



**SEIU LOCAL 2
BRANCH 300**

UNION BY-LAWS

2022

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SEIU LOCAL 2- BRANCH LOCAL 300 UNION BY-LAWS

ARTICLE 1 – NAMES & OBJECTIVES

Section 1 - Name and Affiliation

- (a) This organization shall be called SEIU Local 2-Branch Local 300 (hereinafter called “the Union”).
- (b) The headquarters of the Union shall be located in the Province of British Columbia.

Section 2 - Aims and Objectives

The aims and objectives of the Union are:

- (a) To promote the general welfare of all workers.
- (b) To organize the unorganized.
- (c) To represent, protect, maintain and advance the interests of workers within the jurisdiction of the Union and to see that its members are treated justly in their dealing with their employers.
- (d) To improve wages, hours of work and conditions of employment.
- (e) To engage in legislative, educational, civic, political, welfare and other activities of the membership of the Union and of workers everywhere and the improvement of general social and economic conditions.
- (f) To strengthen the Union and the membership of the Union by promoting the unity and solidarity of all Unions and their members.
- (g) To eliminate any harassment, and discrimination to provide equal treatment of everyone, regardless of class, race, colour, nationality, age, gender, language, sexual orientation or religious belief.

ARTICLE 2 – JURISDICTION

The Union shall have jurisdiction to organize and represent workers in the Brewing and Beverage Industries and any other industries as may be deemed appropriate by the General Executive Board.

ARTICLE 3 – MEMBERSHIP, ELIGIBILITY AND OBLIGATIONS

Section 1 - Jurisdiction

Workers engaged in industries over which the Union exercises jurisdiction who are of good character and subscribe to these By-laws of the Union are eligible for membership in the Union.

Section 2 - Limitation

A person may not be initiated, re-initiated or reinstated to membership in the Union unless they are employed in one of the industries within the jurisdiction of the Union or unless the General Executive Board has first approved their application for membership.

Section 3 - Application

Candidates for membership are required to answer truthfully all questions upon the official membership application. Making a statement which is false on the application shall be good and sufficient cause for expulsion from the Union.

Section 4 - Initiation Fee

Each application for membership shall be accompanied by an initiation fee as prescribed by the General Executive Board. The initiation fee may be reduced to an amount not less than one dollar (\$1.00) as part of a campaign to organize a group of persons not previously represented by the Union.

Section 5 - Discrimination

The Union shall not discriminate against an applicant for membership or a member contrary to the Human Rights Code of British Columbia as amended from time to time.

Section 6 - Recommendation

A candidate for membership shall not become a member unless they are recommended by at least two (2) members in good standing and approved by a majority of the members voting at a Regular or Special Meeting of the Union.

Section 7 - Initiation Procedure

Every application that is correctly filled out and in good order, accompanied by the initiation fee, shall be considered. If an applicant has been accepted by the membership they shall be initiated at that or the next Regular Meeting of the Union.

Section 8 - Former Members

A former member of the Union may be reinstated to membership provided their application for reinstatement is approved by a majority of the members voting at a Regular or Special Meeting of the Union.

No former member shall be reinstated unless they have first paid all of their dues which are in arrears and an initiation fee, or such lesser amount as is prescribed by the General Executive Board.

Section 9 - Rejection

All applications for membership must be scrutinized by the General Executive Board before being voted on by the membership at the next Plant or Regional Meeting. The General Executive Board may recommend to the membership that an applicant for membership be rejected. If the General Executive Board makes such a recommendation, it shall give its reasons for doing so at the meeting where the applicant's application is to be

voted on. Where the General Executive Board makes such a recommendation the applicant shall have the right to appeal under Section 12.

Section 10 - Oath

Persons accepted for membership shall become members after completion of the following obligation:

“I, (given name), hereby pledge my word of honour that I will be true to the Union and its principles as long as I am a member thereof; that I will faithfully comply with all the provisions of the Constitution and By-Laws of the Union and that I will consider every one of its members as my friend and brother or sister; that I will not reveal any business or proceedings of any meeting of the Union except to those who have a right to such knowledge; that I will comply with the orders, regulations and decisions of the Union; that should I fail to keep these promises, I shall be punished with a penalty up to and including, expulsion from the Union.”

Section 11

If any applicant has to work at the time of the Regular Meeting or for other extraordinary reasons, they may be initiated at a place other than a Regular or Special Meeting by the President or a duly appointed representative, and in the presence of one (1) or more members of the Executive Board or Shop Steward.

Section 12 - Appeal

An applicant whose application is rejected may appeal the rejection to the General Executive Board. The appeal shall be in writing and shall state fully and completely the candidates' reasons for appealing.

The General Executive Board shall consider the appeal and after making such investigation as it considers necessary, which may include interviewing the candidate,

may either order that the application be reconsidered at the next Regional or Plant Meeting of the Union or that the appeal be dismissed.

Section 13 - Refund

An applicant whose application is rejected shall have their initiation fee refunded.

Section 14 - Waiver of Probation

- (a) Where there are not sufficient members to fill available employment positions the General Executive Board or its appointed representative may, notwithstanding any other provision in these by-laws, immediately initiate suitable candidates to membership in the Union.
- (b) In the circumstances set out in 14 (a) candidates shall be initiated by the following procedure:
 - 1. Prior to initiation complete a membership application.
 - 2. Complete the oath of membership.
 - 3. Shall pay the initiation fee immediately as prescribed by the General Executive Board.
- (c) All members initiated pursuant to this Section shall be members in good standing.
- (d) Members appointed pursuant to Section 14, shall be presented for approval by the members at the next Regular or Special Meetings of the Union. Failure to obtain a majority approval at such meeting shall result in the loss of membership rights.
- (e) A member whose membership rights are terminated pursuant to Section 14 (d) shall have their initiation fee refunded.

ARTICLE 4 – DUTIES OF MEMBERS

Section 1 - Principles

Every member shall uphold the fundamental principles of this Union as laid down in the Constitution and By-Laws of the Union.

Section 2 - Right to Suffrage

Every member shall subscribe to the belief that it is the inherent duty of every citizen of the nation to use the right of suffrage at the ballot box when physically able to do so.

Section 3 - Rules

Every member shall comply with such rules and regulations as the Union enacts from time to time. Each member shall acquaint himself as soon as possible with the changes in such rules and regulations.

