



# **BC FERRY & MARINE WORKERS' UNION LOCAL 16 BYLAWS**

## **1. PREFACE**

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

## **2. NAME**

The name of the Local shall be Local 16 of the BC Ferry & Marine Workers' Union.

## **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 Union 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. AFFILIATION**

The Local shall be an affiliate to the Local or Regional Labour Council where such Labour Councils are established. The Union shall pay per capita fee in accordance with Article 17, Section 17 of the Constitution.

## **5. OBJECTIVES**

The objectives of the Local shall be:

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

## **6. 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) Nominated members must be in good standing.
- c) Elected members must attend meetings prior to Convention or show just cause why they cannot.

- d) Nominations for delegates shall be made by any two accredited members and shall be accompanied by a written agreement to stand, signed by the nominee and the two nominators.
- e) 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.
- f) The nominees shall be ranked in the 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.
- g) The unsuccessful nominees, ranked according to the number of votes received, shall be alternate delegates.
- h) In the case of a tie the Chairperson will cast the deciding vote.

## 7. RESOLUTIONS

- a) Resolutions submitted to Convention shall have the approval of the Local membership prior to being submitted to the Union's Resolution Committee.
- b) All resolutions submitted shall be in accordance with Article 8, Section 8 of the Constitution.
- c) Resolutions submitted by the Local shall be approved by majority vote at a regularly constituted Membership meeting prior to being submitted to the Convention.

## 8. LOCAL COMMITTEE

The Local Committee shall consist of at least the following four Officers:

- i.) Chairperson
- ii.) 1<sup>st</sup> Vice-Chairperson (Langdale)
- iii.) 1<sup>st</sup> Vice-Chairperson (Powell River)
- iv.) Recording Secretary

## 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 nomination is received for any one 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 headquarters.

## 10. NOMINATION FORMS

Nomination forms shall be as follows:

NOMINATION FOR LOCAL OFFICERS

Members nominating candidates to a Local Officer position must have their nominee sign the following form:

I, \_\_\_\_\_, of \_\_\_\_\_ accept  
(Name of Nominee) (Local)

Nomination to the Office of \_\_\_\_\_  
\_\_\_\_\_  
(Signature of Nominee)

\_\_\_\_\_  
(Signature of Witness) (Signature of Nominator)

This signed form must be presented to the Nominating Committee in order that the person named herein be eligible for the nomination.

**11. BALLOTING PROCEDURES**

Local 16 will conduct a mail-in ballot when possible, if not possible the following will apply. In the referendum ballots provided for in Section 6 and Section 9 of these Bylaws, the balloting procedure outlined in Article 12 of the Union Constitution shall be followed.

- a) The Assistant Returning Officer appointed pursuant to Article 12, Section 2 of the Union Constitution shall supervise the referendum ballots provided for in Section 6 and 5 of these Bylaws.
- b) The Assistant Returning Officer shall, on receiving notice from the Executive of a ballot to be taken cause it to be printed, numbered and distributed.
- c) The Membership Committee of the Union shall supply the Assistant Returning Officer with an up to date list of all members entitled to vote, noting the members' terminal and shift.
- d) In conducting the ballot, the Assistant Returning Officer shall:
  - i.) Decide on a central place where the balloting for the Local will take place.
  - ii.) Notify the membership of the Local of the time and place for such balloting.
  - iii.) At the time and place for balloting, provide a ballot box which after inspection by any scrutineer present, shall be locked by the Assistant Returning Officer.
  - iv.) Issue to each member who presents himself at the balloting place a ballot and an explanation of the balloting procedure.
  - v.) Have each member who is given a ballot sign a signature sheet.
  - vi.) Ensure that there be a balloting booth which will allow for ballots to be marked secretly.
  - vii.) Ensure that the marked ballot is placed in the locked ballot box.



- e) On completion of the ballot, the Assistant Returning Officer shall check the number of ballots against the number of signatures on the endorsed signature sheets, assuring that there are no irregularities. The Assistant Returning Officer shall then open the ballot box, count and record each of the ballots.
- f) The Assistant Returning Officer shall be responsible to report, in writing to the Local Committee, the result of the ballots by number including the number of spoiled ballots. The signature of the Assistant Returning Officer and the scrutineers present shall appear on the report.
- g) The Assistant Returning Officer shall be responsible for the safekeeping of the ballots until they are directed to dispose of the counted ballots by the Union Executive.

## 12. TERM OF OFFICE

The Officers of the Local shall be elected for a two year term. Each term will terminate upon the election of new Officers. Nominations, balloting and elections will take place in alternate years to the BC Ferry & Marine Workers' Union. Biennial Convention to begin in 1984 in accordance with Article 13, Section 7(a) of the Constitution.

