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ARTICLE 1

Section 1 - Name

Section 1 - This organization shall be known as the Teamsters Canada Rail Conference and is chartered by the International Brotherhood of Teamsters.

Section 2 - Principal Office

Section 2 (a) - The principal office of the Conference shall be located in the City of Ottawa, Province of Ontario, or at such other place as the Executive Board of the Conference may designate. The Conference may have such other sub-offices within Canada as the Executive Board may require from time to time.

Section 2 (b) - All books, records, and financial documents shall be kept at the principal office of the Conference.

Section 3 – Jurisdiction

Section 3 (a) - The Conference shall have jurisdiction over all Divisions and Regional Committees of Adjustment representing Railway crafts in Canada as determined by the International Union, including, but not limited to, Locomotive Engineers, Trainmen, Yardmen, Conductors, Rail Traffic Controllers and related operating personnel, and over matters pertaining to the membership as prescribed by the International Constitution and these Conference By-Laws.

Section 3 (b) - The Conference shall consist of an unlimited number of Divisions affiliated with Regional Committees of Adjustment for which the Conference is the bargaining agent with such Committees organized into the following Regions:

- | | |
|----------|---|
| Region 1 | Comprised of Locomotive Engineers on all CN VIA Rail properties and short lines represented by the Eastern Regional Committee of Adjustment. |
| Region 2 | Comprised of Conductors, Trainmen and Yardmen on all CN properties and short lines represented by the Eastern Regional Committee of Adjustment. |
| Region 3 | Comprised of Locomotive Engineers on all CN properties and short lines represented by the Central Regional Committee of Adjustment. |

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- Region 4 Comprised of Conductors, Trainmen and Yardmen on all CN properties and short lines represented by the Central Regional Committee of Adjustment.
- Region 5 Comprised of Locomotive Engineers on all CN Via Rail properties and short lines represented by the Western Regional Committee of Adjustment.
- Region 6 Comprised of Conductors, Trainmen and Yardmen on all CN properties and short lines represented by the Western Regional Committee of Adjustment.
- Region 7 Comprised of Locomotive Engineers on all CP properties and short lines represented by the CP Eastern Regional Committee of Adjustment.
- Region 8 Comprised of Conductors, Trainmen and Yardmen on all CP properties and short lines represented by the CP Eastern Regional Committee of Adjustment.
- Region 9 Comprised of Locomotive Engineers on all CP properties and short lines represented by the CP Western Regional Committees of Adjustment.
- Region 10 Comprised of Conductors, Trainmen and Yardmen on all CP properties and short lines represented by the CP Western Regional Committee of Adjustment.
- Region 11 Comprised of Rail Traffic Controllers.
- Region 12 Comprised of Via Rail Central Region employees.
- Region 13 Comprised of Bombardier employees.
- Region 14 Comprised of Ontario Northland employees.
- Region 15 Comprised of Conductors, Trainmen and Yardmen on the former BC Railway.

Section 4 – Objects

Section 4 (a) - The Conference is dedicated to promoting the interests of its affiliated Divisions and Regional Committees of Adjustment and to generally furthering the economic and social well-being of the membership. To this end the objects of the Conference shall be:

- (1) To unite into one labour organization all workers eligible for membership, regardless of religion, race, creed, colour, national origin, age, physical disability, sex, or sexual orientation.
- (2) To establish national policies on behalf of the organization, to coordinate action by the affiliates in support of such policies, and to utilize the combined strength of our membership in implementing such policies.
- (3) To provide services to the affiliates, including education, organizing, collective bargaining, contract administration, legislative action, political action, communications and direct membership services.
- (4) To achieve through our close association a stronger bond of fraternity and understanding among officers and representatives of our organization.
- (5) To engage in civic, community and charitable activities.
- (6) To advance our organization's standing in the community and in the labour movement.
- (7) To strengthen and preserve our fraternal bond with the labour movement.
- (8) To protect and preserve the Conference as an institution and to perform its legal and contractual obligations.
- (9) To speak for our members on national and regional railway issues.
- (10) To carry out the objectives of the International Union and Teamsters Canada as an affiliate thereof and its duties as such an affiliate.
- (11) To receive, manage, invest, expend or otherwise use the funds and property of this organization to carry out the duties and to achieve the objectives set forth in these By-Laws, the By-Laws of Teamsters Canada and the International Constitution and for such additional purposes and objects not inconsistent therewith as will further the interests of this organization, its affiliates and members, directly or indirectly.

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Section 4 (b) - It is recognized that the problems which this labour organization is accustomed to deal with are not limited to unionism or to organization and collective bargaining alone, but encompass a broad spectrum of economic and social objectives as set forth above and as the union may determine from time to time. We therefore determine and assert that the participation of this labour organization, indirectly and with other organizations, in the pursuit and attainment of the objectives set forth herein is for the benefit of the organization, its affiliates and its members.

ARTICLE 2

MEMBERSHIP

Section 1 - Eligibility for membership in this organization shall be as set forth in the International Constitution and members shall comply with and be subject to the requirements imposed by these By-Laws and the International Constitution.

ARTICLE 3

ELECTED POSITIONS

Section 1 – Officers

Section 1 - The officers of the Teamsters Canada Rail Conference shall consist of a President, Executive Legislative Vice President, Secretary-Treasurer, Recording Secretary, two (2) Executive Regional Vice Presidents and three (3) Trustees. These officers shall constitute the Executive Board of the Conference.

The President and Executive Legislative Vice President shall be full-time paid officers of the Conference.

Section 2 – President

Section 2 (a) - The President shall be the principal executive officer of the Conference and Chairman of the Executive Board. He shall, in general, supervise, conduct, and control all of the business and affairs of the Conference, its officers, representatives and employees. He shall determine the number of employees of the Conference, subject to the approval of the Executive Board. He shall also select the attorneys, accountants or other special or expert services to be retained by the Conference, subject to the approval of the Executive Board. He shall have charge and supervision of all the officers, representatives and employees of the Conference. He shall have the power to appoint, suspend, or discharge all appointive employees. He shall also have charge of all labour controversies involving the Conference.

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Section 2 (b) - The President, subject to the provisions of Article XXIII, Section 3 of the International Constitution, together with the Secretary-Treasurer shall sign all official documents, deeds, mortgages, bonds, contracts or other instruments, all cheques on bank accounts, and perform other such duties as the International Constitution, these By-Laws or law may require of him.

Section 2 (c) - The President in conjunction with the Secretary-Treasurer shall have the authority to disburse or order the disbursement of all monies necessary to pay the bills, obligations and indebtedness of the Conference, which have been properly incurred as provided herein. He shall have the authority to pay current operating expenses of the Conference, including rents, utilities and maintenance of the Conference office, and salaries and expenses of its officers, representatives and employees.

Section 2 (d) - The President shall have authority to interpret these By-Laws and to decide all questions of law there under.

Section 2 (e) - The President shall have charge of all labour controversies involving the Conference and no strike shall be initiated or concluded without authorization by the President and the Executive Board.

Section 2 (f) - The President shall enforce the International Constitution, these By-Laws and rules of order adopted by the Conference and shall ensure that all officers perform their duties.

Section 2 (g) - The President shall be responsible for maintaining liaison with the President of Teamsters Canada on behalf of the Conference, its affiliates and the membership.

Section 2 (h) - The President may appoint a member of the Conference as a Personal Representative who shall act on behalf of the President as the President may determine, including the right to attend meetings and review the records of any subordinate body within the Conference.

Section 2 (i) - The President or a Personal Representative appointed by the President may attend any session of negotiations and receive reports there from. By agreement with the Executive Regional Vice President(s) elected pursuant to Article 6, Section 1 of these Conference Bylaws and the Regional Vice President(s) elected pursuant to Article 31, Section 3 of the Regional By-laws the President may appoint a Personal Representative to assist in the negotiations in which such Executive Regional Vice President(s) and Regional Vice Presidents are involved.

Section 2 (j) - The President may appoint Special Field Representatives, no more than two (2) of whom may serve as full-time representatives of the Conference. The President may designate one (1) or more Special Field Representatives to provide training and education for officers and members of subordinate bodies within the Conference. The President shall have the power to discharge such appointees.

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Section 2 (k) - Except as otherwise provided in these By-Laws, the President shall appoint all committees that he may deem necessary to conduct the affairs of the Conference and he shall have the right to serve on all such committees by virtue of his office.

Section 2 (l) - In the event of a temporary absence of the President, the Executive Legislative Vice President shall assume his duties.

Section 3 - Executive Legislative Vice President

Section 3 (a) - The Executive Legislative Vice President shall render such assistance to the President as may be required by the President and he shall perform such other duties as the President or Executive Board may direct.

Section (b). Under the direction of the President the Executive Legislative Vice President shall be authorized and empowered to oversee all legislative activities on behalf of the organization in concert with the Divisions and Regional Committees of Adjustment and to coordinate such activities with the Executive Regional Vice Presidents, Regional Vice Presidents and with Teamsters Canada, subject to the approval of the Executive Board. He shall make at least quarterly a legislative report to the Executive Board.

Legislative activities shall consist of, but not be limited to, the following:

- (1) Actions related to any programs of the federal government or any national agency/railway association;
- (2) Rail safety issues;
- (3) Lobbying in the federal government;
- (4) Educational training related to legislative matters
- (5) Shall provide services to address legislative matters which cannot be resolved by the Regional Vice President.

Section 4 - Secretary-Treasurer

Section 4 (a) - The Secretary-Treasurer shall be the custodian of funds and assets of the Conference and shall conduct all financial correspondence of the Conference. He shall receive and receipt for all monies due the Conference and deposit the same in the name of the Conference in such financial institution as the Executive Board may direct. In conjunction with the President, he shall sign all cheques for the withdrawal of funds from the account of the Conference and shall make such expenditures required or authorized under these By-Laws or by the Executive Board.

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Section 4 (b) - The Secretary-Treasurer shall see that all notices and reports shall be given in accordance with the provisions of the International Constitution and these By-Laws or as required by law.

Section 4 (c) - The Secretary-Treasurer shall maintain records of Regional Committees of Adjustment and Divisions including a current list of officers, members, initiation dates, dues payments and any other information required by the Executive Board, Teamsters Canada and the International Union, and for the purpose of Conventions of the Conference. He shall receive all dues and assessments payable to the Conference and forward per capita tax and other assessments required by the International Constitution and the By-Laws of Teamsters Canada.

Section 4 (d) - The Secretary-Treasurer shall have custody of the Conference seal and the records of the proceedings of all meetings of the Conference and the Executive Board, as prepared by the Recording Secretary; and shall keep important documents, papers, correspondence, as well as files on contracts and agreements with employers.

Section 4 (e) - The Secretary-Treasurer shall secure a certified public accountant to audit the books of the Conference annually, and at such other times as directed by the Executive Board. The Secretary-Treasurer shall provide a copy of the audited financial statement to the Executive Board and to the Secretary-Treasurer of each Division and each Region. Upon written request of any member, the Secretary-Treasurer shall make available to the member a copy of the last annual audited financial statement.

Section 4 (f) - The Secretary-Treasurer shall make at least quarterly a report to the Executive Board including the assets and liabilities of the Conference, and shall keep itemized records showing the source of all monies received and spent, and shall keep records, vouchers, worksheets, books and accounts to verify such report.

Section 4 (g) - In the event the Secretary-Treasurer is temporarily unavailable, the President shall exercise the duties of the Secretary-Treasurer. In such event, the Executive Legislative Vice President shall co-sign all cheques for withdrawal of funds from the account of the Conference.

