

**WORKING RULES AND BY-LAWS
FOR
LOCAL UNION NO. 118
of the
INTERNATIONAL ASSOCIATION OF
HEAT AND FROST INSULATORS AND
ALLIED WORKERS**

PREAMBLE

The objects of the International Association of Heat and Frost Insulators and Allied Workers, Local #118, shall be to defend by all legal and honourable means the rights of its membership, to advance their interests, to develop opportunities for employment in the trade and by education and co-operation to raise them to that position in society to which they are justly entitled.

Nothing herein to be interpreted in such manner as to overrule the International Constitution and By-laws or any final decision handed down by International Authorities.

Any portion of these By-laws, when conflicting with new Federal or Provincial legislation, or by the signing of a Local Union Collective Agreement, shall be invalid and, if necessary, for the just and proper function of the Local Union, can be temporarily amended by the Executive Board and shall remain in full force and effect until such times as it has been brought to the first Regular General Membership meeting for action thereon.

ARTICLE I - T I T L E

Section 1: This Organization shall be known as the International Association of Heat and Frost Insulators and Allied Workers, Local #118.

Section 2: Its business office shall be located in the Metropolitan Area of Vancouver.

ARTICLE II - JURISDICTION AND AUTHORITY

Work performed by Mechanics, Improvers or Apprentices in the in the manufacturing, fabrication, assembling, molding, handling, erection, spaying, pouring , mixing, hanging, preparation, application, adjusting, alteration, repairing, dismantling, reconditioning, corrosion control, testing, maintenance, removal and clean up of heat, frost, or sound insulation, such as magnesia, asbestos, hair felt, wool felt, cork, mineral wool, infusorial earth, mercerized silk, flax fiber, fire felt, asbestos paper, asbestos curtain, asbestos millboard, fibrous glass, foam glass, sytrofoam, polyurethane, polystyrene, metals, plastics, fibrous matt, roving and resins, acoustical sound pads, or other materials used in our craft, or substitutes for these materials, or engaged in fire stopping (which includes the application of materials or devices within or around penetrations and openings in all rated wall or floor assemblies to prevent the passage of fire, smoke or other gases, sealing of penetrating items and blank openings and all components involved in creating the rated barrier at perimeters slab edges and exterior cavities, the head of gypsum board or concrete walls, and joints between rated wall or floor components), clean up or removal of toxic waste or hazardous materials, including lead, or any labour connected with the handling or distributing of insulating material on jobs in the Province of British Columbia and the Yukon Territory and that portion of the Northwest Territories bordering the B.C. boundary line extending North.

ARTICLE III - ELIGIBILITY AND APPLICATION FOR MEMBERSHIP

Eligibility and application for membership shall be as set forth in the International Constitution for new members by Local Union #118.

ARTICLE IV - F U N D S

Section 1: The general funds of Local #118 shall be derived by the extraction of Union dues in the following manner:

- (a) BASIC DUES of \$25.00 per month payable at the first of each month effective January 1, 2010 as well as
- (b) Working dues be percent (6%) of gross wages earned (not to include holiday pay) under Standard Agreement effective January 1, 2012.

Working dues be five percent (5%) of gross wages earned (not to include holiday pay) under Commercial Addendum.

- (c) The Insulation Industry Advancement Fund shall be derived from the General Dues Fund. Three percent (3%) of the industrial Dues Check-off and two percent (2%) of the commercial addendum check-off will be used for the purpose of advancing the Members' interests, developing opportunities for employment in the trade and advance the education and co-operation to raise them to that position in society to which they are justly entitled.

Section 2: Monies derived from initiation fees, re-instatement fees, re-affiliation fees, fines and assessments, payment for services rendered.

Section 3: (a) For organizing purposes only, an Apprentice shall pay \$25.00 fee upon Initiation and he/she shall pay a further \$100.00 upon elevation to Mechanic Membership. The Initiation fee of Mechanic shall be \$50.00.

(b) An Apprentice shall pay \$100.00 fee upon Initiation and he/she shall pay a further \$100.00 upon elevation to Mechanic Membership. The Initiation fee of a Mechanic shall be \$200.00.

