

BYLAWS

OF

LOCAL UNION 2351

INTERNATIONAL BROTHERHOOD

OF

ELECTRICAL WORKERS

CHURCHILL FALLS-LABRADOR, NEWFOUNDLAND, CANADA

Approved: June 24, 2010

ORDER OF BUSINESS

1. Opening.
2. Roll Call of Officers and Reading of Minutes.
3. Communications and Bills.
4. Reports of Executive Board and Officers.
5. Propositions for Membership.
6. Reports on Candidates.
7. Balloting or Voting on Candidates.
8. Obligations of Candidates.
9. Reports of Delegates and Committees.
10. Reports of Accidents, Sickness or Death of Members.
11. Roll Call of Members.
12. Unfinished Business.
13. New Business. (Under this heading comes matters relating to any election and installation of officers.)
14. Good of the Union.
15. Receipts and Expenses.
16. Closing.

NOTE: This sheet **ORDER OF BUSINESS** is not a part of the Local Union bylaws. It is attached to the bylaws to provide rules for the orderly conduct of Local Union meetings. Roll Call of Members is optional to the Local Union and may or may not be used as the Local Union decides.

ARTICLE I
Name - Jurisdiction - Objects

Sec. 1. This Organization shall be known as **Local Union 2351 of the International Brotherhood of Electrical Workers, Churchill Falls-Labrador, Newfoundland, Canada.** Local 2351 shall have jurisdiction over all **Utility** work as defined in Article XXVI, Section 4 of the IBEW Constitution when performed by employees of:

Churchill Falls (Labrador) Corporation Limited

However, the right of the International Office to change this jurisdiction is recognized, as provided in the IBEW Constitution.

Sec. 3. Local Union 2351 shall cover the **"A"** and **"BA"** types of membership.

ARTICLE II
Meetings

Sec. 1. Regular meetings shall be held once a month at the time and date as decided by the Local Union. The International Office shall be advised of the time, date, and location of regular Local Union meetings and also of any future changes. The membership shall be notified of any change in regular meeting dates.

Sec. 2. Special meetings may be called only by the Business Manager or the Executive Board. The members shall be notified in writing (by mail, leaflets, in the Union newspaper, or on accessible bulletin boards) of any special meeting. No business shall be transacted at any special meeting except that for which it has been called.

ARTICLE III

Officers - Elections - Duties

Sec. 1. The officers shall perform such duties as are stated in Article XVII of the IBEW Constitution. In addition, they shall perform such duties as are outlined in these bylaws and such duties as may be assigned to them by the Local Union and which are not in conflict with the IBEW Constitution and these bylaws.

Sec. 2. Failure of officers to perform their duties, the suspension or removal of any officer and the filling of any vacancies, shall be dealt with as stated in Article XVI of the IBEW Constitution.

Sec. 3. All officers and representatives and all employees shall be bonded to the extent required by the International or any applicable Federal or Provincial law whichever is greater. The bond shall be secured through the International and the premium shall be paid by the Local Union.

Sec. 4. (a) At the meeting of the Local Union when nominations are made, after nominations have closed, the President shall appoint an Election Judge and as many Tellers as are required, who shall serve as an Election Board to conduct the election. No candidate for any office shall be eligible to serve on this Board.

(b) After nominations have been made and those nominated are found to be qualified, the Election Board shall have ballots prepared listing in alphabetical order the names of all candidates for each respective office, beginning with President and continuing in the order named in the IBEW Constitution. Such ballots shall not contain any identifying numbers or marks.

(c) Members in good standing and qualified to vote who expect to be unable to visit the polls on election day, may at any time within thirty (30) days but not less than five (5) days prior to the date of election, make application in writing to the Election Judge for an absentee ballot. Any such qualified applicant shall be furnished an official ballot and two (2) envelopes. One envelope shall be smaller than the other and shall be marked only with the words **OFFICIAL BALLOT**. The larger envelope shall be preaddressed to the Election Board and shall contain a space in the upper left hand corner where the member shall place his/her name and address.