Section 4 (h) - The Secretary-Treasurer shall procure all seals, supplies, membership cards, dues receipt cards, transfer and withdrawal cards and other documents as may be required and furnish the same to all subordinate bodies within the Conference.

Section 4 (i) - The Secretary-Treasurer shall provide any member with a free copy of the By-Laws of the Conference and the International Constitution, upon written request.

Section 4 (j) - The Secretary-Treasurer shall make available to the Trustees all documents necessary for them to verify and complete the quarterly Trustees' Report.

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Section 4 (k) The Secretary-Treasurer shall make available for inspection by the International Auditor any documents necessary for the Auditor to complete the audit schedule or to complete assignments from the General Secretary-Treasurer.

Section 4 (l) - The Secretary-Treasurer shall perform such other duties as the President or the Executive Board may direct.

Section 4 (m) - Whenever a Secretary-Treasurer's term of office expires or is otherwise terminated, he must see that his successor is properly bonded and a copy of the bond sent to the office of the General Secretary-Treasurer before he transfers to his successor in office the funds, papers, documents, records, vouchers, worksheets, books, money and other property of the organization. All such records, vouchers, worksheets, receipts, books, reports and documents shall be preserved and retained at the Conference's principal office for a period of six (6) years.

Section 5 - Executive Regional Vice Presidents

Section 5 (a) - The Executive Regional Vice Presidents shall assist the President and shall perform such other duties as provided in Section 8 of this Article 3.

Section 6 – Recording Secretary

Section 6 (a) – The Recording Secretary shall attend meetings of the Executive Board and keep minutes of the proceedings. Minutes shall accurately record the motions made at meetings and shall include the names of the officers making and recording a motion, whether the motion was adopted or rejected, and the results of any secret ballot votes. Minutes shall specifically include financial transactions approved at the meeting.

Section 6 (b) – The Recording Secretary shall keep a record of the names of the members comprising each committee and handle all correspondence assigned by the President or authorized by Executive Board resolution. In his absence the President shall appoint an officer to act as Recording Secretary pro tempore who shall have the duties set forth above. Minutes of Executive Board meetings shall be read and approved at the next following meeting of the Executive Board. Minutes of meetings shall be official records of the Conference and shall be maintained at the Conference's Principal office.

Section 7 - Trustees

Section 7 (a) - The Trustees shall be responsible for reviewing the Conference's books on a quarterly basis and shall report their findings at the next meeting of the Executive Board. They shall sign the books of the Secretary-Treasurer if they have found them correct and the bank balances verified. In the event that a Trustee declines to sign the books, the Trustee must state in writing to the Secretary-Treasurer the reasons for declining to do so and shall also advise the General Secretary-Treasurer of those reasons. A Trustee's disagreement with an expenditure properly authorized by the Executive Board shall not be a valid basis for refusing to sign the books. The Trustees' reports shall be sent to the General Secretary-Treasurer.

Section 7 (b) - The Trustees shall receive and review the original surety bond covering each officer, representative and employee of the Conference required to be bonded and retain it at the Conference's principal office. They shall have the duty to ensure such bonds are current and enforceable. In the event of the unavailability of a Trustee, the remaining Trustees shall perform the functions set out herein. In performing their functions, the Trustees may avail themselves of the services of the chartered accountant retained by the Conference.

Section 8 - Executive Board

Section 8 (a) - Except as may otherwise be provided in these By-Laws, the Executive Board is authorized and empowered to conduct and manage the affairs of the Conference, and to manage, invest, expend, contribute, use, borrow, lend and acquire Conference funds and property in the pursuit and accomplishment of the objectives set forth in the International Constitution, the By-Laws of Teamsters Canada and these By-Laws. However the Executive Board shall not have the authority to bind the Conference for personal services to be rendered to the Conference or its Executive Board, such as, but not limited to, legal, accounting, consulting, public relations and editorial services, by contract, agreement or otherwise, beyond the expiration of the term of the Executive Board in office at the time such action is taken.

Section 8 (b) - The Executive Board, in addition to such other general powers conferred by these By-Laws, is hereby empowered to:

- (1) Make and change rules and regulations not inconsistent with these By-Laws or the International Constitution for the management and conducting of the affairs of the Conference;

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- (2) Establish the salaries for the officers, representatives and employees of the Conference and establish the allowances, direct and indirect disbursements, expenses and reimbursement of expenses for those individuals. Changes in the salaries, allowances or expenses of the officers, representatives and employees shall be specifically set forth in the minutes of the Executive Board meeting at which such changes are approved. The Executive Board may establish a dues check-off procedure for officers, representatives and employees of the Conference;
- (3) Loan and borrow monies directly and indirectly for such purposes and with such security, if any, as it deems appropriate, and with such arrangements for repayment as it deems appropriate, all to the extent provided by law;
- (4) Approve the President's determination as to the number of clerical employees and representatives to be employed and his selection of attorneys, accountants, and such other special or expert services as may be required for the Conference and secure an audit of the books of the Conference by a certified public accountant at least once a year;
- (5) On behalf of the Conference, its officers, representatives, employees or members, initiate, defend, compromise, settle, arbitrate or release or pay the expenses and costs of any legal proceedings or actions of any nature, subject to the provisions of Article IX, Section 9(c) of the International Constitution, if in its judgment, it shall be necessary or desirable to protect, preserve or advance the interests of the Conference;
- (6) Fill all vacancies in office which occur during the term of such office for the entire remainder of the unexpired term, in the manner required by Article XXII, Section 9 of the International Constitution.
- (7) Transact all business and manage and direct the affairs of the Conference except as may otherwise be herein provided; delegate when necessary any of the above powers to any officer for specific and temporary purposes and on condition that the action of such officer or agent be ratified by the Executive Board. In the event the Executive Board subsequently fails to ratify an action taken by an officer that is within the scope of the prior delegated authority, the officer cannot be subject to discipline for said action. The Executive Board shall designate other officers for the President or Secretary-Treasurer for the purpose of signing cheques to pay bills or to exercise any other functions of their offices in the event that either shall refuse to act or shall become ill or otherwise incapacitated;

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- (8) Lease, purchase or otherwise acquire in any lawful manner for and on behalf of the Conference any and all real estate or other property, rights and privileges, whatsoever deemed necessary for the prosecution of its affairs, and which the Conference is authorized to acquire, at such price or consideration and generally on such terms and conditions as it thinks fit, and at its discretion pay therefore either wholly or partly in money or otherwise;
- (9) Sell or dispose of any real or personal estate, property, rights or privileges belonging to the Conference whenever in its opinion the Conference's interests would thereby be promoted;
- (10) Create, issue and make deeds, mortgages, trust agreements, contracts and negotiable instruments secured by mortgage or otherwise and do every other act or thing necessary to effectuate the same;
- (11) Create trusts, the primary purpose of which is to provide benefits for the members or their beneficiaries, and terminate and effectuate the same;
- (12) Appoint trustees of Health and Welfare or Pension Trust Funds negotiated directly by the Conference, and to which the Conference is the only union party;
- (13) Determine the membership which shall vote on agreements and strikes, and the composition of other membership meetings, and adopt rules and regulations concerning the conduct thereof not inconsistent with the International Constitution or these By-Laws;
- (14) Determine the manner in which referendums shall be held, subject to review and modification by the General President, as permitted by Article VI, Section 1 (h) of the International Constitution;
- (15) With the concurrence of the affected Regions and Divisions, create new Divisions and Regions, and consolidate existing Divisions and Regions, as it deems appropriate and in the interests of the Conference and the members affected thereby;
- (16) Enter into jurisdictional settlements and comply with jurisdictional awards on behalf of the Conference, in accordance with the policies and directives of the International Union and Teamsters Canada;

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- (17) Review interpretations of these By-Laws by the President. Disputes over the interpretations of these By-Laws shall be submitted to the General President, pursuant to Article VI, Section 2 (a) of the International Constitution;
- (18) Do all acts not expressly authorized herein which are necessary or proper in implementation of the above duties for the protection of the property of the Conference, its subordinate bodies and members.

Section 8 (c) - The Executive Board shall have the duty to investigate any alleged breach of fiduciary duty when circumstances so warrant and to take appropriate action if the investigation so warrants.

Section 8 (d) - The Executive Board shall hold quarterly meetings at such time and place as shall be determined by the President, upon notice to all Board members.

Section 8 (e) - A majority of the Executive Board shall constitute a quorum for the transaction of business at any meeting of the Board. The action of a majority of the Executive Board present at a meeting at which a quorum is present shall be the action of the Board.

Section 8 (f) - By action of the Executive Board, which action shall be recorded in the Executive Board meeting minutes, members of the Board who are not full-time paid officers, representatives or employees of the Conference may be paid their expenses, including wages lost, if any, for attendance at each meeting of the Board. However, officers who are full-time employees of the Conference or an affiliate shall not receive additional payments for attendance at Executive Board meetings.

Section 8 (g) - As to all matters requiring action by the Executive Board, and when the Executive Board is not in formal session, the Executive Board may act by telegram, facsimile letter, electronic mail, or telephone. When action by the Executive Board is required, the President may obtain the same by telegraphing, writing, electronic mailing or telephoning the members of the Executive Board and such members may take action on the matter brought to their attention in the same manner; provided, however, that whenever action is sought by any of the foregoing methods, all members of the Executive Board shall be polled. Such action so taken by the majority of the members of the Executive Board shall constitute action of the Board as though the Board were in formal session; provided, however, that any such action must be recorded in the minutes of the Executive Board and ratified by a majority of the members of the Executive Board at its next meeting.

Section 9 - Officers – Generally

Section 9 (a) - All officers of the Conference when installed shall be required to take the following oath of office:

I, _____, do sincerely promise, upon my honour as a trade unionist and a Teamster, that I will faithfully use all of my energies and abilities to perform the duties of my office, for the ensuing term, as prescribed by the Constitution and By-Laws of this Union. As an officer of this great Union, I will, at all times, act solely in the interests of our members, devote the resources of our Union to furthering their needs and goals, work to maintain a Union that is free of corruption, to preserve and strengthen democratic principles in our Union, and to protect the members' interests in all dealings with employers. I will never forget that it is the members who put me here, and it is the members whom I will serve. I further promise that I will faithfully comply with and enforce the Constitution and laws of the International Union and By-Laws of this Union, that I will, at all times, by example, promote harmony and preserve the dignity of this Union. I also promise that at the close of my official term, I will promptly deliver any money or property of this Union in my possession to my successor in office.

Section 9 (b) - All officers are required to carry out their respective duties. In the event an officer declines to perform his duties as prescribed by the International Constitution, these By-Laws or by law, he shall be subject to charges filed in accordance with Article XIX of the International Constitution. In appropriate situations in which misconduct or failure to perform duties assigned by these By-Laws jeopardizes the interests of the Conference, an officer may be subject to summary removal from office, in accordance with Article XIX, Section 1 (f) of the International Constitution.

Section 9 (c) - The right to assume office or hold office or position in the Conference, as distinguished from accrued or vested benefits, shall never be deemed a property right, but shall be a personal privilege and honour only. Any action taken by an officer in good faith and within the scope of his authority and power under these By-Laws shall not be the basis for any personal liability against such officer.

Section 9 (d) - All officers of the Conference must, as a condition of holding office, execute all necessary forms required by law to be filed with any federal or provincial Agency either for and in behalf of the Conference or as an officer or employee thereof, but accidental default shall not be considered a violation of the duty imposed by this Section.

Section 9 (e) - All officers in the performance of their duties shall adhere to the terms of these By-Laws and the International Constitution.

