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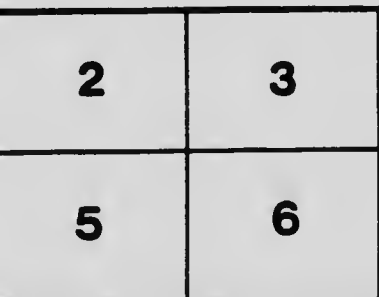
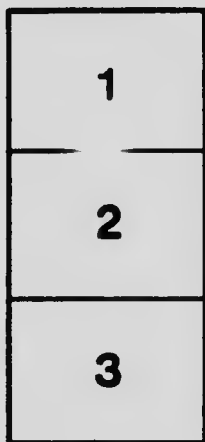
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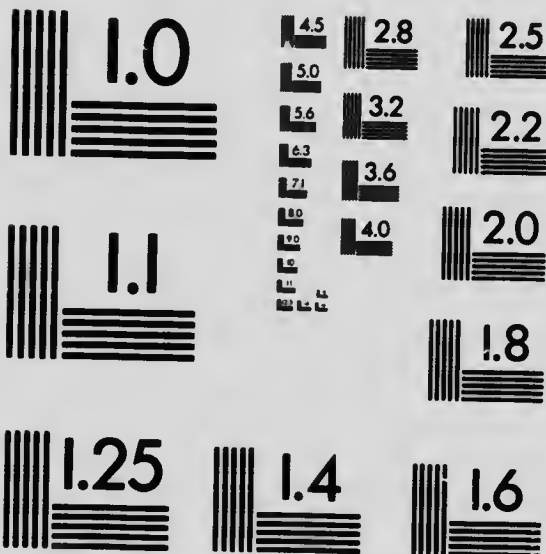
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CONSTITUTION
BY-LAWS *and* RULES
OF ORDER