Section 4 - Collective Agreement

Every member shall adhere strictly to the terms of any collective agreement entered into with an employer.

Section 5 - Obligation

Members shall not injure fellow members or workers by betrayal, oppression or trickery, or cause them to lose their employment.

Section 6 - Grievances

All grievances against employers, superiors, or fellow workers must be immediately brought to the attention of the member's Shop Steward, in writing, to be duly processed.

Section 7 - Disagreements

If any difficulty arises between members, the difficulty shall be reported to the Shop Steward. The Shop Steward shall investigate it and attempt to adjust the difficulty satisfactorily. If they cannot adjust the difficulty satisfactorily, they shall turn the matter and all particulars over to the Grievance Committee.

Section 8 - Officers

Every member shall treat the Officers of this Union with respect and politeness at all times.

Section 9 - Reporting

- (a) Members who are discharged or who terminate their employment, shall immediately report it to their Shop Steward. The Shop Steward will report it to the Union Office. Every member shall be considered working and shall remain liable to pay all dues until they do so.
- (b) A member who changes his address must report it to their Shop Steward. The Shop Steward must immediately report it to the Union Office.

Section 10 - Attendance

It is the duty of each member to attend all Regular, Regional or Special Meetings of the Union.

ARTICLE 5 – INITIATION FEES, DUES AND ASSESSMENTS

Section 1 - Fee

The initiation fee shall be as prescribed by the General Executive Board

Section 2 - Dues

- (a) Each member shall pay monthly dues to the Union. The monthly dues shall be a percentage, as is prescribed by the General Executive Board, of each member's gross earnings. Gross earnings shall include all monies received from the employer.
- (b) A member who is two (2) months in arrears in the payment of monthly dues, or other financial obligations to the Union, shall cease to be a member in good standing until they pay all arrears or monthly dues, and all other financial obligations to the Union, they shall have no voice or vote at Union meetings

and shall be ineligible for nomination, election, or appointment to any position or office in the Union.

A member who is three (3) months in arrears in the payment of dues shall automatically forfeit their membership. They shall only be reinstated to membership in accordance with Article 3.

- (c) In the event that the Union is faced with an emergency due to unusual circumstances, which may endanger its financial security, the General Executive Board may levy a special assessment in order to replenish either the General Fund or the Defence Fund. The amount of the special assessment shall be in an amount determined by the General Executive Board and shall be payable for as long as the General Executive Board prescribes.
- (d) No member who forfeits their membership or loses their good standing because of a failure to pay dues shall have a right of appeal, except on the basis that they were not in arrears at the time of their loss of membership or good standing.

Where a member makes an appeal under this Section, the General Executive Board shall appoint a Trial Committee and the procedure, including rights of appeal set out in Article 8 shall apply.

- (e) Monthly dues shall be in arrears if they are not received by the Union Office in the month for which they are payable.
- (f) A member, whose dues have been withheld by the employer pursuant to a valid dues deduction authorization, shall not lose their good standing or their membership because of the delay or failure of their employer to remit the dues to the Union.

Section 3 - Illness

- (a) Out-of-work credits shall be furnished to all laid off members, beginning at the time of lay-off in

accordance with the following:

- (b) A member who receives an out-of-work credit in any month shall not be required to pay dues or special assessments for that month.
- (c) An out-of-work credit shall not be furnished for more than twelve (12) consecutive calendar months except as provided in paragraph (d) herein.
- (d) An out-of-work credit shall be furnished to a member who is sick for more than one (1) complete calendar month for the duration of their sickness.

Section 4 - Withdrawal Cards

- (a) A withdrawal card is a suspension from membership, which entitles the member to be readmitted to membership on presenting a valid card.
- (b) A member shall take out a withdrawal card:
 - (i) when they quit their employment to engage in any industry outside the jurisdiction of the Union.
 - (ii) when they occupy a position outside of the bargaining unit.
 - (iii) unless they are sick, where they have received out-of-work credit for twelve (12) consecutive months.

The General Executive Board may waive the requirement to take out a withdrawal card upon such terms and conditions, including restricting any rights or duties of membership as it in its sole discretion deems proper.

- (c) No member who accepts employment in an establishment where the work performed is under the jurisdiction of the Union, and which establishment or department thereof in which they are employed is unorganized or represented by another Union, shall be issued a withdrawal card. Such a member must

pay regular dues and assessments to the Union, or they shall forfeit their membership. If the nature of the work performed in such establishment or the department thereof in which they are employed is a type over which the Union does not commonly exercise jurisdiction, (for example, a position excluded from the bargaining unit) the member may be required to take a withdrawal card by the General Executive Board.

- (d) A withdrawal card shall not be issued to a member unless their dues and other financial obligations to the Union are fully paid.
- (e) A member who fails to request a withdrawal card and to tender the fee therefore within thirty (30) days of the time when they are required to do so by Section 4, paragraph (b) or (c) shall automatically forfeit their membership and shall only be readmitted to membership in accordance with Article 3, Section 8. The General Executive Board may waive the application of this clause, and its decision is final and binding.
- (f) Withdrawal cards shall be valid for one (1) year from the date of issue and, if application is made prior to their expiration date, may be renewed for additional periods of one (1) year.
- (g) The fee for a withdrawal card or for any renewal thereof shall be set by the General Executive Board. Except that where a member leaves the bargaining unit for a management or supervisory position, within an industry in the Union's jurisdiction, the fee shall be as is prescribed by the General Executive Board. Fees are payable in advance.
- (h) When a withdrawal card is taken out by a member, they shall deposit their membership card with the Union Secretary. A valid withdrawal card may be exchanged for a membership card when the member

receives an opportunity to become re-employed in a position covered by a collective agreement with the Union.

- (i) Applicants for membership who are or have been members of any other C.L.C. organization, must present an acceptable clearance card from said C.L.C. organization. All such candidates must fill out and submit an official application form together with the initiation fee to the Union. This provision may be waived by the General Executive Board.
- (j) Should a member holding a valid withdrawal card resume active employment in any industry in the jurisdiction of the Union, they shall surrender their withdrawal card and become an active member.
- (k) Members holding withdrawal cards shall not attend meetings of the Union or participate in elections, referenda, or any other business functions of the Union.
- (l) A member holding a withdrawal card is subject to the provisions of these By-Laws. In addition to any other penalties which may be imposed under Article 7, Section 17, they may have their withdrawal card declared void.

