



# **BC FERRY & MARINE WORKERS' UNION**

## **LOCAL 6 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, 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. Affiliation**

A member of Local 6 may be appointed to local or regional Labour Councils where such Labour Councils are established. The Union shall pay a per capita fee in the Union Constitution as per Article 19.

### **5. 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 Bylaws.
- b) To maintain an efficient Shop Steward system within the Local.

### **6. 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) 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.

- c) 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.
- d) The unsuccessful nominees, ranked in order according to the number of votes received, shall be alternate delegates.

## **7. 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.

## **8. Local Executive Committee**

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

- a) Local President
- b) 1st Vice-President
- c) Recording Secretary together with all Shop Stewards who shall not be regarded as Officers.

## **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 and 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) An Officer vacancy shall be filled by election within sixty (60) days from the vacancy.
- d) Names of the elected Officers shall be reported, in writing, to the Union headquarters as soon as possible.

## **10. Balloting**

- a) Local 6 shall use a ballot box for the purpose of referendums and elections.
- b) Nominations for Local Officers shall be open for a period of not less than fifteen (15) days prior the conducting the ballot.
- c) The Local Executive shall elect a Returning Officer. The election of the Returning Officer shall be one of the first priorities of a newly elected Executive. The term of the Returning Officer shall be until the election of a new Local Executive is completed and/or a new Returning Officer is elected
- d) 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.
- e) The Provincial Secretary-Treasurer shall supply the Local Returning Officer with an up-to-date-list of all the members entitled to vote in the Local.
- f) Candidates shall not attend the balloting and counting except to cast a ballot, but may designate a scrutinizer to attend on their behalf.
- g) 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.
- h) The Returning Officer shall:
  - i. Have members sign the signature sheet that they have received a ballot and issue each member a ballot.
  - ii. Assure a private place to mark ballots.
  - iii. Have the marked ballot placed in the ballot container.
  - iv. Seal the ballot container as per the Union Constitution; or, in the event of Local referendum count the ballot as per the Union Constitution.
  - v. Make reports to the Provincial and Local Executives as per the Union Constitution and as required.
  - vi. The Local Executive shall decide the date of any referendum. Taking into consideration the urgency of 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.**

### **11. 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.

## **12. Re-call**

- a) Within 21 days of receipt of a written petition from at least 25% of the registered membership of Local 6 calling for the re-call of any Local, or Union Officer, the Local President shall convene a Local Meeting to consider the matter.
- b) Any such meeting shall be conducted according to the rules set forth in Appendix 'B' attached.

## **13. 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.

## **14. Duties of Local Vice-Presidents**

- a) In the absence of the Local President the 1<sup>st</sup> 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.

## **15. Duties of the Local Recording Secretary**

- a) The Local Recording Secretary shall keep a full and impartial account of the proceedings of each meeting of the Local in a bound minute book.
- b) In the absence of the 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.
- c) The Recording Secretary shall be the Chairperson of the Finance Committee.

## **16. Duties of Shop Stewards**

Shop Stewards shall be responsible for:

- a) Processing grievances at step one.
- b) Assisting Local Officers at step two of the grievance procedure.
- c) Ensuring that bulletin boards are in order and up to date.
- d) Ensuring that Articles of the Collective Agreement are enforced.
- e) Ensuring that new employees are familiar with the Collective Agreement and membership requirements.
- f) Attend Local meetings, except for good and sufficient reason.
- g) 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.
- h) The term of Office for a Shop Steward shall be concurrent with Local elections as provided for in the Constitution of the Union.

## **17. Local Executive Committee Meetings**

- a) Meetings of the Local Executive Committee shall be convened six (6) times annually or as otherwise deemed necessary at such time and place that the Local Executive shall determine.
- 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.

## **18. Committees and Appointments**

- a) The following Local committees shall be established:
  - i. Safety
  - ii. Grievance
  - iii. Health, Welfare and Social
  - iv. 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.

## **19. Meetings**

- a) It is recognized that there are three (3) types of meetings 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 require 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) The Local Executive shall call General Meetings of the Local membership as deemed necessary but, in any event, not less frequently than once each quarter year.
- c) The Local Executive shall call a Special Meeting of the Local on the written request of ten (10%) per cent 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 the number of Executive Officers present, plus four (4) members in good standing taken from all sessions of the meeting. Morning and afternoon meetings may be combined for motions.
- 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.

## **20. 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) Adoption of Agenda
- d) Introductions of Head Table
- e) Reading of Minutes of Previous Meetings
- f) Disposition of the Minutes
- g) Business Arising from Minutes
- h) Unfinished Business
- i) Executive Members' Reports
- j) Reports of Committees
- k) New Business
- l) Correspondence
- m) Good and Welfare
- n) Adjournment

## **21. 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.

## **22. Time off for Union Business**

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

## **23. Recommendations for Negotiations**

Recommendations for negotiations shall be made through resolutions locally and brought forward to Convention.

## **24. 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.

## **25. Rules of Procedure**

The rules of procedure governing Local Committee and Local Membership meetings shall be **Bourinot's Rules of Orders**, 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.

## **26. Oath of Office**

The Union Oath of Office is as follows - "I, (NAME), 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."

## **27. Amendments to Bylaws**

- a) Amendments may be proposed by a signed petition of not less than four (4) 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 not less than seventy-five percent (75%) of the membership voting at a General Meeting at which the proposal is considered.

## **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 6 FINANCIAL GUIDE**

Appendix "A"

### **ARTICLE 1 - FINANCIAL COMMITTEE:**

- 1.01.1** The Financial 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** 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

**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. The Local will not pay collect calls to the Union office.

**5.02** Telephone expenses incurred by the Local Executive Committee for business of the Local shall be reimbursed.

**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 Union property is to be given back to the Local at the end of the term.

**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 of three (2/3) 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 twenty-five percent (25%) 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 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 6.
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 5, 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 6.
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 Bylaws.

Notwithstanding the provisions in this Appendix, and these Bylaws, the Local Executive Committee may initiate re-call proceedings upon request under Article 10, 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 make all members aware 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.