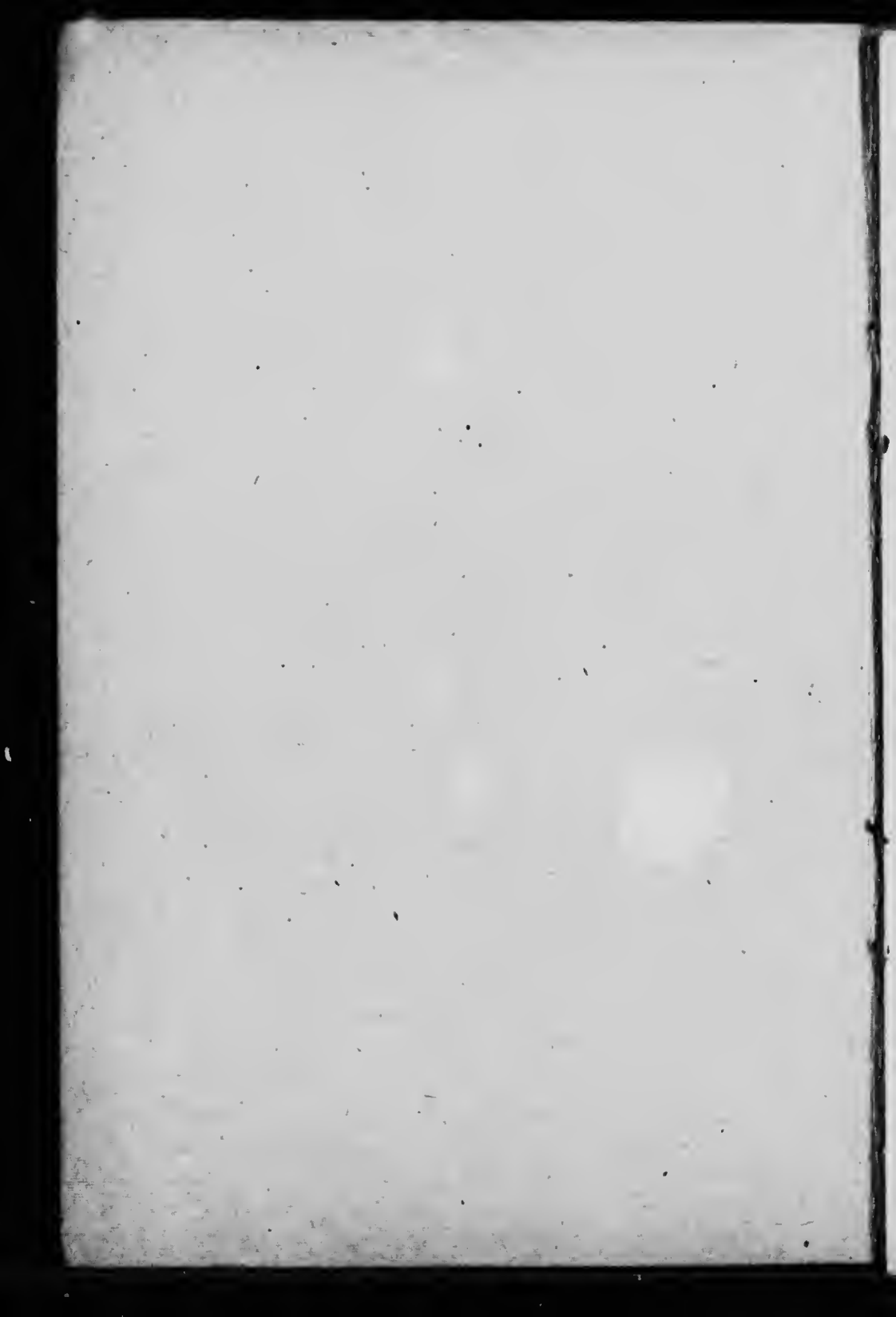


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RULES OF ORDER AMENDED
FEBRUARY 2, 1917**



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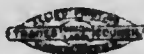
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CONSTITUTION BY-LAWS *and* RULES OF ORDER