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Section 9 (f) - The officers and representatives of this Conference occupy positions of trust in relation to the Conference and its members as a group and are, therefore, accountable to the membership with respect to the performance of their duties in handling funds and property of the Conference. The failure or refusal by an officer or representative of this Conference, upon demand of the Executive Board or of any individual member for good cause, to render a proper and adequate accounting or explanation respecting the performance of his duties or in handling funds and property of the Conference shall constitute a ground for charges under Article XIX of the International Constitution on which trial shall be had under the provisions set forth therein.

ARTICLE 4

SALARIES, ALLOWANCES, EXPENSES AND BENEFITS

Section 1 - Salaries

Section 1 (a) - The salaries of the full-time officers of the Executive Board shall be as follows with annual increases based on monetary allowances/increases or other applicable adjustments negotiated nationally for all Rail Conference members.

President	\$ 180,772.36
Executive Legislative Vice President	\$ 168,160.72

Section 1 (b) - The salaries, if any, of the Secretary-Treasurer, Recording Secretary, Executive Regional Vice Presidents and Trustees, shall be determined by the Executive Board.

Section 2 - Allowances

Section 2 (a) - Recognizing that the officers and representatives of this organization do not work regularly scheduled hours and receive no compensation for overtime or premium pay; also recognizing that such individuals are required to pay varying amounts for lodging and meals depending upon the city to which they travel, which amounts are sometimes less, but more often more than the allowances given them; and recognizing that they must participate in cultural, civic, legislative, political, fraternal, education, charitable, social and other activities in addition to their specific duties as provided in the Constitution, the By-Laws of Teamsters Canada and these By-Laws, that such activities benefit the organization and its members and that the time spent in such activities is unpredictable and unascertainable, such officers and representatives may be granted an allowance (both for in-town and out-of-town work respectively, which in the case of out-of-town work shall include hotel and meal expenditures) in such amount (daily, weekly or monthly) as the Executive Board may determine. Any such allowance must be of a

NATIONAL BYLAWS

reasonable amount, based upon the financial condition of the Conference and the expenses the allowance is expected to cover.

Section 2 (b) - Where allowances are provided, officers and representatives may not be reimbursed for additional expenses for items intended to be covered by the allowance without specific additional authorization by the Executive Board. In no event shall an officer or representative receive more than one payment for the same expense.

Section 3 - Expenses

Section 3 (a) - When an officer or representative of the organization is engaged in activities in the interest of or for the benefit of the Conference and its members within the scope of his authority, the Conference shall pay the expenses incurred therein, or reimburse the officer or representative upon receipt of itemized vouchers from him or the supplier of such services, provided that the officer or representative does not receive an allowance for these expenses or reimbursement from any other source.

Section 4 - Automobile Allowance

Section 4 (a) - The Conference may provide its officers or representatives with automobiles, or in lieu thereof, they may be paid an allowance for use of their automobiles in such amount or at such rate as shall be approved by the Executive Board. Authorizing motions providing automobile allowances must specify the expenses covered by the allowance (for example, whether the allowance covers fuel, maintenance, insurance, etc.).

Section 4 (b) - In such instances where the Conference provides an automobile, title to the automobile shall remain in the name of the Conference, until the Conference decides to dispose of the vehicle. It is recognized that such officers or representatives are required to be on instant call at all times, may be required to garage such automobiles and are responsible for their safeguarding. Accordingly, for the convenience of the Conference and as partial compensation for such additional responsibilities, such officers and representatives shall be permitted private use of such automobiles on a round-the-clock basis when the automobiles are not required on Conference business.

Section 5 - Benefits

Section 5 (a) - The Executive Board may from time to time provide the terms and conditions of employment for officers, representatives and employees of the Conference including, but not limited to, such fringe benefits as vacations with pay, holidays, sick leave, time off for personal leave, and, in connection therewith, any disability or sickness, or health and welfare and retirement benefits and activities, and may from time to time provide charges therein, as well as additional compensation and allowances. Any such benefit adopted by the Executive Board shall be specifically set forth in the minutes of the Executive Board meetings. Policies may be modified in the manner specified in these By-Laws but must be reaffirmed no less frequently than the start of a new term of office. The President shall be responsible for ensuring compliance with the policies and for maintaining records necessary to verify that all officers, representatives and employees have been compensated in accordance with the policies.

ARTICLE 5

CONVENTIONS

Section 1 - Regular and Special Conventions

Section 1 (a) - The Regular Convention of the Conference shall be held every four (4) years at such appropriate place and date as shall be fixed by the Executive Board. The Executive Board is empowered to call a Special Convention of the Conference at any time when in its opinion conditions warrant or require a Special Convention. The Executive Board shall give notice of the date and site not less than ninety (90) days in advance of the Regular Convention of the Conference, and not less than thirty (30) days in advance of a Special Convention of the Conference. Any Special Convention of the Conference shall contain in the call the subject or subjects which are to be considered by any such Special Convention and subjects not contained in the call may not be considered by such Special Convention.

Section 2 – Representation

Section 2 (a) - The Local Chairman elected pursuant to Article 41 of the Division Bylaws of each affiliated Division shall, as provided herein, be delegates to the Convention of the Conference.

The Executive Board of a Division shall designate a Vice Local Chairman as an alternate delegate in the event a Local Chairman is unable to serve as a delegate at the Convention.

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Section 2 (b) – Each division shall be entitled to delegates to the convention. Delegates must be Local Chairman of a craft within a Division. For purposes of determining delegates the following shall apply as to the number of delegates within each craft;

- (i) One (1) Delegate from the Locomotive Engineer Craft,
- (ii) One (1) Delegate from the combined craft of Conductors, Trainman, Yardman, Switch Tenders, Yardmasters,
- (iii) One (1) Delegate from the Rail Traffic Controllers,
- (iv) One (1) Delegate from other crafts

Note: No Division may increase their delegate representation above the delegate count as recognized for the 2010 TCRC convention without the approval of the President and the Executive Board.

Section 3 - Requisites for Representation

Section 3 (a) - All delegates to the Convention of the Conference must be in good standing with their respective Divisions. A Division that is not square on the books shall not be entitled to representation at the Convention of the Conference.

Section 4 – Voting

Section 4 (a) - For the purpose of voting on subjects to be considered by the Convention each delegate from a Division having twenty-five (25) members or less shall be entitled to one (1) vote for each craft he represents as Local Chairman and an additional vote, or fraction thereof, for each additional twenty-five (25) members of the Division, or major fraction thereof. Such additional votes or fraction thereof shall be allocated equally among the delegates from a Division.

Section 4 (b) - The Secretary-Treasurer of the Conference shall determine the voting entitlements for each delegate and Division in accord with Section 4 (a) of this Article 5 above and provide a copy of these voting entitlements to the Election Committee, the By-Laws Committee and the delegates no later than at the opening of the Convention.

Section 5 - Expenses of Delegates

Section 5 (a) - The salaries and expenses of delegates to the Convention shall be determined by the Executive Board and paid by the Conference. Delegates shall receive a per diem for actual attendance only, unless excused by the President of the Conference.

Section 6 – Credentials

Section 6 (a) Upon receipt of the Convention call and after the election of delegate(s) and the designation of alternate(s), each Division shall forward their respective names to the Secretary-Treasurer of the Conference. Each delegate shall present his credentials properly signed by the Division President or Secretary-Treasurer.

Section 6 (b) The Secretary-Treasurer of the Conference shall have his partial or complete report ready for the Convention when it opens.

Section 7 – Quorum

Section 7 (a) - A quorum shall consist of a simple majority of the delegates accredited to and seated at any Convention of the Conference.

ARTICLE 6

ELECTIONS

Section 1 – General

Section 1 (a) - In accordance with Article 3, Section 1 of these By-Laws the officers of the Conference shall consist of the President, Executive Legislative Vice President, Secretary-Treasurer, Recording Secretary, two (2) Executive Regional Vice Presidents and three (3) Trustees. These officers shall be nominated and seconded by delegates in open session of the Regular Convention of the Conference and elected by a secret ballot vote of the membership for a four (4) year term.

Section 1 (b) - At least one (1) of the three (3) Trustees shall be a rank-and-file member who does not hold an elected or appointed position within his Division, Regional Committee of Adjustment of the Conference.

Section 1 (c) - Any active member who is in continuous good-standing in his Division for the twenty-four (24) consecutive months prior to the Convention shall be eligible for election to any Conference office except the office of Executive Regional Vice President.

Section 1 (d) - Any of the fifteen (15) Regional Vice Presidents holding office in a Regional Committee of Adjustment pursuant to Article 31, Section 3 of the Regional By-Laws (or General Chairman in transition to the position of Regional Vice President) shall be eligible for election to an Executive Regional Vice President office.

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Section 1 (e) - Nominations shall be made by a delegate other than the nominee and seconded by a delegate other than the nominee. No nominee shall accept nomination for more than one (1) position. Nominees must accept nomination no later than at the time made, either in person or in writing.

Section 1 (f) - Upon completion of the floor nominations there shall be a vote of the delegates to qualify nominees as candidates for the secret ballot vote of the membership. To qualify as a candidate for the membership vote a nominee must receive at least five percent (5%) of the votes cast by the delegates. Such voting shall be conducted by secret ballot. In calculating the number of votes necessary to qualify for the ballot any such fraction shall be rounded to the nearest whole number.

Section 1 (g) - In the event the number of floor nominations does not exceed the number of positions open for election, such nominee(s) shall be declared elected. In the event the number of candidates who qualify for the membership vote does not exceed the number of positions open for election, such candidate(s) shall be declared elected.

Section 1 (h) - No less than two (2) months and no more than four (4) months after the Convention candidates nominated and qualified for the ballot shall be elected by a secret ballot vote of the membership. Any member whose dues are paid up through the month prior to the month in which the elections are held shall have the right to vote.

Section 1 (i) - Nominations and the election shall be supervised by an Election Committee comprised of delegates who are not candidates for election as officers of the Conference. The Election Committee shall be appointed by the Executive Board.

Section 1 (j) - In the event of a tie vote the candidates shall resolve such tie by lot.

Section 1 (k) - No Teamsters Canada Rail Conference funds or funds of any employer of any members shall be contributed or applied to promote the candidacy of any person for office, provided however that the Conference may make expenditures from its funds for notices, factual statements of issues, and other items necessary to conduct elections so long as they do not involve promotion of any candidate.

Section 1 (l) - Upon reasonable request of any candidate for office, the Secretary-Treasurer shall arrange for the distribution of any campaign literature by mail, or otherwise, provided that such candidate pays the reasonably estimated cost involved in advance.

Section 2 – Eligibility

Section 2 (a) - Every member actively employed in the craft whose dues are paid up through the month prior to the month in which the nominations or election is held shall have the right to nominate, vote for, or otherwise support the candidate of his choice. No member whose dues have been withheld by his employer for payment to the Division pursuant to his voluntary authorization provided for in the collective agreement shall be declared ineligible to nominate or vote for, a candidate for office in the Conference, by reason of a delay or default in the payment of dues by the employer to the Division.

Section 2 (b) - To be eligible for election to any office in this Conference, a member must be in continuous good standing in his Division and actively employed at the craft within the jurisdiction of the Conference for a period of twenty-four (24) consecutive months prior to the month of nominations for said office, and must be eligible to hold the office if elected. “Continuous good standing” means compliance with Article X, Section 5 of the International Constitution concerning the payment of dues for a period of twenty-four (24) consecutive months, together with no interruption in active membership in a Division because of suspensions, expulsions, withdrawals, transfers or failure to pay fines and assessments.

