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BY-LAWS

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

LOCAL LODGE NO. 73

AFL-CIO



HALIFAX, NOVA SCOTIA, CANADA

2017

**TABLE OF CONTENTS**

1	NAME.....	1
2	JURISDICTION .....	1
3	OBJECTIVES .....	1
4	ELIGIBILITY AND APPLICATION FOR MEMBERSHIP .....	1
5	OFFICERS, NOMINATIONS AND ELECTIONS .....	1-2
6	LODGE EXECUTIVE BOARD.....	2
7	OFFICERS’ DUTIES .....	2-3
8	MEETINGS .....	4-5
9	REVENUE, TAXES AND FEES .....	6-8
10	ALLOWANCES AND EXPENSE REIMBURSEMENT.....	8-13
11	COMMITTEES.....	13
12	MISCELLANEOUS .....	13-17
13	SAVING CLAUSES.....	17
14	INTERNATIONAL BROTHERHOOD CONSTITUTION.....	17
	Approval .....	18

## **BY-LAWS**

### **LOCAL LODGE 73 HALIFAX, NOVA SCOTIA, CANADA**

#### **1. NAME**

This organization shall be known as Local Lodge 73 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 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.

**5.3** 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 Manager/Secretary-Treasurer shall submit copies 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 checks 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 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 and President 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: In the event the Business Manager/Secretary-Treasurer or President 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 second Wednesday of each month according to the schedule below:

124 Parkway Drive, Truro, Nova Scotia

January

May

July

November

Days Inn and Suites, Moncton, New Brunswick

February

June

August

December

Maritime Inn, 717 Reeves Street, Port Hawkesbury

March

September

Danny's Inn, 1223 Rue Principle, Beresford, New Brunswick

April

October

The meeting shall start at 6:00 p.m. and adjourning not later than 8:00 p.m., unless continued by a two-thirds (2/3rds) standing vote; but in no event shall such continuation extend beyond 8:30 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. A quorum for regular meetings shall be two percent (2%) of the total Lodge membership, or the number of members required under the International Brotherhood Constitution, whichever is greater. There shall be no quorum requirements for nomination or election of Local Lodge Offices or Delegates.

### **8.2 Special Meetings**

Special meetings may be called in accordance with the International Brotherhood Constitution. A quorum shall be fifteen percent (15%). There shall be no quorum requirements for nomination or election of Local Lodge Offices or Delegates.

### **8.3 Informational Meetings**

There may also be from time to time information meetings at a place decided upon in areas which most of the members are employed.

## **8.4 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.

- 8.4.1** The Chairman shall enforce these rules and regulations and may direct that violators be removed from the meeting.
- 8.4.2** The regular order of business may be suspended at any time by majority vote in order to dispose of an urgent matter.
- 8.4.3** 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.
- 8.4.4** 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.
- 8.4.5** When a member wishes to speak, he shall rise and respectfully address the Chairman, and, if recognized, he shall state his name before proceeding.
- 8.4.6** If two (2) or more members rise to speak at the same time, the Chairman shall decide which is entitled to the floor.
- 8.4.7** 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.
- 8.4.8** No speaker may be interrupted except as permitted or required under Robert's Rules of Order.
- 8.4.9** 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.
- 8.4.10** 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.
- 8.4.11** All business transacted within this Lodge shall be strictly confidential and for the information of members of this Union only.
- 8.4.12** Smoking will not be permitted at monthly and/or information meetings.

**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**

	<u>Mechanic</u>	<u>**Apprentice</u>	<u>Effective Date</u>
Initiation Fee	\$800.00	\$800.00	01/01/17
Reinstatement Fee	\$500.00	\$500.00	01/01/17
Monthly Dues	\$45.95	\$45.95	01/01/17
Sick Dues	*All Sick Dues shall be one month's Per Capita		01/01/17

**\*Sick Dues:**

The Lodge shall pay per capita for any member unable to work due to sickness or disability, providing the member has a doctors' note attesting to his sickness or disability. It is incumbent on the member to provide proof when he is eligible to return to work.

