

Local 2182 Bylaws.

Modified Halifax October 2003

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Article 1 – Name

The name of the local union shall be the COAST GUARD MARINE COMMUNICATIONS OFFICERS, known as local 2182 of CAW, hereinafter referred to as Local 2182.

Article 2 – Purpose

The purpose of Local 2182 is to represent its members in collective bargaining and in all other relations with their employers, to further the professional status of its members, to promote its image and to promote marine safety and environmental protection.

Article 3 – Membership

Active members

To qualify as an active member of Local 2182 and the National Union (CAW) a candidate must sign an application for membership and be a dues paying Marine Communications & Traffic Services Officer in good standing.

Retired members

An Active Member who retires is entitled to retired membership status and does not pay dues. The retired member has all the rights and privileges of active membership except the right to vote in strike votes, collective agreement ratification and workplace elections and the right to hold office on the executive.

Honorary members

Honorary members are by invitation of the President of the Local and the approval of Local 2182 Board of Directors.

Article 4 – Organization Structure

4.1 The organization of Local 2182 shall consist of the members, site representatives, representatives of the administrative regions as follows.

4.2 The Executive shall consist of

- An elected (Local 2182) President
- An elected Secretary-Treasurer

4.2 The Board of Directors of Local 2182 shall consist of elected Directors, 1 for each of the Marine Administrative regions as follows

- Pacific Region
- Central & Arctic Region
- Quebec Region
- Maritimes Region
- Newfoundland Region

4.3 The members at each work site represented by elected Stewards.

Administration

The business of Local 2182 is administered by the following bodies

- The Executive shall consist of :
 - An elected Local 2182 President
 - An elected Secretary-Treasurer
- The Board of Directors consisting of the Regional Directors as defined in Article 4.1, each Director having one vote, and the members of the Executive. Executive members are non-voting members of the Board of Directors.
- The members at each work site, represented by elected or appointed stewards.
- The Delegates to Convention
- The active members in good standing, when given the opportunity to vote individually, i.e. collective agreement ratification, referendum, etc.

Article 5 – Elections

Election Officers

An Elections Chairperson, who is an active member of Local 2182 in good standing, but who is not a member of the Executive or Board of Directors shall be elected at each Local Convention to supervise any regional/national elections or membership votes as provided for in these Bylaws. The Elections Chairperson shall assume office on the day immediately following the final day of the convention at which he/she was appointed and shall serve in this capacity until the final day of the subsequent convention. The elections chairperson shall not stand as a candidate for any position on the Executive or Board of Directors.

Election Announcement

Not less than ninety (90) days prior to the Local 2182 Convention, the Executive shall call for nominations for the positions of President, Secretary-Treasurer and Delegates to Convention. Not less than ninety (90) days prior to the official vote date, the Executive shall call for nominations for the positions of Regional Director.

Election Process

- President – The President is elected, for a term of three (3) years, by a simple majority of members in good standing.
- Secretary-Treasurer – The Secretary-Treasurer is elected, for a term of three (3) years, by a simple majority of members in good standing.
- Elections Chairperson – The Elections Chairperson is elected, for the period between conventions, by a simple majority of Delegates to Convention
- Directors – Directors are elected, for a term of three (3) years by members of their respective region; starting in 2000 for Central & Arctic and Newfoundland, in 2001 for Pacific, Quebec and Maritimes.

Vacancies between Elections

Executive – Any vacancy on the Executive will be filled, for the duration of the current term, by secret ballot vote by the Board of Directors, in a supplementary election at their next meeting. A majority of the Executive and the Board of Directors may designate a willing member of the local to fill the position on an acting basis until the next Board meeting.

Director – A vacancy may be filled by the appointment of an Active Member from the affected Region by the Executive, until the position can be filled by a supplementary election.

Elections Eligibility and Process

Executive

- All active members in good standing are eligible to stand for election to a position on the Executive.
- No member may run for more than 1 position on the executive
- All nominations must be received by the Elections Chairperson at least sixty (60) days prior to the Local Convention
- Nominations for Executive positions must be endorsed with the signature of the nominator and one seconder, who must be active members.
- If there is only one person nominated, that person shall be declared elected by acclamation..