Section 2 (c) - All officers and employees of the Conference and of any affiliate (excepting licensed, professional personnel employed as such) shall be considered as meeting the requirement of working at the craft within the jurisdiction for the purpose of retaining active membership and to be eligible for election to office in the Conference or any subordinate body. However, officers who are not full-time employees of the Conference or an affiliate, who are not otherwise employed at the craft, and who do not receive a salary for performing work for the Conference or an affiliate in addition to their duties under the By-Laws, shall not be considered to satisfy the working at the craft requirement by virtue of being an officer.

ARTICLE 7

DUES AND REVENUE

Section 1 – Dues

Section 1 (a) - The minimum monthly dues of this organization shall be calculated on the basis of the formula set forth in Article X, Section 3 (d) of the International Constitution. Except as provided in Section 1 (b) of this Article 7 dues shall not be less than the minimum established by the Constitution.

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Section 1 (b) - The Executive Board of a Division may establish a reduced rate of dues of not less than twenty-five dollars (\$25.00) per month for members absent from work and in receipt of Workers Compensation, Weekly Indemnity and Unemployment Insurance payments; members discharged or suspended from work with a pending grievance; and members in receipt of two (2) or fewer full days of monthly pay.

Section 2 – Revenue

Section 2 (a) - The revenue of the Conference shall be derived from a per capita tax on every affiliated Division of twenty-six dollars (\$26.00) per member per month and any assessments made from time to time in the manner provided for in these Conference By-Laws.

Section 2 (b) - In addition to the per capita tax payments all Divisions shall be required to pay to the Conference assessments of five dollars (\$5.00) to the Legal Defense, (these funds are mandated to be used for such things as Arbitration, Labour Boards, courts etc.) ten dollars (\$10.00) to the Legislative Fund, (these funds are mandated to be used for such things as Workers Compensation, Health and Safety at the workplace, Employment Insurance, Harassment etc.), five dollars (\$5.00) to the Education and Training Fund and two dollars (\$2.00) to the Convention Fund.

Section 2 (c) - Per capita tax and assessments for the current month are payable to the Conference not later than on the twentieth (20th) day of the succeeding month.

Section 2 (d) - Any Division or Regional Committee of Adjustment three (3) months in arrears shall automatically stand suspended and shall not be entitled to any assistance from the Conference, or to representation at Conventions of the Conference, until it is reinstated to good standing. The International Union and Teamsters Canada shall be notified immediately of any such suspension.

ARTICLE 8

BONDING

Section 1 (a) - Every officer, representative and employee of the Conference who handles funds or other property of the Conference shall be bonded in accordance with the requirements of the International Constitution and applicable law. The amount of bond required by each person shall be ascertained by the Executive Board and the premium charges shall be paid out of the general funds of the Conference.

ARTICLE 9

TRIALS AND APPEALS

Section 1 (a) - The Executive Board shall have the powers and duties to conduct trials and appeals from affiliated Division and Regional Committees of Adjustment trials as specified in Article XIX of the International Constitution and in the manner specified therein.

ARTICLE 10

SUBORDINATE BODIES

Section 1 (a) - The Divisions and Regional Committees of Adjustment representing Railway crafts in Canada as determined by the International Union are subordinate bodies of the Conference and subject to the provisions of these By-Laws and the related Sections of these By-Laws identified herein as the Rail Conference Division Bylaws and the Rail Conference Regional Committee Bylaws.

ARTICLE 11

INTERNATIONAL CONSTITUTION

Section 1 (a) - Except as may be otherwise provided by the Merger Agreement between the International Brotherhood of Locomotive Engineers and the International Brotherhood of Teamsters, the Conference acknowledges that the Constitution of the International Brotherhood of Teamsters supersedes any provisions of these By-Laws herewith or hereinafter adopted which may be inconsistent with such Constitution. The Conference incorporates herein the provisions of the International Constitution, as they may be interpreted, modified or amended from time to time, which are applicable to Conference matters and affairs, and shall perform all the duties imposed upon a Conference by such Constitution.

ARTICLE 12

PARLIAMENTARY PROCEDURE

Section 1 (a) - Robert's Rules of Order are hereby adopted as the authority on disputed questions involving parliamentary procedure.

ARTICLE 13

CONTRACTS

Section 1 (a) - Regional Committees of Adjustment shall forward to the Conference copies of all completed collective agreements entered into, or amendments or extensions thereof, within sixty (60) days of execution, together with a list of names and locations of employers and number of employees covered by such agreements.

ARTICLE 14

FISCAL YEAR

Section 1 (a) - The fiscal year of the Conference shall commence on the first (1st) day of January.

ARTICLE 15

SAVINGS CLAUSES

Section 1 (a) - If any provision of these By-Laws shall be declared invalid or inoperative by any competent authority of the executive, judicial or administrative branch of federal or provincial government, the Executive Board shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place and stead a provision which will meet the objections to its validity and which will be in accord with the intent and purpose of the invalid provision. If any section or subsection of these By-Laws should be held invalid by operation, or by law or by any tribunal of competent jurisdiction, the remainder of these By-Laws or the application of such section or subsection to persons or circumstances other than those to which it has been held invalid, shall not be affected thereby.

Section 1 (a) - Where used in these By-Laws, words in the masculine shall be read and construed as in the feminine in all cases where such construction would so apply.

ARTICLE 16

AMENDMENTS TO THE BY-LAWS

Section 1 – Convention

Section 1 (a) - The Executive Board shall appoint a Committee on By-Laws. Except as provided in Section 2 of this Article 16 of the National Bylaws, all proposed amendments to the By-Laws shall be submitted to the Committee in writing not later than thirty (30) days prior to the opening session of the Convention of the Conference. This shall not deprive delegates to the Convention of their right to propose amendments to the By-Laws during the Convention in accordance with the rules governing the Convention. However, in all instances a proposed amendment to the By-Laws shall be referred to the By-Laws Committee.

Section 1 (b) - Amendments to the By-Laws shall be adopted by a two-thirds (2/3) majority vote of the assembled delegates present at Convention.

Section 2 - Membership Initiative

Section 2 (a) - The governing body of the Teamsters Canada Rail Conference between meetings shall be vested in the active membership as defined in Article 47 of the Division Bylaws, to be exercised by ballot under the initiative process.

Section 2 (b) - Whenever twenty-five percent (25%) of the active membership sign a petition to amend the Bylaws, or Divisions representing twenty-five percent (25%) of the active membership pass a resolution to amend the Bylaws, and the petition has been duly validated by the Secretary Treasurer, the President shall prepare a ballot with the proposed amendment worded as in the petition or resolution and forward it to the membership within thirty (30) days for a secret ballot vote. In addition, the President, if deemed appropriate, may propose changes to the Bylaws with the question sent to every active member by government mail. The ballot must be returned within sixty (60) days from the date of mailing. This does not preclude electronic voting; the means to be determined by the Executive Board and/or the President.

Section 2 (c) - In order to carry a proposition under the initiative process, it will be necessary that twenty-five percent (25%) of the active membership sign the petition, upon receipt of the petition signatures will be validated based on the previous month's active membership standing, or Divisions representing twenty-five percent (25%) of the active membership pass resolutions supporting such initiative.

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NOTE: Facsimile signatures with printed names and Division number are acceptable provided the submitter of the petition provides an affidavit that the signatures are valid and true to the best of his or her knowledge.

Section 2 (d) - The President shall appoint a committee comprised of three (3) active members for the purpose of counting the returned ballots (except where electronic voting is provided).

Section 2 (e) - Amendments to the Bylaws shall be adopted by a membership majority vote on a membership initiative.

Section 2 (f) - Any proposed amendments to the Bylaws forwarded to the membership in accord with Section 2 of this Article 16 may not be resubmitted for a period of twenty-four (24) months.

Section 2 (g) - Any amendments to the Bylaws adopted by the membership in accord with Section 2 of this Article 16 and approved in accord with Article VI, Section 4 of the International Constitution may not be repealed or amended for a period of twenty-four (24) months from the time of its effect except by delegates at Convention in accord with Section 1 of this Article 16.

Section 3 – Approval

Section 3(a) - Amendments to the By-Laws are subject to the approval of the General President, as provided in Article VI, Section 4 of the International Constitution, and shall not be effective until such approval is given.

Section 4 - Modification of Powers and Duties

Section 4 (a) - Under no circumstances may these By-Laws be amended during a term of office to affect or modify the powers and duties of the incumbent officers. Such amendments may be made effective only as of the beginning of the next term of office.

Regional Committee of Adjustments (RCA)

**ARTICLE 17 - Regional Committee of Adjustment
How Organized**

Section 1 (a) - On any system of railway where two (2) or more divisions are organized, there may, with the approval of the Executive Board, be a standing regional committee of adjustment whose members shall be elected quadrennially at the regular division election. On any line or system of railroad under or controlled by one (1) president or by an executive committee under whom are one (1) or more presidents or managers, where a railway or branch constitutes a separate department of the system and on which the Rail Conference has separate and distinct schedules of pay, different from schedules in force on other parts of the system, such railway or branch shall have the privilege of maintaining its own RCA. On railways or systems having an executive committee, the RCA shall have power only to settle all differences that can by them be adjusted with any and all officers of such railway or system subordinate to the president.

Section 1 (b) - Where established, Regional Committees shall create governing RCA Rules for the internal operation of the RCA with such internal Rules required to be submitted to the TCRC President for approval.

**ARTICLE 18 - When Two or More RCAs are Organized
May Consolidate**

Section 1 (a) - On any system or property having one (1) or more general managers under one (1) executive officer or president, where two (2) or more RCAs are organized, they can merge into one (1) RCA, provided a two-thirds (2/3) majority of the RCAs of the territory affected so decide. Such mergers of RCA's shall not become effective until after the expiration of sixty (60) days and no appeal from the action has been made. If an appeal is made within sixty (60) days of such action of the, RCAs the question shall be referred to the membership on that portion of the system from which appeal is made; and unless a majority of the members on such portion of the system vote to merge their , RCAs their individual RCA shall continue as heretofore.

Section 1 (b) - Upon effecting such merger, officers of the merged Regional committee shall be elected as provided in Article 31 –Regional Bylaws.

Section 1 (c) - After the merger is consummated, the Regional Vice President may at any time convene only that portion of the RCA that is under the jurisdiction of the general manager of the territory affected.

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Section 1 (d) - In the event a RCA on any property or system desires to merge with the RCA under the same general manager or one (1) executive officer or president, and said RCA is not agreeable to such merger, the request with all facts in connection therewith will be referred to the Rail Conference President who, in conjunction with the Rail Conference Executive Board, will make a recommendation to the IBT General President, who will decide the matter, subject to appeal under applicable provisions of the IBT Constitution.

Section 1 (e) - However, in the event the Rail Conference President has reason to believe that the merging of a RCA would be in the best interest of the members, he shall forward the request with all facts in support of his position to the affected regional committees, requesting they voluntarily agree to the merger. The final decision will rest with the affected members of the involved committees as per Section 1 (a) above.

ARTICLE 19 - Dividing a Regional Committee of Adjustment

Section 1 (a) - The dividing of a consolidated RCA should be promulgated, if at all possible, at the consolidated RCA regular session. When it appears necessary or desirable to divide a RCA on any property or system of under or controlled by one (1) president or by an executive committee under whom are one (1) or more presidents or managers, where a property or portion thereof constitutes a separate department of the system and on which the Rail Conference has separate schedules of pay, such property or portion thereof shall have the privilege of withdrawing from the consolidated RCA and form a separate RCA ; provided, after one (1) year from their last regular session, a majority of the active membership casting ballots in the division on the territory that wish to withdraw so express by referendum vote.