**\*\*Apprentices:** one-half (1/2) due and payable upon completion of six (6) month probationary period and remaining one-half (1/2) 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 9.1.5)

**9.1.2 Industrial Sector Operations Members**

**9.1.2.1 Shop Members**

	<u>Production Worker</u>	<u>QCCC</u>	<u>Effective Date</u>
Initiation Fee	\$100.00	\$150.00	01/01/17
Reinstatement Fee	*\$300.00	\$420.00	01/01/17
Monthly Dues	\$45.95	\$35.00	01/01/17
ISO Division Dues**	\$4.50	\$4.50	01/01/17
Sick Dues***	All Sick Dues shall be one month's Per Capita		01/01/17

\* Plus financial delinquencies as per the International Brotherhood Constitution

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

**\*\*\*Sick Dues:**

The Local Lodge shall pay per capita for any member unable to work due to sickness or disability, providing the member has a doctors' note attesting to his sickness or disability. It is incumbent on the member to provide proof when he is eligible to return to work.



### **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. Local Lodge 73 combined field dues shall be four and one-quarter percent (4.25%) of gross wages, effective January 1, 2017. 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** 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.

**9.1.5** 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 9.1.4 of these By-Laws.

### **9.1.6 Members Funeral Expenses Assessment and Benefits**

The Death Fund is renamed the Members Funeral Expenses Fund. Monies in the fund shall be held separate and apart from the funds of the Local and used only for the purposes of providing the Members Funeral Expenses Benefit and payment for flowers as provided by By-Laws 12.25.

Every construction member of Local Lodge 73 is required to pay twenty dollars (\$20.00) assessment into Local 73's Members Funeral Expenses Fund. Non-construction members in Local Lodge 73 who wish to receive the Members Funeral Expenses Benefit may pay twenty dollars (\$20.00) into the fund. At the time of a member's death, there shall be an automatic ten dollars (\$10.00) assessment from each construction member and from the non-construction members who have contributed to the fund. Members who are retired or who are receiving the Boilermakers Long Term Disability Benefit are not required to pay the ten dollars (\$10.00) assessment. Non-payment of the assessment shall be regulated by Article 29.1 of the International Brotherhood Constitution.

Upon the death of a member in good standing, a retired member or a member in receipt of the Boilermakers Long Term Disability Benefit, a cheque will be drawn from the Fund in the amount of six thousand dollars (\$6,000.00) and will be issued to the family or other person who is responsible to pay the funeral expenses of the member who has died.

### **9.1.7 Promotion Fund**

All members, those on work permits, and those on travel cards will pay fifteen cents (\$0.15) per hour worked and effective July 18, 2004, will pay twenty-four cents (\$0.24) per hour worked, into Local Lodge 73 Promotion Fund. This Fund will be used as a Building Fund, Defense Fund, LEAP Fund, and as a Promotion of Local Lodge 73 Fund.

**9.1.8** Effective February 9, 2017, point three five percent (.35%) of the one percent (1%) Travel Card Reciprocal Field Dues will be allocated to the Local Lodge 73 Training Fund.

### **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 month's per capita.

Reinstatement Fee - Twenty percent (20%) of fees collected, but not less than one 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.

## **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 Manager/Secretary-Treasurer's salary shall be one dollar (\$1.00) per hour over and above the Construction General Foreman's wages as designated in the Field Construction Agreement not to exceed forty-eight (48) straight time hours per week.

**10.1.2** The salary of the (each) Assistant Business Manager shall be equal to Construction Foreman's wages as designated in the Boiler Erection Field Construction Agreement, not to exceed forty-eight (48) straight time hours per week.

**10.1.3** A Dispatcher's salary shall be equal to Assistant Construction Foreman's wages as designated in the Boiler Erection Field Construction Agreement, not to exceed forty-eight (48) hours per week. When required to fill the Assistant Business Manager's duties, he will be compensated accordingly.

**10.1.4** Should financial conditions warrant, the Business Manager/Secretary-Treasurer shall have the right to adjust the salaries of each of the representatives from the maximum of forty-eight (48) hours to a minimum of forty (40) hours.

