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BY-LAWS

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INTERNATIONAL BROTHERHOOD OF BOILERMAKERS, IRON SHIP BUILDERS, BLACKSMITHS, FORGERS AND HELPERS

LOCAL LODGE NO. 359

AFL-CIO

VANCOUVER , BRITISH COLUMBIA, CANADA

2018

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BY-LAWS

LOCAL LODGE 359
VANCOUVER, BC, CANADA

1 NAME

This organization shall be known as Local Lodge 359 of the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers. It is affiliated with, and a Local Lodge of, the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, AFL-CIO, CLC.

2 JURISDICTION

The jurisdiction of this Lodge shall be as set forth in its Grant of Charter in accordance with the provisions of Article 5.3 of the International Brotherhood Constitution.

3 OBJECTIVES

The objectives of this Lodge shall be as set forth in the International Brotherhood Constitution.

4 ELIGIBILITY AND APPLICATION FOR MEMBERSHIP

4.1 Eligibility and Application

Eligibility and application for membership shall be in accordance with the International Brotherhood Constitution and International Brotherhood policy as established by the International Executive Council.

4.2 Reinstatement

4.2.1 No application for reinstatement shall be acted upon by this Lodge until after approval is received from the Lodge which suspended the applicant.

4.2.2 The Business Manager/Secretary-Treasurer may approve reinstatement of a former member of this Lodge, or another Lodge, without submitting the request to the membership for action, provided the applicant was suspended less than forty-eight (48) continuous months for nonpayment of dues and has no unpaid financial obligation to this Union. Any request for approval of reinstatement of a former member, who was suspended or expelled for any other reason, shall be submitted for action at the next regular meeting of the Lodge, and approval shall require a two-thirds (2/3rds) vote of the voting members at the meeting, subject to the International Brotherhood Constitution.

5 OFFICERS, NOMINATIONS AND ELECTIONS

5.1 The officers of this Lodge shall be those designated in the International Brotherhood Constitution, except that there shall be a Business Manager whose office shall be combined with that of Secretary-Treasurer, and shall be nominated and elected in accordance therewith. All elections shall be by all-mail ballot in accordance with instructions to be obtained from the International President.

5.2 In addition to all other requirements, to be eligible for nomination and election to office in this Lodge a member must have attended at least two (2) meetings out of each calendar year in each of the first three (3) years of the regular term of office and at least one (1) meeting in each of the five (5) calendar quarters immediately preceding his nomination, unless prevented from so doing by personal illness, Union duties, regular employment under a contract between the Union and his employer, or some other unavoidable situation.

5.2.1 In addition to all other requirements to be eligible for nomination and election to office in this Lodge as set forth in Article 5.2, a member must also meet the requirements of Article 12.12 of these By-Laws. This must be scrutinized and verified by the election committee prior to the printing of the official ballots.

5.3 The Recording Secretary shall maintain a membership attendance book and the book shall be signed by each member at each meeting he attends. No member's name shall be entered in the book by another person except as permitted or required by these By-Laws, the International Brotherhood Constitution or policies of the International Brotherhood, or any applicable law. A member who has not attended at least one (1) meeting in a calendar quarter for any of the reasons given in Article 5.2 of these By-Laws shall present to the President within twenty (20) days after the end of the quarter his written reason for nonattendance at each of the meetings he missed. If his reason(s) is (are) acceptable to the President, his name shall be entered in the book for each such meeting with a notation that his absence has been excused, and the President shall report this action at the next regular meeting and be so recorded in the meeting minutes.

6 LODGE EXECUTIVE BOARD

Only the duly elected officers of this Lodge shall constitute its Executive Board. The President shall preside over and the Recording Secretary shall keep minutes of Executive Board meetings, which may from time to time be held as necessary before each regular monthly meeting of the Lodge. The Executive Board shall be governed strictly by the International Brotherhood Constitution and these By-Laws.

7 OFFICERS' DUTIES

In addition to their specific duties as outlined in the International Brotherhood Constitution, officers of this Lodge shall have the following responsibilities:

7.1 The Business Manager/Secretary-Treasurer shall maintain complete, accurate, up-to-date records of all Lodge financial operations and at each regular meeting he shall present a statement of income and expense for the previous month, including all funds received and the sources from which they came; all expenses for the month, including the name of each payee and the amount and purpose of each expenditure; the financial standing of the Lodge, including investments and savings, real estate value (if any), cash on hand and in the bank, etc. The report shall be read aloud and, once it has been approved by the membership, shall be made a permanent part of the minutes of the meeting. All Lodge financial records shall be in the care of the Business Manager/Secretary-Treasurer and maintained in a safe, secure place; however, they shall be produced upon request for examination by the International Brotherhood, the Lodge Executive Board, or any proper agent or representative of government.

