

Constitution and Bylaws of FISH-NL

Equality Statement

FISH-NL is committed to improving the social and economic well-being of its members.

FISH-NL believes in full equality of its members and the right of each member to be treated with dignity and respect and will neither condone nor tolerate behaviour which undermines full and equal participation of its members.

FISH-NL's policy is that every member is entitled to be free from harassment and discrimination based on race, colour, sex, religious or political affiliation, national or ethnic origin, age, mental or physical disability, sexual orientation, citizenship, creed, marital or family status, and all other types of person harassment.

Article 1 NAME

- 1.01 This Organization shall be known as SeaChange FISH-NL Inc. and may be referred to as FISH-NL or SeaChange FISH-NL.
- 1.02 The geographic jurisdiction of FISH-NL shall be the Province of Newfoundland and Labrador, and FISH-NL shall maintain its office in Newfoundland and Labrador.

Article 2 PURPOSES AND OBJECTIVES

- 2.01 FISH-NL has as its purposes and objectives, to represent its members for the following:
 - (a) the advancement of the social, economic and general welfare of its members;
 - (b) the improvement of income, betterment of working conditions and overall employment conditions of its members;
 - (c) The continued professionalization of the Newfoundland and Labrador fishing industry for the long-term benefits of its members.

- (d) The Regulation in the Province of Newfoundland and Labrador of relations between Processors and Fishers through Collective Bargaining.

Article 3 STATEMENT OF PRINCIPALS

3.01 In advancing its purposes and objectives FISH-NL will be guided by the following five principles

- (a) Transparency: FISH-NL will provide all information as to all revenue/expenditures/salaries to individual members on an ongoing basis.
- (b) Consultation: FISH-NL will regularly consult with members and only act in the best interests of members after consultation.
- (c) Harvesters: FISH-NL is a harvesters' organization and does not represent individuals or corporations in any way related to the fishery, except for harvesting.
- (d) Government of Canada: FISH-NL will advocate on behalf of its members and hold the Government of Canada accountable for its actions related to the Newfoundland and Labrador fishery.
- (e) Adjacency and historical attachment: FISH-NL will support the principles of adjacency and historical attachment inside Canadian waters and within the NAFO regulatory zone related to harvesting of fish.

Article 4 DUES AND FEES

- 4.01 All members must pay to FISH-NL an initiation fee in the amount of \$5. This fee is non-refundable and must be paid prior to the issuance of a membership card.
- 4.02 Every member must pay an annual membership fee, and must agree, in writing, to the deduction and remittance of dues by the employer from monies paid to that member by the employer.
- 4.03 FISH-NL will waive the annual membership fee of any member who is sick or in receipt of disability income benefits and unable to work in the fishery, but will not waive membership fees for any member who voluntarily ceases to be employed as a fish harvester.

4.04 An individual shall be eligible to obtain membership when he or she:

- (a) Is a Fisher within the meaning of the Fishing Industry Collective Bargaining Act, RSNL 1990, c. F – 18; or
- (b) Is a person who signs an application for membership and accepts membership in FISH-NL during an organizing campaign, is deemed to be a member of FISH-NL until there has been an Order for certification granted by the Labour Relations Board for the Province of Newfoundland and Labrador for the bargaining unit in which he or she has applied for membership and for which a Certification Order is granted; or
- (c) Is employed within a bargaining unit represented by FISH-NL; or
- (d) Is employed within or seeking employment within a bargaining unit for which certification is being sought; or
- (e) Is an Officer or Executive Board Member or an employee of FISH-NL.

Article 5 GOVERNANCE AND STRUCTURE

- 5.01 There shall be an executive board that consists of President, Vice President, Secretary Treasurer, Captain (under 40 Fleet) and Captain (over 40 Fleet), who shall be elected at the founding meeting and every second Annual General Meeting thereafter.
- 5.02 Elections shall be held by secret ballot, one member one vote. It will be necessary for successful candidate for the executive board to receive a majority of votes cast. If there is no clear majority the candidate receiving the lowest number of votes shall be dropped from the ballot and a successive round(s) of balloting conducted until a candidate receives a clear majority of more than 50% of ballots cast.
- 5.03 The election of each office shall be completed before nominations may be accepted for any subsequent office, the order of elections to be President, Vice President, Secretary Treasurer, Captain (under 40 fleet), and Captain (over 40 fleet).

- 5.04 The Executive Board shall meet at the call of President or written demand signed by any three members and brought to the attention of the other two members.
- 5.05 The time and place of executive board meetings shall be determined by the President, if meeting has been called by the President. Otherwise it shall be determined by the three members calling the meeting.
- 5.06 A quorum shall consist of no less than three members. Attendance may be secured by electronic means, if necessary, in the interest of time and cost. Members attending by electronic means shall be permitted to vote.
- 5.07 Any vacancy in the executive board may be filled temporarily by appointment by the President, as long as one other board member concurs in the appointment.
- 5.08 The term of office of executive board members expires every two years at the time of the annual General meeting of FISH-NL, at which time successive executive board members are elected, or re-elected.
- 5.09 All members in good standing shall be eligible to nominate and vote in the election of Officers.
- 5.10 The Executive Board of the Union may adopt:
- (a) By-laws;
 - (b) Code of Conduct; and
 - (c) Any other document designed to advance the purposes and objectives of FISH-NL.

Article 6 Annual General Meetings

- 6.01 The Annual General Meeting shall be held before March 31 of each year with a minimum of 30 days notice of the meeting given to the membership. The business of the Annual General Meeting shall include:
- i. receipt of reports;
 - ii. receipt of on the financial statements;
 - iii. election, or re-election of auditor;
 - iv. determining membership fees for the coming year;
 - v. approval of a budget for the coming year; and
 - vi. general and new business.

- 6.02 Quorum for the Annual General Meeting shall be the lesser of 100 members or 50% of the paid-up members for the prior year.

Article 7 Bargaining Committee

- 7.01 The bargaining committee shall consist of the members of the Executive Board supplemented by any other individuals endorsed by the Executive Board as members of the bargaining committee.

Article 8 Amendments

- 8.01 Amendments to the Constitution and bylaws of FISH-NL may be amended provided that a copy of such amendment is forwarded to every member of FISH-NL not less than 30 days before the Annual General meeting, sufficient time is given to debate the amendments at the Annual General Meeting and two thirds of the people registered and attending the Annual General meeting vote in favour of the amendments.

Article 9 Obligations

- 9.01 Obligations of Officers and Executive Board members

I, _____, in accepting election to this office make oath and say I will be faithful to the duties and responsibilities incumbent upon me as an officer of FISH-NL, attend all meetings, if possible, and that the completion of a term of office delivered to FISH-NL or my duly elected successor, all books, papers, funds, or other property in my possession, belonging to FISH-NL. On my word of honour, I promise to discharge faithfully these obligations.

- 9.02 Obligation of members

I, _____, of my own free will and accord, and in the presence of witnesses, on my honour, do hereby covenant and promise that I will abide by the Constitution and Bylaws of FISH-NL. I will make every possible effort to attend the meetings of this organization. I will be orderly at its meetings, respectful words and actions, charitable and judgement of my fellow members. I will never and selfish motives wrong a fellow member, or see them wronged, if in my power I can prevent it.

Adopted by the membership at Gander, Newfoundland and Labrador, on October 27, 2016 and amended by the membership at Gander on January 24, 2019.

President

Secretary-Treasurer