Regional Director

- All active members in good standing are eligible to stand for election to the position of Regional Director in their respective region.
- All nominations for the position of Regional Director must be endorsed with the signature of the nominator and one seconder, who must be active members in the Region concerned.
- All nominations must be received by the Elections Chairperson at least sixty (60) days prior to the date of the vote count.
- Ballots listing the names of all persons nominated shall be forwarded to each active member of the Regions concerned, at least fifty (50) days prior to the date of the vote count.
- In convention years the date of the vote count shall be not more than sixty (60) days, nor less than thirty (30) days prior to the last day of the convention. In non-convention years the date of the vote count shall be the first Tuesday in November.
- The elections chairperson shall announce the successful candidates on completion of the vote, via telephone to the successful candidate, and to all members by the most expedient means available.
- Directors elected in convention years shall assume duties immediately following the convention. In non-convention years they shall assume duties as soon as the transition can be accommodated between the outgoing and incoming directors. In no case shall this process take more than one calendar month.

Steward

- All active members in good standing are eligible to stand for election to the position of Steward representing their work site.
- A vote shall be conducted by active members of the work site to elect steward(s) between ninety (90) and sixty (60) days prior to the delegates convention, or at any other time the position becomes vacant. A steward is elected by a simple majority of votes cast by active members at a work site, or by acclamation if there is only one candidate. The steward shall ensure that the Director is advised of the result of the election as soon as possible.
- If at any time, there is no steward at a work site, the Regional Director can appoint a temporary steward until one is elected by the members at the work site.

Dismissal from Duty

- Any member of the Executive may be dismissed from his/her position upon the request of at least 75% of the Regional Directors.
- Any member of the Board of Directors may be dismissed from his/her position upon the request of a simple majority of the active members of their respective region.
- A steward may be removed from office by majority vote of the active members at the respective work site.

Convention Delegate

All active members in good standing are eligible to stand for election for delegate to convention in their respective region. Nominations for delegates must be received by the elections chairperson at least sixty (60) days prior to the last day of the convention. All nominations must be endorsed with the signature of the nominator and one seconder, who must be active members of the region concerned.

Article 6 – Conventions

6.1 The tri-annual delegate's convention is composed of the following members:

- Elected delegates from the administrative regions as defined in Article 4
- Members of the Local Executive
- Members of the Board of Directors

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- 1 elected delegate representing non-operational members

6.2 Each of the regions, as defined in Article 4, are entitled to 1 delegate for every 50 members, or major portion thereof, each delegate having 1 vote.

6.3 All members of the National Executive attend all conventions, each having 1 vote.

6.4 In addition to any elected (regional) delegates to convention provided for by this Article, the Regional Director will also attend, each Director having 1 vote. Should there be a new Regional Director elect, the outgoing Director attends as Director and the incoming Director automatically fills the role of the 1st delegate to convention elected from that region. Should a given region only be entitled to 1 delegate to convention, by virtue of their membership population, their 1 delegate shall be the incoming Director.

6.5 There shall be a Delegates' Convention not less than once every 3 years at a time, place and/or format, as designated by the previous delegates convention.

The membership may request a change in format of the convention by a simple majority vote in a referendum.

6.6 However a supplementary convention shall be called:

- By unanimous request of the Board of Directors, or
- At the request of a simple majority of the active members of Local 2182 as indicated by referendum.

6.7 Change in convention format

Within two years after any tri-annual convention, upon the request of at least 25% of the membership in good standing that a referendum vote shall be held to determine whether the previous tri-annual convention determination as to the format of the following tri-annual convention shall be upheld or not. No more than one such referendum vote may be held between two conventions.

Statutory Agenda for Delegates' Convention

- Opening Address by the President
- Reading of the minutes of the previous Convention
- Presentation of the Audited Statement of Finances by the Secretary-Treasurer
- Review of membership Dues
- Debate of Bylaw Amendments
- New Business
- Election of Officers

The agenda and all discussion topics, including proposed bylaw amendments must be submitted to the delegates by the Secretary-Treasurer at least 14 days prior to the first day of the Convention.

Article 7 – Amendments to the Bylaws

7.1 Any proposals for amendment to the bylaws must be submitted, in writing, to the Board of Directors, via the Secretary-Treasurer no later than 60 days prior to the first day of the delegate's convention.

7.2 In order to be ratified, any proposal for amending these bylaws must receive either

- A 2/3 majority of the votes cast by delegates at convention, or
- A 2/3 majority of votes received from active members in a referendum

7.3 An amendment passed at convention will come into effect on the day following the last day of the convention. An amendment passed by referendum will come into effect immediately.