7.1.1 The Business Ma er/Secretary-Treasurer shall submit c s of the approved Minutes of all regular and special meetings of the Lodge, as prepared by the Recording Secretary or other authorized person, monthly to the International President and the appropriate Area International Vice-President.

7.2 All cheques written on Lodge accounts and all savings withdrawals must be signed by the Business Manager/Secretary-Treasurer and countersigned by the President or other individual authorized to do so by the International President. All monies received must be deposited in Lodge accounts promptly in accordance with Article 34.1 of the International Brotherhood Constitution, and the deposit slips retained as part of the Lodge's permanent financial records, or as otherwise required by the International Brotherhood or by law. No funds of this Lodge shall be deposited in any savings institution not covered by the Canadian Depository Insurance Corporation nor invested in anything other than government bonds without prior approval by the International President. All such funds shall be invested in accordance with Article 34.1 of the International Brotherhood Constitution.

7.3 No expenses shall be reimbursed from Lodge funds unless claimed on properly completed voucher forms, which shall be retained as part of the Lodge's permanent records. Each claim for reimbursement of an expense for which prior Lodge approval or authorization is required shall be checked for said Lodge approval or authorization before reimbursement is made. Any member making a claim for reimbursement of expenses must sign his voucher and receive reimbursement himself. No reimbursement of expenses incurred by any member shall under any circumstances be made to any other person, except to a member of the claimant's family, and then only with his prior approval in writing. No member shall sign any reimbursement form for any other, except as permitted by law in case of disability or illiteracy.

7.4 It is the responsibility of the Board of Trustees to ensure that all expenditures of Lodge funds have been properly made and are supported by a Union business purpose, invoice copies and/or receipts, and that required government and International Brotherhood reports have been filed timely.

7.5 It shall be incumbent upon each officer of this Lodge to make himself aware of the responsibilities and duties of his office, as set forth in the International Brotherhood Constitution and these By-Laws, and to fulfill those responsibilities and perform those duties to the best of his ability.

7.6 By virtue of office, the Business Manager/Secretary-Treasurer shall be a delegate to all appropriate conventions, conferences, schools, seminars, and other similar functions to which the Lodge is authorized to send delegates and/or representatives. If the Lodge moves to send additional delegates, they shall be elected in accordance with the International Brotherhood Constitution and these By-Laws, and eligibility requirements shall include meeting attendance requirements as outlined in Article 5 of these By-Laws, except that when the function is of a particular nature requiring attendance by members who are specially qualified, they shall be selected by the Business Manager/Secretary-Treasurer. For example: Representatives to the LEAP Conference shall be selected by the Business Manager/Secretary-Treasurer from the LEAP committee members who handle the regular LEAP activities for the Lodge. In the event the Business Manager/Secretary-Treasurer is unable to attend a conference, seminar, or similar event, at which matters solely related to his official duties and responsibilities are to be dealt with, he may select an alternate to attend in his stead.

8 MEETINGS

8.1 Regular Meetings

The regular monthly Lodge meeting will be held on the first Wednesday of each month at the Local Lodge 359 Union Hall, located at 5510 - 268th Street, Langley, B.C., starting at 7:00 p.m., and adjourning not later than 9:00 p.m. unless continued by a two-thirds (2/3rds) standing vote; but in no event shall such continuation last beyond 9:30 p.m. except by unanimous consent. In the event of an emergency which necessitates changing a scheduled regular meeting, the Executive Board shall have the authority to make whatever change is necessary, and shall give proper notice to the membership as soon as possible. Under no circumstances, however, shall any change be made without at least forty-eight (48) hours notice to the membership. Fifteen (15) members shall constitute a quorum for the transaction of any business properly brought before it.

8.1.1 The Executive Board meeting shall be held on the same day as the regular membership meeting, commencing after 12:00 p.m. and ending prior to the start of the regular meeting.

8.1.2 When these meeting dates fall on a statutory or recognized holiday, the meetings shall be held on the following Wednesday.

8.2 Special Meetings

Special meetings may be called in accordance with the International Brotherhood Constitution.

8.3 Conduct

Robert's Rules of Order, applicable provisions of the International Brotherhood Constitution and of the International Brotherhood Ritual, and the following standing rules shall govern at all Lodge meetings.

8.3.1 The Chairman shall enforce these rules and regulations and may direct that violators be removed from the meeting.

8.3.2 The regular order of business may be suspended at any time by majority vote in order to dispose of an urgent matter.

8.3.3 Any activity which, in the opinion of the Chairman, is calculated to disturb a speaking member or disrupt the conduct of the meeting or hinder the transaction of business, or may have the effect of so disturbing, disrupting, or hindering, shall be deemed a violation of order.