ARTICLE 6 – MEETINGS

Section 1 - Regions

- (a) The Union shall be divided into regions as follows:
 - 01 - Vancouver Island
 - 02 - Lower Mainland
 - 03 - Okanagan-Kootenays
 - 04 - Northern British Columbia

These regions may be modified by the General Executive Board of the Union as necessary.

- (b) Each region shall hold not less than one (1) regional meeting per year and not less than two (2) regional

meetings per year on a table officer election year. The dates of these meetings are to be coordinated with the Union office to ensure the attendance of the President and/or Business Agent.

- (c) The General Executive Board may postpone or cancel a Regional Meeting providing notice is given. The General Executive Board may not cancel two (2) consecutive Regional Meetings.
- (d) Plant Meetings - Each plant certified by the Union shall hold not less than four (4) meetings per year, two of which may be the Regional Meetings.
- (e) Notice of the time, date and place of each Regular Meeting shall be posted on all Union bulletin boards, in plants where the Union has a collective agreement at least five (5) working days prior to the date of the meeting, except that where the meeting is cancelled or postponed pursuant to paragraph (c), the above notice shall be posted not less than forty-eight (48) hours before the rescheduled time of the meeting.

Section 2 - Quorums

(a) Plant Meetings

Ten percent (10%) of the members in good standing shall constitute a quorum for the transaction of business at the regular Plant Meetings and/or Special Plant Meetings, except that twenty percent (20%) of the active membership shall constitute a quorum for a special meeting called by a petition signed by twenty percent (20%) or more of the active membership.

(b) Regional Meetings

Quorums for Regional Meetings shall be set by the General Executive Board concerned providing said quorums are approved by the General Executive Board of the Union.

Section 3 - Special Meetings

- (a) Special Meetings may be called by the President or the General Executive Board or by twenty percent (20%) of the active membership.
- (b) All members must be given not less than three (3) days notice of the time, date and place of a Special Meeting.

The notice shall specify the reason or purpose for the Special Meetings. Business that is not specified in the notice shall not be transacted at a Special Meeting.

- (c) Motions passed at Regional or Plant meetings, when properly constituted shall be binding after approval of the General Executive Board. Such motions shall apply solely to that bargaining unit or regional membership.
- (d) The Union office shall issue notices of Special Meetings to all Shop Stewards, who shall post them in each department of a plant under a collective agreement with the Union.

Section 4 - Agenda

The transaction of business in all meetings shall proceed in the following manner:

1. Calling meeting to order.
2. Roll call of Officers.
3. Reading the minutes of the previous meeting.
4. Proposals for membership.
5. Initiation of new members.
6. Nomination or election of Officers.
7. Reading of correspondence and bills.
8. Reports of delegates, committees and Officers.
9. Unfinished business.
10. New business.
11. For the welfare of the organization.
12. Roll call of members.

13. Reading of receipts and expenditures.
14. Adjournment.

ARTICLE 7 – FUNDS OF THE UNION

Section 1 - Expenditures

No expenditures of the Lower Mainland Holding Society shall be made unless approved by 2/3 majority of the General Executive Board. Expenditures in excess of \$25,000 must be approved by the membership at the next Regional Meetings.

Section 2 - Donations

Requests for donations to another Union or organization shall not be considered unless they are in writing signed by a qualified representative of the respective Union or organization.

Section 3 - Signing Officers

All disbursements shall be paid by cheque or direct deposit. All cheques shall be signed by any two (2) of the three (3) following officers:

- President
- Secretary- Treasurer
- Vice President- Region 02

Each signing Officer shall be bonded in an amount determined by the General Executive Board. The cost of the bond shall be paid by the Union.

Section 4 - Audit

The books of the Union shall be audited every twelve (12) months by a firm of chartered accountants.

Section 5 - Membership

A majority of the active membership may pass a resolution at any time to have the auditors audit the books and records of the Union.

Section 6 - Equipment

All office equipment shall be kept in the Union office. An inventory shall be kept of all administrative equipment and office furniture.

ARTICLE 8 – CHARGES, TRIALS, APPEALS, EXPULSIONS

Section 1 - Procedure

Any member in good standing may prefer charges against another member.

Section 2

The charges shall be in writing and shall be filed with the President or the appropriate Regional Vice-President with a copy of such charges mailed to the Union office. Should the member filing the charges not gain recourse from the President or appropriate Regional Vice-President they may appeal to the General Executive Board.

Section 3

The President or appropriate Regional Vice-President shall cause a copy of the charges to be served on the accused, in person, or by registered mail at the last address of the accused filed with the Union. A notice of the time, date and place of the trial shall be served on the accused with a copy of the charges.

Section 4 - Trial Board

The copy of the charges and the notice shall be served not less than seven (7) calendar days before the date of the trial. A copy of the notice stating the time, date and place of the trial shall be served on the member charged and the member preferring the charge not less than seven (7) calendar days before the date of the trial.

Section 5 - Limitations

The Trial Committee shall be composed of not less than three (3) members of the Union appointed by the General

Executive Board. The General Executive Board may appoint members of the General Executive Board to fill any or all the positions on the Trial Committee. If a member of the General Executive Board is the accused, they shall not participate in the selection of the Trial Committee.

Section 6 - Representation

No member or officer shall serve on the Trial Committee in any case where:

- (i) they are or may be a witness;
- (ii) they are directly involved; or
- (iii) there is a substantial likelihood that they are biased against the accused.

Section 7 - Representation

The member preferring the charges and the accused may each be represented by a member in good standing. The accused and the accuser, together with representatives, if any, shall be in attendance throughout the trial except as specified in Section 10.

Section 8 - Trial Procedure

The Trial Committee shall determine its own procedures, subject only to these By-Laws, but shall give full opportunity to both parties to present evidence, to make submissions, and to cross-examine witnesses called by the opposing party.

Section 9

The Trial Committee may, in its sole discretion, grant adjournments of the proceedings upon such conditions as it considers necessary.

Section 10 - Appearance- Accused

If the accused, or their representative, if any, fails to appear without reasonable excuse, the Trial Committee may proceed to hear the charges and to make a determination in their absence.

