

PPWVC

Public and Private Workers of Canada
Local 2



By-Laws

2019

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ADOPTED AS AMENDED

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BY-LAWS

Public and Private Workers of Canada CROFTON LOCAL NO. 2

PURPOSE

The purpose of this Local shall be to promote and protect the social, physical and economic welfare of its members; to bargain collectively and in good faith with the employers of its members.

INTERPRETATION

- (1) Wherever the word “he” appears in these by-laws it will be taken as referring to a male or female, as the case may be.
- (2) Anywhere monies are referred to shall be left blank for the purpose of updating of the by-laws.

ARTICLE 1 JURISDICTION

Section 1

This organization shall be known as “Local No. 2” and is affiliated with and part of the National Union known as PUBLIC AND PRIVATE WORKERS OF CANADA. The activities and jurisdiction of Local No. 2 shall be guided by the Constitution of the National Union, PUBLIC AND PRIVATE WORKERS OF CANADA.

Section 2

No motion to dissolve this Local shall be in order without a referendum vote by the membership when three quarters (3/4) of the members have voted. Two thirds (2/3) of the members voting will be required to dissolve this Local.

ARTICLE 2 MEMBERSHIP

Section 1

Applications for membership in Local No. 2 shall be made in writing on the approved form and may be accepted from the applicant by a Local Officer or his designate only.

Section 2

The eligibility of any person for membership in this Local shall be set forth in the National Constitution.

Section 3

All applications for membership will be subject to approval by the local union.

ARTICLE 3 MEMBERSHIP MEETINGS

Section 1

Regular Membership Meetings shall be on the third Monday of each month, or at the discretion of the Local. Regular Membership Meetings shall be held at least once monthly.

Section 3

Special Membership Meetings may be held at any time. At such meetings, the only business which may be conducted is that for which the meeting was called. Special Membership Meetings may be called by:

- (a) The President
- (b) A majority of the Executive Board
- (c) A motion from the floor at a Regular Membership Meeting or;
- (d) A petition which states clearly the reason for which the meeting is to be called. Said petition to have not less than seventy-five (75) signatures and must be delivered to the President who will arrange the meeting. Before any business can be transacted, the presiding Officer must determine that sixty (60) petitioning members are present at the meeting.

Section 4

Proper NOTICE stating type, time, date and place must be posted at least three (3) days prior to any meeting of this Local, except where time does not permit, then this time may be reduced.

Section 5

Meetings will be conducted in accordance with “Roberts Rules of Order”.

Section 6

Vulgarity, profanity or indecent conduct will not be tolerated at any meeting or social session of this Local.

Section 7

The President shall, with the approval of the members present, have power to suspend from a meeting or social session any member or guest for unseemly conduct.

Section 8

Members must ask, and obtain permission from the presiding officer, before leaving a meeting.

Section 9

Twenty (20) members shall constitute a quorum at a Membership Meeting of the Local.

Section 10

Five (5) members of the Executive Board shall constitute a quorum at any Executive Meeting.

Section 11

Time spend out of town while on union business will count towards attendance at any Regular Membership Meeting or Executive Board Meeting held at the same time.

ARTICLE 4 CONDUCT AND DISCIPLINE OF MEMBERS

Section 1

- (a) The local unions have a right to discipline any member for a violation of the National Constitution, Local By-Laws, decisions of Regular or Special Membership Meetings, or the Working Rules, only after a fair hearing and a majority vote at the local union meeting.
- (b) The accused shall have the right to have a member of the local union act as his counsel.
- (c) The local union after such hearing shall, if the accused is found guilty, have the right to impose any or all of the following penalties:
 - 1. Reprimand member;
 - 2. Assess the member to a maximum of one thousand dollars (\$1,000.00);
 - 3. Recommend to the National Convention that he be expelled. Any member found guilty and recommended for expulsion will be ineligible to hold office.
- (d) The accused will have the right to appeal to the next National Convention and shall have the right to choose a member of the National Union to act as his counsel. However, the decision of the local union shall stand unless and until reversed on appeal.
- (e) The National Convention has the power to expel upon recommendation of the local union as aforesaid, and in any appeal may:
 - 1. Affirm the conviction and the penalty imposed;
 - 2. Affirm the conviction and substitute another penalty for the penalty imposed; or
 - 3. Reverse the conviction and order the local union to repay any assessment or assessments and costs incurred.
- (f) The Unity Committee will consist of three (3) members. The Chairperson will be elected annually. The chairperson will not be an Executive Board Officer. It will be the Chairperson's duty to appoint two (2) unbiased members from PPWC Local 2 to fill out the committee. A new committee shall be appointed to consider each case to come from the membership. Any decision of the Unity Committee will be placed before the membership in the correct manner at a General Membership Meeting for consideration. Approval may be given or withheld by vote of the membership at a General Membership Meeting.