8.3.4 Loitering, profanity, gambling, use of intoxicants, being under the influence of intoxicants, possession of weapons, violence or threat of violence are bases for removal from the Lodge meeting place in accordance with the International Brotherhood Constitution.

8.3.5 When a member wishes to speak, he shall rise and respectfully address the Chairman, and, if recognized, he shall state his name before proceeding.

8.3.6 If two (2) or more members rise to speak at the same time, the Chairman shall decide which is entitled to the floor.

8.3.7 Speakers shall adhere to the question under debate and avoid personalities and indecorous language as well as disparagement of the Union or any member thereof, but every member shall have the right to express his views, arguments, and opinions concerning any candidate and/or any business properly before the meeting.

8.3.8 No speaker may be interrupted except as permitted or required under Robert's Rules of Order.

8.3.9 At the request of the Chairman, any speaker being called to order shall cease speaking and be seated until the question of order is determined.

8.3.10 No member shall be allowed to speak longer than five (5) minutes on any subject in any meeting of this Lodge without the permission of this Lodge, and any member exceeding his allotted time shall cease speaking and take his seat upon being called to order.

8.3.11 All business transacted within this Lodge shall be strictly confidential and for the information of members of this Union only.

9 REVENUE, TAXES AND FEES

9.1 Sources of Revenue

Subject to all applicable provisions of International Brotherhood Constitution, initiation and reinstatement fees and dues shall be as follows. No change may be made in the below rate schedules, nor may any assessment be levied, except as permitted or required under the International Brotherhood Constitution.

9.1.1 Construction Sector Operations Members

	Mechanic	Apprentice	ProJo/Trainee	Effective Date
Initiation Fee*	$500.00	*$500.00	**$500.00	01/01/18
Reinstatement Fee*	$500.00	*$500.00	**$500.00	01/01/18
Monthly Dues	$46.80	$46.80	$46.80	01/01/18
Sick Dues	All Sick Dues shall be one month's Per Capita			01/01/18

*Apprentices: One hundred dollars ($100.00) due and payable upon completion of six (6) month probationary period and remaining four hundred dollars ($400.00) due and payable upon change of classification to Journeyman Boilermaker (Mechanic).

**Probationary Journeyman: One hundred dollars ($100.00) due and payable upon acceptance to the Probationary Journeyperson Program (ProJo) and remaining four hundred dollars ($400.00) due and payable upon change of classification to Journeyman Boilermaker (Mechanic).

Change of Classification:
Difference between initiation fee paid by the member and that established for Mechanics at the time he was initiated. (Refer to 9.1.6)

9.1.2 Industrial Sector Operations Members

9.1.2.1 Shop Members

	Production Worker**	QCC***	Effective Date
Initiation Fee	$100.00	$250.00	01/01/18
Reinstatement Fee	$100.00	$420.00	01/01/18
Monthly Dues**	Various	$35.00	01/01/18
ISO Division Dues*	$4.75	$4.75	01/01/18
Sick Dues	All Sick Dues shall be one month's Per Capita		01/01/18

*ISO Division Dues to be paid by the Lodge from the General Fund.

**All Production Worker Members regular monthly dues shall be an amount equal to one point five (1.5) times the Shop Journeyman hourly rate of pay.

***Initiation, reinstatement and monthly dues shall be designated by the Quality Control Council of Canada.

9.1.3 Field Dues:

In accordance with the International Brotherhood Constitution, the combined minimum field dues shall not be less than four and one quarter percent (4.25%) of gross wages. Lodge 359 combined field dues shall be four and one quarter percent (4.25%) of gross wages, effective July 1, 2015. The combined field dues set forth above are subject to adjustment necessary to satisfy the minimum cash reserve requirements under the International Brotherhood Constitution.

9.1.4 The Lodge shall remit one percent (1%) of the gross income collected from members of other International Brotherhood Lodges to the home Lodge of said member. However, the Lodge shall only remit said field dues to Lodges that adopt a By-Laws provision identical to this provision. The Lodge shall remit the International Brotherhood's portion of all field dues directly to the International Brotherhood in accordance with the International Brotherhood Constitution.

9.1.5 Installment payments of initiation and reinstatement fees may be arranged, with the full amount to be paid within the first ninety (90) days of work available to the employee unless sickness or some other unavoidable situation prevents his working full time on work made available to him. Additional time may be granted for a specified time not to exceed ninety (90) days.

9.1.6 In accordance with the International Brotherhood Constitution, members with less than four (4) years continuous membership moving from a classification for which a lower initiation or reinstatement fee is established to one for which a higher fee is established and members transferring into this Lodge, who have paid initiation or reinstatement fees lower than those established by this Lodge, shall have ninety (90) days from the date of reclassification or transfer to pay the difference between the fees. Installment payment may be arranged in accordance with Article 9.1.5 of these By-Laws.