Section 11 - Appearance- Accuser

If the member preferring the charges and their representative, if any, fail to appear without reasonable excuse, the Trial Committee shall dismiss the charges.

Section 12 - Subpoena

The Trial Committee may order members to appear as witnesses, upon the request of either party, or on their own motion. A member who refuses, or fails to appear without reasonable excuse, in response to such an order, shall be subject to disciplinary action as determined by the General Executive Board in accordance with the guidelines set out in Article 8, Section 17.

Section 13 - Report

The Trial Committee shall report its findings, and shall make any recommendations for penalty, to the next General Executive Board meeting.

Section 14 - Acceptance

The General Executive Board may confirm or reject a finding that the member committed the offence charged. The General Executive Board may not reject a finding that the person did not commit the offence charged.

Section 15 - Limitation

Where the General Executive Board confirms a finding that the member committed the offence charged, it may confirm or reject the penalty recommended by the Trial Committee. If the General Executive Board rejects the recommendation, it may impose another penalty except that it may not impose a greater penalty.

Section 16 - Appeal

Where the General Executive Board confirms a finding of the Trial Committee, and before it decides on a penalty, it shall afford the accused member an opportunity to address the Board.

Section 17 - Penalties

The Trial Committee may recommend, and the General Executive Board may impose any one or more of the following penalties:

- (i) reprimand;
- (ii) fine;
- (iii) suspension from membership;
- (iv) suspension from particular rights or privileges of membership.

Section 18 - Fines

Where the penalty is a fine, the fine shall not exceed the equivalent of three (3) days' pay for each offence. Any fines levied must be paid within thirty (30) days from the date of notification, regardless of appeals.

Section 19 - Offenses

The following shall constitute offenses for which a member may be charged, and a penalty or penalties imposed:

- (i) making a false statement on their application for membership;
- (ii) injuring fellow members or workers by betrayal, oppression or trickery;
- (iii) causing a fellow worker to lose their employment;
- (iv) corruption or financial malpractice;
- (v) working for a struck employer during a strike authorized by the General Executive Board;
- (vi) maligning or slandering Union Officers or representatives;
- (vii) revealing the business or proceedings of the Union to persons not reasonably entitled to such information;
- (viii) refusing to appear as a witness before a Trial Committee without reasonable excuse;
- (ix) refusing to answer questions or provide information

required to be answered by a Trial Committee, General Executive board, a Grievance Committee or any other duly constituted committee, so long as those in question or that information is reasonably related to matters of the Union;

- (x) instigating, encouraging or participating in unauthorized strikes or work stoppages or instigating, encouraging or participating in any unauthorized concerted action in violation of a collective agreement;
- (xi) denunciation of a fellow worker;
- (xii) failing to carry out an order of the General Executive Board, a strike committee, or any other committee of the Union;
- (xiii) failing to report a grievance to their Shop Steward;
- (xiv) any violation of these By-Laws;
- (xv) any violation of rules and regulation passed by the membership;
- (xvi) neglect of duties by an Officer.

Section 20 - Appeal

- (a) Where the penalty imposed by the General Executive Board is suspension, or a fine, the member may appeal to the next General Executive Board Meeting. An appeal must be in writing and shall be delivered to the Regional Vice-President with copies to the Union office not later than five (5) days before the date of the meeting. The General Executive Board may confirm the penalty or may substitute a lesser penalty. The General Executive Board may not increase the penalty recommended by the Trial Board.
- (b) Where the appeal procedures set out in (a) above have been exhausted, the member may further appeal to the next Regional Membership Meeting.

Notice Of Appeal must be filed with the Union Office in writing within fourteen days from the date he was advised of the General Executive Board's decision. The decision of the membership, or where no appeal is taken pursuant to (a) above, the decision of the Board referred to in Section 15 and Section 20 (a), shall be final and binding.

- (c) No accused member or Officer shall resort to any tribunal or court before they have exhausted all remedies provided for in the By-Laws.

ARTICLE 9 – OFFICERS, GENERAL EXECUTIVE BOARD MEMBERS, PLANT COMMITTEES, NOMINATIONS, ELECTIONS, INSTALLATIONS

Section 1 - Eligibility

No member shall be eligible for nomination as an Officer or as a General Executive Board member unless:

- (a) They have been a member in good standing of the Union for not less than twelve (12) months immediately prior to their nomination or appointment.
- (b) They have not been on withdrawal card from the Union during the preceding twelve (12) months and are actively employed at a certification within the jurisdiction of the Union.
- (c) They have attended at least three (3) meetings in the twelve (12) months preceding the month the nominations or appointments take place. This provision shall not apply to members from newly certified units.
- (d) Should eligibility requirements not be met for Officers, General Executive Board members, or Plant Committees, final determination shall be made by the President.

ARTICLE 10 – UNION OFFICERS, REPRESENTATIVES & EXECUTIVE BOARD MEMBERS

Section 1 - Officers

- (a) The Officers of the Union shall be:
 - 1. President
 - 2. Regional Vice-Presidents
 - 3. Business Agent
 - 4. Recording Secretary
 - 5. Secretary Treasurer
- (b) Each Officer excluding Business Agent shall be paid an honorarium.
- (c) The General Executive Board may authorize payment of additional compensation to any Officer except that no payment shall be made unless;
 - (i) the General Executive Board approves said payments by at least a two-thirds (2/3) majority;
 - (ii) any such payments must be reported at the next General Executive Board meeting.

Section 2 - Sgt. At-Arms

The chair of any meeting shall appoint a Sergeant-at-Arms for the duration of the meeting.

Section 3 - Business Agent

SEIU Local 2 shall employ a salaried Representative upon recommendation of Branch Local 300 General Executive Board.

Section 4 - General Executive Board

- (a) The General Executive Board shall consist of:
 - 1. President
 - 2. Regional Vice-Presidents
 - 3. Business Agent
 - 4. Recording Secretary
 - 5. Secretary Treasurer

And

representation from each plant where the Union is certified in accordance with the following formula:

- (i) plants with 20 to 80 members - one (1) representative
 - (ii) for the next 200 members, or greater part thereof, one (1) additional representative.
 - (iii) there shall be a maximum of two (2) representatives on the General Executive Board for each certification.
- (b) The Chairperson of the Plant Grievance Negotiating committee shall be the representative specified in (a) above. The Chairperson may appoint another member of the committee as their alternate providing the President is in agreement with the choice of the alternate. The alternate would attend the General Executive Board meetings in the absence of the Chairperson.
- (c) Any member of the General Executive Board who is absent two (2) consecutive General Executive Board meetings and has not been excused by the President or Regional Vice-President shall forfeit their office. Vacancies created in this manner shall be filled in accordance with Article 11, Section 7.
- (d) Where it deems necessary, the General Executive Board may waive the requirements specified in Section 4 (a) above.