(g) Any member requested to attend an Executive or Unity Committee Meeting by registered letter will be reimbursed lost-time wages and mileage. Any member refusing to attend will be subject to discipline in accordance with our Constitution.

ARTICLE 5 INITIATION FEES, DUES AND ASSESSMENTS

Section 1

The initiation fee for Local No. 2 shall be two (2) times the base rate. If an applicant has applied for membership in the Local Union within fourteen (14) days of commencing employment within the Local and presents a Union Transfer or Withdrawal Card, the initiation fee shall be waived.

Section 2

The dues structure of Local No. 2 will be 2% of gross earnings.

Section 3

This Local shall have power to levy on its members, for special purposes, such tax as may be necessary from time to time. Such assessments shall be determined by a two-thirds (2/3) majority vote of the members voting. Seven (7) days notice of motion must be given in writing, prior to the meeting at which said assessment is to be presented.

Section 4

Any member who does not pay his dues or assessments is, at midnight of the 60th day, following the day such dues or assessments become due or payable, automatically suspended from membership. While under suspension, a member forfeits all rights, benefits and privileges of any and all kind provided by the National Constitution or Local By-Laws. A suspended member shall be reinstated upon payment of all monies owing plus a reinstatement fee of fifty dollars (\$50.00).

Section 5

Prior to certification being granted, initiation fees shall be waived.

Section 6

Any Assessment or dues increases to the membership at large shall be done by referendum ballot.

Section 7

A dues refund amount set by the General Membership, of dues collected will be refunded to a day worker who attends three (3) Regular Membership Meetings per year, or shift worker who attends two (2) Regular Membership Meetings per year. For a member to be registered as attending a Regular Membership Meeting, a member must be signed in

within a half hour after the meeting has been called to order, and to remain for the duration of the meeting except if excused by the Chairman.

A member shall be classed as a shift worker providing he was on shift a minimum of six (6) months.

Any question of eligibility due to extenuating circumstances, may be decided at a Regular Membership Meeting.

That any day worker who works both days and afternoon shift for 6 months or longer be classified as a tour worker for the purpose of dues refund.

Those student members unable to attend union meetings will be reimbursed an amount set by the General Membership of dues collected.

Dues refund be granted for new members hired during the year, based on a pro-rated basis. (Eligibility requirements – Day workers: hired in the first 4 months of a calendar year must attend 3 meetings, hired in the 5th to 8th month must attend 2 meetings and during the 9th to 12th month must attend 1 meeting; Shift workers: hired during the first 6 months of the year must attend 2 meetings and during the last 6 months must attend 1 meeting.)

Dues refund be granted to members retiring during the year, based on a pro-rated basis. (Eligibility requirements – Day workers that retire in the first 4 months of a calendar year must attend 1 meeting, retired in the 5th to 8th month must attend 2 meetings and during the 9th to 12th month must attend 3 meetings; Shift workers that retire during the first 6 months of the year must attend 1 meeting and during the last 6 months must attend 2 meetings.)

To receive any dues refund, a member must be a member in good standing on December 31st of the year the refund is for.

Any member that shall die while an active member during a year when there is a dues refund, such member shall receive the dues refund no matter how many meetings the member attending in the year of his death.