(d) Upon a member receiving an absentee ballot, he/she shall mark same and enclose it in the smaller envelope marked **OFFICIAL BALLOT**. This envelope shall then be placed in the larger envelope and mailed to the Election Board in time to be received before the polls are closed on election day. The Election Board shall open the envelopes, remove the smaller envelope marked **OFFICIAL BALLOT** and deposit same in the ballot box with the other ballots. No envelopes received later than the time and date as determined and announced by the Executive Board shall be opened by the Election Board.

(e) No member receiving an absentee ballot shall be permitted to vote in person at the election, unless he/she has first returned the absentee ballot unmarked to the Election Judge.

(f) The Financial Secretary shall furnish to the Election Judge not less than ten (10) days before the election, an alphabetical list of all members eligible to vote. All members in good standing and qualified shall be entitled to vote.

(g) The Election Board shall select a depository to which the envelopes containing the absentee ballots shall be mailed. This shall not be the Local Union Post Office Box or the Local Union Headquarters. (Cost of such depository shall be paid by the Local Union.) This Board shall advise the Local Union of the location of such depository in sufficient time to prepare the preaddressed envelopes.

(h) When the polls have closed and voting has ceased, the Election Board shall immediately count and tabulate the ballots. Any candidate may be present or have an IBEW member as an observer present during the voting and at the counting of the ballots. A report of the election results shall be made immediately by the Election Board. All ballots, applications for absentee ballots, and other papers shall be preserved for one (1) year from the date of the election, after which same shall be destroyed unless a question has arisen in connection therewith.

(i) **Voting shall be by secret ballot.**

(j) **Write-in votes shall not be permitted.**

(k) The election shall be decided for the candidate receiving the most votes for a specific office.

Sec. 5. (a) The officers shall be those provided for in Article XVI of the IBEW Constitution.

(b) The President shall have such authority as provided for the Business Manager in these bylaws and the Constitution of the Brotherhood.

Sec. 6. The **Executive Board** shall consist of the Vice President, Financial Secretary and 3 elected members.

Sec. 8. (a) Nominations for officers shall be held in **May 2013**, and election of officers shall be held in **June 2013 and every four (4) years thereafter**, as stated in Article XVI of the IBEW Constitution. Notice shall be mailed to all members at least twenty (20) days prior to the meeting for nominations in election years with all information regarding nominations, list of offices to be filled, date, time, and place of election, and the date, time, and place of run-off election if required. Said notice shall also include all details concerning the availability of the absentee ballot.

(b) No member shall be a candidate for more than one (1) office, except as provided

in these bylaws and with approval of the International President. If nominated for more than one office, the member shall immediately declare for which office he/she will be a candidate. However, this shall not apply to offices which have been combined with the approval of the International President.

(c) Every candidate shall have the right once within thirty (30) days prior to the election to inspect a list containing the names and last-known addresses of all the members of the Local Union. Such list of members shall be maintained and kept by the Local Union. **The membership list shall not be copied for the use of any candidate.**

(d) No member shall be eligible for office unless he/she has been a member of Local Union 2351 in continuous good standing for at least two (2) years immediately prior to nomination.

(e) The member must also attend at least one-half of the regular meetings of the Local Union for the twelve-month period immediately preceding the month in which nominations are held.

(f) A member may receive credit for meetings he is unable to attend, provided he files an acceptable excuse with the Executive Board within thirty (30) days after the date of the meeting he fails to attend. The Executive Board shall advise the member in writing whether his excuse has been accepted.

ARTICLE IV
Executive Board

Sec. 1. The duties of this Board are outlined in Article XVII of the IBEW Constitution and these bylaws.

Sec. 2. It shall be the duty of the Board to investigate all applications for membership and submit its report to the Local Union for action in accordance with Article XX of the IBEW Constitution. The preceding sentence shall not apply to apprentices as covered elsewhere in these bylaws. The Board shall also investigate and pass upon all traveling cards in full accordance with Article XXIII of the IBEW Constitution. The Board shall make its final report to the Local Union within sixty (60) days after the application or traveling card has been presented for Board consideration.

Sec. 3. Special meetings of the Board may be called by its Chair- man or the Business Manager.

Sec. 4. The Board shall elect its own Chairman and Secretary.