Section 4: Dues and initiation fees can only be changed once per year by Notice of Motion when By-laws are reviewed.

Section 5: Signing of Union Dues Check-off deduction authorization is a condition of Employment.

Section 6: Basic Dues are due and payable on the first (1st) day of each month. Members in "good standing" are those with dues and all other arrearage paid up to and including the previous month.

- Section 7: A member failing to pay assessments, fines and dues within three (3) months shall be subject to suspension and after four (4) months shall be subject to lapsing by Local Union action. To avoid suspension, dues must be received in the Union office prior to office closing on last business day of the third (3rd) month, (postmarks will not be considered), and the fourth (4th) month (postmarks will not be considered) to avoid lapsing.
- Section 8: The effective date of official lapsing shall take place at the regular General Membership meetings of Local #118 (2nd Tuesday of every month) or at regular Executive Board meetings during July and August. The re-instatement fee of \$50.00 shall be payable along with the amount of monies owed for suspension for these members affected and approved.

ARTICLE V - MEETING

- Section 1: (a) The Regular General Membership meeting will be held on the second (2nd) Tuesday of the month, the same day as the Regular Executive Board meeting. The meeting will be called to order at 7:00 pm and shall adjourn not later than 10:00 pm.
- (b) There will be no Regular General Membership meetings in the months of July and August (excluding Executive Board meetings).
- Section 2: Regular Executive Board meetings shall be held on the second (2nd) Wednesday of every month prior to the Regular General Membership meeting.
- Section 3: All other regular committees shall meet at least once per year, if there is business to transact. These meetings shall adjourn no later than 10:00 p.m.
- Section 4: Members of the Executive Board, Trust Funds and Committees who miss three (3) consecutive meetings without valid reason shall have his/her position declared vacant.
- Section 5: A quorum of Regular General Membership meetings will be seven (7) Mechanic members and will consist of those Mechanic members and Apprentice members in good standing for regular Union business; seven (7) Mechanic members in good standing shall be a quorum for extraordinary financial and/or extraordinary Union business of the Union.
- Section 6: Robert's Rule of Order and applicable provision of the Constitution of this International Association shall govern this Local Union along with the following:

Standing Rules for Local Union Meetings

- (a) The regular order of business may be suspended by a majority vote of the meeting at any time to dispose of an urgent matter.
- (b) The Chairperson of the meeting shall enforce these rules and regulations and may direct that members be removed from the meeting for violation of these rules.

- (c) Any activity, which in the opinion of the Chairperson is calculated to disturb or may have the effect of disturbing a member while speaking or disturb the conduct of the meeting or hinder the transaction of business, shall be deemed a violation of order.
- (d) Members attending meetings appearing to be under the influence of mood altering substances, is a basis of removal and/or fine.
- (e) All business transacted within the Local Union shall be strictly confidential and for the information of only members of this International Association.
- (f) When a member desires the floor he/she shall rise and respectfully address the Chairperson and, if recognized by the Chairperson, he/she shall state his/her name.
- (g) If two or more members rise to speak at the same time, the Chairperson shall decide which member is entitled to the floor.
- (h) Members, while speaking, shall adhere to the question under debate, avoid all personalities and indecorous language, as well as any reflection on the Local or International Union or any member thereof; but all members shall have the right to properly express their views, arguments and opinions upon candidates and upon any business, before the meeting.
- (i) No member shall interrupt another member speaking except as permitted by Robert's Rules of Order.
- (j) Any member, while speaking, being called to order by another, at the request of the Chairperson, shall cease speaking and be seated until the question of order is determined.
- (k) No member shall be allowed to speak longer than five (5) minutes on any subject in any meeting of the Local Union without permission of the Local Union, and such member shall stop speaking and take his/her seat upon being called to order.

ARTICLE VI - OFFICERS AND REPRESENTATIVES COMMITTEES

- Section 1: The Officers of Local #118 shall be as defined in Article 20 of the International Constitution.
- Section 2: The position of Recording Secretary as defined in Article 20, Section 2(a) of the International Constitution must be in attendance at a majority of regular local union meetings held during the twelve (12) months prior to date of nomination.
- Section 3: The office of Financial Secretary and Corresponding Secretary shall be consolidated with that of Business Manager.