ARTICLE 6

FUNDS

Section 1

The funds of this Local are for the legitimate expense required for its conduct and maintenance and shall not be diverted therefrom. All disbursements must be sanctioned by the President and/or the Executive Board.

Should the occasion arise, when in the opinion of the Executive Board, monies should be diverted, they must appeal to the Local during a Regular or Special Meeting when the appeal may be approved or rejected by votes.

Section 2

The Recording/Corresponding Secretary may spend up to one thousand dollars (\$1,000.00) per year, and a maximum of two hundred dollars (\$200.00) per disbursement for charitable causes.

ARTICLE 7

SALARIES AND EXPENSES

Section 1

This Local may pay any salaries as seem fit, which must be voted at a regularly constituted meeting following seven (7) days notice of motion.

Section 2

- (a) Should this Local require any of its members to transact union business necessitating loss of time from their regular working shift, such members shall be paid their regular working rate for time lost. However, there shall be no compensation for the loss of overtime with the exception of the regular scheduled Sunday shifts. No member should be expected to work for Local No. 2, Public and Private Workers of Canada and lose monies which he would have earned had he stayed on his job at his regular scheduled shift. This includes time and one half for Sundays, and time and one half for such other hours that he would normally work without actually working overtime. This includes makeup for the tour worker working on day shift who would normally lose his time and one half for Friday, should he be engaged in union activities.
- (b) When a member is on authorized union business on the member's regular day off he shall be entitled to four (4) hours off with pay for each day he worked more than six (6) hours for the Union.
- (c) Any member required to conduct union business while on scheduled vacation will have equal time off entitlement credited to the union bank.
- (d) Union time off must be used within one year after leaving the Executive Board.

Section 3

- (a) Should the occasion arise for any Local representative to transact union business out of town, he shall be allowed a per diem of \$85.00, and reasonable hotel/motel expenses in excess of his wages, plus transportation to and from the destination.
- (b) When a member is on authorized union business the member will be reimbursed for meals on the following scale:
 - up to 20% of per diem for breakfast *{\$17.00}*
 - up to 30% of per diem for lunch *{\$25.50}*
 - up to 50% of per diem for dinner *{\$42.50}*

Section 4

The mileage rate for private vehicles used on Local 2 business shall be the same rate paid by the National Office. *{\$0.51/kilometer}*

ARTICLE 8

OFFICERS AND ELECTIONS

Section 1

(a) The Executive Board Officers of this local shall be:

- President/N.E.B. Member
- First Vice-President- Maintenance
- First Vice-President- Operations
- Second Vice-President/N.E.B. Alternate Member
- Recording/Corresponding Secretary/Trustee
- Financial Secretary/Treasurer
- One-Year Master Shop Steward Maintenance
- One-Year Master Shop Steward Operations
- Two-Year Health and Welfare Representative
- Inside Guard/Trustee
- Outside Guard/Trustee
- Wage Delegate Chairperson

(b) Other representatives of this local shall be:

- Wage Delegates
- Two's News Editor
- Construction Committee Chairperson
- WorkSafe BC Representative
- Health and Welfare Representative
- Apprenticeship Committee Chairperson
- Environmental and Forestry Committee Chairperson
- Unity Committee Chairperson

Section 2

(a) All Executive Board Officers, except Wage Delegates, as defined in Section 1 are elected annually by the membership. Nominations for these positions shall open at the Regular Membership Meeting in September and close at the Regular Membership Meeting in October. Elections shall be by referendum balloting and will be at the earliest possible time. Term of office shall be for twelve (12) months beginning December 1st.

(b) Other representatives, as defined in Section 1, Convention Delegates, Committee members and alternates where required, except Wage Delegates, will be elected annually at the December Regular Membership Meeting by secret ballot. Where a Committee is elected the member receiving the most votes, and that has been a member in good standing for a minimum of six (6) months immediately prior to nominations, may elect to be the chairperson. Nominations for these positions will open at the October Regular Membership Meeting and close at the Regular Membership Meeting in November. Term of office shall be for twelve (12) months beginning January 1st.

