

BY-LAWS

of the

MARINE WORKERS' & BOILERMAKERS' INDUSTRIAL UNION

Local No. 1

VANCOUVER, B.C.

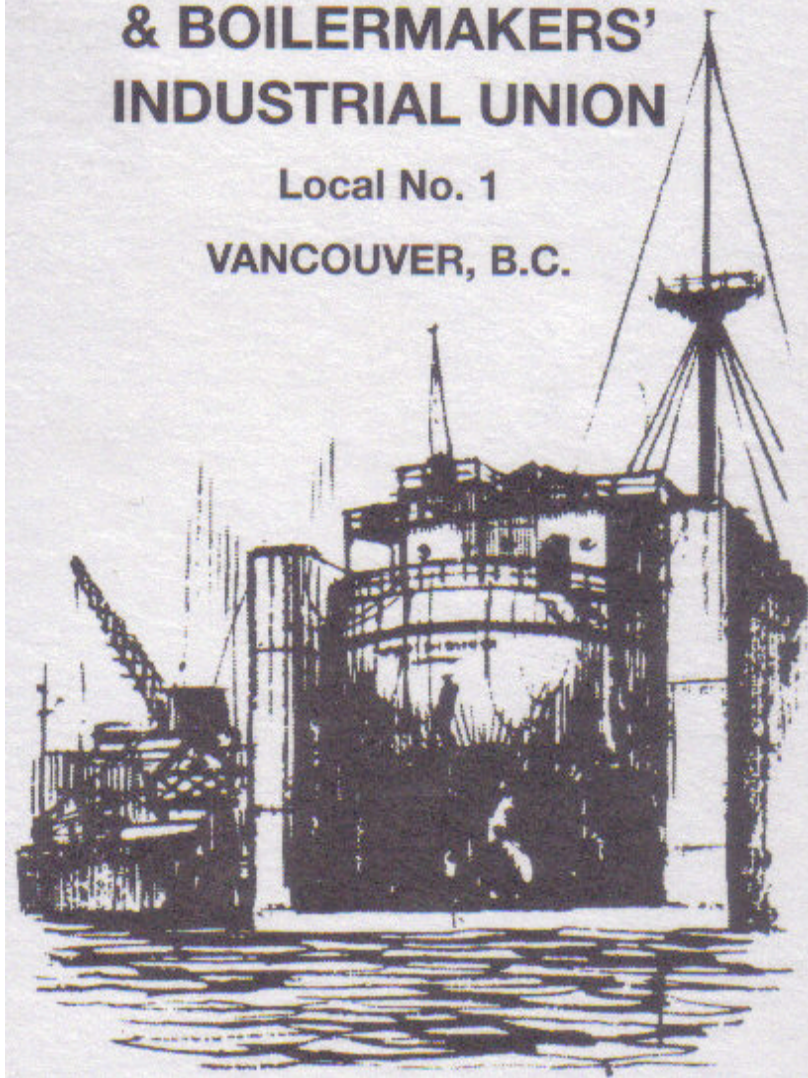


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WHEREVER THE MASCULINE IS REFERRED TO IN THIS DOCUMENT, IT SHALL BE CONSTRUED AS ALSO REFERRING TO THE FEMININE.

MEMBERS' RESPONSIBILITIES

- 1. PAYMENT OF DUES IS A MEMBER'S RESPONSIBILITY.**
2. Members more than three (3) calendar months in arrears are in bad standing
3. Members four (4) calendar months in arrears automatically cease to be members.
4. If you become unemployed you must register with the Union Office.
5. No soliciting of jobs at Union Plants.
6. Notify the Union of any change of address.
7. Register your beneficiary with the Union Office.
8. Attend your Union Meetings - first Thursday of every month.

UNION OFFICE: 130-111 Victoria Drive,
Vancouver, B.C.
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BY-LAWS of the MARINE WORKERS' &
BOILERMAKERS' INDUSTRIAL UNION

LOCAL No. 1

ORDER OF BUSINESS

For all Regular Business Meetings of the Union, the following order of business shall be adopted unless modified or suspended by the Executive Committee and the majority vote of the meeting.