Section 5 - Grievance- Negotiating Committee

In each plant which is certified to the Union or where the Union has a collective agreement, the members in the plant shall elect three (3) members to a Grievance Negotiating Committee. Each member of a Grievance Negotiating Committee shall be elected for a term of three (3) years.

Each member of a Grievance Negotiating Committee shall be paid an honorarium once per year.

Section 6 - Shop Stewards

- (a) In each plant which is certified to the Union or where the Union has a Collective Agreement, the members in the plant shall elect not less than one (1) Shop Steward. Subject to the approval of the General Executive Board the members in the plant may elect as many Shop Stewards as they decide are necessary; and they may increase or reduce the number of Shop Stewards at any time. Each Shop Steward shall be elected for a term of two (2) years. Each Shop Steward shall be paid an honorarium once per year.
- (b) The President may appoint alternates on the recommendation of the Plant Committee. Alternates shall not be eligible for honorariums referred to in (a) above.

Section 7 - Eligibility

No person shall be nominated or elected as a member of the Grievance Negotiating Committee or as a Shop Steward unless they are a member in good standing of the Union.

Section 8 - Honorariums

- (a) Officers or representatives of the Union shall receive an honorarium. An Officer or Representative who holds more than one (1) paid position shall receive one (1) honorarium and shall be at the higher paid position.
- (b) The General Executive Board shall have the authority to decide on any additional compensation for Officers doing work for the Union subject to Article 10, Section 1 (c).
- (c) Honorariums shall be paid once a year.

- (d) Safety Representatives of the Union shall receive an Honorarium equal to the Shop Steward Honorarium.

Section 9 - Per Diems

- (a) The General Executive Board shall set the amount of all honorariums and per diems required to be paid by these By-Laws, providing that the amounts proposed by the General Executive Board receive a two-thirds (2/3) majority vote before being implemented.
- (b) Honorariums and per diem set by the General Executive Board shall not be increased more often than once every two (2) years. Any such increases must be reported at the next Regional Membership meetings.

Section 10 - Term

Officers and members of the General Executive Board shall be elected for a term of three (3) years. However, an Officer or member of the General Executive Board shall continue in office until their successor has been elected and installed in office.

ARTICLE 11 – NOMINATION AND ELECTION OF TABLE OFFICERS, GRIEVANCE NEGOTIATING COMMITTEES, EXECUTIVE BOARD MEMBERS AND SHOP STEWARDS

Section 1 - Table Officers

- (a) Each region of the Union shall elect from its membership a Regional Vice-President.
- (b) The nomination of Table Officers shall take place at the September Regional meetings. Regional Vice-Presidents may only be nominated by a member in their region.
- (c) To accept nomination members must either be in attendance at the nomination meeting or have their written acceptance delivered to the Regional Vice-

President at that meeting.

- (d) Names of candidates for the office of Regional Vice-President shall only be included on the ballots for their region.
- (e) The installation of Table Officers shall take place at the January General Executive Board meeting.

Section 2 - Balloting Committee

(a) The election of the President, Regional Vice-Presidents, Recording Secretary and Secretary Treasurer shall be conducted by a secret mail-in ballot. The election shall be conducted as follows:

(1) In the month prior to the nomination meetings the President shall appoint a three (3) member balloting committee. Each member of this committee shall come from a different certification. Committee members accepting nomination for any of the Table Officer positions would thereby resign. The President shall appoint another member to fill the vacancy.

(2) **The balloting committee shall;**

(i) Ensure all candidates meet the eligibility requirements as specified in these By-Laws of the Union. Should disagreements arise as to a candidate's eligibility the decision of the balloting committee shall be final.

(ii) Engage the services of a trust company or a firm of auditors to conduct the counting of the mail-in ballots and instruct them as follows:

(a) Only ballots that are returned in the self addressed envelope provided are to be counted.

(b) Only ballots received by the trust company by the last mail delivery on

November 15 shall be counted. In the event that November 15 falls on a weekend, the close of balloting shall be moved to the last mail delivery on the following Monday.

- (c) All ballots are to be counted providing the intent is obvious. The Balloting Committee shall rule on all spoiled ballots and their decision will be final.
- (d) No information on the progress of the election is to be released to anyone prior to the close of balloting referred to above.
- (e) The final count, together with all the ballots, shall be turned over to the Balloting Committee immediately after the close of balloting.
- (iii) The Balloting Committee shall ensure the ballots are made up immediately after the close of nominations.
- (iv) The Balloting Committee shall ensure each mail out envelope contains a ballot, information bulletin and a stamped envelope addressed to the trust company or firm of auditors engaged.
- (v) The Balloting Committee shall ensure that all ballots are mailed out by mail out on the same day, but no later than October 15.
- (vi) Prior to mailing out the ballots the Committee shall ensure that information bulletins, containing the following information, are sent to each plant.
 - a) The name of each candidate.
 - b) The plant they come from.

- c) Previous offices they have held in the Union.
 - d) The number of years they have been a member.
- (b) The election of General Executive Board members, Grievance Negotiating Committees and Shop Stewards shall be conducted by secret ballot in the plants.
- (c) The Regional Vice-President shall appoint a minimum of two (2) member balloting committees for each plant in their area.
 - (i) The Balloting Committee shall have charge of the ballot box and of the membership roll. During balloting, a member of the Committee shall hand a ballot to a member and shall thereupon check off that member's name on the membership roll.

The member shall mark their ballot and deposit it in the ballot box. Thereupon, the Committee shall check off that member's name on the membership roll a second time.
 - (ii) At the close of balloting, the Committee shall count the ballots, and shall record on a tally sheet the total number of spoiled ballots. Each member of the Committee shall sign the tally sheet.
 - (iii) The ballots and the tally sheets shall be securely wrapped and shall be placed in the possession of the General Executive Board.
 - (iv) The Committee shall post the results of the ballot on that plants notice boards immediately following the final count.

