

Working Rules and Bylaws
Local 116, of the International Association
Of Heat & Frost Insulators and Allied Workers

Section 1 No portion of these by-laws shall be interpreted as a conflict with the constitution of the Heat & Frost Insulators and Allied Workers International, current Collective Agreement, Project Labour Agreement or the Trade Union Act of Nova Scotia.

Section 2 These working rules and by-laws of Local 116 shall become in effective **May 28th, 2018** and shall continue in full force until such time as a special meeting is held to amend them.

Section 3 Not knowing the rules and by-laws of this local will not be accepted as an excuse for any violation. **When in doubt, contact your Business Manager. (Local Representative)**

Section 4 Any member wilfully working for less than the rate shown on his referral slip or who violates the terms and conditions of a Collective Agreement or the Working By-Laws will be charged.

Section 5 Members that are found to be employed as strike breakers or who violate a legal picket line are subject to charges.

Section 6 All members shall secure their employment through the local union office. The business manager or his/her representative will forward a work referral slip to the employer's office within forty-eight hours of the commencement of a member's employment. Failure to secure employment, within our jurisdiction, through the local union office, will result in charges.

Section 7

- A) No member of the local 116 shall do piece work or labour contracting of any kind pertaining to the insulation trade unless it to be found in the best interest of the Union, by the Business Manager and his officers, for a limited amount of time.
- B) Managers/owners working under this section may not vote or attend union meetings.

Section 8 Any member found working with non-union people in our trade jurisdiction who have not been properly cleared through the union office will be automatically charged.

Section 9 No apprentice or improver shall execute work unless in the company of a mechanic except when authorized by the Business Manager in writing. Violation of this article will result in charges to the apprentice and mechanic in charge.

Section 10 Any member wishing to leave their place of employment must give a resignation letter to the employer and the union with a minimum of two week notice. Members failing to resign without proper notice will be charged **and** not be eligible for dispatch for a period of 10 working days.

Section 11 All members has the right to one work refusal however any member refusing employment for the second time, within a year of first refusal, will not be eligible for dispatch for a period of 10 working days and required to pay double the amount of out-of-work dues (\$12/week) for a maximum period of three months or until such time as the member is dispatch for work (accepts work). The exceptions to this rule will be medical reasons, not receiving 12 hours notice, not available/vacation time (which the union has been notified in writing before day of refusal), required to work out of province, or living outside a sixty kilometre radius of Halifax or Sydney and required to travel daily to a project.

Section 12 Once a referral slip has been sent on behalf of the member and fails to report for work he/she will automatically be charged and handled as a work refusal (section 11). Exception to this rule will be the member notifying the union office with sufficient time to dispatch replacement worker (Section 11 of these by-laws will apply).

Section 13

No member will lose their position on the out of work list until a total of thirty (30) working days. Members will be considered working until such time that the union has been notified of their lay off. (i.e. If you get laid off on a Friday and the union office is notified on the following Tuesday, Tuesday will be considered the last day of work, the Union will consider member working until such time they are notified that the member has been laid off.

Section 14 Members who are not in good standing as defined in Article X111, section 6 (a) of the Constitution and By-Laws (International) will forfeit their rights to be called when his/her name is requested or comes up on the out-of-work list.

Section 15 Members will not receive withdraw, travel or transfer card until all of their financial obligations are paid up to date.

Section 16

A) Members who are two months behind in dues shall be given 15 working days notice by mail to pay the amount owing before being suspended, once suspended members will not be

dispatch nor shall they attend local union meetings. Suspended members seeking reinstatement shall meet all local union requirements and in addition shall pay a reinstatement fee of fifty dollars (\$50).

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B) Any member who is three months behind shall be given 30 days notice by registered mail to pay the amount owing before being lapsed.

C) All former members seeking re-affiliation shall meet all local union requirements, submit new membership application, and in addition pay fifty dollars (\$50) re-affiliation fee.

Section 17

Members will be considered employed and charged full working dues (\$44/week and \$0.75/hour). Members will be responsible for informing the union office once they are laid off to have their name placed back on the out-of-work list maintained by the union office. Apprentices attending Block Training will not be charged out of work dues for the duration of the training. Members wishing to have a travel card sent to another province/country must meet all the financial obligations and will be charged a thirty dollar (\$30) administrative fee per each travel card sent, traveling members will still be required to pay the out-of-work dues (\$6/week)

Section 18 Foreman must have in their position a copy of Collective Agreement, local 116 working by-laws and the International Constitution and Bylaws.

Section 19 No member of local 116 shall offer work to any workers working for our signatory contractors. Violation of this article which results in member quitting will result in charges.

Section 20 When asked by the business manager for their check stubs or receipts, member must comply with request.

Section 21 It shall be a violation, after proper notification, not to appear as a complainant, defendant, witness or member in any matter before the executive board.

Section 22

A) Applications for membership will not be considered until applicants have worked a total of three hundred and twenty hours in the trade. Approvals for application will be done by the business manager and his officers. Initiation fee if accepted is \$300 which the improver must pay fifty percent (50%) and be sworn-in within the next 3 regular meetings or the application will become void and worker will have to reapply for membership. Apprentice will remain on

probation until he/she becomes a mechanic in the trade. During the probationary period he/she will be subject to the International Constitution Apprenticeship provisions and to become indentured to the Joint Apprenticeship Training Committee when in place, and will be subject to the requirements under the Heat & Frost Insulator Trade Regulations as set forth under the Apprenticeship and Trades Qualifications Act.