ARTICLE 20 - Executive Committee – How Formed

Section 1 (a) - To form an executive committee, it will require a majority vote of all members of the RCA of the property or system affected. It shall consist of a regional vice president, secretary-treasurer, and assistant- regional vice president(s) and such other members of the RCA, as the regional committee deems advisable.

ARTICLE 21 - RCA Meetings

Section 1 (a) - Except as otherwise provided in article 31 section 1 (b) of these by-laws, it shall be the duty of the RCA of each system to meet quadrennially after the quadrennially election of the division, at such time and place as may be determined by the regional vice president and secretary-treasurer, or by a majority of the divisions, and adjust the differences existing on the systems.

Section 1 (b) - At any time between regular sessions, should a majority of the divisions on a system instruct the regional vice president to convene the RCA, he shall do so without delay. Should said regional vice president refuse or neglect to do so, the Rail Conference President shall be empowered to suspend said regional vice president from office pending trial.

Section 1 (c) - The Rail Conference President will attend or assign a Rail Conference officer to the property with instructions to convene without delay said RCA and preside over same. All expenses incurred by so doing shall be borne by the RCA on the property where the violation occurs; and the regional vice president so offending, if found guilty by a majority of the members of the RCA, and after having been served with written specific charges and given a reasonable time to prepare a defence and afforded a full and fair hearing, shall be penalized as per Article XIX – IBT Constitution.

Section 1 (d) - In case of an emergency, the regional vice president is empowered to convene the RCA when, in his judgment, it is necessary.

Section 1 (e) - At all such meetings, as soon as each division has presented and discussed grievances, or as otherwise may be decided by the majority of the members of the RCA in attendance and, if a regular meeting, the officers have been elected, the RCA may reduce to an executive committee elected by the RCA.

ARTICLE 22 - RCA Officers May be Salaried

Section 1 (a) - The Officers of the RCA may be made salaried officers if so decided by a majority of all votes cast by members of the RCA in a secret referendum vote. Such salaried Officer(s) must be in active service as defined within these Bylaws.

Section 1 (b) - In taking a referendum vote to place an Officer(s) on a salary in accordance with Paragraph (a) or to abolish the salary of Officer(s) in accordance with Paragraph (a), the ballot will be prepared by the Vice President and secretary-treasurer; and sufficient ballots will be sent to each division's secretary-treasurer to vote the membership paying RCA assessments. The ballots must be returned to the division secretary-treasurer either in person or by government mail. After ballots are voted, each division will count and tabulate the votes cast and forward same to the Secretary-Treasurer of the RCA, who will notify each division of the result of the vote.

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ARTICLE 23 - RCA may make its own Rules

Section 1 (a) - The RCA shall (with the approval of Rail Conference President) make such rules or regulations as are deemed necessary for the proper adjustment of differences on their respective systems. Such rules and regulations, however, must not conflict with the laws of the International Brotherhood of Teamsters, Teamsters Canada, the Rail Conference or applicable civil law.

ARTICLE 24 - RCA Decisions Stand as Laws

Section 1 (a) - Any action taken by a Regional Vice President or RCA shall stand as law for all members and divisions in the territory over which the Regional Vice President or RCA has jurisdiction, until repealed by the RCA, TCRC Executive Board or in accordance with the provisions for appeals in Article 37 section 1 - Regional Bylaws.

Section 1 (b) - A division, an active member or a group of members may appeal from a decision of the Regional Vice President made between sessions of the RCA to the RCA, provided such appeal is filed with the secretary of the RCA in writing and within sixty (60) days of the decision.

Section 1 (c) - In the event that the RCA is not or will not be scheduled to meet within three months of the date of receiving such appeal the complainant(s) may, upon being notified of such by the secretary of the RCA, wait until the next scheduled meeting of the RCA or proceed to the next step of the appeal process, as contained in Article 37.

ARTICLE 25 - RCA – How Paid

Section 1 (a) - RCAs shall have power to fix the rate of pay of the Officers of the RCA and members serving on the committee.

ARTICLE 26 - Committee Expenses

Section 1 (a) - The expenses of members of a RCA when convened for any purpose, together with pay for time they lost in such service, shall be raised by an assessment on all active members of the Rail Conference employed on the system represented (except as provided in Article 47 Section 6 - Division Bylaws); and the secretary-treasurer of the RCA shall have power when so ordered by the committee to levy such assessment for the purpose of creating a fund to pay the members of the committee immediately after such session is over. All such assessments shall be levied by majority affirmative vote of the members of the RCA, or by

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majority affirmative vote of the members of the RCA casting a mail ballot between sessions, and shall be effective only until the next session of the RCA, at which time it will be continued, discontinued or revised.

Section 1 (b) - The salary of the Regional Vice President and the rate of pay and expenses paid to the members of the regional committee and legitimate expenses of the regional committee shall be raised by an assessment on all active members employed on the system represented. All such assessments shall be levied by majority affirmative vote of the members of the RCA present at a session of the RCA, or by majority affirmative vote of the members of the RCA casting a mail ballot between sessions, and shall be effective only until the next session of the RCA, at which time it will be continued, discontinued or revised.

Section 1 (c) - All members of the RCA will be required to pay RCA assessments in the amount determined by the RCA, which shall be collected monthly and forwarded to the secretary-treasurer of the RCA who will pay the RCA officer's salary as defined by RCA rules and all delegates for their services. Any surplus remaining in the treasury shall be applied to the payment of the legitimate expenses of the RCA.

ARTICLE 27 - RCA Authority and New Business

Section 1 (a) - No new business, except as otherwise approved by the majority of the members of the RCA, will be entertained by an RCA unless records are sent showing that the division has acted upon the merits of the question. A copy of the resolution sent to the RCA shall be sent to other divisions interested upon receipt of same by the Regional Vice President.

Section 1 (b) - The RCA shall have full power to settle all questions of seniority and rights to runs and jurisdiction of territory that are presented to it; and its decision shall be final unless, on an appeal, its decision is repealed.

Section 1 (c) - To consolidate or divide the seniority rosters of members on one (1) or more seniority districts on a system, a majority vote of the active members holding seniority and casting a ballot on each seniority district affected must be obtained.

Section 1 (d) - When a question of jurisdiction of territory or seniority arises between the members themselves or two (2) or more divisions that cannot be amicably adjusted by such divisions, the question shall, with all the facts in the premises, be referred to the RCA, which shall rule on the matter; and such ruling shall stand as law, subject to appeal as per Article 37 Section 1 –Regional Bylaws.

ARTICLE 28 - Agreements Concerning Rates and Protecting all Crafts

Section 1 (a) - It shall be the policy of the RCA to secure agreements with management covering the rules, rates of pay and working conditions of all crafts within the TCRC when the opportunity presents itself. The individual RCA shall have full jurisdiction in the matter.

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ARTICLE 29 - Contract Procedures

Section 1 (a) - All wage settlements shall be ratified by a majority vote of the active members casting a ballot.

Prior to being sent for ratification all National tentative agreement(s) will be submitted to the TCRC national executive, all RCAs are prohibited from making agreements with the management, the terms of which will conflict with any law or policy adopted by the Rail Conference, without first submitting same to the Rail Conference President who, in conjunction with the Executive Board, will determine proper disposition of the question at issue.

Section 1 (b) - When a tentative agreement is negotiated or a proffer of arbitration made, the RCA proposing a system-wide agreement will furnish a copy of the proposal to all Local Chairman. The RCA will also provide a synopsis of the proposal to each affected member, except where electronic voting, an instruction sheet, a ballot and a return envelope, if required.

Section 1 (c) - Each affected member will return his/her ballot to the secretary-treasurer of the RCA within the time period specified, who will tabulate the vote and certify the results to the Rail Conference President and/or affected Regional Vice President of the RCA. The RCA will choose, where required, a board of tellers to help the secretary-treasurer of the counted ballots.

Section 1 (d) - Before any collective agreement or change of scheduled rules can be agreed to or signed on behalf of members must receive the approval of the members by a majority referendum vote. Only ballots returned shall be counted. A list of the number of "yes" and "no" votes for all individual divisions must be forwarded to each division within seven (7) days of the counting of votes.

Section 1 (e) - When a RCA and/or RCAs are engaged in joint contract negotiations with another union or unions, the Rail Conference national negotiating committee may authorize a joint ratification vote, the results of which shall be determined in accordance with the governing ratification process.

ARTICLE 30 - Grievances

Section 1 (a) - Should any member in the employ of a company have any grievance against the company, either from meeting with an accident of any kind while in the discharge of his duties, or from any other cause, he shall be required to make out a complete report of the same to his division in writing for the benefit of the local committee of adjustment; and the division shall keep such report, together with a copy of the judgment of the company's officials concerning the grievance or accident. The local committee and regional committee may refuse to handle the case unless such a report is made out and signed by the member, providing the member be physically and mentally able to do so.

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Section 1 (b) - It shall be unlawful for any member to withdraw his case after having been acted on by the division and referred to the local committee of adjustment unless approved by the Local Chairman and where applicable, the Regional Vice President.

Section 1 (c) - Each and every member of the Rail Conference grants to the duly authorized representative and/or representatives of the Conference (which includes but not limited to, Local Chairman and/or local committees, Regional Vice President, the Executive board and/or the Rail Conference President) full and complete authority to present and handle each and every member's claims, complaints and grievances against the railway on which he is employed.

Section 1 (d) - Said power and authority shall include the handling of such claims, complaints and grievances before any and all officials of management, and shall include the right to collect, settle, compromise, amend, withdraw, dismiss or in any other manner dispose of such claims, complaints and/or grievances, and shall also include the power and authority to submit such claims, complaints and grievances for determination to any person, court or board or other tribunal provided by law or otherwise as may be deemed necessary or advisable by such authorized representatives.

Section 1 (e) - The foregoing will in no way conflict with other provisions of the IBT Constitution, Teamsters Canada Bylaws or the Rail Conference Bylaws which stipulate the procedure and sequence to be followed by divisions, Local Chairman and/or local committees, Regional Vice President and/or RCAs and other duly authorized representatives of the Rail Conference in handling claims and grievances of members.

Article 31

Elections

Section 1 - Elections Quadrennially

Section 1(a) – For the purpose of establishing common expiry dates for elected offices in all Regional Committees of Adjustment, the election of officers at the quadrennial meeting of a Regional Committee of Adjustment shall be conducted according to the following schedule:

Section 1(b) Elections held in 2014 will be for a four (4) year term expiring in 2018; elections held in 2015 will be for a three (3) year term expiring in 2018; elections held in 2016 will be for a two (2) year term expiring in 2018; elections held in 2017 will be for a one (1) year term expiring in 2018. Thereafter all elected officers in a Regional Committee of Adjustment shall be for a four (4) year term expiring in the same year as the regular Convention of the Teamsters Canada Rail Conference, and accordingly quadrennial meetings of a Regional Committee of Adjustment will be held in that same year.

Section 2 - Regional Vice President - Nominations

Section 2 (a) - Members in good standing desiring to place their nominations for Regional Vice President may nominate by voice from the floor at the meeting at which nominations are being held may write their choice of nominations (with second) to the RCA secretary-treasurer, who will read same at the RCA meeting. The secretary-treasurer thereafter will advise each Division of the Nominations

Section 2 (b) - Each candidate will be given an opportunity by the RCA secretary-treasurer to withdraw, in writing, his name should he desire to do so. Where there is only one nominee, he shall be declared elected.