9.1.7 All Probationary Members dispatched to work in the shop, field or Quality Control Industry shall pay the same dues, as required by Articles 9.1.1, 9.1.2 and 9.1.3 of these By-Laws.

9.2 Local Lodge Payments

The amounts of the taxes, fees, and charges, which are payable to the International Brotherhood, shall be as follows:

Initiation Fee - Twenty percent (20%) of fees collected, but not less than one (1) month's per capita.

Reinstatement Fee - Twenty percent (20%) of fees collected, but not less than one (1) month's per capita.

Per Capita Tax - As determined pursuant to Article 12 of the International Brotherhood Constitution.

ISO Division Dues - As determined pursuant to Article 21.3.2 of the International Brotherhood Constitution.

9.3 DEFENSE FUND

9.3.1 All members of Lodge 359 shall pay one half percent (0.5%) of gross wages into a Defense Fund. When the Defense Fund has reached the sum of one million dollars ($1,000,000.00), This assessment shall be discontinued, and reinstated again only when the fund has fallen below five hundred thousand dollars ($500,000.00).

9.3.2 The Lodge Defense Fund will be available for the payment of strike, lock-out or victimization benefits. Such benefits shall consist of a sum not to exceed the current amount paid weekly by the Employment Insurance Commission, which shall include the weekly amount as received from the International Brotherhood Defense Fund. The Defense Fund is also available for payment of expenses, legal or other, incurred in the protection of the lodge, in accordance with and under the conditions of International Brotherhood Constitution.

9.4 DISTRIBUTION OF LOCAL LODGE REVENUE

Subject to all the applicable provisions of the International Brotherhood Constitution, revenue from monthly dues in excess of monthly lodge expenditures shall be allocated in the following manner:

9.4.1 Three percent (3%) to Lodge 359 Sick and Death Assessment Fund; to a maximum of twenty thousand dollars ($20,000.00).

10 ALLOWANCES AND EXPENSE REIMBURSEMENT

10.1 Salaries

Recognizing that the Business Manager/Secretary-Treasurer and any Assistant Business Managers must participate in cultural, civic, political, fraternal, and educational activities, in addition to their specific duties provided for in the International Brotherhood Constitution and these By-Laws; that such activities benefit this Union and its members; that the time spent in such activities is unpredictable and unascertainable; accordingly, such officials shall be compensated for their services as follows:

10.1.1 The Business M ger/Secretary-Treasurer salary shall b qual to the General Foreman's wage rate plus ten percent (10%) as established under the applicable construction labour agreement, not to exceed fifty (50) straight time hours per week.

10.1.2 The salary of the each Assistant Business Representative(s) and Dispatcher shall be equal to the Foreman's wage rate plus ten percent (10%) as established under the applicable construction labour agreement, not to exceed fifty (50) straight time hours per week.

10.2 Benefits for Salaried Officials

10.2.1 The Business Manager, his Representatives and the Dispatcher shall have their Health & Welfare benefits maintained by the Local Lodge in Lodge 359's Health & Welfare Trust Fund.

10.2.2 The Business Manager, his Representatives and the Dispatcher shall have their Pension Benefits maintained by the Local Lodge in Lodge 359's Pension Plan Trust Fund.

NOTE - WAGE/BENEFITS REPORT FORM:
This form must be completed and signed by the Business Manager/Secretary Treasurer of the Lodge and submitted to the International President's office, in advance, of the effective date of any and all wage/benefit(s) increases provided under the area/local basic construction labour agreement governing the Lodge. The form must be completed for each full time salaried Lodge official and all full time hourly paid clericals, not covered by a collective bargaining agreement. Copies of this report must be provided to the International Vice-President of the area and to the National Funds office, with copies retained in the files of the Lodge.

10.2.3 Vacation

Each full-time Business Manager, Business Representative, and Dispatcher shall be entitled to an annual vacation of four (4) weeks each year. After four (4) years of continuous service one (1) week will be added to the initial four (4) week allotment for a total vacation of five (5) weeks vacation per year. After eight (8) years of continuous service one (1) week will be added to the initial four (4) week allotment for a total vacation of six (6) weeks vacation per year. The scheduling of the vacations shall be at the discretion of the Business Manager.

10.2.4 The Business Manager, his Representatives and the Dispatcher shall be reimbursed by the Lodge, for the cost of their home telephone, less personal tolls.

10.2.5 The Business Manager, his Representatives, the Dispatcher and all Lodge Administration staff shall be reimbursed monthly for any road or bridge tolls stemming from daily commuting to and from work.