- Section 4: The President, Vice President, Treasurer, Business Manager, and Recording Secretary shall be dues exempt.
- Section 5: The Business Manager will be elected for a five (5) year term of office.
- Section 6: The President and Vice President will be elected for a three (3) year term of office.
- Section 7: The Executive Board shall be empowered to conduct the affairs of the Local Union between membership meetings subject to the decision of the general membership at next subsequent membership meeting. Members shall be elected for a two (2) year term of office. The Executive Board members shall be basic dues exempt.
- Section 8: The Union Trustees consisting of three (3) Mechanic members as established in the International Constitution will be elected for a two (2) year term of office.
- Section 9: Treasurer will be elected for a two (2) year term of office.
- Section 10: Recording Secretary will be elected for a two (2) year term of office.
- Section 11: Sergeant-at-Arms will be elected for a two (2) year term of office.
- Section 12: A By-laws Committee shall be established by Local #118 consisting of five (5) Mechanic members elected for a one (1) year term of office.
- Section 13: The Pension Trustees as established in the Collective Agreement shall consist of five (5) Mechanic members of which one (1) shall be the Business Manager. Term of office shall be three (3) years. If a member accepts nomination as a Pension Trustee, he/she cannot be nominated as a Trustee of the Health & Welfare Plan.
- Section 14: The Health and Welfare Trustees as established in the Collective Agreement shall consist of five (5) Mechanic members of which one (1) shall be the Business Manager. Term of office shall be three (3) years. If a member accepts nomination as a Health & Welfare Trustee, he/she cannot be nominated as a Trustee of the Pension Plan.
- Section 15: The Entertainment Committee shall be established by the President when required.
- Section 16: Delegates shall be elected and/or appointed for a one (1) year term of office, as allowed based on per capita ratio and Council Constitutions. Delegates must be a Mechanic member.

Local #118 is eligible for delegate status for the following labour bodies and/or councils:

<u>COUNCIL</u>	<u>DELEGATES</u>
Vancouver/New Westminster Building Trades Council	(4) Four
Allied Hydro Council	(1) One

C O U N C I L

B.C. & Yukon Building and Construction Trades Council

D E L E G A T E S

(Min. of 1)

Delegates to the Canadian Conference of Allied Workers will consist of:

Business Manager (1st) First
President (2nd) Second

And any others as required by the Executive Board.

Section 16: The full Negotiating Board shall consist of all Officers of Local #118. The Negotiating Committee shall consist of the Business Manager, Recording Secretary and President and Vice President. The Business Manager shall be the chairperson for all negotiations.

Section 17: Full Board meetings of all Officers shall be called January and June of each year with voice but NO VOTE, EXCEPT if Executive Board Members.

ARTICLE VII - PENSION, WELFARE AND OTHER FUNDS

Section 1: P E N S I O N

The Union must have established a Pension Trust Fund maintained and financed as negotiated in Collective Agreement for those of our members that qualify for coverage.

Section 2: W E L F A R E

The Union must have established a Welfare Trust Fund maintained and financed as negotiated in Collective Agreement for those of our members that qualify for coverage.

Section 3: OTHER FUNDS (as negotiated)

All such funds as negotiated will be disbursed according to the provision of the Trust Agreement or terms of reference so established by said fund.

ARTICLE VIII - ELECTION PROCEDURE

Section 1: Nominations and elections of Local Union Officers, Delegates and Committees shall be as outlined in Article XX of the International Constitution as well as those Committees established by Local Union #118 membership.

Section 2: In addition to the above Section (1), a province-wide mail ballot will be conducted for the nominations and elections of Local Union Officers only.

- Section 3: Nominations for Local Union Officers will be conducted at the Regular General Membership meeting held in the month of September of an election year.
- Section 4: Election Committee shall be established consisting of three (3) Mechanic members to ensure that all nominations and election procedures found in International Constitution and Local Union By-laws are followed in accordance with Article XX Section 11(c) of the International Constitution.
- Section 5: The Elections of Local Union Officers including Heat & Frost Health and Welfare Plan Trustees and Pension Plan Trustees will be conducted in accordance with the International Constitution Article XX Sections 12 and 13 with the exception that this Balloting be conducted by **mail only**.