Section 3 - Regional Vice President - How Conducted

Section 3 (a) - Except as otherwise approved by the Conference President for an alternate accepted method elections shall be held as follows;

Section 3 (b) - Subsequent to the Division Elections but not less than 120 days prior to date of the commencement of the TCRC Convention the Regional Committee of Adjustment shall be convened at which time nominations will be accepted from the delegates to the RCA for the position of Regional Vice President.

NOTE: Any member in good standing under the jurisdiction of the RCA may stand for the position of Regional Vice President provided such member is nominated by a delegate to the RCA. Divisions have the authority to direct the delegate to the RCA to nominate a member in good standing for the position of Regional Vice President. The delegate to the RCA must, when so directed, submit such nomination.

Section 3 (c) - Ballots will thereafter be created identifying all candidates who have, in writing, advised that they wish to stand for such nominated position.

Section 3 (d) - The secretary-treasurer shall deliver to each member represented by such RCA, by government mail, directed to his last known address, a ballot together with two (2) envelopes, one (1) of approximately 3-1/2 x 6-1/2 inches and one (1) of approximately 4 x 9-1/2 inches. The ballot will list all nominees in alphabetical order. The ballot and return envelopes must also be accompanied by written notice of time, date, place and purpose of the election.

Section 3 (e) - The smaller envelope shall be for the purpose of containing the voted ballot and should be sealed and placed within the larger envelope for return of the ballot. The larger envelope must contain space for the member's name and return address, must have first-class postage affixed thereto, and must contain the division number and address of a post- office box, which must be rented for the election by the secretary-treasurer of the division. The contents of

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the post-office box must not be accessible to any officer or member until the ballots are picked up on the date of the election.

Section 3 (f) - If a post-office box is not available, the secretary treasurer will determine an alternative method of receiving, securing and delivery of the ballots. The ballot is to be filled out by the member in whose name it is to be voted, naming his choice for Regional Vice President. The completed ballot must then be folded and placed in the small envelope that is provided for that purpose. The small envelope must then be sealed and placed in the larger envelope, upon which the member will clearly mark, or have a preprinted envelope with, their name and return address before placing same in the government mail for delivery to the post-office box designated thereon.

Section 3 (g) - Immediately prior to the election and following the date designated for the return of the ballots, the secretary-treasurer and a member as designated by the Rail Conference President shall go the post office and remove the envelopes containing the ballots from the post-office box. They shall then be delivered intact to the location at which the election will be held. It will be the privilege of any member represented by the RCA, upon proper application to the RCA Secretary Treasurer, to accompany the secretary-treasurer and designate to the post office for the purpose of observing this procedure.

Section 3 (h) - When the election begins, the envelopes containing the smaller ballot envelopes will be opened by the board of tellers as appointed by the RCA Secretary Treasurer, at which time a determination will be made as to the right of each member to vote on the Office of Regional Vice President. The smaller envelopes containing the ballots may be marked prior to the time they are opened at the discretion of the board of tellers, or the smaller envelopes containing the ballots may be placed in stacks designating the status of the member voting the ballot.

Section 3 (i) - Each candidate or his representative may observe the work of the board of tellers by standing not closer than five (5) feet from the table at which the ballots are counted. These observers shall not interfere with the work of the board of tellers and must address any remarks pertaining to the counting of the ballots to the RCA secretary-treasurer, who will convey such inquiries or remarks to the board of tellers. They shall be required to refrain from conversation except as herein provided.

Section 3 (j) - Each RCA shall be permitted to prepare its own ballots, following a approval by the Rail Conference President.

Section 3 (k) - The tellers shall make an exact return of the total number of votes cast for each person voted for and announce such return to the secretary-treasurer, who shall there upon declare the result and thereafter advise all candidates. The Candidate who receives the largest number of votes cast for the Office of Regional Vice President shall be declared duly elected thereto.

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Section 3 (l) - A copy of the exact return with the total number of votes cast for each candidate must be forwarded to the Rail Conference President within five (5) days of the completion of the election. The candidate receiving the highest number of votes shall be declared elected if eligible. Should an equal number of votes have been cast for two (2) or more members for any office, the tie shall be decided by a method as decided by the members of the RCA.

Section 3 (m) - Where a nominee is elected to an office to which he is ineligible, votes cast for him should not be counted; and the nominee or non-nominee who is eligible to serve in that office that receives the next highest number of votes is declared elected.

Section 3 (n) - Where a nominee is elected to an office and eligible to serve but resigns or refuses to accept the election, a vacancy is created; and it will be necessary to hold a special election to fill the office.

Section 3 (o) - Every member elected to an office shall be entitled to fill the same, providing he is eligible under the law, unless it be shown that the law was clearly violated in the manner of holding it or that the results were fraudulently obtained. The fact that any member or members may be ineligible or erroneously declared elected shall not affect the rights of those who are eligible and duly elected, nor be a sufficient reason for setting an entire election aside and ordering a new one.

Section 3 (p) - In the event of any irregularities in the election the protest must be filed in duplicate with the Rail Conference President within thirty (30) days after such election. The Rail Conference President will conduct an investigation to obtain the facts and evidence and render his decision accordingly. Any member who is dissatisfied with the decision of the Rail Conference President may appeal such decision within thirty (30) days to the Rail Conference Executive Board whose decision shall be final and binding (reference Article 21)

Section 3 (q) - In election for the position of Regional Vice President, only members holding seniority in a craft under the jurisdiction of the RCA shall be eligible to vote. All active Members under the jurisdiction of such committee will be notified of such election and permitted to file or sign nominating petitions and vote.

Section 4 - Ballots Sealed and Preserved

Section 4 (a) - The ballots and envelopes shall be sealed by the board of tellers in the presence of the secretary-treasurer and, together with all other records pertaining to the election, will be placed among the private papers of the RCA where they shall be destroyed upon approval of the majority of the members of RCA, in no case will ballots be retained for more than one (1) year.

Section 4 (b) - The ballots cannot be unsealed without the authority of the Rail Conference President or his representative.

Section 5 - Installations of the Regional Vice President

Section 5 (a) - The Regional Vice President shall be installed at the first meeting following the election, but in no case later than the commencement of the TCRC Regular Convention.

Section 6 - RCA – Elections of Other Officers – How Conducted

Section 6 (a) - At the time and location of TCRC Convention the Regional Vice President shall convene the Regional Committee of Adjustment for the purpose of completing the elections by and for the members of the RCA for the positions of Assistant Regional Vice President(s), and Secretary Treasurer and to conduct any other business properly before the RCA.

Article 32

Duties

Section 1 - RCA Representation

Section 1 (a) - Each division with twelve (12) or more active members paying RCA assessments on a railway or system may be entitled to one (1) representative and one (1) vote in the committee, unless otherwise authorized by the RCA and the Rail Conference President; provided, however, that on a railway or system where there is but one (1) division, the division committee may be the RCA; where there are two (2) divisions, the division having the most members employed on such system may have two (2) representatives, and two (2) votes on the committee. When one person is the elected representative of more than one Local Committee of Adjustment from the same Division, they will be entitled to one vote on behalf of each Local Committee they represent.

Section 1 (b) - Each division having members employed on more than one (1) railway or system may be entitled to a member of the RCA on each system represented. The Local Chairman of the local committee of adjustment shall be a member of the RCA on the property he represents; and only members employed on that property shall have a vote for their local committee, which vote shall be by secret ballot.

Section 1 (c) - On properties where the membership feel they will derive more economic and more efficient representation by merging with the regional committee of another railway, they may, by a majority vote of the active membership casting a ballot, request the Rail Conference President to permit them to merge with some other RCA of their choice (choice to be determined

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by majority vote). If, in the opinion of the Rail Conference President, such merger would operate to the best interests of the Rail Conference, he shall order the same to become effective on a specified date; provided, however, the regional committee with which the merger is proposed shall approve of the same by a majority vote in accordance with Article 29 Section 1 – Regional Bylaws.

Section 1 (d) - In the event of such merger becoming effective, the so-called short-line property shall be entitled to representation on the merged RCA, as provided for in Paragraph (a) of this section.

Section 2 - Number of Assessable Members

Section 2 (a) - Any secretary-treasurer of the division who fails to report to the secretary-treasurer of the RCA all assessable members belonging to his division shall be expelled when found guilty after trial in accordance with the provisions of Article XIX, Section 1 – IBT Constitution.

Section 3 - Duties of the Regional Executive Committee

Section 3 (a) - Duties of the regional executive committee shall be to adjust only subjects referred to it by action of a majority of the full RCA.

Section 4 - Regional Vice-Presidents Duties

Section 4 (a) - The Regional Vice-President shall devote his whole time to the interests of the members on his system and visit the divisions. The Regional Vice President, when called upon by one (1) or more divisions on his system requesting assistance, shall be empowered, to adjust, if possible, any differences that may arise between members and their employers without convening the RCA. Failing such, he may notify the Rail Conference President of the facts in detail and request his assistance.

Section 4 (b) - Receiving such call and agreeing to provide such assistance, the Rail Conference President may assign a Rail Conference Representative to address the matter.

Section 4 (c) The Regional Vice President shall be empowered to adjust, where possible, any differences that may arise between members and their employers concerning legislative matters (this in conjunction with the Division Legislative Representative and the Executive Legislative Vice President).

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- i) Protecting and advancing the interests of the members of the Rail Conference in handling of all matters relating to legislation and/or regulations made by the Parliament of Canada and/or the provincial legislatures and/or any regulatory body created by those legislative assemblies;
- ii) Work for more healthful, safer and sanitary conditions in the workplace;
- iii) Stimulate the political education of the members to understand their political rights and the use of the ballot;
- iv) Coordinate the activities of our membership in each province in order that organized working people may, insofar as possible, present a united front upon matters of local, provincial and national importance;

Section 4 (d) - It shall be the duty of the Regional Vice-President to convene the RCA in accordance with Article 21 Section 1 – Regional Bylaws and to preside over the meeting while in session. He will make a report to the committee in session of items not completed and carried out from the last session of the committee. He shall render to each division on the system a report at the end of each quarter and send to each division and each local chairman a copy of the rulings and interpretations of the schedule under which they are working; and at the close of the year, he will render an annual report to the Rail Conference Office, the expense of same to be paid out of the funds of the regional committee. He may fill the president's chair when visiting the divisions on the system. He shall be paid for his services by an assessment on all active members on the system (as provided in Article 47 Section 7 - Division Bylaws), provided that such assessment will be in effect only until the next session of the RCA, at which time it will be continued, discontinued or revised.

Section 4 (e) - The Regional Vice President shall have authority to review the books of any or all divisions as it pertains to the craft(s) within his jurisdiction when, in his opinion, it is desirable to do so.

Section 4 (f) - The Regional Vice President shall be bonded in accordance with Article X, Section 7(a) of the IBT Constitution.

Section 4 (g) - The Regional Vice President shall be recognized as the RCA between meetings of that body; and his decision on all matters within the scope of authority of the RCA shall be made effective subject to appeal in accordance with the provisions of Article 24 Sections 1 and/or Article 37 – Regional Bylaws, except for matters specifically stipulated in Article 18 section 1 – Regional Bylaws.

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Section 4 (h) the authority conferred upon the Regional Vice President pursuant to this paragraph shall not apply to the levy of special assessments between sessions of the RCA. Special assessments levied between sessions of the RCA require the written consent of a majority of the Local Chairman affected and must be defined in amount and duration.

Section 4 (i) - When action by the Regional Committee is required and the Regional Committee is not in formal session, the Regional Vice President may act electronically, by facsimile, letter or telephone conference call to poll the members of the RCA.