## 13. VACANCIES

In the event that the position of any Officer, except that of Recording Secretary, becomes vacant, the vacancy will be filled from among the remaining Table Officers in the order established in Section 8 of these Bylaws or, if need be, by referendum ballot.

## 14. DUTIES OF LOCAL CHAIRPERSON

- a) The Local Chairperson shall be a member of the Union Executive Council by right.
- b) The Local Chairperson shall preside at all meetings of the Local.
- c) The Local Chairperson shall be responsible to the Executive and membership for the Union activity at the Local, including:
  - i.) Ensure 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.) Appointing committees as required and assisting with their activities.
- d) The Local Chairperson shall assign duties to the Vice-Chairperson and Shop Stewards.
- e) The Local Chairperson shall have available for information at Membership meetings:
  - i.) Current Auditor's Report
  - ii.) Current Financial Report

15. DUTIES OF LOCAL VICE-CHAIRPERSON

- a) In the absence of the Local Chairperson, the 1<sup>st</sup> Vice-Chairperson shall assume the duties of the Chairperson.
- b) Local Vice-Chairpersons shall assist the Chairperson with their duties.

16. DUTIES OF LOCAL RECORDING SECRETARY

The Local Recording Secretary shall keep a correct, full and impartial account of the proceedings of each meeting of the Local in a bound minute book. The Local Recording Secretary shall forward, immediately upon completion of the meeting, a copy of all minutes recorded to the Union Office and Vice-Chairperson.

17. LOCAL COMMITTEE MEETINGS

- a) The Local Committee shall meet when summoned by the Local Chairperson, not more than two months, at such times and such places as the Chairperson shall determine.
- b) Any three members of the Local Committee shall constitute a quorum.
- c) Any Local Committee 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 days' notice, accompanied by agenda items, shall be given to Local Committee member.

18. COMMITTEES AND APPOINTMENTS

- a) The Local Committee or the General Membership meeting of the local shall appoint a Welfare Committee of three (in accordance with Article 13, Section 11 of the Constitution).
- b) The Local Committee or the General Membership meeting of the Local may appoint a Resolution Committee, a Social Committee or any other Committee as they see fit.
- c) All appointments shall be reported to the Union Office and Licensed Vice-President.

19. MEETINGS

- a) The Local Chairperson shall call such meetings of the Local membership as deemed necessary but, in any event, not less than one (1) each quarter.
- b) The Local Chairperson shall call a 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 Chairperson shall see fit.
- d) A quorum shall be twice the number of Local Executive members plus one, including Local Executive members present.

e) Except in the case of special or emergency meetings, seven (7) days' notice of a meeting shall be given to the membership of a Local.

## 20. ORDER OF BUSINESS

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

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

## 21. DELEGATES TO TRADES AND LABOUR

The Local shall elect delegates and alternate delegates to the Trades and Labour Councils to which they are an affiliate. Vice-President Licensed must be notified. Reports to Local shall be written.

## 22. TIME OFF FOR UNION BUSINESS

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

## 23. RECOMMENDATIONS FOR NEGOTIATIONS

Recommendations for negotiations shall be made to the Standing Bargaining Committee through the Local Committee after membership of the Local has been approved such recommendations. Recommendations shall be typed and clearly stated prior to submitting.

## 24. FINANCES

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

All cheques issued against the funds of the Local shall be in strict accordance with the Financial Guide. The Office Manager and Provincial Secretary-Treasurer shall be sponsoring members on all accounts of the Local and per the Constitution are authorized to sign cheques on behalf of the Local.

All cheques may also be signed by any two (2) of the following:

- A. Local 16 - President
- B. Local 16 - 1<sup>st</sup> Vice President
- C. Local 16 - Recording Secretary

In the event of an absence of one or more of the above signatories the Local Executive may appoint:

- A. The Local 6 - President
- B. The Local 6 - 1<sup>st</sup> Vice President;
- C. The Local 6 - Recording Secretary

To act as secondary signers on the local 16 account until such time as the vacancies have been filled.

## 25. 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 Bylaws or when special rules are adopted by the Local membership. In particular, the following rules of procedure shall apply:

- RULE-1 If a delegate, while speaking, be called to order, they shall, at the request of the Chair, take their seat until the questions 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 member, for informative purposes, may request a motion under discussion be re-read, except whilst a member is speaking.
- RULE-4 No delegate shall interrupt another in their remarks except if it be to call to appoint 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 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 their 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 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 they have spoken on the question at issue.

**26. OATH OF OFFICE**

The Union oath of Office is:

“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 Bylaws. I agree, upon my retirement or resignation, to turn over to the Union any documents entrusted to my care.”

**27. AMENDMENTS TO BYLAWS**

These Bylaws 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.