**10.1.5** Pursuant to the International Brotherhood Constitution and in addition to all other requirements, all salaries paid by the Lodge will be open for adjustment should the Lodge's assets drop below two hundred fifty thousand dollars (\$250,000.00).

**10.2 Benefits for Salaried Officials**

**10.2.1** The Lodge shall provide coverage for its full time salaried officials under the Health & Welfare Plan established in the Boiler Erection Field Construction Agreement at a minimum of forty (40) hours per week until they have reached a full bank; otherwise, only the minimum hours will be paid by the Lodge.

**10.2.2** The Lodge shall provide coverage for its full time salaried officials under the Pension Plan established in the Boiler Erection Construction Agreement.

**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 salaried official shall be required to take the following annual vacation times:

First (1 <sup>st</sup> ) year of service	Two (2) weeks
Second (2 <sup>nd</sup> ) year of service	Three (3) weeks
Any year thereafter	Four (4) weeks

Vacations cannot be taken in mid-March to June or month of September and October without prior approval from the Business Manager.

**10.2.4** The Lodge shall pay vacation and statutory Holiday pay as established in the Field Construction Agreement for its full time salaried officials and will be paid twice yearly; June 15th and December 15th unless otherwise agreed to by the Business Manager/Secretary-Treasurer.

**10.2.5** All Business Managers, Assistant Business Managers and Dispatchers, if traveling over one hundred (100) kilometers, will receive a weekly living expense of two hundred fifty dollars (\$250.00) when maintaining two (2) residences.

Temporary personnel required to fill in for the Dispatcher or Assistant Business Manager shall be paid subsistence as per the collective agreement. This shall only be for a work term of three (3) weeks or less.

### **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/Secretary-Treasurer and/or a Committee appointed by the President for that purpose may be empowered by a majority vote of the Lodge 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.

Should a Lodge officer or representative be required to use his personal automobile on Lodge business, he shall be reimbursed in accordance with the mileage allowance provided International Representatives, as stated in the International Brotherhood Constitution, upon providing evidence that he has proper public liability and property damage coverage.

- 10.3.1** Where personal cars are used on authorized business assignments by salaried officials, they shall either be reimbursed at the rate per kilometer in accordance with the Maritime Automobile Association and adjusted yearly, or the maintenance of operating the automobile shall be borne by the Lodge. Parking expenses will be paid by the Lodge upon submission of a receipt.
- 10.3.2** In addition, the Business Manager/Secretary-Treasurer shall receive a weekly allowance of one hundred fifty dollars (\$150.00) and the Assistant Business Manager(s) shall receive a weekly allowance of one hundred fifty dollars (\$150.00) for the use of their personal cars.
- 10.3.3** The New Brunswick Dispatcher shall receive a weekly allowance of one hundred fifty dollars (\$150.00) for the use of their personal cars.

### **10.4 Travel Expense Allowance and Reimbursement**

- 10.4.1** Lodge officers and other authorized representatives required to be out of town overnight on official business for the Lodge shall be reimbursed their single hotel and first class transportation, plus sixty dollars (\$60.00) per day. For travel in the U. S., reimbursement will be one hundred dollars (\$100.00) U. S. per day. All claims for expense reimbursement must be submitted on properly completed voucher forms and expenses claimed must at all times be reasonable and normal for the area involved. Copies of hotel bills must be furnished in support of all claims for lodging expense.

- 10.4.2** Lodge officers and other authorized representatives attending official meetings, conferences, or functions requiring travel, but not overnight lodging, shall receive fifty dollars (\$50.00) per day for expenses. For travel in the U. S., reimbursement to be paid in U. S. dollars. All claims for expense reimbursement must be submitted on properly completed voucher forms and expenses claimed must at all times be reasonable and normal for the area involved.
- 10.4.3** While on official business of the Lodge, the Business Manager/Secretary-Treasurer shall be reimbursed actual expenses incurred while entertaining employers, business people or members of the International Staff. All claims for expense reimbursement must be submitted on properly completed voucher forms (receipts attached) and all claims must be reasonable and normal for the area involved.
- 10.4.4** All elected Lodge officers and shop stewards attending regular monthly meetings shall be compensated for road kilometers and per diem from their place of residence or Boilermaker Job Site.
- 10.4.5** 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 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.