- 1. Meeting called to order by Chairman. Special announcements.**
- 2. Reading of Minutes of previous meetings.**
- 3. Communications.**
- 4. Reports of Executive Committee, financial statement.**
- 5. Nomination of officers, delegates, and committees, elections of candidates.**
- 6. Reports of delegates, business representatives, committees.**
- 7. Unfinished business.**
- 8. New business, notices-of-motion.**
- 9. Good and welfare.**
- 10. Adjournment.**

OATH OF OBLIGATION

The Oath of Obligation required to be taken by all persons who become members of this Union, is as follows:

“I,, solemnly promise and declare that I will support and obey the Constitution of the Shipyard General Workers’ Federation of British Columbia, and the By-laws of this Union. I will not purposely or knowingly wrong a member of this or any trade union. I further promise that I will support and obey the working rules of this Union.”

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**Article One
NAME**

This organization shall be known as the MARINE WORKERS' & BOILERMAKERS INDUSTRIAL UNION NO. 1 (hereinafter referred to as "the Union") and its head office shall be in British Columbia.

**Article Two
OBJECTS**

The objects and purposes of this Union are to organize all workers within its jurisdiction on an industrial basis, to promote unionism, generally, and to cooperate with labour, civic and political bodies to establish and protect labour's rights and interests to work for safe and healthful working conditions and shorter hours of work.

**Article Three
CONSTITUTION**

The Constitution of this Union shall be that of the Shipyard General Workers' Federation of British Columbia (hereinafter called the "Federation") for so long as it remains chartered by that body.

Article Four

BY-LAWS

(1) These By-laws as adopted and amended shall become valid in September 1997 and remain in force until amended by the membership, as hereinafter provided. All

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By-laws under which this Union operated prior to the said date (excepting the Constitution of the Shipyard General Workers' Federation of British Columbia) are hereby declared void.

(2) Amendments to these By-laws may be made by notice-of-motion which shall be dealt with as follows: The proposed amendments shall be in writing, signed by the mover and seconded who must be members in good standing, and must affix their Union number. It shall be read out by the Recording Secretary at a regular General Business Meeting, and at the following regular General Business Meeting the proposed amendment shall be read a second time and thereupon becomes debatable. Upon adoption by a two-thirds affirmative vote the amendment comes into effect.

Article Five JURISDICTION

The jurisdiction of the Union shall be that which is allotted to it from time to time by the Shipyard General Workers' Federation of British Columbia.

Article Six ADMISSION TO MEMBERSHIP

(1) Any worker whose usual full or part-time work is covered by the jurisdiction set forth in Article Five may apply for membership in the Union by signing the prescribed application form and by paying the initiation fee. Such application may be voted on a regular Business Meeting. If accepted, the applicant shall be granted membership in this

Union for so long as he remains in good standing. All new members shall, within 30 days of acceptance into the Union, appear before a regular Business Meeting and take the following oath in the presence of assembled members:

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“I,....., solemnly promise and declare that I will support and obey the Constitution of the Shipyard General Workers’ Federation of British Columbia, and the By-laws of this Union. I will not purposely or knowingly wrong a member of this or any other trade union. I further promise that I will support and obey the working rules of this union.”

(2) In all doubtful cases, the application for membership shall lie on the table until the Executive Committee is satisfied that the applicant is worthy to become a member.

(3) PROSPECTIVE MEMBERS: When a demand is made upon the Union to supply workers on a temporary basis, in excess of the numbers normally required to meet the Union’s contracts, it shall be the prerogative of the Union to dispatch workers as prospective members. Those so dispatched shall pay an amount equal to regular monthly dues and assessments for the period they are temporarily under the jurisdiction of the Union. Should a prospective member be employed and pay dues for a period of three months, he may be inducted into full membership upon payment of the initiation fee.