(c) Wage Delegates shall be elected annually by referendum ballot. They shall be considered Officers of the Local for the purpose of dealing with wage conference, negotiations and bull session matters only. Nominations for these positions will open

at the October Regular Membership Meeting and close at the Regular Membership Meeting in November. Term of office shall be for twelve (12) months beginning January 1st.

Two of the wage delegate positions must be filled by members employed in Operations and two of the wage delegate positions must be filled by Maintenance or day workers. Any other wage delegate positions will be filled by any member.

Section 3

Nominees for Executive Board positions must be members in good standing for a minimum six (6) months immediately prior to nominations.

Section 4

- (a) When, from any cause, an office becomes vacant the President, shall order an election to fill the vacancy.
- (b) A member of the Executive Board must resign his/her present Executive Board Office before accepting nomination for another Executive Board Office.
- (c) Any Executive Board Member or Wage Delegate must resign if they have applied for a staff position.

Section 5

Signed notice of a member's willingness to stand for office must be presented to the President before nomination of an absent member can be accepted.

Section 6

A member may stand for only one Executive Board office in any election.

Section 7

An elective office shall automatically become vacant if the holder of such office shall be absent from his duty for two (2) consecutive Regular Membership Meetings, or, in the case of an executive member, two (2) Regular Executive Meetings, without just cause. It shall be the duty of the Local to decide whether such cause is sufficient excuse.

Section 8

Members must be in good standing to be eligible to vote.

Section 9

Notice of election must be posted for at least seven (7) days prior to commencing such elections stating time, place, and nominees.

Section 11

The Trustees shall be responsible for conducting all elections subject to the provision of these By-Laws, and to check all vouchers and accounts quarterly.
Anyone running for office should not run a polling booth.

Section 12

The signing officers of the Local shall be President, First Vice-President, Second Vice-President, and Financial Secretary/Treasurer. All cheques drawn on the Local's account shall require the signatures of any two (2) of the signing officers.

All signing officers, where applicable, shall be bonded in the amount decided upon by the local union by a recognized Surety Company approved by the local union.

Section 13

The offices of Recording and Corresponding Secretary may be amalgamated at the Local's discretion.

Section 14

The offices of Financial Secretary and Treasurer may be amalgamated at the Local's discretion.

Section 15

Any member running for Executive Board Office may also run for other representation positions.

Section 16

All officers of this Local shall surrender to their successors, all books, monies, keys, or other properties belonging to the union that may be in their possession, within fifteen (15) calendar days of leaving office. The retiring officers should include the incoming in all meetings to familiarize them with the operation and business of their respective positions. Installation of officers will take place on December 1st.

Section 17

When it is determined by the Local or Executive Board that representatives shall attend conferences or conventions, members of the Executive Board whose responsibilities necessitate attending conferences or conventions shall be automatic delegates to those conferences or conventions. All other convention and conference delegates and representatives shall be elected by ballot at a Regular Membership Meeting.

To be eligible, a nominee must be:

- (a) A member of the Executive or
- (b) An elected member of the committee of which the conference or convention pertains or
- (c) Must have attended a minimum number of Regular Membership Meetings in the previous twelve (12) months. A day worker must have attended at least three (3) meetings in the previous twelve (12) months. A shift worker must have attended at least two (2) meetings in the previous twelve (12) months.
- (d) Any member being paid to attend a conference, convention or training course must submit a written 300-word minimum report to the next General membership meeting that follows such conference, convention or course unless there is a valid

reason not to. The General membership meeting will determine if the reason not to submit a report is valid. Failure to submit the written report shall disqualify the member from attending any Union paid conferences, conventions or courses for one year.

Section 18

The Local 2 Executive will be the Directors of PPWC Local 2 Holding Society.

Section 19

A notice of a ratification vote for a new contract must be posted seven (7) days prior to commencing such vote, stating date, time, place and question on the ballot. The members of the Union must have available to them for viewing and questions five (5) to seven (7) days in advance of such vote, the proposed contract.

ARTICLE 9 COMMITTEES

Section 1

The Standing Committee shall consist of the First Vice-President as Chairperson and the three Master Shop Stewards.

Section 2

Committees shall be as defined in the Working Rules of this Local.