B) Apprentice failing to register for classes or cancelling will be required to appear before the Executive Board and explain their reasons and may be subject to charges determined by the board. This article also applies to apprentice being cancelled by the Provincial Apprenticeship Board. **Exception to this rule will be for medical reasons only.**

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(C) Apprentice must have hours needed and passed appropriate apprenticeship course before receiving next level. When apprenticeship course is not available apprentice may move to next level until course is available. Failure to attend course when available will reduce apprentice back until he/she attends and passes appropriate Apprenticeship course.

D) For Mechanic status, the apprentice must have hours needed (**8000hrs.**) and passed the Red Seal and practical exam; he/she must also pay the second half of the initiation fee of \$150.

Section 23 Members registered for training (Skills or Safety) and fails to attend will be charged \$40 for in-house training and/or the cost of course for outside training.

Section 24 Any member who **is terminated from their** employment due to intoxication, insubordination, theft, physical altercation or illegal work stoppage will be called before the executive board for investigation and subsequent disciplinary action if it is found to be warranted. Any member showing disregard for the ruling of the local union and his employer must not expect the local union to protect him.

~~Section 25 — Collect calls will only be accepted from officers and stewards of this local.~~

Section 25

The officers of this local (President, Vice-President and Recording Secretary) will receive a yearly honorarium in the amount equal to the yearly out-of-work dues. Cape Breton District Steward will receive the above plus \$200 per year.

Section 26 Upon a death of a member's spouse, child under the age of 18, or member (active or retired) in good standing, flowers or a donation of **\$100** to a charity of their chose will be sent by the union.

Section 27

- A) Any member having written a check with insufficient funds or no account to Local 116 will be responsible for the same as well as a service charge of thirty dollars.
- B) The financial secretary may require any member to pay by cashier check or money order.

JOB STEWARDS

Section 28 Job Stewards may be appointed on any job site when in the opinion of the business manager such appointment is warranted.

Section 29 The duties of any job steward appointed by the business manager shall be as follows:

- 1) (a) To have in his possession a copy of the International Constitution.
(b) A copy of the by-laws of Local 116.
(c) A copy of the current collective agreement.

- 2) (a) To encourage union membership and labour solidarity.
(b) To inquire that the dues of all members of Local 116 are paid in full and that members possess valid referrals.
(c) To report any encroachment upon the local's working rules, International Constitution or the existing collective agreement.
(d) To report to the Business Manager any violation of the Local's working rules, International constitution or the existing collective agreement.

- 3) Under no circumstances shall a steward cause a work stoppage. In the case of any dispute over the interpretation, application or administration of the collective agreement, Local by-laws or International constitution, such dispute shall be reported immediately to the business manager.

- 4) The job steward shall carry out all other duties assigned by the business manager.

Section 30

Any new apprentice that has enough hours for membership, but has not yet been voted in at a regular union meeting, will be entitled to attend Local 116 Recreation events.

Section 31

All new applicants for membership with local 116 must complete the following in order to be considered for membership

- (A) Must work at a minimum of three hundred sixty (360) hours in the trade.**
- (B) Must attend a regular union meeting to be voted in and sworn in by the membership.**
- (C) Must inform the Business Manager when they would be attending the meeting for vote. (must be at least forty eight(48) before the date of the meeting to allow the Business Manager sufficient time to review the applicant.)**

MEETINGS

Section 32

- (1) The regular meeting of this local shall be held on the third Thursday of each month at, the Union office, **10 Morris Drive Unit 28 Dartmouth**, back entrance.
 - (2) A quorum for a meeting shall consist of seven good standing members excluding the officers.
 - (3) Any member attending a meeting who is deemed under the influence of alcohol shall be asked to leave the meeting. Failure to do so on his own will mean the member being automatically charged.
 - (4) Notice will be mailed **or emailed** to all members for special called meetings
 - (5) The chairman will recommend a fine to any member charged and found guilty of continually being out of order or directing abusive language towards the chair or any union officer or member at the meeting.
 - (6) All fines and assessment will be payable before dues.
 - (7) When a member wishes to speak, he shall stand and address the chair and when recognised, he may proceed and no speaker shall be interrupted while in order.
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- (8) If two or more wishes to speak the chairman shall decide which one is entitled to the floor.
 - (9) Each member shall confine himself to the question and avoid all personal and sarcastic remarks.
 - (10) Any member called to order by the chairman shall resume his seat at once but may rise to explain on permission of the chairman.

(11) No member shall speak longer than five minutes without permission of the floor.

(12) When a special meeting has been called for a particular purpose, no resolutions shall be received thereafter which does not bear directly upon the matter the meeting was called.

(13) If a member wishes to leave the meeting, he shall first obtain permission from the chairman.

(14) The chairman has the power to adjourn the meeting if it gets out of hand.

(15) Any officer failing to attend three consecutive meetings without just cause shall be asked for his resignation.

(16) Both regular and special meetings of local 116 shall be non-smoking.

Section 33 Members serving on committees may be reimbursed and if compelled to lose their regular time for said duty, shall receive pay for the same from the local union.

Section 34 Members with a permanent residence on the mainland will be eligible to be placed on the Mainland out-of-work list when unemployed. Members with a permanent residence in Cape Breton will be eligible to be placed on the Cape Breton out-of-work list when unemployed. Permanent place of residence is defined as a house or apartment with the member as the principle occupant. Regardless of his place of residence, even if the member meets the above definition, he will not be permitted to change list more than once in twenty four month period.

Section 35 Regular monthly meetings during July, August, and December will be cancelled unless otherwise moved and seconded during the previous monthly meeting.