ARTICLE IX - S T E W A R D S

- Section 1: Job Stewards shall be basic dues exempt when having the position for a minimum of thirty (30) days when project requires one (1) General Foreperson and two (2) Forepersons having nineteen (19) workers or more on project or holding the position in excess of one (1) year.
- Section 2: Job Stewards may be designated on any operation when so provided by the Local Union. They shall be appointed by the Business Manager and shall inform the Business Manager or the conditions on the job site and perform such further duties as are assigned by the Business Manager . Foreperson shall not be permitted to act as Job Stewards. The Job Steward shall wear a Job Steward button. Should evidence indicate that a Job Steward has been discriminated against because of his/her activities as such, an investigation shall be made by the Business Manager and should such investigation prove beyond reasonable doubt that the Job Steward has been discriminated against by the Employer or his/her Representatives, the Business Manager shall make recommendations to the Local Union for such action as may be necessary in defence of the Job Steward. If a Job Steward for any reason should have to leave a job, he should notify the Union office at once so that a new Job Steward can be appointed.
- Section 3: Job Stewards shall have recognition on each project when officially notified in writing by Business Manager of said Job Steward appointment.
- Section 4: Area Job Stewards shall be basic dues exempt and have telephone bills paid as presented.
- Section 5: Area Job Steward supersedes all Job Stewards in his/her area and he/she shall represent Local #118 in his/her designated area. His/her duties will be designated by the Business Manager.

ARTICLE X - OFFICE HOURS

Section 1: The Local Union office shall be open to transact official Business of the Local between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday, except for statutory Holidays or other authorized closures for any reason as determined by the Business Manager. The Local Union Office shall be closed from 12:30 p.m. to 1:30 p.m. for lunch.

Section 2: Dispatch Hours

Official dispatch hours will be 9:00 a.m. - 11:00 a.m. 1:00 p.m. - 3:00 p.m.

ARTICLE XI - WORKING RULES

Section 1: No member will be allowed to carry materials or Company Tools in private vehicles. As a guide, a member should only carry such tools as he/she is permitted on a city bus.

Section 2: DISPATCH RULES

- (a) A member may refuse a dispatch to any job. However, a record of refusals will be kept and after three (3) consecutive refusals, his name may be moved to the bottom of the list.
- (b) After accepting a dispatch, if the member then fails to show up for work on the day designated on the clearance slip, he/she must give notice to Union or Employer. Failure to do so will result in a \$75.00 fine.
- (c) Each member upon dispatch to Employers will be issued a Union clearance slip. No members shall solicit work on his own behalf or between himself and any other member of Local 118. Members found to be soliciting employment will be required to appear before the Executive Board and account for their actions. All members when they are being dispatched and/or starting work for any Employer must have in his/her possession a valid work slip from the Union office and must deposit same with the Job Steward, Mechanic or Foreperson in that order and, in the case of being the first employee on the job site, then the Employer. If the Business Manager or Business Agent exercises their latitude in the case of emergency dispatch slips, this is not to be construed as creating a precedent. Each case is to be judged on its own merit.
- (d) If the member is not available or member has not contacted Union office during any seven (7) day period, it will be so noted and will have his/her name moved to the bottom of list on the eighth (8th) day.
- (e) Any member changing their place or residency shall be required to advise the Local Union office in writing. They shall be recognized as a Local resident three (3) months after written notification is received.