Sec. 5. The Board shall meet regularly between regular meetings of the Local Union.

ARTICLE V
Business Manager

Sec. 1. The Business Manager shall perform such duties as are stated in Article XVII of the IBEW Constitution and these bylaws. Also, the Business Manager shall perform such other duties as may be assigned by the Local Union and which are not in conflict with the IBEW Constitution and these bylaws.

Sec. 2. The Business Manager shall report to the Executive Board and the Local Union when called upon, or when he/she deems such necessary. The Executive Board and Local Union officers shall cooperate with the Business Manager in the performance of the duties of the office and shall not work in conflict with the Business Manager.

ARTICLE VI
Salaries

Sec. 1. Salaries shall be as follows:

None

Sec. 2. Should any two (2) offices be combined, then the officer shall receive the salary of only one (1) office, whichever is the higher.

Sec. 3. All disbursements for authorized expenditures made in behalf of the Local Union shall be supported by receipts, vouchers, or other reasonable proof of claim.

Sec. 4. The Local Union shall reimburse any lost time wages incurred by Members of the Local Union while on authorized business for the Local Union.

ARTICLE VII
Committees and Delegates

Sec. 1. Committees and delegates shall be appointed in accordance with Article XVII of the IBEW Constitution.

Sec. 2. The delegates and alternates to the International Convention shall be nominated and elected in accordance with the nomination and secret ballot election procedure as set forth in these bylaws and Article II, Section 10 of the IBEW Constitution.

Sec. 3. The President shall, by virtue of the office, serve as a delegate to the International Convention.

Sec. 4. (a) The President may appoint a Recreation Committee of 5 members.

(b) The Recreation Committee shall report to the Local Union before and after each event. Proper financial accounting procedures and deposits to the fund on a regular basis as well as disbursements from the fund shall be the responsibility of the applicable regular Local Union officers.

ARTICLE VIII
Stewards

Sec. 1. Stewards shall be appointed where needed by the Business Manager. They shall work under the direction of the Business Manager and be subject to his/her authority. The Business Manager may remove any Steward, as such, at any time.

Sec. 2. Duties of Stewards shall be:

(a) To have a copy of the IBEW Constitution, these bylaws and the working agreement with them at all times.

(b) To see that Union membership is encouraged and all workers at their respective shop or jobs have paid-up dues receipts or valid working cards of the Local Union.

(c) To report any encroachment upon the jurisdiction of the Local Union.

(d) To report to the Business Manager any violation of the bylaws or agreements.

(e) To perform such other duties as may be assigned to them by the Business Manager.

Sec. 3. Stewards shall in no case cause a stoppage of work. In case of any trouble on a job or at a shop, Stewards shall immediately notify the Business Manager.

ARTICLE IX
Assessments - Admission Fees - Dues

Sec. 1. All assessments imposed in accordance with the IBEW Constitution and these bylaws must be paid within the time required to protect the member's continuous good standing and benefits. The assessments must be paid prior to the acceptance of basic dues.

Members shall not be required to pay assessments for welfare benefits in which they cannot participate.

Sec. 2. No money shall be collected from anyone working within the jurisdiction of this Local Union other than to apply on admission fees, dues and assessments established in accordance with the IBEW Constitution and these bylaws.

Sec. 3. The **admission fee** shall be:

(a) **"A" or "BA" Memberships**

All classifications.....**\$37.50**

(b) Each applicant eligible for "A" membership shall pay an additional \$2.00.

(c) Approval of these admission fees is given by the International President with the understanding that if conditions in the jurisdiction of the Local Union do not justify such fees, then the International President will be free to change the amounts.

Sec. 4. All applications must be accompanied by ten percent (10%) or more of the admission fee. Full payment (satisfactory arrangements may be made with the Executive Board) and admission must be completed within ninety (90) days of making application, in accordance with Article XX of the IBEW Constitution.

Sec. 5. Dues are payable monthly in advance.

Sec. 6. The **monthly dues** shall be:

(a) **"A" and "BA" Members**

All classifications	1% of basic regular wages plus \$1.20 per month (Atlantic Utilities Council and Labrador Federation of Labour per capita payments).
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Plus \$8.00 per month (Local Union 2351 IBEW Defense Fund fee. This amount will increase in proportion to any wage increase received by members of the Local.)