Section 3

The President shall be a member, ex officio of all committees.

ARTICLE 10 SHOP STEWARDS

Section 1

Each shift of each department shall elect a Shop Steward who must be a member in good standing.

Section 2

Elections of Shop Stewards shall take place within thirty (30) days of the annual installation of officers. It shall be the duty of the retiring Shop Steward to call an election for this purpose.

Section 3

The Executive Board shall be empowered to appoint Shop Stewards in any department that fails to elect a Steward within the stipulated time.

Section 4

A majority of the members in a department have the right to recall a Shop Steward, providing they can prove to the Executive Board that he no longer serves their interests in accordance with union principles.

ARTICLE 11 SHOP STEWARDS' DUTIES

Section 1

Shop Stewards shall provide and protect the general welfare of the members of this Local, particularly in the departments they represent. They shall be required at the regular Shop Stewards' Meetings to report on the conditions and welfare in their departments.

Section 2

Shop Stewards shall see there is no breach, in their departments, of the Labour Agreements signed by this Local. They shall report such violations to the Standing Committee.

A grievance must be submitted to the Master Shop Steward, in writing, prior to going to Standing Committee.

Section 3

Shop Stewards shall have a copy of the Constitution, Joint Labour Agreement, By-Laws and Company Rules available at all times.

Section 4

They shall be responsible for signing up all new employees in their departments and shall advise the members of all activities and procedures of the Local.

Section 5

A Shop Steward may be dismissed by the Executive Board for the following reasons:

1. Failure to perform his duties.
2. Missing two (2) consecutive Shop Stewards' Meetings without just cause.

ARTICLE 12 IN MEMORIAM

Section 1

When a member or retired member of this Local dies, the President shall, as the first order of business, at the first following meeting, call the members to their feet, and they shall stand with bowed heads for one (1) minute in respect for their departed brother. The Charter of this Local shall be draped for a period of thirty (30) days and a message of sympathy sent to the nearest of kin.

Section 2

This Local shall have representation at funeral services of all deceased members or retired members interred locally. Such representation to be appointed by the President. A wreath of flowers or a donation to a requested charity shall be sent, the cost not to exceed one hundred dollars (\$100.00).

Section 3

The President shall, when necessary, make all arrangements for the funeral of a deceased member or retired member who is without kin.

ARTICLE 13 AMENDMENTS**Section 1**

Any of these By-Laws may be amended by a two-thirds (2/3) majority vote at any meeting provided that notice of motion giving details of the amendment has been posted at least seven (7) days prior to the vote.

Section 2

The National Constitution shall take precedence over these By-Laws.

ARTICLE 14 DEATH BENEFIT FUND**Section 1**

Public and Private Workers of Canada, Local 2 will provide a death benefit for a member in good standing should he or she die prior to retirement. This benefit will be \$5,000.00 paid from General Funds.

ARTICLE 15 RECALL OF OFFICERS**Section 1**

A Local Union Officer may be recalled at any time by a petition of twenty-five percent (25%) of the Local Union membership. The Local Union Trustees shall have ballots made up and conduct a referendum vote within thirty (30) days of the receipt of the said petition, by the Local Union President. The referendum ballot shall be conducted in accordance with Local Union By-Laws. A majority of the votes cast shall be necessary to recall the Officer.

ARTICLE 16 BURSARIES

Section 1

The Local shall award bursaries in the amount of seven hundred and fifty dollar (\$750.00) bursary certificates annually. The bursaries shall be awarded so that the principle bursary investment is left untouched.

Eligible applicants will need to meet the following criteria:

- a) Dependents or grandchildren of active, retired or deceased members of Local 2
- b) Brothers or sisters of current active members within Local 2
- c) First time applicants will take precedence
- d) Eligible applicants may apply in each year of study.

Option c): Will **ALWAYS** take precedent over consideration of Option d)

All applicants will have their applications submitted on or before the May 15th deadline. Bursary certificates will be redeemable in the second half of the year of continuing post-secondary program education upon proof of registration. The certificates will expire one year after being awarded if they are not redeemed.