**CONSTITUTION, BY-LAWS, AND
RULES OF ORDER AMENDED
FEBRUARY 2, 1917**



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1880

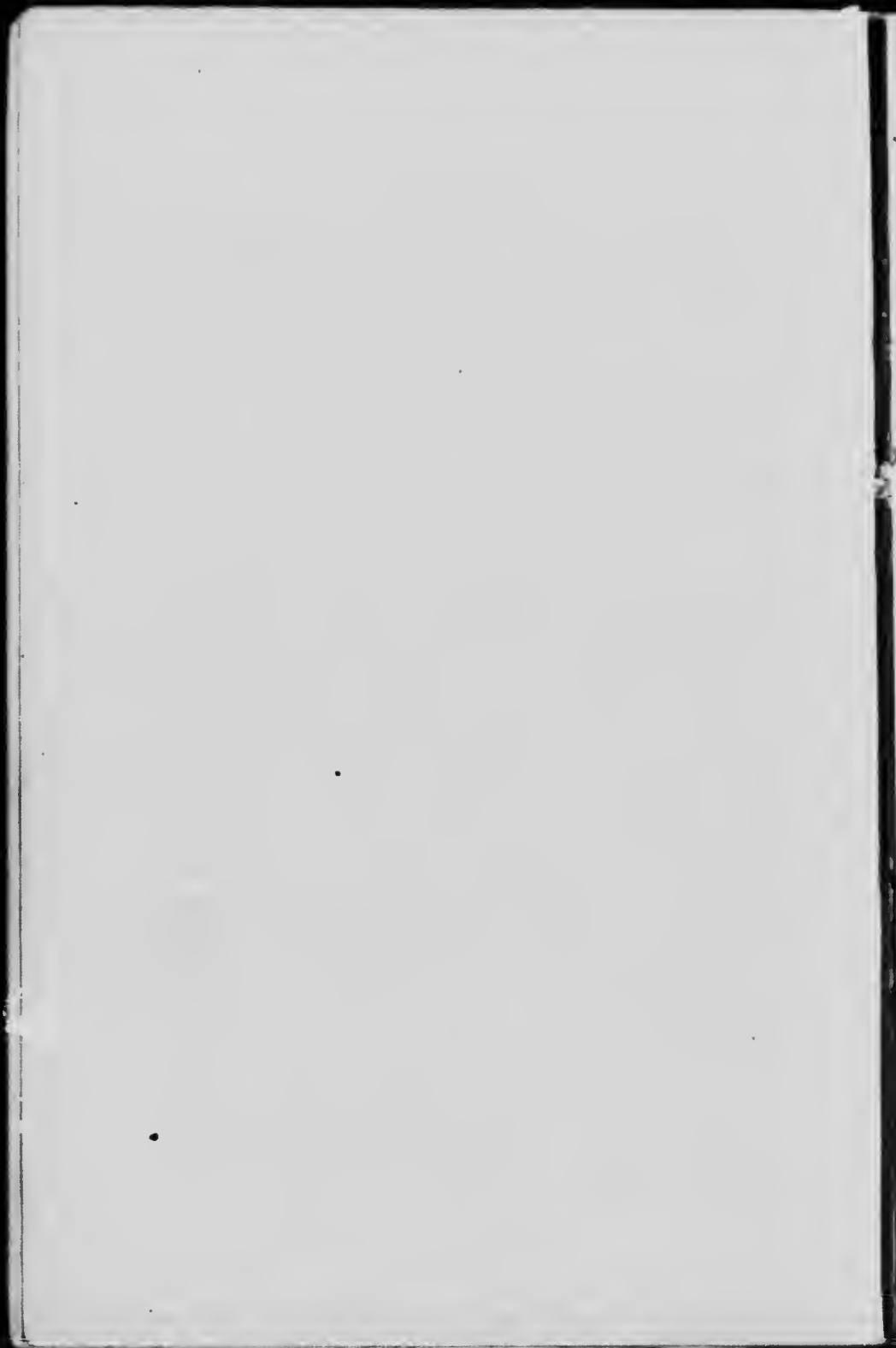
1881

1882

1883

PREAMBLE

"Labor is prior to and independent of capital? Capital is only the fruit of Labor; it could not have existed if Labor had not first existed, and inasmuch as most good things have been produced by Labor, it follows that they belong by right to the people who produced them." These words, uttered by Abraham Lincoln, himself a member of the governing class, tend to show the workers that they are defrauded of their rights, and it is apparent that in the great struggle for existence, their lot is becoming ever more precarious. The wealth produced in the present is many times greater than that produced in the past, yet the workers do not benefit by this increase in production, but instead, are forced to compete more bitterly for employment. The Transport Industry is the artery of commerce, yet the Longshoremen only receive a bare pittance in exchange for their labor. We realize that in order to assure better working conditions and secure our share of the good things of life, we must learn to cast aside racial prejudice, military traditions and all ogres of a like nature, and in their place instill a spirit of unity and determination. This justifies the existence of our Association, and we unite determined to do all in our power to promote the welfare of Labor in general, to improve our physical, mental and social conditions and educate ourselves to understand the true needs of all Longshoremen.



CONSTITUTION

ARTICLE I.

Section 1. This Local shall be known as Local No. 38, Series 52, of the International Longshoremen's Association.

Sec. 2. This Local shall have power to affiliate with all other Labor organizations.

ARTICLE II.

Section 1. Officers of this Local shall consist of a President, Vice-president, Secretary-treasurer, three Trustees, Doorkeeper, and when found necessary, a Business Agent.

Sec. 2. A janitor shall be employed, and if possible shall be selected from among the members of the Union. He shall keep the premises used by this union in a clean and sanitary condition, and also look after and maintain the heating requirements. His remuneration shall be fixed from time to time as the Local may direct. If a member of this union, he shall pay no dues, but all assessments, and shall be employed for quarterly terms if found competent.

ARTICLE III.

Section 1. It shall be the duty of the President to preside over all meetings and enforce due observance of the Constitution and Bylaws.

Sec. 2. It shall be the duty of the Vice-president to assist the President in maintaining order, and in the President's absence, to fulfill the duties and exercise the power devolving on him.