(b) Applicable International per capita and all assessments to be paid in addition to the above dues.

(c) Unemployed members and members working outside the jurisdiction of Local 2351 shall pay \$10.00 per month plus the International per capita and \$1.20 (Atlantic Utilities Council per capita and New Foundland and Labrador Federation of Labour per capita payments.

Sec. 7. In the event the Local Union shall collect any money in accordance with the terms of a collective bargaining agreement for the support of the collective bargaining agency, the Local Union shall in each case remit to the International Office each month an amount equal to the regular per capita applicable to the "BA" type of membership.

ARTICLE X
Funds

Sec. 1. The funds of this Local Union are for the legitimate expenses required in its conduct and maintenance and shall not be diverted therefrom. Disbursements shall be made in accordance with Article XVIII of the IBEW Constitution and these bylaws.

Sec. 2. No money shall be loaned from the funds of this Local Union for any purpose, unless approved by the International President of the IBEW.

Sec. 3. The President shall appoint an auditing committee of three (3) members (or the President or the Executive Board, as the Local Union decides, shall employ a public accountant) to audit the books and accounts of the Local Union every three (3) months. A report of the audit must be made to the membership. The President shall inspect the bank books of the Treasurer to see that Local Union moneys turned over to the Treasurer have been properly and promptly deposited in the Local Union's name. The fiscal year shall be the twelve-month period ending **June 30**.

Sec. 4. There are hereby authorized the following funds:

General Fund
Defense Fund
Recreation Fund

ARTICLE XI
Local Union 2351 IBEW Defense Fund

Sec. 1. Each month \$8.00 of the regular monthly dues shall be deposited to the bank account designated as Local Union 2351 IBEW Defense Fund.

Sec. 2. No other funds than those specified shall be transferred to the Defense Fund without prior approval of the International President.

Sec. 3. The Defense Fund shall be used for the following purposes only:

(a) To pay strike benefits to members of Local Union 2351 who are engaged in strike action and who are in need of financial assistance. Such strike action must have prior approval in accordance with Article XVI of the IBEW Constitution.

(b) To defray legal cost in defense of Local Union 2351 and its members when circumstances warrant such.

Sec. 4. The Defense Fund shall not be used for any purpose other than specified above and all payments to members shall be made on an equal and impartial basis.

Sec. 5. All disbursements made from the Defense Fund shall be authorized by the Local Union.

Sec. 6. The Defense Fund shall be subject to audit in the same manner and means as the General Fund of the Local Union.

ARTICLE XII
Recreation Fund

Sec. 1. The sum of \$1.00 per member per month shall be transferred from the General Fund to the Recreation Fund.

Sec. 2. No other funds than those specified shall be transferred to the Recreation Fund without prior approval of the International President.

Sec. 3. The Recreation Fund shall be used for the purpose of supporting and sponsoring recreational activities, youth activities, dances, games, tournaments, floats for parades, exhibits for fairs, or exhibitions, sports for Local Union 2351 members and their immediate families as may be decided by the Local Union.

Sec. 4. The Recreation Fund shall not be used for any other purpose other than specified above and all disbursements shall be made on a reasonable and impartial basis to the general good of all members of the Local Union.

Sec. 5. All disbursements made from the Recreation Fund shall be authorized by the Local Union.

Sec. 6. The Recreation Fund shall be subject to audit in the same manner and means as the General Fund of the Local Union.

ARTICLE XIII
Admission of Members

Sec. 1. Qualification and admission of members shall be in accordance with Articles XIX and XX of the IBEW Constitution.

ARTICLE XIV
General Laws

Sec. 1. The Executive Board shall act as the Trial Board to hear charges and try members (except officers or representatives of a Local Union, Railroad Council, or System Council) for violation of the IBEW Constitution, these bylaws, or an approved working agreement. All charges against a member must be in writing and signed, specifying the provision(s) of the Constitution, bylaws, or working agreement allegedly violated. A brief factual written statement of the act(s) considered to be in violation, including relevant dates, places and names, should be given by the charging party. A copy of the charges must be furnished to the accused by the Recording Secretary with notice of when to appear before the Trial Board.

