchased by the Local. All information on the equipment will be forwarded to the Union office for their records.

ARTICLE 10 – ACCOUNTS:

10.01 All accounts of the Local will be held in a Credit Union.

10.02 No funds belonging to the Local or to any of its Committees may be withdrawn from the accounts in which they may be held, except upon the approval of two (2) of three (3) authorized officers of the Committee.

10.03 The authorized officers of the Committee shall also be cheque signing officers. The Committee may, for matters of convenience, designate additional cheque-signing officers from among the membership, but these additional cheque-signing officers shall not be authorized officers and shall have no authority to approve expenses or disbursements.

Appendix 'B'

RE-CALL OF A LOCAL OR UNION OFFICER:

1. No petition for re-call shall be considered unless it is endorsed by at least fifty per cent plus one (50% + 1) of the registered membership. The registration number shall be that which is provided to the Local by the Union Office on the date of receipt by the Local of the petition.
2. A petition for re-call of a Local Officer, or Officers, if endorsed by a simple majority of fifty per cent plus one (50% + 1) of the registered Local Membership, shall be sufficient authority for the Local Executive to declare the subject office(s), vacant and therefore subject to the Bylaws of Local 3.
3. At any Local Meeting convened for the purpose of debating re-call of a Local Officer, a petitioner and a seconder must be identified and present an appropriate motion.
4. Thereafter argument may be put forward by any Local member.
5. At such meeting a two-thirds (~~2/3~~) majority vote approval from members present and voting, is required to terminate re-call proceedings.
6. Re-call proceedings that have not been terminated according to Paragraph 5, (Five) above, shall be sufficient authority for the Chairperson to instruct the Local Returning Officer to conduct a referendum on the issue within thirty (30) days of the date of the meeting.
7. A referendum, in this context, means a solicitation of the opinion of all registered members of the Local, with proper notice according to these Bylaws, by written ballot.
8. In the event of a referendum concerning a Local Officer, or Officers, a simple majority of the membership shall be sufficient authority for the Local Executive Committee to declare the subject office(s) vacant and therefore subject to the Bylaws of Local 3.
9. In the event of a referendum concerning a Union Officer, or Officers, a simple majority of the membership shall be sufficient authority for the Local Executive Committee to:
 - a) Communicate immediately to the Union Executive the issue, the referendum and its results.
 - b) Solicit the Union's assistance in invoking the re-call provisions of the Constitution.
 - c) Communicate immediately to all Chairpersons the issue, the referendum, and its results.
 - d) Solicit every Local's support in invoking the re-call provisions of the Constitution.
 - e) Invite every Local to conduct a similar referendum with an appropriate follow-up.
10. In the event the Local Executive Committee should be solicited for support in re-call proceedings initiated by another Local, and if any such Local has conducted a referendum which supports its initiative, shall be sufficient authority for the Local Executive Committee to invoke the provisions of this appendix to these By-laws.

Notwithstanding the provisions in this Appendix, and these Bylaws, the Local Executive Committee may initiate re-call proceedings upon request under Article 12, above, of this appendix. The results of the proceedings shall be reported to the Union Executive.

From time to time, issues of importance to all members come to the attention of your Local Executive. When this happens the Local Executive will attempt to inform all members of the situation and include advice on what to do, as members. In order to stay current on what is happening in the Union please check the Union notice board whenever you are at work.

~~as adopted by Local 3, June 14, 2017~~