Section 3 - Voting

- (a) All elections shall be by secret ballot. Only printed ballots with the seal of the Union affixed shall be used in any election.
- (b) Every member in good standing shall participate in the election of Officers.
- (c) Every member shall deposit their own ballot in the ballot box or mail it in where applicable.
- (d) The candidate receiving the highest number of votes for the respective office shall be declared elected.
- (e) If there is a tie vote between two (2) or more candidates with the most votes for any one position the President shall cast the deciding vote; except that where the vote occurs in the election of President, the Vice-President shall cast the deciding vote.

Section 4 - Oath

At the installation of the newly elected Officers, the Chairperson shall read, and the Officers shall repeat the following obligation:

“I, (given name), do solemnly promise that I will support the Constitution of SEIU Local 2 and the By-laws of SEIU Local 2 Branch Local 300; that I will uphold the Constitution and By-Laws of this Union, also all orders, regulations and rules of this Union; that I will faithfully discharge the duties of my office; that at the expiration of my term of office, I will surrender to my elected and qualified successor in office, all property rights and other matters belonging to this Union; that any time during my incumbency I will, whenever the Union shall so desire, make a detailed report of any and all matters in my keeping or under my control; to all of which I pledge my most sacred word of honour.”

Section 5 - Obligations

Officers who fail to uphold their obligations shall be guilty of an offence against these By-Laws and shall be subject to the procedures and penalties set out in Article 8.

Section 6 - Trial Procedures

An Officer who is charged with neglect of duties shall be tried before a Trial Committee set up under Article 8. If the Trial Committee finds them to be guilty of the offence, it may recommend that they be removed from office, in addition to any other penalties allowed under Article 8, Section 17. However, this recommendation shall be denied unless it receives a majority vote of sixty-six and two-thirds percent (66 2/3%) of the members who vote at a Special Meeting called for that purpose.

Section 7 - Vacancies

If a vacancy occurs in any of the offices of the Union, the President may appoint a member to the office for the remainder of the term. Any such appointments must be ratified by the General Executive Board.

Section 8 - Fines

Any Officer or Executive Board member who fails to attend two (2) consecutive meetings, without a reasonable excuse, shall forfeit their office and a vacancy shall be deemed to have occurred. The onus of providing reasonable excuse is on the Officer or Board member. The decision as to whether an excuse is reasonable shall be made by the General Executive Board and shall be final and binding.

ARTICLE 12 – DUTIES OF OFFICERS, COMMITTEES AND BUSINESS AGENT

Section 1 - Duties of the President

(a) The President shall preside at all Regular and Special

Meetings and shall enforce strict observance of the Constitution and By-Laws. The President may sign all vouchers and bills approved by and ordered paid at regular or special meetings, and;

- (b) May countersign cheques issued by the Secretary-Treasurer.
- (c) Shall see that all other Officers attend to their duties. The President shall cast the deciding vote in case of a tie at all Regular and Special Meetings.
- (d) Shall impose all penalties imposed by the membership.
- (e) Shall call special meetings, when necessary, in accordance with Article 6, Section 3, of these By-Laws.
- (f) Shall appoint Special Committees as necessary.
- (g) By virtue of this Office, shall be deemed to be a member of all Committees unless excluded by these By-Laws.
- (h) Shall assist the Business Agent when necessary.
- (i) Shall be charged with possession of the Union Seal.

Section 2 - Duties of the Regional Vice Presidents

- (a) In the absence of the President, the Regional Vice Presidents shall chair the General Executive Board meetings and/or Regional Membership meetings in their area.
- (b) The Regional Vice President from Region 02 shall, in the absence of the President, perform the President's duties and exercise the President's powers.
- (c) Shall be responsible for ensuring that accurate minutes are taken at all Membership Meetings and Executive Board meetings within their region and copies are forwarded to the Recording Secretary of the Union.

- (d) The Regional Vice Presidents shall be responsible for the following:
- (i) Ensure that all certifications in their region strictly adhere to the Constitution and By-Laws and implement the policies, rules and regulations of the Union.
 - (ii) In matters of discipline, shall be responsible for the implementation of the procedures outlined in Article 7.
 - (iii) Make recommendations for arbitration of third step grievances to the Grievance Review Committee and ensure the necessary notifications are made by the Union office.
 - (iv) Ensure all notices etc. of the Union are posted in all plants within the region.
 - (v) Ensure all plant elections conducted within their region are done in accordance with these By-Laws.
 - (vi) In conjunction with the Union office, ensure the co-ordination of hiring practices within their region.
 - (vii) Implement all orders and directions of the General Executive Board.
 - (viii) Advise the General Executive Board and Union office of any potential new certifications within their regions.
 - (ix) Scrutinize applications for memberships in accordance with Article 3, Section 9.

Section 3 - Duties of the Recording Secretary

- (a) The Recording Secretary shall keep an accurate record of the proceedings of all business transactions of all General Executive Board meetings, and;
- (b) Shall keep an accurate record of the proceedings of all business transactions of all General Executive

Board and Regional Membership meetings.

- (c) Shall ensure that copies of the minutes of all General Executive Board meetings, Regional Membership meetings, Plant Membership Meetings, Special Meetings and conferences are received and filed at the Union office.
- (d) Shall assist the other Table Officers when necessary.
- (e) Shall ensure that a recording device is available for each G.E.B. Meeting and shall be charged with the responsibility of ensuring the audio minutes are kept on file for a minimum of three years in the Union Office.

Section 4 - Duties of the Business Agent

- (a) Shall keep a record of all voting results.
- (b) Shall keep a memorandum of all Committees, their purposes and the time when they shall report, etc.
- (c) Shall present all correspondence to the Union Executive Board and Regular Membership meetings.
- (d) Shall be a Salaried Officer and shall enter into a contract of employment under SEIU Local 2.
- (e) **The Business Agent shall be responsible for the following matters:**
 - (i) Maintaining and supervising a centrally located Union office under the direction of the G.E.B.
 - (ii) Assist in negotiating contracts for the Union.
 - (iii) Maintain a Union hiring roster.
 - (iv) Issue permit cards, withdrawal cards and transfers.
 - (v) Assist in the formation and dispensation of all written grievances.
 - (vi) Assist the Officers, Shop Stewards and members in all matters pertaining to the welfare of the Union.