10.3 Automobiles

Officers and representatives working full time for the Lodge may be furnished with an automobile the purchase price of which, including accessories, shall not exceed a reasonable and prudent amount. The certificate of ownership, or title, shall be in the name of the Lodge. It is recognized that the officers or representatives are required to be on instant call at all times and must garage such car and be responsible for its safekeeping. Accordingly, for the

convenience of the Lodge and as partial compensation for such additional responsibilities, the officers or representatives shall be permitted private use of the automobile when it is not being used for Lodge business. The Business Manager and/or a Committee appointed by the President for that purpose may be empowered by a majority vote of the Lodge after approval by the International President, to buy, sell, exchange or lease automobiles or arrange financing therefore if Local Lodge funds and revenue permit. The Lodge shall defray all expenses of operating the automobile while it is being used on Lodge business.

Upon providing evidence of having proper public liability and property damage coverage, the Business Manager and Business Representatives shall be allowed to use their personal automobile on Lodge business and shall receive five hundred dollars ($500.00) per month in addition to being reimbursed for appropriate vehicle insurance expenses. They shall be authorized to use the Local Lodge gas credit card in the performance of authorized union duties.

10.4 Travel Expense Allowance and Reimbursement

Lodge officers and other authorized representatives required to be out of town on official business for the Lodge shall be reimbursed for travel, single hotel, and living expense as provided for International Representatives, under the International Brotherhood Constitution. All claims for expense reimbursement must be submitted on properly completed voucher forms and supported with original copies (a duplicate copy will be acceptable) and/or receipts and expensed claimed must at all times be reasonable and normal for the area involved. Copies of all receipts must be furnished in accordance with International Brotherhood policy in support of all claims for expenses.

10.4.1 Except for the per diem allowance specifically granted under these By-Laws for the Business Manager/ Secretary-Treasurer and each Business Representative he is authorized to employ, no allowance which is or may be established under the provisions of these By-Laws shall be payable for any month in which excess payment of such allowance would result in an excess of expenditures over income or would cause the Lodge's total liquid assets to drop below one hundred thousand dollars ($100,000.00). This provision shall not apply to reimbursement of incurred expenses unless otherwise specified.

10.4.2 No member shall receive in any one (1) month more than one (1) allowance. If he performs the duties of two (2) or more offices or positions, he shall receive the higher of the applicable allowance, but only one (1).

10.5 Monthly Dues Reimbursement

The Steward(s) shall be reimbursed their monthly dues providing:

10.5.1 His official duties have been performed in a proper, timely manner, and all records and reports required of him are up-to-date.

10.5.2 He is assigned to stewardship over five (5) or more men and/or the duration of the job on which he serves is ten (10) days or longer in a calendar month.

10.5.3 He requests reimbursement in accordance with the policy of the lodge.

10.5.4 The Lodge's total liquid assets do not drop below one hundred thousand dollars ($100,000.00).

10.6 Lost Time Wage Expense

Any member who loses wages from his regular employment under a contract between the Union and his employer, as a result of performing authorized Union business during scheduled working hours which could not have been performed outside working hours, shall be reimbursed for the actual wages lost. Lost time wage reimbursement claims must be submitted on properly completed voucher forms. Approval by the Lodge, or approval by the Business Manager/Secretary-Treasurer, must have been received before incurring lost time wage expense on behalf of the Lodge, and no one may take it upon himself to incur such expense without said approval. Reimbursement under this provision shall be limited to actual scheduled working hours missed, not to exceed twelve (12) hours in any one (1) day.

10.7 Credit Cards

10.7.1 Issuance of Credit Cards

Any and all credit card(s) payable by the Lodge shall be obtained only when reasonable and necessary. The Lodge Business Manager must give prior approval before application is made for any and all credit card(s) in which the Lodge is responsible to pay.

10.7.2 Usage for Legitimate Lodge Business

The Lodge credit card(s) shall only be used in connection with Lodge business to make authorized expenditures.

10.7.3 Authorized Users

Lodge credit card(s) may be obtained for use by full-time officers and representatives of the Lodge. The Business Manager of the Lodge must give prior approval of any authorized user(s) of any and all Lodge credit card(s).

10.7.4 Reimbursement to Lodge for Erroneous Expenditures

The Lodge credit card(s) shall not be used to make purchases or cash withdrawals or advances for the direct or indirect personal benefit of the user or any other person or entity. Any and all erroneous charges or cash withdrawals or advances to the Lodge credit card(s) for any personal purpose and any personal expenditures appearing on a legitimate hotel bill charged to the Lodge credit card, shall be immediately reported to and reimbursed to the Lodge, together with any interest charges attributable to such expenditure.