**Article Seven
REGULAR GENERAL
BUSINESS MEETING**

(1) Regular General Business Meetings may be held whenever deemed advisable by the Executive Committee, but unless otherwise stated, on the first week of each and every

calendar month. It shall not be necessary to issue invitations or meeting summonses unless there be a change of date or meeting place, in which case, three days' notice shall be given by posters reasonably displayed where members of the Union are employed.

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(2) All meetings shall be called to order at 7:30 p.m. and . A meeting may only be held if a quorum is present. A quorum shall consist of the Executive members in attendance plus an equal number of members in good standing plus one additional member.

Article Eight SPECIAL GENERAL BUSINESS MEETING

(1) A Special General Business Meeting may be called by decision of a regular General Business Meeting or by the Executive Committee, or on request of thirty (30) members in good standing as specified in section (2) of this article.

(2) A request by at least thirty (30) members in good standing for a Special General Business Meeting must be signed by the applicants together with their Union numbers, and must state fully the business to be transacted at such special meeting. This request must be served personally by any two of the petitioners on any Table Officer and a receipt issued therefore. The Table Officer receiving such petition shall immediately contact the President and Secretary-Treasurer, who must then make all arrangements for the special meeting at a suitable time and place, but the date of the meeting shall not be fixed within less than four (4) full days exclusive of Sundays and Holidays, from the time the request has been served and not later than ten (10) days, exclusive of Sundays and Holidays.

Article Nine RULES OF ORDER

(1) The rules contained in “Bourdinet’s Rules of Order Revised” shall govern this Union in all cases to which they are applicable, and in which they are not inconsistent with the Constitution or By-laws, or both, of this Union. A copy of “Bourdinet’s Rules of Order” shall be on the table throughout the courses of all meetings.

(2) Motions affecting the policy of this Union, or calling for disbursements of funds in excess of seventy-five (\$ 75.00) dollars, shall be accepted only as notices-of-motion, unless such motions are placed before the assembly in the form of a recommendation of the Executive Committee. All notices-of-motion shall be stated in writing, bearing the signatures and Union numbers of the mover and seconder, who must be members in good standing. Such notices shall be dealt with in accordance with the procedure as outlined in Article Four, Section (2) of these By-laws.

Article Ten EXECUTIVE COMMITTEE

(1) The Executive Committee shall be composed of a President, a first Vice-President, a second Vice-President, a Secretary-Treasurer, a Recording Secretary-Business Representative and Four (4) members at large who shall be known as officers of the Union. It shall be the functions of the Executive Committee to administer the Union according to its Constitution, By-laws and decisions of General Membership Meetings; any five (5) members of said Committee shall form a quorum at any of its meetings.

(2) The Executive Committee shall meet, as required, to review current Union business, hear reports on any activity of the Union and prepare the Agenda for General Business Meetings. It shall offer to General Business Meeting's recommendations on correspondence, fiscal matters, notices-of-motion, unfinished business and on reports of the Union's employees, functionary boards, delegates and committees. Members of the Executive Committee who are not regularly employed by the Union, shall be reimbursed for time lost at their regular occupational rate, or journeyperson's rate, whichever is the greater, plus any other authorized expenses.

(3) The Executive Committee shall be the governing body of the Union between general meetings and shall have the power to:

(a) administer the general funds and all other property of the Union.

(b) employ and appoint, as necessary, employees, specialists, business firms and Temporary functionaries, to assist in the proper discharge of the business of the Union.

(c) make rulings on any issue that may arise, subject however, to endorsement by the General Business Meeting next following.

(d) summon any member or members to any of its regular or special meetings to investigate alleged misdemeanors or breach of the obligation oath. Actual time lost at work because of appearance in response to summons may be reimbursed at the normal rate of earnings of the member or members, at the discretion of the Executive Committee.

