



BC FERRY & MARINE WORKERS' UNION

SHIPS' OFFICERS' COMPONENT

BY-LAWS

OCTOBER 25, 2018

1. Preface

The By-Laws of the Ships' Officers' Component shall be consistent with the provisions of the Constitution of the BCFMWU and in accordance with the Don Cott Agreement.

2. Membership

1. The Ships' Officers' Component shall be comprised of members as identified in the Don Cott Agreement and Article 11 of the BCFMWU Constitution.
2. The Ships' Officers' Component Executive and Local SOC Executives shall be made up of members from the SOC Component and shall be elected according to these By-Laws.
3. The Ships' Officers' Component President shall be elected by referendum ballot of the Ships' Officers' Component membership.
4. SOC Representative, Deck – elected by referendum ballot of the Deck Officers.
5. SOC Representative, Engineering – elected by referendum ballot of the Engineering Officers.
6. Local 12, President, Nanaimo – elected by the SOC membership, Nanaimo, Gabriola Island, Duke Point and vicinity.
7. Local 13 President, Tsawwassen – elected by the SOC membership, Tsawwassen, Deas Dock and vicinity.
8. Local 14 President, Horseshoe Bay – elected by the SOC membership, Horseshoe Bay and vicinity.
9. Local 15 President, North – elected by the SOC membership, Prince Rupert, Haida Gwaii and vicinity including Northern Vessels.
10. Local 16 President, Powell River – elected by the SOC membership, Powell River and vicinity.
11. Local 17 President, Northern Gulf Islands – elected by the SOC membership, Little River, Northern Gulf Islands and vicinity.
12. Local 18 President, Swartz Bay – elected by the SOC membership, Swartz Bay and vicinity.
13. Local 19 President, Langdale – elected by the SOC membership, Langdale and vicinity.
14. Local 20 President, Southern Gulf Islands – elected by the SOC membership, Salt Spring Island, Southern Gulf Islands, Thetis Island and vicinity.
15. Any other local presidents that are elected by the SOC members in their respective areas.
16. Table Officers of the Component will be considered to be the SOC President, SOC Deck Representative and SOC Engineering Representative.
17. Labour Relations Officer – “ex officio” member with voice but no vote.

3. Purpose of the Ships' Officers' Component

1. To provide effective administration of the members listed in Article 11, Section 1 and in accordance with the specified autonomous authority provided for in the BCFMWU Constitution.
2. To appoint delegates to the Canadian Marine Advisory Council.
3. To appoint SOC members to BCFMWU Committees on the basis of proportional representation.
4. To be responsible for Component bargaining as agreed to in the Don Cott Agreement, in the BCFMWU Constitution.

4. Objectives

1. To unite members of the SOC for their mutual benefits, and conduct Union business in accordance with the Constitution of the BCFMWU.
2. To discuss prevalent issues and communicate with the SOC members throughout the Fleet.
3. To have input, through review, and discussions and make recommendations to BC Ferry Services.
4. To advance all of the principles of safe working practices and to promote Operational and Occupational Health and Safety for workers.
5. To promote the Marine Profession and work to establish standards for Career Development and Certification upgrades.

5. Delegates to Convention

1. Members of the SOC Executive shall be delegates by right to Convention.
2. Other delegates representing the SOC shall be elected from each local, by referendum of the local SOC membership, on the following basis:
 - (a) One (1) delegate for the first five (5) members of the local;
 - (b) One (1) delegate for each additional fifty (50) members, or any fraction thereof.
3. When a local elects its delegates to Convention, unsuccessful candidates for position of delegate, ranked according to the number of votes received, shall be alternate delegates to the Convention.

6. Resolutions

1. All resolutions submitted shall be in accordance with Article 8, Section 7 of the BCFMWU Constitution.
2. Resolutions submitted by the Local shall be approved by majority voted at a regularly constituted membership meeting prior to being submitted to the Convention.
3. The SOC Executive may submit resolutions specific to SOC Component Bargaining.
4. The SOC Executive may create position papers on key areas of concern for SOC Component Bargaining.

7. Election of Officers

1. Local Officers shall be elected by referendum vote of the Local membership conducted according to the Constitution of the BC Ferry & Marine Workers' Union and the SOC By-Laws.