Sec. 3. It shall be the duty of the Secretary-treasurer to attend all the regular, special and mass meetings of the Local, and keep an accurate record of the proceedings of same. He shall act as official correspondent, and must keep on file a duplicate copy of all letters sent from his office. He shall receive all dues, assessments and other moneys accruing to the Local, and shall keep a correct account of same. He shall submit a report of receipts and disbursements at each regular meeting, and pay all bills authorized by the Local, (amounts of five dollars or over to be paid by cheque). He shall deposit all moneys in a bank, to be designated by the Local, and shall keep these transactions open for inspection by the auditors at any time. He may keep on hand for petty expenses the sum of twenty-five dollars; he shall submit monthly, quarterly and yearly financial statements. He shall have charge of all matters pertaining to the waterfront, and shall as nearly as possible meet all ships entering the port, and endeavor to secure all the work for the members of this Local. He shall be a member of all standing committees, also a member of any committee appointed to interview the employers. His hours shall be the regular longshore hours of the port, but he

must hold himself in readiness to act at any time should the exigencies of the case demand it. During working hours, he shall, as far as possible, keep in touch with the office. For these services, his remuneration shall be fixed from time to time as the Local may direct. When vacating his office, he shall turn over the bank book, together with all other papers pertaining to the business of the Local to the Trustees, who will hold them until his successor is elected. This official must be bonded.

Sec. 4. It shall be the duty of the Door-keeper to take charge of the door at the regular meeting to see that all men entering the meetings are qualified to remain, and to assist the President in maintaining order.

Sec. 5. It shall be the duty of the Trustees to take charge of all the property of the Local. They shall have complete supervision of the hall, but may not incur any expense, except in case of emergency, without the consent of the Local. They shall examine all bills before same are presented to the Local for approval. At least two of them must affix their signature to any cheque issued by the Secretary-treasurer.

Sec. 6. It shall be the duty of the Business Agent to have charge of all matters pertaining to the waterfront. He shall as nearly as possible meet all ships entering the port, and endeavor to secure all the work for the members of the Local. He shall, if called upon to supply men for a job, give preference to

the members in good standing. He shall be a member of all standing committees, also a member of any committee appointed to meet the employers. His hours shall be the regular longshore hours of the port, but he must hold himself in readiness to act at any time should the exigencies of the case demand it. During his working hours, he shall, as far as possible, keep in touch with the office. His remuneration shall be fixed from time to time as the Local may direct.

ARTICLE IV.

Section 1. If any officers absent themselves from three consecutive meetings without good and sufficient reasons, their offices shall be declared vacant by the presiding officer.

Sec. 2. All officers of this Local shall be exempt from dues but must pay all assessments.

ARTICLE V.

Section 1. No member shall be eligible for office, or to act as a delegate to a convention, unless he has been a member for six months, and is in good standing.

ARTICLE VI.

Section 1. No funds can be withdrawn from the bank unless cheque is stamped with the seal of the Local and bears the signatures of the Secretary-treasurer and two Trustees.

BY-LAWS

ARTICLE I.

Section 1. Regular meetings of the Local shall be held weekly, day and hour to be fixed from time to time. Twenty members in good standing shall constitute a quorum for the transaction of business at any regular meeting.

Sec. 2. Special meetings may be called by the President, Secretary-treasurer or Business Agent, at the request of any twelve members in good standing, the names of said members to be recorded. If less than forty members are present at the opening of the meeting, it shall immediately adjourn. Any action taken at a special meeting shall not be final and binding unless ratified at the next regular meeting.

Sec. 3. Mass meetings may be called by the President, Secretary-treasurer or Business Agent, at the request of any twenty members in good standing, names of said members to be recorded. If less than two hundred and fifty members are present at the opening of the meeting, it shall automatically become a special meeting only. Any action taken at a mass meeting shall require a two-thirds majority, and shall be final and binding.

ARTICLE II.

Section 1. Six standing committee shall be elected at the first and second meetings of each term, as follows: Executive Committee, twenty-seven members; Agreement Committee, three members; Application Committee, three members; Auditing Committee, three members; Roll Call Committee, three members; Library Committee, three members.

Sec. 2. The executive committee shall meet weekly, day and hour to be arranged from time to time. This committee is empowered to initiate new business, subject to the final approval of this Union. The President, Secretary-treasurer and Business Agent, shall be considered regularly elected members of executive committee by virtue of their office.

Sec. 3. A Hospital Committee, consisting of three members, shall be appointed by the presiding officer at each regular meeting. They shall be selected from the index of the ledger, and on refusal to serve without giving sufficient reason, shall be fined one dollar. All other temporary committees shall be selected from the index of the ledger. All members of standing committees shall be exempt from duty on temporary committees.