(4) Any three or more members of the Executive Committee may require a special meeting of the said Committee to be held, and the President or the Secretary-Treasurer being notified by such members of their desire for such meetings shall cause the same to be convened not less than 24 hours and not more than 72 hours after receipt of such request. Notice of such special meetings shall be given to each member of the Executive Committee, either verbally or in writing, and shall specify the time and place at which the meeting is to convene.

Article Eleven STANDING COMMITTEES

(1) There shall be three (3) standing committees namely, Arts Education Political Action Committee, Sports Committee; Investigating Committee. Each committee shall be composed of not less than five (5) members, one of whom shall be Chairman and another whom shall be Secretary of such standing committee,

(2) Standing committees shall meet, subject to the call of the Executive Committee, the President or the Chairman of the Committee. Not less than five (5) members of the said Committee shall form a quorum at any of its meetings.

(3) It shall be the function of the Arts Education Political Action Committee to maintain and operate social recreational facilities to members and their guests; to bring to the attention of the membership government policies and political issues which, in the Committee's views, affect or concern the welfare of the Union or any of its members.

(4) It shall be the function of the Sports Committee to regulate all sports activities for members in good standing and their guests.

(5) It shall be the function of the Investigating Committee to enquire into all matters referred to it in writing by any membership meeting, executive committee, standing committee or general shop stewards' meeting, deal with charges preferred against any member or members and report its findings as soon as completed to the body requesting such enquiry. The Chairman of this Committee shall be the duly elected examiner.

Article Twelve DUTIES OF OFFICERS

(1) In addition to the duties and powers enumerated elsewhere in these By-laws or in the Constitution,

The PRESIDENT shall:

(a) preside at all general and special business meeting and executive committee meetings.

(b) appoint tellers for elections.

(c) appoint non-salaried temporary functionaries, special committees, or delegates to non-permanent bodies, as may be necessary.

(d) release or cause to be released all official Union statements for publication in daily

press and other organs.

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(e) perform such other duties as are incidental to his office or which from time to time may be delegated to him by general membership meetings or the Executive Committee.

The PRESIDENT may:

(f) ex-office attend, speak and vote at all meetings of standing committees, special committees and shop stewards' meetings.

(g) summon any officer, employee or functionary of this Union during the usual office hours and request reports and accounting of all omissions and commissions concerning the business of this Union.

(2) The FIRST VICE-PRESIDENT shall:

(a) assist the President in the discharge of his office and fill his place in his absence or his resignation until an election is directed.

(b) have such powers and duties as are customarily incident to his office and as form time to time may be specifically delegated to him by general membership meetings or the Executive Committee.

(c) ex-officio is entitled to attend, speak and vote at all meetings of standing and special committees and shop stewards.

(d) assist the Secretary-Treasurer or Business Representatives as directed by the Executive Committee and fill their place in their absence, or registration, until an election is directed.

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(3) The SECOND VICE-PRESIDENT shall:

(a) assist the President and First Vice-President in discharge of their offices in such manner as directed.

(b) assume position of First Vice-President if and when that position comes vacant.

(c) have such other power and duties as from time to time is specifically delegated to him by general membership meetings or the Executive Committee.

(4) The SECRETARY-TREASURER shall:

(a) receive and cause to be deposited at a bank approved by the Executive Committee all monies and funds paid to the Union.

(b) keep correct financial file of each member, together with the name and address of each.

(c) meet the fixed obligations of the Union and make such other disbursements as general

business meetings or the Executive Committee may direct.

(d) prepare his books for audit on or after the last day of December in every year.

(e) submit the books to the Trustees for inspection by appointment.

(f) prepare and submit a financial statement quarterly to the Executive Committee

Trustees and the Regular Business Meeting.

**(g) keep copies of such quarterly financial reports open for inspection by members
standing, at the Union Office during regular business hours, or as directed
Executive Committee or General Business Meeting.**

**in good
by the**

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**(h) satisfy himself of the faithful performance of duties allocated to all employees
agents working in his department and shall protect the Union's interests by
securing a fidelity bond of not less than \$ 35,000.00 for all officers, members and
employees handling the Union's funds.**

and

(i) have charge of the Seal and affix same to official documents.