Section 5 - Duties of the Assistant Regional Vice President

Section 5 (a) - The Assistant Regional Vice President(s) shall assist the Regional Vice President when called upon to do so and, in the absence of the Regional Vice President, shall fill that office in accordance with the bylaws of the RCA. In the event the office of Regional Vice President becomes vacant through death or otherwise, he shall fill the office until a successor has been duly elected in keeping with the laws herein and as provided in the bylaws of the RCA.

Section 5 (b) - In the absence of RCA bylaws to govern, the Assistant Regional Vice President shall convene the committee within thirty (30) days for the purpose of electing a Regional Vice President, unless such vacancy occurs within six (6) months of the regular date of convening said RCA.

Section 6 - Duties of the Secretary Treasurer

Section 6 (a) - The secretary-treasurer shall be bonded in accordance with Article X, Section 7(a) of the IBT Constitution; and he shall notify the Rail Conference President when the regional committee will convene and the nature of the business to be transacted; he will furnish each division on the system a copy of the minutes of each session of the RCA, which shall include the number of each division represented, together with the assessable members of each.

Section 6 (b) - The secretary-treasurer shall remit Rail Conference dues and assessments to the Rail Conference Secretary-Treasurer and shall also remit division assessments to the secretary-treasurer of the division, on or before the 20th day of the next succeeding month for which such dues and assessments are collected.

Section 6 (c) - The secretary-treasurer shall render an annual financial itemized report of all receipts and disbursements to each division, the Regional Vice President and the Rail Conference President and at the expiration of his term of office deliver to his successor all books, papers, files and funds of the RCA.

Section 6 (d) - The secretary-treasurer shall furnish the Rail Conference President a copy of the minutes of each session of the RCA. He shall in general be responsible to insure that the duties set forth in Article XXIII of the IBT Constitution are fulfilled with respect to the regional committee consistent with these bylaws.

Article 33

Assistance/Intervention

Section 1 - RCA Request for Assistance of the Rail Conference President

Section 1 (a) - An RCA may call upon the Rail Conference President for assistance to dispose of any issue in dispute between the regional committee and management which has not been satisfactorily disposed of. The Rail Conference President may refuse to provide such assistance if in his view the RCA has not, taken appropriate steps to resolve the issue in consideration of the facts of the dispute. If such assistance is requested and accepted by the Rail Conference President, The Rail Conference President shall respond in person or send a Rail Conference representative, who will use all honourable means to make a satisfactory disposition of the dispute.

Section 1 (b) - Except as provided in Article 18 – Regional Bylaws, the Rail Conference President shall not be empowered to assign a Rail Conference representative to assist any RCA unless requested to do so by said RCA

Section 2 – Trusteeships

Section 2 (a) - The authority to place subordinate bodies into trusteeship and appoint trustees is vested in the General President of the IBT under the provisions of Article VI, Section 5 – IBT Constitution subject to the provisions of paragraph 6.11 of the Merger Agreement.

Article 34

Strikes/Withdrawal of Services

Section 1 - Authority Strike Votes and Withdrawal of Services.

Section 1 (a) - In the event of a question of wages or other causes where the Rail Conference is likely to be involved in an issue with a management requiring strike action or when a strike is in progress on any property, no one will be permitted to take an active part in the deliberations under discussion unless approved by the Regional Vice President.

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Section 1 (b) - In cases where the best interests of the Rail Conference would be jeopardized by the delay incident to the circulation of a referendum strike ballot, the Regional Vice President, with the consent of the Rail Conference President, may poll the members of the RCA by the most convenient means available in lieu of the circulation of a referendum to the membership.

Section 1 (c) - if a majority of the membership casting a ballot vote in favour of a strike, the Regional President, with the concurrence of the Rail Conference President, shall have authority to set a strike date and withdraw the members of the railway or system from service.

Section 1 (d) - In the event it is decided by the Executive Board to use the economic strength of the Rail Conference, the Rail Conference shall, where practicable, sustain the membership on the property where the trouble exists. Should it be necessary, the Executive Board of the Rail Conference shall be empowered to levy an assessment on the active membership of the Rail Conference. Such assessment will not be effective beyond the next session of the Rail Conference Convention, at which time it will be continued, discontinued or revised as approved at the Convention.

Section 2 - Authority for Declaring Strike Off

Section 2 (a) - On any property where a strike is called or is in progress, the RCA on the railway involved shall have absolute power to declare the strike off except that the concurrence of the TCRC President will be required in cases where assistance with negotiations has been supplied by the National Office pursuant to Article 3 Section 2 – National Bylaws.

Section 3 - RCA Convened by the Rail Conference President

Section 3 (a) - When the RCA, on any property or system, is convened on the authority of, or by, the Rail Conference President, on matters of a general nature, the time and expenses of the RCA shall be paid from the general fund of the Rail Conference.

Article 35

Prohibitions

Section 1 - Entering into Agreements

Section 1 (a) - A member or members, other than the duly designated representative of the Rail Conference, are prohibited from entering into any verbal or written agreements with any management involving rates of pay, rules or working conditions of Rail Conference members. Any member violating this provision shall, if found guilty after trial as per Article XIX of the IBT Constitution, be expelled from the Rail Conference.

Section 2 - Illegal Communications

Section 2 (a) - When any member or members of a division (except the Local Chairman of the local committee of adjustment) take up directly with the Regional Vice President, verbally or written, any question where other members' interests are involved, or ask for a ruling upon any question, the Regional Vice President must refuse to grant such requests or ruling until the proposition has been submitted to the division for their consideration. If carried by a majority of the members present, the secretary-treasurer will furnish the Regional Vice President all the facts in the case, who will furnish the division with his ruling or interpretation, as the case might be.

Section 3 - Division Refusing to Sustain Committee

Section 3 (a) - Should a division on any system refuse to sustain an action of the RCA of the system or to enforce the laws passed by the Rail Conference, it shall be the duty of the members of the committee from the division to make a written statement of the fact concerning the refusal to the Regional Vice President of the RCA, who shall submit the same to the Rail Conference President for his review and recommendation to the General Executive Board of the IBT, which is empowered to suspend the charter.

Section 4 - Division Refusing to Take Vote

Section 4 (a) - Should any division refuse or neglect to take a vote of its members when ordered to do so by the RCA, it shall be considered a refusal to sustain the action of the RCA and shall be dealt with according to Article 35 Section 3 of the Regional Bylaws; and any member of the committee failing to report to the Regional Vice President of the committee as per Article 35 shall be dealt with by the RCA as per Article 36 Section 1 – Regional Bylaws.

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Section 4 (b) - Unless otherwise provided, all expenses incurred in taking a vote shall be borne by the division.

Section 5 - Members – Misrepresentation of Facts

Section 5 (a) - Should any member wilfully misrepresent facts in his statement for the guidance and information of the committee, he shall be considered as having violated his obligation, and on conviction at a regular trial as per Article XIX of the IBT Constitution, shall be suspended or expelled, as the division may determine.

Section 6 - Violations of Contract – Management Officials

Section 6 (a) - On any property or system where there is a contract between the company and the Rail Conference it will be considered a violation of said contract on the part of the company to open any differences except through the RCA in connection with craft positions.

Section 6 (b) - All RCAs are prohibited from making agreements with the management, the terms of which will conflict with any law or policy adopted by the Rail Conference, without first submitting same to the Rail Conference President who, in conjunction with the Executive Board, will determine proper disposition of the question at issue.

Article 36

Sanctions

Section 1 - Expulsion from the RCA

Section 1 (a) - Any member of the RCA who, by act or word in the presence of any company official, injures any matter under discussion by the committee or executive committee, which has for its purpose the enforcement of the RCA Rules of the Rail Conference, shall have written charges preferred against him in the RCA or executive committee by the Regional Vice President. If, after he has been served with written specific charges and given a reasonable and fair hearing by the body before which such charges have been preferred, a majority of the RCA or executive committee voting by ballot so decides (the Regional Vice President to have the deciding vote in case of a tie), he shall be deprived of service on the same.

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Section 1 (b) - The Regional Vice President shall then notify the president of the division that the deposed member represented, and the president of the division may fill such vacancy by appointment promptly. If necessary, the Regional Vice President is authorized to fill the vacancy by interim appointment from the membership of the division to which the deposed member belongs; and said appointee will serve until relieved by a delegate appointed by the president or elected by the division as per Article 44 Section 1 - Division Bylaws.

Section 1 (c) - Any officer may be removed from office by a majority vote of the members of the executive committee of the RCA for violation of any of the laws or rules of the Rail Conference committed in his official capacity as a member of the RCA, if found guilty, after having been served with written specific charges and given reasonable time to prepare a defence and afforded a full and fair hearing under Article XIX, Section 3 – IBT Constitution.

Section 1 (d) - Any officer or member proven guilty under the above paragraph will be deprived from again holding office in the RCA for a period of not less than three (3) years.

Article 37

Appeals

Section 1 - Appeal may be Taken

Section 1 (a) - Any member or division in good standing may take an appeal to the Members of the RCA from a decision of a Regional Vice President of the RCA. Such appeal must be made prior to the expiration of sixty (60) days from the date of the said decision.

Section 1 (b) - To inaugurate an appeal, the appellant must first draw up a statement of facts addressed to the Secretary of the RCA. This statement, together with a sample ballot, shall be submitted within said sixty (60) day period to the Regional Vice President for his examination and the opportunity of preparing a statement defending the committee's decision.

Section 1 (c) - The appellant's statement of facts, the ballot in approved form and the Regional Vice President's statement in reply shall be returned without delay to the appellant. The appellant may add a rebuttal to the statement of the Vice President if he so chooses. The appellant shall, as soon as possible upon the return of the Regional Vice President's statement, proceed with the printing of the ballot.

Section 1 (d) - The ballot shall set out the decision from which the appeal is taken, without any argumentation upon the part of the appellant or the Regional Vice President. A copy of the printer's proof shall be forwarded to the Regional Vice President for his approval. The Regional Vice President shall immediately examine his statement and the ballot appearing in the printer's proof and, when satisfied as to their accuracy, shall return such ballot to the appellant for final printing, giving notice as to the quantity required. Each member of the Regional Committee of

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Adjustment under the jurisdiction of the RCA involved shall receive a ballot.

Section 1 (e) - The members of the RCA shall, within thirty (30) days after receipt of the ballots, take a referendum vote and advise the secretary-treasurer of the RCA of the result.

Section 1 (f) - All ballots, including those improperly signed or for any other reason declared illegal, shall be forwarded to the secretary-treasurer of the RCA. The secretary of the RCA shall make a report of the ballots cast. The report shall show the number of votes cast by the members of the RCA for and against the issue constituting the appeal and the number of ballots rejected as illegal. Every ballot declared illegal shall have the same written across the face thereof. The secretary treasurer of the RCA must retain a duplicate copy of this report and a record made in the minutes of the next meeting of the RCA.

Section 1 (g) - The secretary-treasurer of the RCA shall prepare a report showing the results of the vote and forward the report, together with all the ballots, to the Regional Vice President and the Rail Conference President. Sufficient copies of the report from the secretary-treasurer of the 1 regional committee shall be prepared by the Regional Vice President and forwarded to all the divisions in the territory involved. Such report shall show, separately, the number of votes cast for or against the appeal by the members of the RCA and the number of ballots ruled illegal. The result of a majority of the legal ballots shall be the decision of the of the members of the RCA, and such decision shall be final and binding unless such results, within 60 calendar days of such decision, are appealed by the Regional Vice President or the appellant to the TCRC Executive Board. Unless appealed to the TCRC Executive Board, the Regional Vice President and the appellant shall be governed by the results of the referendum.