- Section 3: All members shall be required to obtain a copy of these Rules and By-laws.
- Section 4: Job Stewards or Foreperson shall, when receiving new employees on the job, see that all such employees are members of Local #118 and, unless the above-mentioned employees are being transferred from another job site of the same Employer, shall also receive a clearance slip from the employee.
- Section 5: Members of Local #118 shall immediately report all non-union persons doing our work, to the Business Manager. This shall also apply to other trades doing our work.
- Section 6: Those members failing to report infractions of these By-laws will be subject to having charges laid against them.
- Section 7: All General Forepersons and Forepersons shall be Mechanic members of Local #118 in good standing.
- Section 8: No member of this Local shall have reason for not showing their pay cheque stub to any other member or members who request to see it.
- Section 9: All listing of materials shall be done on the job site or shops. No member of Local #118 shall be permitted to list materials before or after regular working hours unless in receipt of overtime pay.
- Section 10: Members shall, at all times, comply with the instructions of the Business Manager.
- Section 11: Local Union #118 shall not uphold any member discharged for being intoxicated on the job by illicit drugs and/or alcohol during working hours or for any other act, which is deemed detrimental to the Local Union.
- Section 12: All workers coming under the jurisdiction of Local #118 must adhere to all Worksafe BC, Occupational Health & Safety Regulations.
- Section 13: Age shall be no bar from employment and no member shall be required to take a physical examination for employment.
- Section 14:(a) Any member of this Local Union #118 desiring to establish his/her own business in the insulation industry shall be required to appear before the Executive Board and state his/her intentions.
- (b) No member shall accept sub contract work or piecework from an Employer.
- Section 15: Any member working in a detrimental manner, which is in violation or conflict with current Collective Agreements, shall be subject to charges.
- Section 16: Any traveller found working or conducting his/her affairs in a manner detrimental to Local #118 shall be considered to have forfeited his/her working privileges in Local

#118's jurisdiction. The attention of all travellers is drawn to the fact that in the case of layoffs they will be laid off before any members of Local #118.

Section 17: All Apprentices working on a job site shall be under the direct supervision of a Mechanic (as a guide, Apprentices should be within calling distance, except in their senior year).

Section 18: Journeyman's Tools

All insulation Mechanics (Journeyman Insulators) shall possess in good condition such tools as may be determined from time to time by decision of the Union or Collective Agreement.

Section 19: There shall not be long-term banking of hours worked by the membership.

Section 20: No member will secure employment with a non-signatory contractor except under the explicit direction of the Business Manager for the purpose of Salting and Certifications during organizing campaigns.

Section 21: Every member will participate when called upon (at least once per year) to demonstrate, protest, leaflet, or picket in support of lawful actions that Local Union #118 is engaged in or conducting. Further every member residing in the metro Vancouver area is required at least annually to attend a Regular Membership Meeting.

ARTICLE XII - A M E N D M E N T S

Section 1: These By-laws remain in effect, unless otherwise stated by the International Office.

Section 2: These By-laws may be amended or changed by any such proposal being submitted in writing as a notice of motion and read at two (2) Regular General Membership meetings of the Local Union and decided at the second (2nd) meeting by a majority vote of the members present and voting.

Exception: Dues will only be increased according to ARTICLE IV, Section 4

Section 3: Future amendments and changes will become effective as outlined in Section 2 above, or as outlined in Preamble.

Section 4: The By-laws Committee shall review these By-laws for proposed additions, deletions or amendments during September and October, at which time they will be discussed for possible amendments.

Section 5: Members wishing to submit amendments to the By-laws shall submit their proposals to the Correspondence Secretary prior to the September By-Law Committee meetings.

ARTICLE XIII - WORK ETHICS

Section 1: Members quality workmanship will be encouraged and promoted in the interest of maintaining the standards of work performed by our individual members to protect the bonafide interest of labour-management and the public.

Section 2: (a) No member shall take part in or condone unethical conduct or work practices that reflect discredit to the trade.

(b) Members shall resist pressure to hurt the customer by shady work practice such as use of shoddy materials or poor workmanship, etc.

Put positively, the member should endeavour to upgrade their skills and ability to practice "good workmanship".

(c) A day's work for a day's pay shall be upheld by each member.

Section 3: Camp Rules

Construction camp rules and regulations will be strictly adhered to by those employed under current Collective Agreements of Local Union #118.

ARTICLE XIV - DESIGNATION OF TRADE

The Mechanic Journeyperson Insulator is a tradesperson specialized in the installation and fabrication of insulation systems wherever specified for the purpose of conserving energy and controlling the environment on the building and mechanical systems requiring control of temperatures, heat transfer, acoustic, asbestos abatement, fire protection-penetrations - barriers, and other such systems.

As amended at General Membership meeting November 12, 2013