(j) have control of all supplies.

**(k) issue all printed matter, summonses for special meetings, executive committee,
standing for special committee meetings.**

(l) be responsible for all correspondence and reports.

(m) read all communications and documents.

(n) perform such other duties as are associated with his office, or which, from time to time may be delegated to him by general membership meetings or Executive Committee.

(5) SIGNING OFFICERS:

The President, the First Vice-President, the Recording Secretary-Business Representative and the Secretary-Treasurer shall be signing officers for all withdrawals from any fund of the Union, and the signatures of these officers shall be furnished to the bank holding such funds. Any two (2) signatures shall validate withdrawals, provided however, that the signature of either the President or the Secretary-Treasurer appears thereon.

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(6) The RECORDING SECRETARY shall:

- (a) keep the Minutes of all General Business Meetings.**
- (b) supervise all preparations for the biannual election of officers.**
- (c) fulfill such other duties as are customarily associated with his office or which, from time to time, may be delegated to him by general membership meetings or the**

Executive Committee.

(d) in the absence of the President, the First and Second Vice-Presidents from a meeting, he shall call the same to order and a Chairman, pro tem, shall be elected who shall serve as presiding officer for such meeting.

(7) EXECUTIVE MEMBERS:

The four (4) Executive-Members-at-large shall be members ex-officio at all special and shop stewards' meetings and shall perform such other duties as general membership meetings or the Executive Committee may determine.

(8) TRUSTEES:

(a) There shall be three (3) Trustees of the Union, each to hold office three years from the date of his election, except he who is elected to complete the unfinished term of a Trustee who resigns or loses membership in the Union. In case all three (3) Trustees are elected at one time, one shall hold office for a period of three years, one for two years and one for one year, respectively, in direct ratio to the number of votes cast for each. (There shall be one Trustee elected each year to replace the retiring Senior Trustee.)

(b) The Senior Trustee shall be Chairman of the board and it shall be his duty to call a meeting of the board of Trustees after each audit of the Union's books, or more frequently, as deemed necessary, or as instructed by the Executive Committee.

The TRUSTEES shall:

(a) satisfy themselves that all funds received or administered by the Union are and continue to be property of the Union.

(b) have power to summon any officer, member, or employee to explain the condition of his records. Any such person or persons so summonsed shall be required to turn over to the Trustees all papers, records, books and property belonging to the Union, demanded by them, subject to the approval of any general business meeting.

(c) recommend to the general membership a firm of auditors.

(9) EXAMINER:

There shall be an Examiner whose duty, while not an officer of the Union, shall be to preside over all meetings of the Investigating Committee.

(10) WARDEN:

There shall be a Warden who, at general business meetings, shall:

(a) take charge of the doors to see that none but members in good standing, or those entitled to attend, enter.

(b) when necessary, request members present to assist him in the discharge of his duties.

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Article Thirteen ELECTIONS

(1) UNION OFFICERS:

Nomination of Officers, Trustees, Examiner, and Warden shall take place every third year, and shall take place at the regular General Business Meeting in

November, and may be made verbally on invitation of the Chairman, or in writing.

(2) To validate his candidature, the nominee must:

(a) be a member of good standing, whose dues for the current month have been paid and does not owe the Union any monies whatsoever and who has an uninterrupted membership of not less than two years prior to nomination.

(b) be present at the nomination meeting and declare his willingness to stand or, if not present, his written acceptance of nomination must be submitted at the meeting.

(c) be nominated for only one office.

(d) not be above the rank of a charge hand at his place of employment.

(e) be working under the jurisdiction of the Union for the past two years.

(3)

ELECTIONS OF OFFICE shall be held on the day of the first Monday in

December, from 9:00 A.M. until 8:00 P.M. by referendum ballot. Sufficient tellers to be appointed by the Executive Committee to take charge of the ballot boxes. Only members in good standing shall be entitled to vote.