- (vii) The Business Agent is to present monthly reports to the President.
- (f) Shall make a written report available to the Table Officers on a bi-monthly basis outlining his Union business activities for that period.

Section 5 - Duties of the Secretary Treasurer

- (a) The Secretary Treasurer shall be responsible for all ledgers and financial affairs of the Union, and;
- (b) Shall assist the Business Agent in his duties when necessary.
- (c) Shall make available monthly statements of income and expenditures at regular meetings.
- (d) Shall collect all initiation fees, dues, fines and assessments and keep an accurate account of all monies received and paid out.
- (e) Shall be in charge of the membership files and shall notify all members who are in arrears in writing.
- (f) Shall issue and sign all cheques and have them countersigned for payment.
- (g) Within forty-eight (48) hours of their receipt, shall deposit all funds in the current chequing account at the bank, credit union or trust Company designated by the Union.
- (h) Shall invest all surplus funds as directed by the General Executive Board. The investments shall be in the name of the Lower Mainland Brewery Workers Holding Society.
- (i) Shall arrange for the books and records to be audited not less than once annually by a firm of auditors chosen by the General Executive Board and may be present during the audit.

Section 6 - Duties of the Sergeant-At-Arms

- (a) The Sergeant-at-Arms shall have charge of the door

and sign-in sheets at all meetings.

- (b) Shall only admit members to meetings and report visitors, etc. to the President.
- (c) Shall assist the Chair to maintain order during the meetings.

Section 7- Duties of the General Executive Board

- (a) The General Executive Board shall hold a minimum of five (5) meetings per year starting in January of each year.
- (b) Board members who fail to attend meetings without reasonable excuse shall be guilty of an offence against these By-Laws.
- (c) The General Executive Board shall transact all business of the Union between Regional Membership Meetings of the Union and shall make recommendations for the approval of the membership at those meetings.
- (d) If Regional Membership Meetings are not held the General Executive Board shall have the authority to transact the business of the Union.
- (e) The General Executive Board shall make the final decision on the arbitrability of all grievances.
- (f) The General Executive Board shall choose delegates to all conventions etc. and shall be charged with the responsibility of approving all travel, except in the case of emergency, in which case the President shall approve such travel.

Section 8 - Duties of the Grievance Negotiating Committees

- (a) Ensure the provisions of these By-Laws are adhered to.
- (b) Implement all policies, rules and regulations of the Union.

- (c) Process all grievances arising in their plant and make recommendations to their General Executive Board as to the arbitration of grievances.
- (d) Prior to negotiations, or in the event of joint bargaining, prior to the joint conference, solicit proposals from the membership.
- (e) With the assistance of the Business Agent or any other Officer of the Union, negotiate contracts for the Union. Where joint bargaining with other certifications is required, form part of the bargaining structure as specified in Article 12, Section 9.
- (f) In the absence of the Regional Vice President, the chairman of the committee shall preside at all plant membership meetings.
- (g) Attempt to settle any differences arising between members in accordance with these By-Laws.
- (h) Ensure all notices of the Union are displayed on the plant bulletin boards.

Section 9 - Joint Bargaining Committees

- (a) Where joint bargaining is required, the Bargaining Committee shall be structured as follows:
 - 1. Each Plant Negotiating Committee involved shall
be members of the Bargaining Steering Committee.
 - 2. One member of each Plant Committee shall also be a member of the Negotiating Committee.
 - 3. The President and the Business Agent shall be members of these Committees and shall act as spokesmen for these Committees.
- (b) Duties of Bargaining Steering Committees:
 - 1. The Bargaining Steering Committee shall meet in conference prior to negotiations.
 - 2. They shall review all proposals and present

a package of demands to the affected memberships for ratification at a special meeting or meetings called for that purpose.

3. They shall provide direction to the Negotiating Committee and assist in formulating bargaining strategy.
4. They shall make recommendations to the membership as to the acceptance or rejection of proposed contract settlements.
5. The maximum representation from any plant shall be three (3) members unless increased or decreased by the General Executive Board.

(c) Duties of Negotiating Committees

1. Under the direction of the Bargaining Steering Committee they shall negotiate all amendments to the Collective Agreements.
2. They shall, in conjunction with the Bargaining Steering Committee formulate bargaining strategy.
3. They shall make recommendations to the Bargaining Steering Committee as to the acceptance or rejection of the proposed contract settlements.
4. The maximum representation from any plant shall be three (3) members unless increased or decreased by the General Executive Board.

Section 10 - Duties of Shop Stewards

- (a) Shop Stewards shall ensure that only members or persons with permit cards issued by the Union are employed in their respective departments or shops.
- (b) Members shall report all grievances to their Shop Stewards in the presence of a witness and shall give them all the information requested. After a member has submitted the grievance to the Shop Steward,

they shall not take it up or endeavour to settle same with the Foreman or Company representatives. Any member violating this provision is guilty of an offence against the Constitution and By-laws.

- (c) Shop Stewards shall endeavour to settle all grievances and violations of a collective agreement immediately on the job with the Foreman. If the matters are not corrected immediately, the Shop Steward shall report them to the Chairman of the Grievance Committee.
- (d) Shop Stewards shall notify the members of their respective departments of meetings by posting notices provided by the Union.
- (e) Shop Stewards shall assist any Officer of the Union in the carrying out of their duties.
- (f) Should differences arise between members, the Shop Steward shall attempt to resolve the situation. If the matter is not corrected, they shall refer it to the Plant Committee.

Section 11 - Duties of Safety Committees

Each plant shall elect a Safety Committee in accordance with the Workers' Compensation Board Regulation who shall:

1. Be responsible for ensuring that the W.C.B. Regulation is adhered to within their plant.
2. Ensure the Company immediately corrects any unsafe or unhealthy conditions.
3. Make detailed reports of the activities of their committee at the Regular Plant Meeting.

Section 12 - Special Committees

- (a) Special Committees shall be appointed by the President as the need arises and they shall dissolve upon conclusion of their duties.

- (b) Any compensation for Committees shall be determined by the General Executive Board.
- (c) Each Committee shall select a Chairperson from its members who shall report on behalf of the Committee to the Union.