10.7.5 Credit Limit

The Business Manager of the Lodge may apply for and authorize the use of Lodge credit card(s) with a credit limit not to exceed twenty-five thousand dollars ($25,000.00). In the event the Business Manager has a legitimate reason for seeking a credit limit in excess of twenty-five thousand dollars ($25,000.00), he/she shall seek approval by the Lodge membership and International President.

10.7.6 Cash Advances

The Lodge credit card(s) shall not be used to obtain cash advances. In the event the Lodge credit card(s) is/are issued with a password or PIN number that is to be used to obtain cash withdrawals or advances, the Business Manager shall destroy said password or PIN number and said password or PIN number shall not be recorded anywhere.

10.7.7 Monthly Review of Credit Card Statements

The Lodge Trustees shall audit each and every Lodge credit card statement on a monthly basis and take any and all action necessary to ensure that each and every monthly statement has proper backup and is used for a proper Union business purpose, in accordance with the International Brotherhood Constitution and Policy, and Lodge By-Laws.

10.7.8 Record of Meal Expenditures

For meal expenditures, all authorized users must record on the back of any and all credit card receipts, the legitimate Union business purpose and each participant in attendance at said meal.

10.7.9 Paid in Full

Any and all Lodge credit card(s) shall be paid in full each month and in a timely fashion so the Lodge does not incur any finance charges or penalties.

10.7.10 Bank of Labor

The Lodge must obtain all credit cards through the Bank of Labor.

10.8 "Double Dipping" Prohibition

Notwithstanding any provision for expense reimbursement or allowance established herein, to the extent that any member's expenses are paid for by any other body, including the International Brotherhood, this Lodge shall not be liable for those same expenses. Any duplicate or other reimbursement of expenses to which the member is not entitled shall be promptly presented to the Secretary-Treasurer for return to Lodge funds or to the other party, as appropriate. "Double dipping" on expenses in any form is expressly prohibited.

10.9 Other Compensation

All forms of compensation for Lodge officials must be set forth in these By-Laws in detail. No additional compensation or benefits may be granted without approval by majority vote of the members in accordance with the International Brotherhood Constitution, and approval by the International President shall be required. Any remuneration not provided for under the International Brotherhood Constitution or these By-Laws shall be deemed improper disposal of Lodge funds.

11 COMMITTEES

In order for a member to be eligible for nomination, election, or appointment to a Standing Committee, he must have been a member in continuous good standing for a period of not less than one (1) year. Nothing shall prohibit a member from acting on more than one (1) committee, provided he has met all the eligibility requirements. The Business Manager/Secretary-Treasurer, by virtue of his office, shall be a member of all Standing Committees.

The Lodge Committees and their functions shall be:

11.1 Committee for the Sick and Distressed

The three (3) members (maximum) of the Committee for the Sick and Distressed shall visit sick and distressed members and report at the regular monthly meetings.

11.2 Fight Back Committee

There shall be a Fight Back Committee consisting of not less than three (3) members, unless otherwise approved by the International President, who shall be appointed by, and work under the direction of, the Business Manager/Secretary-Treasurer. Their duties shall be to assist in the implementation of the Fight Back Program as outlined by the International President or the Director of Organizing and Communication. Fight Back Committee members may be reimbursed for reasonable lost time wages and expenses as incurred in connection with their duties, subject to approval of the Business Manager/Secretary-Treasurer.

11.3 Health, Welfare and Pension Plan Trust Fund

Six (6) members (known as the Board of Trustees) shall serve with the Business Manager/Secretary Treasurer to govern the operation of Lodge 359 Health, Welfare and Pension Plan Trust Fund.

The current Board of Trustees as of July 1, 2015 shall appoint and/or remove Trustees as required.

11.4 Trade Advancement & Apprenticeship Trust Fund

Three (3) members shall be appointed by the Executive Board to serve with the Business Manager on the Board of Trustees governing the operation of the Boilermakers Trade Advancement and Apprenticeship Trust Fund.

11.5 By-Laws Committee

In addition to the above Lodge Standing Committees, there shall be a By-Laws Committee consisting of a maximum of five (5) members who shall perform those duties as specified in the International Brotherhood Constitution.

11.6 Election Commi

In addition to the Lodge Standing Committees, there shall be an Election Committee consisting of a maximum of five (5) members who shall perform those duties as specified in the International Brotherhood Constitution.

12 MISCELLANEOUS

12.1 The official business of this Lodge shall be conducted only by its members assembled in regular or duly called special meetings, or by its duly authorized officers and representatives, in accordance with the International Brotherhood Constitution and these By-Laws.

12.2 No Lodge funds may be used for the personal relief or support of anyone, member or nonmember of the Lodge, except for payment of Sick Dues for a sick or disabled member of the Lodge, by vote of the Lodge. The Committee for the Sick and Distressed shall help needy members secure aid from appropriate community and government agencies.