The Recording Secretary shall be the Returning Officer and shall ensure that Tellers are appointed. Any candidate may credential one personal scrutineer to inspect the ballot boxes before sealing, attend while balloting is in progress and while the ballots are being counted.

(4) VOTING PROCEDURE:

On all ballots where two or more candidates are to be elected, it shall not be obligatory upon a voter to mark his ballot in full.

(5) INSTALLATION OF OFFICES shall take place at the first regular Business Meeting held following the election and their term of office shall commence on the first day of January next following. Candidates who are unavoidably absent at the regular installation ceremony may be installed at any General Business Meeting thereafter by any member of the Executive Committee.

The successful candidate shall be required to take the "Officers Oath of Obligation" as follows:

"I,, being elected to the office of, hereby sincerely promise and declare that I will faithfully perform the duties devolving upon me as an Officer of this Union as prescribed by the Constitution and By-laws of this Union, attend all General Business Meetings of the Union and all Regular and Special Board of Committee Meetings Incident to my Office, whenever possible, and at the end of my term of office, deliver to my elected successor all books, funds,

papers, keys and all other property in my possession belonging to the Union.”

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(6) DELEGATES AND STANDING COMMITTEES:

(a) Nomination of delegates and members of standing committees shall take place at the Regular General Business Meeting in January in every second year.

(b) Elections shall be held at the next Regular Business Meeting and shall be by secret ballot, if necessary.

(7) BY-ELECTIONS AND DISQUALIFICATIONS:

(a) Any office or position declared vacant by the Executive or a General Business Meeting, with the exception of the Presidency, shall be filled as soon as possible after such a vacancy is declared.

(b) Any Executive Member, standing committee member or delegate who ceases to be a member in good standing, or who fails without reasonable excuse to attend three consecutive meetings of the body or bodies to which he has been elected, shall have such omission reported to the General Business Meeting by the Executive Committee.

Article Fourteen REFERENDUMS

A general membership referendum may be held at any time to decide important questions of policy, and may be ordered:

(a) by General Business Meeting.

(b) by the Executive Committee.

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Article Fifteen SHOP STEWARDS

(1) In every place of employment where the Union maintains contractual relations with an employer,. Shop Stewards shall be nominated and elected in the month of January each year.

(2) There shall be one shop steward for each ten (10) members in a given classification. Shop stewards must attend at least one (1) General Business Meeting per two-month period, or forfeit the right to be a shop steward unless excused by a General Membership Meeting or the Executive Committee.

(3) Shop stewards may, at any time, be recalled for cause by the members of his trade and work shift.

(4) The Secretary-Treasurer of the Union shall be responsible for the efficient functioning of the shop steward.

Article Sixteen RULES AND REGULATIONS FOR DEATH BENEFIT FUND

(1) A One (\$1.00) Dollar assessment be levied, per month, for Death Benefit Fund for

anyone paying full dues.

(2) Members paying unemployed, sick or retired dues will be assessed Sixty (60) cents per month.

(3) When death occurs, the Beneficiary will be paid One Thousand (\$1,000.00) Dollars from the Death Benefit Fund, subject to the following provision:

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Member must be fully paid up in the Union for a period of one (1) year to be eligible for one-half ($\frac{1}{2}$) of the Death Benefit, and must be fully paid up for two (2) years to be eligible for the full Death Benefit.

(4) The Death Benefit shall be liable to the amount in the Fund on any given day.

(5) THE UNION'S RESPONSIBILITY

Only a member who is dismissed or precluded from employment by reason of reaching retirement of infirmity, may continue to be covered by the entitlement of the "Death Benefit" section of these Bylaws provided:

(a) that he continues to maintain status of an "unemployed member" through regular payment of required dues for this category.

(b) that he does not subsequently disqualify himself under other sections of the Union By-laws.