Sec. 4. Any member having accepted election on any committee, and neglecting to perform the duties of his office, shall be dealt with as the Local may direct.

Sec. 5. Chairman of committees shall have power to call a meeting of their respective

committees at any time, and shall designate the place of meeting.

ARTICLE III.

Section 1. No member of this Local shall work as a longshoreman or freighthandler for less than the recognized union wages of the port.

Sec. 2. Sundays and legal holidays, also any work performed between the hours of 5 p. m. and 7 a. m., and the noon hour, shall be considered as overtime.

ARTICLE IV.

Section 1. Any intoxicated member working on a vessel or dock, and refusing to leave at the request of any officer of the Local, shall be fined two dollars and fifty cents.

Sec. 2. Any charge made against a brother member must be presented in writing to the Secretary-treasurer, who will then refer the charge to the executive committee. In case the member making the charge fails to substantiate his charge, his action will be deemed malicious, and he will be fined two dollars and fifty cents.

ARTICLE V.

Section 1. All members must purchase buttons when accepted, and must wear them in a prominent place on their person when looking for employment. These buttons are the property of the Local, and must be returned to the Secretary-treasurer in the event of the member leaving the jurisdiction of this Local.

ARTICLE VI.

Section 1. Meal hours shall be strictly observed, unless in the case of silk, mail, or where there is an emergency, same to be left to the discretion of the Secretary-treasurer.

Sec. 2. Any member of this local quitting work before the job is completed, and doing so without reasonable excuse and competing for work on any other vessel or dock within twenty-four hours from the time he is ordered back on his original job, shall be fined two dollars and fifty cents, oversleeping shall not be considered a reasonable excuse. In addition to the fine, the Business Agent or Secretary-treasurer shall be empowered to take any member off the job who violates this section.

Sec. 3. Any member employed on a vessel or dock who shall utilize his spare time in working on another vessel or dock, while the original job is unfinished, except when it is impossible to secure unemployed members, shall be fined two dollars and fifty cents.

Sec. 4. The name of any member owing six months' dues and assessments shall be struck off the books, and such member to be reinstated, must receive two-thirds majority vote of a regular meeting, and must pay all back dues and assessments, together with a fine of two dollars and fifty cents, provided, however, that the amount so charged shall in no case exceed one year's dues and assessments.

Sec. 5. During the reading of the minutes, the roll call committee will record the names

of those present, and will report the names of those members who have been absent for four consecutive meetings, when a fine of fifty cents will be placed against all such members, and an additional fine of fifty cents for each successive meeting until he presents himself.

Sec. 6. All fines imposed shall be charged by the Secretary-treasurer to the members from whom due. Any moneys tendered for dues will not be accepted as such until the amount of fine has first been covered.

Sec. 7. Any member owing more than two months' dues, shall be in bad standing, and suspended from work until one month's dues are paid.

Sec. 8. Hatchtenders, pilers and slingmen shall act as stewards on the vessel or dock on which they are employed, and shall report to the Secretary-treasurer the number, if any, of non-union men employed on the job.

ARTICLE VII.

Section 1. Gambling in the hall is strictly prohibited.

Sec. 2. Intoxicated members shall not be permitted to use hall; should any such member dispute this, and refuse to leave at the request of any officer, he shall be fined one dollar and denied use of hall for one month.

Sec. 3. All members using hall must observe rules as formulated from time to time by the trustees.

ARTICLE VIII.

Section 1. Any member who is unable to work through sickness or accident, shall be exempt from dues and assessments after one month's disability, until such time as he resumes work; provided he was in good standing when his illness began, and provided he can furnish proof of his illness to the local.

Sec. 2. Upon the death of any member in good standing, his remains shall, when not otherwise provided for, be taken in charge by the President or Vice-president, and buried at a cost not exceeding seventy-five dollars.

Sec. 3. On the death of a member in good standing, the presiding officer shall call for volunteers to act as pallbearers, such volunteers, if found satisfactory to the local, shall be appointed to fulfill their respective duties, and if found delinquent, shall be dealt with as the local may direct.

Sec. 4. No money shall be disbursed by this local under any circumstances, except for working expenses and the burial of deceased members.

ARTICLE IX.

Section 1. All applications must be signed by two members who have been in good standing in the local for six months.