12.3 No Lodge funds may be used for special functions, community projects or programs, or other expenditures not provided for in the International Brotherhood Constitution or these By-Laws, unless the expenditure is for the purposes and objectives set forth in the International Brotherhood Constitution and has been approved in advance by the International President, whose decision shall be based upon the financial standing of the Lodge.

12.4 Any voluntary contribution collection made in the name of this Lodge (e.g., for a sick member, one in financial distress resulting from fire or storm damage, a local union for which an assistance plea has been issued, etc.) must first have been approved by majority vote of the members at the regular or special meeting at which the collection was presented for approval, and no person, whether member or nonmember of this Lodge, may solicit, demand, or accept funds on behalf of this Lodge without the permission of the Lodge or the Business Manager/Secretary-Treasurer, as appropriate, or the International President.

12.5 Stewards shall accept no monies in payment of Union dues, fees, assessments, contributions, or donations of any kind, unless specifically authorized to do so by the Business Manager/Secretary-Treasurer. Any dues payment which a steward may agree to transmit to the Business Manager/Secretary-Treasurer on behalf of any member must be accepted with the understanding that the steward may not accept funds to be applied as dues payment for a specifically named month or period, and that the receipt which he gives does not constitute acknowledgement of payment of dues for a specifically named month or period. Such funds must be transmitted promptly; however, it is the responsibility of each individual to see that his dues are current and timely. Lodge funds may not be used to pay per capita for members whose dues have not been received, except as otherwise provided for in these By-Laws.

12.6 The day-to-day business operations of the Lodge, including management of its building(s) and properties, shall be the responsibility of the Business Manager/Secretary-Treasurer. Matters requiring major expenditures of funds (such as hiring of attorneys, new buildings, building additions or major alterations, purchase of vehicles, and similar proposals) and any sale of property or equipment belonging to the Lodge shall require approval by majority vote of the Lodge at a regular or special meeting; major expenditures and disposal of major properties of the Lodge shall also require the International President's approval in advance.

12.7 The International Brotherhood Constitution shall govern filling vacancies in office. Reasonable notice, of not less than fifteen (15) calendar days, shall be given, in a manner calculated to reach all members, before filling any vacancy through election.

12.8 It shall be the responsibility of each individual member to inform the Lodge office whenever there is a change in the member's name, address, or telephone number.

12.9 No loitering, profanity, gambling, use of intoxicants, being under the influence of intoxicants, possession of weapons, violence, or threat of violence, will be tolerated at the Lodge office, Union meeting or picket line, or any property adjacent thereto, and will serve as a basis for ejection from these premises.

12.10 Meeting attendance requirements for eligibility for nomination and election as a Delegate to the International Brotherhood Convention shall be the same as for nomination and election to Lodge office.

12.11 The Lodge's clerical employees shall work under the Business Manager/Secretary-Treasurer and shall be under his supervision and responsible to him. Employment contracts shall not be entered into without prior approval of the International President.

12.12 No person who has been convicted, or served any part of a prison term resulting from conviction of robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, forgery, counterfeiting, or conspiracy to commit any such crime(s), shall be eligible for election or appointment to, nor shall any such person be allowed to serve in, any office, job, or official position in this Lodge for a period of three (3) years to thirteen (13) years after the date of his conviction or of his release from incarceration resulting from his conviction (whichever is later), in accordance with applicable law. However, under no circumstances will any person be eligible to hold office who is not bondable under normal bonding requirements.

12.13 Whenever used in these By-Laws, the masculine pronoun shall include the masculine and feminine gender.

12.14 This Lodge shall actively recruit and accept Construction Boilermaker Journeymen, Trainees, Subjourneymen, and Apprentices in accordance with the applicable labour agreement and the International Brotherhood Constitution.

12.15 The Lodge office will be open for transaction of Union business from 8:00 a.m. until 4:30 p.m., Monday through Friday, except for a one (1) hour lunch period and recognized holidays or other approved closing for any reason.

12.16 Any member of this International Brotherhood who accepts employment with a contractor who has a vertical agreement with another union without permission from his local union Business Manager or from an International Officer of the Boilermakers' International Union shall be in violation of Article 17.1.1, 17.1.5, 17.1.6, 17.1.11, 17.1.12 and 17.1.20 of the International Brotherhood Constitution and subject to penalty.

12.17 Upon becoming eligible for reclassification from any Journeyman classification to a Journeyman Boilermaker (mechanic) classification, each individual must apply for reclassification promptly. If needed, time payment may be arranged in accordance with Article 9.1.5 of these By-Laws.

12.18 The term Union used herein shall refer to a Local Lodge of the International Brotherhood, the International Brotherhood, or both depending on the context.