Article 8 – Membership Dues

8.1 Entrance dues for Active membership is \$2.00

8.2 Dues for honorary members is \$0.00

8.3 Dues for Retired members is \$0.00

8.4 Dues for Active members are set at 1.75% of members' salary.

Article 9 – Collective Bargaining

9.1 All Regional Directors, the Local President, each having an equal vote and a representative from the National Union shall form the bargaining committee.

9.2 The bargaining committee shall

- Solicit bargaining proposals from the membership
- Consolidate proposals, prepare the Local bargaining priorities and positions and submit them to the employer.
- Conduct negotiations
- Submit any and all tentative agreements to the active members in good standing

9.3 Any tentative agreement shall be submitted to the active members with a recommendation for acceptance or rejection from the Board of Directors. Each active member is entitled to 1 vote. No tentative agreement may come into force unless and until it has received a simple majority approval of the votes submitted by the active members.

9.3.1 This vote may take the form of a postal vote, or any other manner, provided that the elections chairperson and the Board of Directors are satisfied that the integrity of the secret ballot is maintained and that each active member has been provided with the means and opportunity to cast their ballot.

9.3.2 If a special agreement is negotiated, which directly affects on certain members of Local 2182, the Board of Directors may limit ratification of this special agreement to those members directly affected. In this case a national vote of all active members may not be required.

Article 10 – Referenda

A referendum may be conducted concerning any matter of particular importance when requested either by 75% of the Board of Directors or 2/3 of delegates to convention.

The referendum shall be conducted in a format that respects the principle of each eligible member having a secret ballot. Ratification of the question subject to referendum requires a 2/3 majority of the votes received. The time frame for dissemination of the referendum question and voting information, and the time for the voting process shall be sufficient to allow all concerned members to have an opportunity to review the situation and to cast their votes.

If ratified, the referendum decision shall come into effect immediately. The Elections Chairperson shall be responsible for the conduct of all referenda in accordance with the provisions of these bylaws. The results of the vote shall be published to the membership as soon as possible after the counting of the votes.

Article 11 – Meetings and Quorums

Meetings are normally presided over by the President, his/her designate, or in the case of committees by the committee chairperson.

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the conduct of such meetings unless they are in conflict with the Union Constitution, these bylaws, or any special rules of order Local 2182 has adopted.

A request for the holding of a secret ballot may not be denied.

A quorum at any session of a Delegates' Convention shall consist of 2/3 of the voting delegates.

A quorum at a meeting of the Board of Directors shall consist of 2/3 of the

Article 12 – Finance

12.1 Borrowing of Money

Only the Board of Directors may authorise the borrowing of money upon the credit of Local 2182 in such amounts as it deems necessary by way of overdraft or otherwise. The limit of borrowing shall not exceed the limit of bonding.

12.2 Fiscal Year

The fiscal year of the Association shall start on January 1st of each year and end on December 31st.

The Board of Directors shall appoint a board of Trustees who shall have the authority and responsibility of auditing the finances of the Local.

12.3 Local Reserves

Local 2182 will establish an operating reserve at a rate determined by the Board of Directors. Expenditures from the Operating Reserve will be made on approval of the Board of Directors and will be limited to approved budget items, which for unforeseen reasons exceed the amounts authorised by the budget.

Any excess income over expenditures, for any fiscal year, shall be placed into a Contingency Reserve. Expenditures from the Contingency Reserve will require formal approval of the Board of Directors.

Local reserves shall be kept on deposit in chartered banks, CS CO-OP, Trust Companies, Bankers' Acceptances, Government of Canada T-Bills and/or bonds, with a rating of "AA" or better.

Article 13 – Indemnification

The Local shall indemnify and save harmless a Director or Officer, or a former Director or Officer, and his/her heirs and legal representatives, from and against all costs, charges and expenses, including an amount paid to settle an action or satisfy a judgement or order, incurred by she/he in respect of any civil, criminal or administrative action or proceeding to which she/he is made a party by reason of being or having been a Director and/or Officer of the local if;

1) She/he acted honestly and in good faith with a view to the best interests of the Local and/or

2) In the case of a criminal or administrative action or proceeding that results in a monetary penalty he/she had reasonable grounds for believing that their conduct was lawful

The Local shall also indemnify any such person in such other circumstances as these bylaws or the law permits or requires. Nothing in this article shall limit the right of any person entitled to indemnity apart from the provisions of this article to the extent permitted by these bylaws or the law.

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