2. If only one (1) nomination is received for one (1) position, a referendum ballot shall not be held for that position and the nominee shall be declared elected through acclamation.
3. An Officer vacancy shall be filled by election within sixty (60) days.
4. Names of the elected Officers shall be reported, in writing, to the Union headquarters as soon as possible.
5. Nominations for positions on the Local SOC Executive, including Local President, shall be made by the local licensed members in good standing.
6. All nominees for SOC office or delegate status of a member of the SOC Component must be in writing, signed by the nominator, who is a member in good standing in the SOC Component, and must be witnessed by the nominator or another member of the Ships' Officers' Component.
7. Nominations for the position of SOC President, Deck Representative, and Engineering Representative shall close as soon as practicable after the completion of the election of the positions of Provincial President, Provincial First Vice President, Provincial Second Vice President & Provincial Secretary-Treasurer but not later than May 31st.
8. Nominations for SOC Local Presidents shall close as soon as practicable after the completion of the SOC President, Deck Representative, and Engineering Representative elections, but no later than July 15th.
9. All nomination notices **must** be posted at all worksites and a copy of the nomination and date of election is to be posted on the Union website.

8. Terms of Office

1. The Officers of the Ships' Officers' Component shall be elected for a three (3)-year term.
2. No member of the SOC Executive shall be incumbent in more than one position on the SOC Executive.
3. In the event that the SOC President's position becomes vacant, that position shall be filled on an interim basis by an appointment of the SOC Executive. A referendum ballot of the SOC membership shall be held within ninety (90) days, except if the SOC Executive approves a LOA, the position would be filled for less than six (6) months.
4. All other vacancies in the SOC Table Officers shall be dealt with in the same manner.

9. Meetings

1. The SOC Executive shall meet a minimum of nine (9) times per calendar year at a place and time to be determined by the SOC Executive.
2. Any member who fails to attend three (3) meetings without good and sufficient reason and/or without sending an alternate shall cease to be a member of the SOC Executive.
3. Alternates for SOC Table Officers shall be elected representatives from their respective departments. Alternates for Local SOC Presidents shall be from their elected executive.
4. The agenda for the meeting is to be received by all SOC Executive members at least seven (7) days in advance of the meeting.
5. If an emergency meeting is required, the SOC President shall determine the time and place and notify the required persons.

6. Quorum for the meetings shall be 50% + 1 of the elected members. If there is not a quorum present, the members shall not conduct any business and shall adjourn until another time and place.
7. The meetings shall be scheduled to accommodate any SOC Executive member (holding a regular or term-certain position) from Local 15.
8. The meetings shall generally be one (1) day. The duration of the meetings shall be determined by the SOC Executive.
9. In the absence of the SOC President, one of the Table Officers shall be elected by the members present to chair the meeting.
10. A SOC Executive meeting dealing exclusively with the BCFMWU/BCFS proposed tentative agreement shall be held no later than ten (10) days after the SOC Executive members have received and reviewed the written tentative agreement package (the changes outlined and accompanying explanations). No tentative agreement will be taken to the membership for ratification, without the reciprocal approval of the Ships' Officers' Component Executive.

10. Order of Business

1. Call to Order
2. Attendance – Introductions if required
3. Adoption of Previous Minutes
4. Adoption of Agenda
5. Table Officers' Reports
6. Unfinished Business
7. New Business
8. Local Reports
9. Committee Reports
10. Correspondence
11. Good & Welfare
12. Adjournment

11. Rules of Procedure

The rules of procedure governing meetings shall be those contained in "Bourinot's Rules of Order". Members present shall have one (1) vote.

In particular, the following rules shall apply:

1. If a member, while speaking, is called to order s/he shall, at the request of the chair, take his/her seat until the question of order has been decided.
2. Should one or more members rise to speak at the same time, the chair, shall decide who is entitled to the floor first.
3. Any member, for informative purposes, may request a motion under discussion be re-read, except whilst a member is speaking.
4. No member shall interrupt another in his remarks except to call a point of order.
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.
6. Any motion presented to the chairperson shall be property of the SOC Executive. Prior to conclusion of said motion, withdrawal may be made by majority vote only.
7. Any member who, upon request from the chair, refuses to take his seat shall be subject to suspension for the remainder of the deliberations.