Section 13 - Expense Allowance

In addition to per diem, the Union shall pay hotel bills on the submission of a proper bill by an Officer, Union Executive Board member, or other members required to be away from home on Union business. Where possible, hotel accommodation should be kept at nominal rates.

Section 14 - Transportation Costs

All members who are required to travel more than twenty-five (25) kilometres from their homes or places of work on Union business shall have their transportation arranged and paid for by the Union based on transportation costs or mileage as set by the General Executive Board.

ARTICLE 13 – GENERAL PROVISIONS

Section 1 - Dissolution

This Union cannot dissolve as long as seven (7) or more members desire to remain in the Union and are willing to comply with these By-Laws of the Union and keep themselves in good standing with the Union.

Section 2 - Amendments

- (a) Amendments or changes to these By-Laws shall be submitted in writing to the General Executive Board.
- (b) The General Executive Board shall ensure that copies of any proposed changes are distributed to each plant and read out to the membership at a Plant Meeting held in the month prior to the next Regional Meeting.
- (c) The Notice of Motion shall be read out at the next Regional Membership meeting. The motion shall

be discussed and voted on at that meeting. The Regional Vice President shall ensure that an accurate count of the vote is kept and immediately forwarded to the General Executive Board.

- (d) The General Executive board shall tally the regional votes and if fifty percent plus one (50%+1) of the active members who vote, vote in favour; amend the By-Laws accordingly.
- (e) Where amendments or changes are to be considered at a meeting, the notice of that meeting shall so specify.

Section 3 - Roberts Rules

All meetings of the Union shall be conducted according to Roberts Rules of Order.

Section 4 - Contract Ratification

Ratification of all Collective Agreements shall be by a majority of the votes cast by the members affected by the Collective Agreement. The vote shall be by secret ballot at a meeting called for that purpose. The ballot shall read as follows:

I accept the last and final offer of the Employer.

I reject the last and final offer of the Employer.

Section 5 - Strike Votes

- (a) Strike votes shall be conducted pursuant to the Labour Code of British Columbia and regulations thereto, as amended from time to time.
- (b) All Collective Agreements shall be signed by two (2) signing officers of the Union and must bear the Union seal before they become valid.

Section 6 - Union Seal Required on all Documents

All letters, charges, financial statements and official documents must be signed by a signing Officer and bear the Union seal.

Section 7 - Rules and Regulations

- (a) The General Executive Board may recommend, and the membership may approve rules and regulations except that no rule or regulation shall conflict with these By-Laws.
- (b) Where a rule or regulation is approved, it shall be read at the next two (2) regular plant meetings.
- (c) Rules and regulations may be repealed at any time.

Section 8 - Duty to Assess Working Members

In the event of financial emergencies, the General Executive Board may levy special assessments against members who are working in order to assist members who are involved in labour disputes.

Section 9 - Conferences

- (a) The Union will endeavor to hold a bi-annual conference. This conference should include educational courses in the areas of Shop steward training, Health and Safety, Advanced Arbitration, Bargaining, etc.
- (b) The agenda, date, etc. shall be set by the General Executive Board.
- (c) The General Executive Board may hold other conferences or seminars as it deems necessary.

Section 10 - Defence Fund

The General Executive Board shall establish and maintain a Defence Fund adequate to meet the needs of the Union.

Section 11 - Strike and Lockout pay

- (a) SEIU Local 2 shall pay each member who is on strike or is locked out, strike pay at a rate prescribed by the Constitution of SEIU Local 2 and/or their General Executive Board.
- (b) If the strike or lockout continues for more than thirteen (13) weeks Branch Local 300 may supplement strike

pay as prescribed by the General Executive Board during the fourteenth week.

- (c) The General Executive Board shall be in charge of paying strike or lockout benefits and shall ensure that members do their required duty.
- (d) It shall be the duty of the General Executive Board to set the strike and/or lockout policy for each dispute.
- (e) The General Executive Board shall have the authority to withhold strike pay and or job allocation from any members guilty of violating policies or rules of conduct as set by the General Executive Board prior to or during any dispute.

ARTICLE 14 – LOWER MAINLAND BREWERY WORKERS HOLDING SOCIETY

Section 1 - Membership

Each member of the Union, as a condition of membership, shall become a member of the Lower Mainland Brewery Workers Holding Society.

Section 2 - Donations

The General Executive Board may loan on any terms that in its sole discretion it considers appropriate or may donate any amount of the Branch Local 300's surplus funds to the Lower Mainland Brewery Workers Holding Society. No donation shall be made unless the majority of the membership voting at a General Executive Board Meeting has approved the donation and the amount of the donation.

Section 3 - Loans

Branch Local 300 may borrow money from the Lower Mainland Brewery Workers Holding Society. The terms of such a loan shall be negotiated by the General Executive Board. The terms of the Loan shall be approved by a majority of the members voting at a General Executive Board meeting before the loan is executed.

ARTICLE 15 – MISCELLANEOUS

Section 1 - Voting Eligibility

In all cases, where a secret mail ballot is held or is required to be held by these By-Laws, active members eligible to vote shall be those members classified as active at the close of business of the last business day prior to the date the person conducting the ballots commences to mail out the ballots. No other persons shall vote.

Section 2 - Plurality

- (a) In these By-Laws words signifying a male person include a female person and words signifying a female person include a male person.
- (b) In these By-Laws, words in the singular include the plural, and words in the plural include the singular.
- (c) In these By-Laws, where a number of days is specified, the first day shall be excluded and the last day shall be included.
- (d) In these By-Laws, “shall” is to be construed as imperative.

Section 3 - Serving Documents

In these By-Laws where any document or thing is required to be served on any person, the document or thing may be served on that person by:

- (a) sending it by registered mail or regular mail to his/her last known address; or
- (b) in person.

Section 4

Where a document or thing is served by registered mail, it shall be deemed to have been served on the second day following the date it was mailed.

Section 5 - Majority

Unless otherwise specified herein, where any thing or matter requires a vote in order to be approved, the thing or matter shall be approved if more than fifty percent (50%) of those voting vote to approve.

ARTICLE 16 – JOINT COUNCILS

The General Executive Board shall have the right to form or enter into joint councils where they deem it beneficial to the membership, provided, however, that it is approved by the membership.