Article Seventeen
RIGHTS AND DUTIES OF MEMBERS

(1) Any member in good standing may be admitted to any standing committee and shop stewards' meeting to state and bring to the attention of such bodies, subject matter properly coming within the jurisdiction of such bodies, and within such period as may be directed by the chairman of the meeting.

(2) Any member in good standing may request appointment to appear before a regular meeting of the Executive Committee by application to the Secretary-Treasurer.

(3) It shall be the duty of every member to keep his membership in good standing, to

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attend General Membership Meetings, obey all summonses, produce his Union card on reasonable request by shop stewards, business representatives, chairmen at meetings and warden, report to the Secretary-Treasurer changes of addresses and faithfully carry out any function on behalf of the Union allocated on him.

(4) Any person who is admitted to membership in this Union undertakes to accept, endorse and, at all times, abide by the terms of the Oath of Obligation set forth in these By-laws.

(5) Any member with the membership for a period of thirty (30) years or more, who has kept himself in good standing may be entitled to a Life Membership in the organization, without payment of dues, at the discretion of the General Business Meeting and shall be entitled to all the rights, benefits and privileges within the gift of the Marine Workers' and Boilermakers' Industrial Union, Local No. 1, save and except the right to hold office, provided the following condition are adhered to:

(a) the member is unsafe to work

(b) the member has retired from all employment and has applied for his union pension if applicable.

(c) the member applies to the Union for said Life Membership.

Article Eighteen DUES, REINSTATEMENTS, ASSESSMENTS AND FINES

(1) Dues shall be payable on the first of each and every calendar month and shall be determined by the general membership. Full dues shall be paid by any member who works four (4) shifts or the equivalent in any calendar month. Members on Workers'

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Compensation will pay full dues for the first three (3) months. Thereafter dues will be paid proportionately.

(2) The onus of maintaining dues payments is the responsibility of each individual member. A member more than three (3) calendar months in arrears in dues is not entitled to any benefits of membership. Such person who has so forfeited title to benefits of membership, may regain such privileges provided he makes application for reinstatement together with a reinstatement fee but, at the discretion of the Executive, such fee may be waived. Payments of delinquent dues shall be at the discretion of the Executive or the General Business Meeting. Assessments and fines must be paid before any further credit is allowed towards dues payments.

(3) Good standing means a member who is not more than three (3) calendar months in arrears. A member four (4) calendar months in arrears in dues automatically ceases to be a member of the Union.

(4) President of the Union shall have the authority to waive the initiation fee and the regular monthly dues in new plants and new operations in the organizational stages.

(5) Any officer of the Union working outside the jurisdiction of the Union for a period of two (2) months or more shall vacate his office at the discretion of the Executive or the General Business Meeting.

Article Nineteen WITHDRAWALS, TRANSFERS

(1) Withdrawal Cards shall be issued free of charge to any member in good standing within ten (10) days of his request and on presentation of his union card, provided that his union dues are paid to the current month, and also provided that:

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(a) he is no longer employed at a trade coming within the jurisdiction of this Union;

**(b) he is no longer working in any trade coming under the jurisdiction of this
Union;**

(c) he is promoted to rank of foreman and above;

(d) he moves from the territorial jurisdiction of the Union

(2) Withdrawal cards shall remain valid only as long as the condition applicable in a given case is never violated.

(3) A holder of a valid withdrawal card from any local union chartered by the Shipyard General Workers' Federation may, on application to the local union concerned, be reinstated to full membership by decision of a membership meeting or the Executive Committee of the local union on deposit of the withdrawal card.

(4) Transfers and Withdrawal Cards from all other legitimate unions shall be accepted as entrance in accordance with these By-laws.

Article Twenty FUNDS

(1) All funds and property of the Union received or administered by it , or by any of its

committees are, and shall at all times remain the property of the Union, and not of any individual member or members, or persons who cease to be members. There shall be no division of funds but in the event of dissolution of this Union, all funds and property shall be transferred to the Shipyard General Workers' Federation of B.C., or its legal successor Notwithstanding the foregoing, the Office premises of the Union shall be the property of

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the Marine Workers' Holding Ltd., whose directors shall appoint officers of the said company to hold the said shares of the said company In Trust for the Union.