Sec. 2. A charged member may, upon request, have an IBEW member in good standing as Counsel. However, no lawyer, as such may serve as Counsel in a hearing of the Trial Board. No person not a member of the IBEW may be present at such hearing, except as a witness.

If the accused willfully fails to stand trial or attempts to evade trial after having been notified in writing to appear, the Trial Board shall hear and determine the case just as though the accused were present. When a member files charges against another member and fails to appear before the Trial Board to prosecute the case, unless reasonable excuse is given, he/she shall be subject to discipline by the Trial Board.

Sec. 3. A majority vote of the Trial Board shall be sufficient for a decision, which is to be in writing. The Trial Board report of its findings and sentence, if any, shall be reported to the next regular meeting of the Local Union. The action of the Trial Board shall be considered the action of the Local Union, and the report of the Board shall conclude the case.

Sec. 4. All financial obligations (including but not limited to fines, assessments and unpaid dues and fees) owed by a member under the IBEW Constitution or the bylaws of this Local Union shall constitute debts owed by the member to the IBEW or the Local Union, and may be recovered through court action brought by the IBEW or the Local Union. If it is necessary for the Local to institute legal proceedings in order to recover any such debt, the individual member shall also be liable for all costs of said proceedings, together with a reasonable attorney's fee incurred by the Local, the amount thereof to be fixed by the Court.

Sec. 5. Each member shall keep the Financial Secretary informed of their correct address. The Financial Secretary shall, in turn, notify the International Secretary.

Sec. 6. The parliamentary rules of this Local Union shall be those stated in Article XV of the IBEW Constitution.

Sec. 7. The IBEW Constitution is hereby made a part of these bylaws. Where there is doubt concerning any section of these bylaws or where such might appear to be in conflict with the IBEW Constitution, then the IBEW Constitution shall control and must be followed.

Sec. 8. Words in these bylaws in the masculine gender shall include the feminine.

Sec. 9. Members shall be supplied with copies of the IBEW Constitution, these bylaws, and the working agreement upon request to the Local Union.

Sec. 10. The handling of jobs for unemployed members shall be under the full supervision and direction of the Business Manager. The Business Manager shall devise such means as are considered practical and fair in the distribution of available jobs to qualified members. Members shall not violate such established rules or plans.

Sec. 11. Members shall show their working cards or receipts upon request.

Sec. 12. The Local Union may spend a sum, as determined by the Executive Board, for a suitable tribute upon the death of a member or the spouse of a member. A committee may also be appointed to extend the sympathy of the Local Union to the family of any deceased member.

ARTICLE XV
Amendments

Sec. 1. These bylaws become effective upon approval by the International President.

Sec. 2. (a) These bylaws may be amended or changed by any such proposal being submitted in writing and read at two regular meetings of the Local Union, and decided at the second meeting by a majority vote of the members present and voting.

(b) However, assessments, initiation fees or dues shall be changed only by a majority vote by secret ballot of the members in good standing voting at a regular or special membership meeting.

Changes shall be introduced at one Local Union meeting and acted upon at a second Local Union meeting. The proposal cannot be acted on at the time it was proposed. A written notice specifically stating the proposed assessments or changes in initiation fees or dues shall be mailed to each member in good standing at the member's last known home address at least 20 days prior to the Local Union meeting at which the membership is to vote on the question.

Sec. 3. No amendments or changes shall become effective until approved by the International President, in accordance with the IBEW Constitution.

**LOCAL UNION 2351
RECORD OF AMENDMENTS**

District: First

Location: Churchill Falls-Labrador,

Bylaws Retyped in Entirety: February 5, 1991

Newfoundland, Canada

DATE ARTICLES AND SECTIONS AMENDED

- 2/23/96 Updated Constitutional Articles.
- 9/28/00 Updated Constitutional Articles. Article IX, Section 6(a) and 6(c); Article XI,
Section 1 amended.
- 6/24/10 Art. III, Sec. 8(a) amended.