8. Speeches shall be limited to five (5) minutes.
9. A motion to reconsider shall not be entertained unless made by a member who voted in the majority and shall require a majority vote. Notice of motion to reconsider must be given at least seven (7) days prior to the vote being taken.
10. If a member doesn't want the discussion to be entered in the minutes, it is necessary to go into committee until the discussion is over. This requires a motion and a seconder to go into committee and a motion and a seconder to arise from committee.
11. If a member does not want an item to be dealt with at the present time, a motion can be made to table the item until a future meeting or time.
12. If question is called, the motion must be voted on before any other business is conducted.

12. Amendments to By-Laws

1. Any SOC member may put forward a proposed recommendation or amendment at a SOC meeting.
2. A notice of proposed amendment shall be distributed with the agenda, seven (7) days prior to a SOC meeting.
3. Quorum to amend the by-laws shall be 75% of the elected members.

13. Finances

1. A Working Committee of equal number of representatives from the Provincial Executive and the Ships' Officers' Component shall meet at least annually to negotiate/determine the percentage of dues to be shared as well as the expenses that the Ships' Officers' Component shall be responsible for from these funds.
2. The SOC Executive shall be responsible for assigning the SOC representatives of the Working Committee.
3. An adequate percentage of the dues generated by the members working in Ships' Officers' Component positions shall be made available to the Component for funding its operation.
4. An operating budget shall be created by the SOC.
5. Communication allocation shall be \$75.00 per month.
6. There shall be an annual written report of the financial status by the SOC President.
7. All expenditures, other than those required for the SOC Executive meetings, shall require prior approval of the SOC Executive.
8. Lieu days shall be granted to SOC Table Officers on the same basis as per the BCFMWU Constitution, Article 16, Section 11(e). Lieu days shall be granted to Local SOC Presidents as per the BCFMWU Constitution, Article 16, Section 11(e).
9. SOC Expenditures exceeding \$500.00 shall require prior approval of the SOC Executive.

14. Duties of the SOC President

1. Shall be the Chief Spokesperson for the Ships' Officers' Component in matters relating to the Component.
2. When s/he is present, shall convene and preside at all meetings as chairperson.
3. Shall assemble an agenda in conjunction with all SOC members within fourteen (14) days of the meeting and shall ensure that the agenda is received seven (7) days prior to the meeting.

4. Shall draw up and be accountable for a budget for the year.
5. Shall be the official representative of the Ships' Officers' Component to the Provincial Executive.
6. Shall be the Official Person of Interest in matters dealing with Transport Canada, the Transportation Safety Board, the Workers' Compensation Board and any other regulatory bodies governing the operations of BC Ferry Services as they related to the Ships' Officers' Component.
7. Shall sit by right on the Operational Safety Joint Committee as outlined in the BCFMWU/BCFS Collective Agreement Article 27.13.
8. Shall sit by right on the Central Negotiating Committee and will be responsible for Ships' Officers' Component Bargaining as per the Don Cott Agreement and the BCFMWU Constitution.
9. The President of the SOC Executive shall be a full-time administrative officer of the Component.
10. The SOC President or his/her designate shall be the Chief SOC Executive Officer of the Component and Chairperson on the SOC Executive and shall have the authority to administer the affairs of the Component between meetings of the SOC Executive as directed by the SOC Executive.
11. The SOC President shall enforce the BCFMWU Constitution and the by-laws of the Component.
12. The SOC President shall assign duties to the other SOC Executive members and shall exercise supervision over them, ensuring that they perform their duties strictly in accordance with the BCFMWU Constitution and the by-laws of the Component.
13. The SOC President shall be a member by right of all SOC committees.
14. The SOC President shall have the authority to convene a telephone conference call with the SOC Executive to deal with a matter of pressing importance.
15. The SOC President or designate shall attend a minimum of one (1) general meeting at each SOC Local at least once a year upon request.
16. The SOC President shall advocate and conduct research accordingly on behalf of the SOC Component.

15. Meaning of Context

This document shall be voided of 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.

16. Irregularity

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

Adopted as amended by the Ships' Officers' Component on June 6, 2018.