Article Twenty-One DISCIPLINE

(1) Any member found guilty of an offence, hereinafter listed shall be disciplined, the penalty to be passed on the recommendations of the standing Investigating Committee, endorsed by decision of a General Business Meeting. Any member who:

(a) violates after due warning, any of the working rules which may be established from time to time by the General Business Meeting;

(b) violates any part of the Obligation Oath or Oath of Office;

(c) is found "moonlighting" while employed within the jurisdiction of this Union (moonlighting being defined as anyone working at the same trade within the jurisdiction of the Union, or working for any other employer which may be in direct competition with union jurisdiction).

(2) The charge in respect of any offence or offences mentioned in this Article may be laid by any member of the Union in good standing. Such charge must:

(a) be in writing, signed by the member making the charge, who must also state his Union number;

(b) name alleged offender or offenders;

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(c) specify the alleged offence or offences and the section or the Constitution or By-laws alleged to be violated.

(d) be filed with the Recording Secretary before a Regular Business Meeting;

(e) be read out to such a meeting by the Recording Secretary under the order of business for Notice-of-mention.

(3) After the charge is read out, as aforesaid, the charge shall be handed to the Chairman or Secretary of the standing Investigation Committee, to conduct the trial at a date not less than ten (10) days, nor more than thirty (30) days from the date of the meeting at which the charges were read out. All parties entitled to participate at the trial, including the accused, shall be notified by registered mail, addressed to the party concerned, at his last known address (as it appears on the Union's records).

(4) Should the complainant wilfully fail to appear at the time set for the trial, the Chairman of the Trial Committee may rule the charges dismissed; and alternately, if the accused wilfully fails to appear at the time set for the trial, the said trial may be conducted in his absence and the verdict based on the testimony of witnesses present. The complainant and the accused shall each be permitted to appoint counsel, who must be a member of the Union, and if the Union's interests are vitally affected, the President may appoint a counsel to act on behalf of the Union. Testimony of persons, not members, shall be admissible, and all testimony must be recorded in the same manner as minutes are recorded at a Regular

General Business Meeting.

(5) After the evidence is all in, the Trial Committee shall take a vote of the Committee members present to determine the guilt or innocence of the accused and shall prepare a concise report together with recommendations with regard to penalty, if such be necessary, for the next Regular General Business Meeting. In case the opinion of the Committee is divided, the minority shall also submit their views.

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(6) After the report is read out at a General Membership Meeting, excluding the recommended penalty, if any, the motion shall be put to accept or reject the Committee's report and there shall be no debate or review of the case by the meeting, but the meeting shall first hear that view of the minority of the Trial Committee, if any, and shall permit the complainant's and accused's counsel to plead for or state their side, and shall permit statements to be made by the complainant and the defendant, and by the Union's counsel, if one has been appointed, and all the said persons shall be given the right of the floor for an equal and pre-determined period.

(7) The meeting shall then vote on the motion by secret ballot, and if the charges are sustained by the majority of the members voting, the accused stands convicted and the meeting shall then consider the recommendation of the Investigation Committee as to the penalty, and make a decision by majority vote, but concurrence of a two-third (2/3) majority shall be required to expel a member.

(8) If a member has been found guilty by a General Business Meeting of any offence and feels that the decision is unfair or the penalty too severe he may, within sixty (60) days file an appeal in writing with the Executive of the Shipyard General Workers' Federation of B.C., but no appeal shall be permitted from the imposition of a fine, or in cases where a fine was part of some other penalty, unless such fine is first paid. If expulsion has been the penalty, an appeal shall stay the order, until decision by the Executive of the Shipyard General Workers' Federation of B.C. If the member is still dissatisfied of the Executive Committee of the Federation, appeal the decision to the next Convention of the Federation. An order for expulsion is stayed pending the decision of the Convention.

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