12.19 The Lodge has established a custom of holding an annual social gathering to promote unity, harmony, and a closer relationship among our members and their families. The custom will be continued, subject to approval annually by the membership at a regular meeting, and with prior approval by the International President based upon the Lodge's financial standing. However, no such gathering shall be held when the Lodge's total liquid assets are or would thereby be lessened to under one hundred thousand dollars ($100,000.00).

12.20 No member may hold any Lodge office, or serve as a steward, or serve on any industrial collective bargaining committee, who is not actively working under a labour agreement between his employer and the Union (unless excused for vacation or illness), except that a shop member on temporary layoff not to exceed two (2) weeks and a construction member who is between jobs and registered and available for referral shall not be considered unemployed for purposes of this provision, so long as the member can and does continue to perform the official duties of his office in accordance with the International Brotherhood Constitution and these By-Laws.

12.21 Any Lodge official who is appointed by his employer to a position outside the bargaining unit must resign his office or position. However, filling such an assignment on a strictly temporary, short-term basis, such as substituting during illness or vacations or on a weekend, etc., shall not be considered appointment to that position for purposes of this provision.

12.22 The Boilermakers Lodge 359 recognizes the right of all members to meet in an environment free from sexual, personal, racial, religious and all other forms of harassment. Any conduct, comment, gesture or contact based on the prohibited grounds of discrimination under the Canadian Human Rights Act (race, national or ethnic origin, colour, religion, age, sex, marital or family status and disability) that is likely to cause offence or humiliation to any person will not be tolerated by the Lodge and is subject to disciplinary provisions of the International Brotherhood Constitution.

12.23 The Lodge 359 Education and Promotion Trust Fund document requires ratification by the membership. The Trust Fund mandates three (3) trustees, one (1) of whom shall be the Business Manager/Secretary-Treasurer who shall serve as the Chairperson. The Lodge President, by virtue of office, shall serve as a Trustee and the third (3rd) Education Promotion Trust Fund Trustee shall be one (1) of the elected Lodge Trustees.

12.24 To keep the membership informed, the Business Manager/Secretary-Treasurer will publish Tri-annual (3 times per year) Newsletters. This Newsletter will be posted on the Union's website. Any member of the lodge in good standing may, upon request, have a copy of the newsletter mailed to their home address.

- End of March
- End of August
- End of December – early January

12.25 Lodge 359 will provide, as required, Steward Training courses throughout the year. The development of the program and training will be supported by the Education Promotion Fund.

12.26 DEATH ASSESSMENT

Members of this Local Lodge in the classification of Mechanic and Construction Apprentice shall pay an annual death assessment in the amount of one hundred twenty-five dollars ($125.00). This assessment shall be paid in the month of July, in each year. A ten percent (10%) per month penalty to a maximum of two (2) months will be levied against delinquent members, after which the member shall be automatically suspended from all rights, privileges, and benefits of the International Brotherhood and Lodge 359 in accordance Article 29.1 of the International Brotherhood Constitution.

Lodge 359 being the Group Policy holder shall immediately upon the death of a participating member in good standing make arrangements for payment of benefits to the named beneficiary stipulated on the members signed beneficiary form contained in the Lodge 359 Membership Records.

Lodge 359 Members in other classifications may become participants by virtue of a majority vote within their classification. Such majority vote shall establish that all members within a given classification are participants and the death assessment shall apply.

13 SAVING CLAUSES

13.1 All financial obligations imposed by or under these By-Laws or the International Brotherhood Constitution and in conformity therewith, are legal obligations of the members upon whom imposed and shall be enforceable in a court of law.

13.2 Should any provision of these By-Laws be declared invalid or inoperative by any competent authority of federal, state or provincial government, the Lodge shall have the authority to suspend operation of that provision during the period of its invalidity; however, neither the remainder of these By-Laws nor the application of that provision to persons or circumstances other than those as to which it has been so declared shall be affected by such declaration.

14 INTERNATIONAL BROTHERHOOD CONSTITUTION

The International Brotherhood Constitution is the governing document for the International Brotherhood and all its affiliated subordinate bodies, including District and Local Lodges, and supersedes any provisions of these By-Laws which are inconsistent with said International Brotherhood Constitution. All provisions of the International Brotherhood Constitution are hereby incorporated hereunto by reference as though fully set forth herein.

RATIFIED BY LOCAL LODGE 359 THIS 3rd DAY OF MAY 2017.

ATTESTED:

By: _____
President

By: _____
Secretary-Treasurer

BY-LAWS COMMITTEE:

_____

_____

_____

APPROVED:

_____
Newton B. Jones
International President

International Brotherhood of Boilermakers,
Iron Ship Builders, Blacksmiths, Forgers
and Helpers, AFL-CIO, CLC

DATE: January 1, 2018