Sec. 2. The names of the applicants and their vouchers must be posted on the board for a period of one week preceding their examination.

Sec. 3. All applicants, with their vouchers, must appear before the executive committee at such times as the committee may decide.

Sec. 4. If accepted, all applicants will be placed on a probationary period of six months.

ARTICLE X.

Section 1. This Constitution and Bylaws shall not be suspended, rescinded or amended except by a two-thirds majority vote of all members present at a regular meeting, neither shall they be suspended, rescinded or amended without giving written notice of motion to suspend, rescind or amend, such notice of motion to be read at two consecutive regular meetings prior to the motion being voted on.

Sec. 2. This Constitution and Bylaws shall take effect from the date of their adoption, and shall rescind all former conflicting motions.



RULES OF ORDER

1. On motion, the regular order of business may be suspended by a two-thirds vote of the assembly at any time, to dispose of any urgent business.

2. Any conversation, by whispering or otherwise, which is calculated to disturb a member while speaking, or hinder the transaction of business, shall be deemed a violation of order.

3. A motion to be entertained by the presiding officer must be seconded, and the seconder as well as the mover, must be recognized by the chair; it shall be reduced to writing at the request of the Secretary.

4. In presenting a motion a brief statement of its object may be made, but no discussion of its merits shall be admitted until the question is stated by the chair.

5. Any member having made a motion can withdraw it by consent of a second; but a motion once debated cannot be withdrawn except by unanimous consent.

6. When a member wishes the floor he shall rise and respectfully address the chair; and, if recognized by the chair, he shall be entitled to the floor.

7. Any member may call for the division of a question when the sense will admit thereof.
8. If two or more members rise to speak at the same time, the chair shall decide which is entitled to the floor.
9. Each member when speaking shall confine his remarks to the question under debate and avoid all personal and impecorous language.
10. No member shall interrupt another while speaking, except on a point of order, when he shall definitely state the point, and the chair shall decide the same without debate.
11. If a member while speaking be called to order, he shall take his seat until the point of order is decided, when, if decided in order, he may proceed.
12. If any member is dissatisfied with the decision of the chair, he may appeal to the meeting against the decision.
13. When an appeal is taken against the decision of the chair, said appeal shall be stated to the meeting in these words: "Shall the decision of the chair be upheld?" The member appealing will then state the grounds of his appeal, and the chairman shall give the reason for his decision. Thereupon the meeting shall proceed to vote upon the appeal without further debate.
14. No member shall speak more than once on the same subject until all members desir-

ing the floor shall have spoken, nor more than twice without consent of the chairman.

15. The presiding officer shall not speak on any subject except points of order, and appeals from the decision of the chair; he shall have a vote on all questions before the meeting, and in case of a tie vote the question at issue shall be declared lost.

16. When the previous question is moved and seconded, it shall be put in this form: "Shall the main question now be put?" If this is carried, all further motions, amendments and debate shall be excluded, and the question put without delay.

17. Before the presiding officer declares the vote on a question, any member may ask for a division of the house, when the chairman will comply with the request, and a standing vote be taken.

18. When a question has been decided, it can be considered only at the same meeting or at the next regular meeting.

19. A motion to reconsider must be made and seconded by two members who voted with the majority.

20. When a question is before the meeting, no motion shall be in order except:

1. To lay on the table.
2. For the previous question.
3. To postpone to a given time.
4. To refer—to recommit.
5. To amend.

And these several motions shall have precedence in order as herein arranged.

21. The following are not debatable:

1. To adjourn.
2. To call to order.
3. To close debate. Previous question.
4. To extend the limits of debate..
5. To lay on the table.
6. To limit debate.
7. To object to consideration of a question.
8. To call for the orders of the day.
9. To read a paper.
10. To reconsider an undebatable question.
11. To suspend the rules.
12. To take from the table.
13. To withdraw a motion.

22. A motion to adjourn shall always be in order except:

1. When a question is before the house.
2. When a member has the floor.
3. When the members are voting.
4. When it is decided to take the previous question.
5. When the delegates from affiliated unions desire to report.

23. All questions of a parliamentary nature which are not herein dealt with, shall be decided according to Roberts' Rules of Order.