**10.6 Credit Cards**

**10.6.1 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.

**10.6.2 Usage for Legitimate Lodge Business**

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

### **10.6.3 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).

### **10.6.4 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.

### **10.6.5 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.

### **10.6.6 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.

### **10.6.7 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.

### **10.6.8 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.

### **10.6.9 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.

#### **10.6.10 Bank of Labor**

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

#### **10.7 “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.

#### **10.8 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**

The Lodge Committees and their functions shall be:

#### **11.1 By-Laws Committee**

When required 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.

### **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.

- 12.3.1** There shall be two (2) educational seminars held each year within the jurisdiction of Local Lodge 73. These are to be held when and where finances warrant. This will be at the discretion of the Business Manager/Secretary-Treasurer.
- 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.
- 12.5.1** Shop Stewards shall attend all regular meetings in the month or months that he or she is employed as such unless excused by the Lodge Business Manager/Secretary-Treasurer.
- 12.5.2** When appointed as Job Steward a member shall have his monthly dues paid for by the Union and also attend that monthly meeting, or have just cause acceptable to the Business Manager for not attending said meeting, before such dues are paid.
- 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 in 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 recognized holidays or other approved closings 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 subjourneyman 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 may spend, at a ratio of ten dollars (\$10.00) per member, per year at the December meeting to provide refreshments and entertainment, to purchase turkeys to be drawn at that meeting, and to provide baskets of fruit for sick and disabled members in good standing. 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 a proper and timely manner.
- 12.21** Any Lodge official who is appointed by his employer to a position outside the bargaining unit must resign his office or position in the Lodge. 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** An International Brotherhood of Boilermakers member of a Canadian Lodge/Local Union who applies to take the lump sum commuted value of his/her pension from the Boilermakers' National Pension Plan/Fund (Canada), shall have his/her membership in the Lodge/Local Union of which he/she is a member automatically terminated as of the date he/she applies for the lump sum commuted value of his/her pension; provided the application for the lump sum commuted value is granted. A person whose membership is terminated pursuant to this provision shall not, thereafter, be allowed to rejoin the Lodge/Local Union or to join any other Lodge/Local Union of the International Brotherhood of Boilermakers.
- 12.23** Except for the daily allowances specifically granted under these By-Laws for the Business Manager/Secretary-Treasurer and each Assistant Business Manager 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 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 two hundred fifty thousand dollars (\$250,000.00). This provision shall not apply to reimbursement of incurred expenses unless otherwise specified.
- 12.24** 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 illegal disposal of Lodge funds.

- 12.25** The Lodge shall send a memorial bible (when available) and flowers to the family of a deceased member and retired member. Flowers will be sent for member's wife or husband, and immediate families (mother, father, brother, sister and children) and retired member's wife or husband at their death. The cost for flowers shall at all times be reasonable and prudent. Above cost shall be paid from the General Fund. The local lodge may also send flowers to the staff of the International Brotherhood, other local lodges, employers and business associates.
- 12.26** Any member with twenty (20) years of service as a member in good standing of Local Lodge 73 and takes full retirement will receive a Boilermaker watch or a mantel plaque.
- 12.27** Effective January 1, 2002, any member with twenty-five (25) years of service shall receive a watch which shall not exceed a maximum of two hundred fifty dollars (\$250.00).

**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 73 THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

*(Affix Lodge Seal)*

ATTESTED:

BY-LAWS COMMITTEE:

By: \_\_\_\_\_  
President

\_\_\_\_\_

By: \_\_\_\_\_  
Secretary-Treasurer

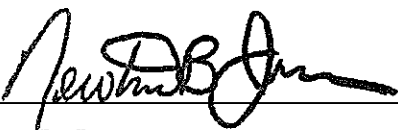
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APPROVED:

  
\_\_\_\_\_

Newton B. Jones  
International President

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

DATE: \_\_\_\_\_ January 1, 2017 \_\_\_\_\_