Section 1 (h) - Except for appeals to the TCRC Executive Board, a time limit of one hundred twenty (120) days from the date of receipt of the appeal by the secretary treasurer of the RCA is hereby established, within which the requirements of this section must be completed. The time limit of one hundred twenty (120) days, as set forth herein, may be extended by mutual agreement between the parties affected.

Section 1 (i) - Appeals to the TCRC Executive Board of a decision of the members of the RCA, as provided herein, must be filed with the General Secretary Treasurer of the TCRC within 30 days of the receiving of the decision of the members of the RCA.

Section 1 (j) - The General Secretary shall advise, in writing, all members of the Executive Board of such appeal and shall schedule the hearing of the appeal at the next scheduled meeting of the Executive Board. The TCRC Executive Board shall decide all such appeals and issue its decision in writing. The Executive Board may extend time limits for the deciding such appeals up to but no later than the second scheduled meeting of the TCRC Executive Board. The decision of the TCRC Executive Board shall be issued, in writing, to all affected parties within (60) days of deciding such appeals.

Section 2 - Appeal to the Rail Conference President

Section 2 (a) - No appeal from a decision of the RCA on a settlement will be entertained by the Rail Conference President, unless there was a violation of the law of the Rail Conference by such RCA.

Article 38

External Associations and Committees

Section 1 - Association of Regional Vice Presidents

Section 1 (a) - For the purpose of carrying on concerted movements relating to wages, working conditions or other important matters of general interest of its members, the Rail Conference authorizes the formation of a Regional Vice President's Association in Canada.

Section 1 (b) - The Regional Vice President of each property or system may be a member of the association and attend meetings of the association and be entitled to a vote on all questions, provided the RCA on the property he represents has authorized his membership in the association.

Section 1 (c) - The association shall elect from its members a chairman, vice-chairman, secretary and two (2) members of the association, who shall constitute the executive committee.

Section 1 (d) - The association shall have power to adopt for their government such bylaws as may be agreed upon but not in conflict with the IBT Constitution, Teamsters Canada Bylaws or Rail Conference Bylaws, subject to the approval of the Rail Conference President.

Section 1 (e) - The association shall meet annually or at such time and place as may be designated in the constitution and bylaws of the association.

Section 1 (f) - Special meetings may be called by the Rail Conference President or the executive committee of the association when, in their judgment, the same is deemed advisable in the interests of the members, or by request of a majority of the members of the association.

ARTICLE 39

Organization

Section 1 - Division Officers

Section 1 (a) - The officers of each division shall consist of a president, vice- president, secretary-treasurer and alternate, chaplain, three (3) trustees (auditing committee), Local Chairman(s), Vice-Local Chairman (minimum of two (2)) which shall comprise the Local Committee of Adjustment and one (1) Legislative Representative.

NOTE: The majority of the Rail Conference Executive Board is vested with the authority to establish additional Local Committees of Adjustment to represent members on a separate seniority district or employed in a separate craft represented by the TCRC. Such committee members must hold seniority rights in one of the crafts under the jurisdiction of the Local Committee.

Section 1 (b) - The Local Chairman shall be the Chairman of each local committee of adjustment and shall be the delegate to their respective Regional Committee of Adjustment and delegate, as provided herein, to Conventions of the TCRC.

Section 1 (c) - The Local Chairman and Vice Local Chairman(s) shall constitute the local committee of adjustment. All Vice Local Chairman(s) shall act under the direction of the Local Chairman. A Vice Local Chairman is not an alternates to the office of Local Chairman unless as approved by the Division prior to such elections.

Section 1 (d) - The offices of president, vice president, secretary-treasurer, Local Chairman, Legislative Representative shall together constitute the executive board of the division. A majority of the executive board convened shall constitute a quorum.

Section 1 (e) - When there are members employed on more than one (1) seniority district belonging to the same division, the members on each seniority district may elect a local committee of two (2) members to act in conjunction with the Local Chairman on matters pertaining to the district they represent. Members on such seniority districts will only be allowed to vote committee that will adjust their local differences.

Section 1 (f) - Where established, Division shall create governing Division Rules for the internal operation of the Division with such internal Rules are required to be submitted to the TCRC President for approval.

DIVISION BYLAWS

Section 2 - Qualifications to Hold Office

Section 2 (a) - No member shall be nominated, elected or serve as an officer in any division who is not in good standing, or who is in arrears for dues and assessments, provided that no member whose dues have been withheld by his employer for payment to such organization pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to be a candidate for office by reason of alleged delay or default in the payment of dues.

Section 2 (b) - Only members who do not hold membership in any other labour organization which purports to represent railway workers and meet the requirements of active membership as defined in Article 47. Section 1 - Division Bylaws may be elected as division officers. Members absent pursuant to a leave provision sanctioned by government statute will be considered to have met the requirements of active membership provided they have paid out of Work Dues (IBT and National dues) during the time of such leave and further, that the duration of the leave did not exceed 12 months.

Section 2 (c) - The president, and vice president shall not be elected to or hold the office of secretary-treasurer, local chairman or member of the local committee of adjustment. The president, vice president, and Secretary-treasurer will not be eligible to serve as trustees.

Section 2 (d) - No member who is promoted to an official position within management shall serve in any capacity under or for the Rail Conference or attend division meetings. Anyone, while employed in a management position shall not serve in any capacity under or for the Rail Conference, shall not attend Division meetings, and shall not nominate and/or vote on any matter before the Rail Conference, regardless of their membership status or the payment of Union Dues.

Note: Notwithstanding the above, members employed in a non TCRC bargaining unit will be permitted to attend Division meetings but only if such employment is solely the result of a Duty to Accommodate provision or as a result of forcing provisions contained within their TCRC collective agreement.

Section 3 - Term of Office

Section 3 (a) - The official term of all officers of divisions, shall commence at the first regular meeting in January following the quadrennial election, or when duly installed due to a vacancy occurring, and shall end when successor is duly installed.

Section 3 (b) - The officers of a newly organized division shall be elected at the time of the organization of the division by secret ballot.

Section 3 (c) When an officer of the Division relinquishes his office for any cause whatsoever, he will turn over all files, letters or communications of any nature whatsoever to his successor as soon as is feasible, but no later than said successor's installation into office.

Article 40

Operation

Section 1 - Regular Meetings

Section 1 (a) - The regular meetings of all divisions of the Rail Conference shall take place not less than once each month, and on a day that the majority of the members of each division may determine.

Section 1 (b) - No change of place, day or hour of division meeting will be made unless so ordered by a majority of the members present at two (2) successive regular meetings of the division. The secretary-treasurer will promptly notify the Rail Conference President of changes made.

Section 1 (c) - No change of place, from one terminal to another or from one town to another, will be made unless a petition from twenty-five percent (25%) of the active membership makes such request in writing.

Section 1 (d) - If the above request is made, the secretary-treasurer will, within ten (10) days thereafter, prepare a ballot stating the change desired and furnish a ballot to all active members of the division, stating at which meeting the ballots shall be counted, and shall not exceed sixty (60) days from date of mailing.

Section 1 (e) - The mailing of the ballots and the counting of votes shall be governed by Article 41 Section 4 – TCRC Division Bylaws, and the result of the vote, subject to the approval of the TCRC Rail Conference President, will govern. The secretary-treasurer will promptly notify the Rail Conference President of changes made.

Section 1 (f) - Three (3) members shall constitute a quorum to do any business that may legally come before the division.

Article 41

Elections

Section 1 - Elections Quadrennially

Section 1 (a) - The officers of divisions shall be elected by secret ballot quadrennially for the ensuing four (4) years at the first meeting in December commencing 2013 and thereafter every four (4) years.

Section 2 -Members Qualified to Nominate and/or Vote

Section 2 (a) - All those holding active membership Article 47 Section 1 – TCRC Division Bylaws, except those holding official positions on a property, will be entitled to nominate and vote for all offices in the division.

Section 2 (b) - However, members will not nominate or vote for officers not entitled to represent them.

Section 3 - Nomination of Officers

Section 3 (a) - Nominations for officers of divisions shall be made at the first regular meeting in September preceding the date of election; no member who is not eligible for election at the time of nomination shall be nominated for office.

Section 3 (b) - Members in good standing desiring to place their nominations for division officers may nominate by voice from the floor at the meeting at which nominations are being held; and those unable to attend the above meeting on account of being on vacation, sick, working, or on an outlying assignment may write their choice of nominations to the division secretary-treasurer, who will read same at the meeting.

Section 3 (c) - The secretary-treasurer of each division shall post a notice at terminals and on Rail Conference bulletin boards at least thirty (30) days prior to the meeting at which nominations are to be held, such notice to state the time, date, place and purpose of such meeting.

Section 3 (d) - A member who is eligible may be nominated though absent from the meeting; but such nominee shall be notified within five (5) days of such nomination, giving him an opportunity to withdraw his name should he desire to do so.

Section 3 (e) - A member who is present, eligible and nominated at the division meeting at which nominations are held may decline to accept such nomination at the time of being nominated or may do so by submitting to the secretary-treasurer of the division, within five (5) days thereafter, a written request that his name be stricken from the ballot.

Section 3 (f) - A member may not accept nomination for two (2) or more offices that cannot be held simultaneously.

Section 3 (g) - In the event he is nominated for more than one (1) of such offices, he must select the office for which he wishes to stand as a candidate. (see Article 39 Section 2 - Division Bylaws). In the event of irregularities in the nomination of officers, protest must be filed in duplicate with the Rail Conference President within fifteen (15) days after alleged violation.

DIVISION BYLAWS

Section 3 (h) - The Rail Conference President will conduct an investigation and render a decision. Any member dissatisfied with such decision may appeal such decision, within thirty (30) days to the Executive Board, whose decision shall be final and binding.

Section 4 - Elections – How Conducted

Section 4 (a) Except as otherwise approved by the Conference President for an alternate accepted method elections shall be held as follows;

Section 4 (b) - Except by electronic voting as may be approved by the TCRC Rail conference President, not less than fifteen (15) days prior to date of election in divisions, the secretary-treasurer shall deliver to each member of his division, by government mail, directed to his last known address, a ballot together with two (2) envelopes, one (1) of approximately 3-1/2 x 6-1/2 inches and one (1) of approximately 4 x 9-1/2 inches. The ballot will list all nominees for each office in alphabetical order. The ballot and return envelopes must also be accompanied by written notice of time, date, place and purpose of the election.

Section 4 (c) - The smaller envelope shall be for the purpose of containing the voted ballot and should be sealed and placed within the larger envelope for return of the ballot. The larger envelope must contain space for the member's name and return address, must have first-class postage affixed thereto, and must contain the division number and address of a post-office box, which must be rented for the election by the secretary-treasurer of the division. The contents of the post-office box must not be accessible to any officer or member until the ballots are picked up on the date of the election.

Section 4 (d) - If a post-office box is not available, the division will determine an alternative method of receiving, securing and delivery of the ballots. The ballot is to be filled out by the member in whose name it is to be voted, naming his choice for officers. The completed ballot must then be folded and placed in the small envelope that is provided for that purpose. The small envelope must then be sealed and placed in the larger envelope, upon which the member will clearly mark, or have a preprinted envelope with, their name and return address before placing same in the government mail for delivery to the post-office box designated thereon.

Section 4 (e) - Immediately prior to the election and following the date designated for the return of the ballots, the secretary-treasurer and president, or another member designated by the president of the division, shall go the post office and remove the envelopes containing the ballots from the post-office box. They shall then be delivered intact to the meeting at which the election will be held. It will be the privilege of any member of the division, upon proper application to these officers, to accompany the secretary-treasurer and president (or his designated representative) to the post office for the purpose of observing this procedure.

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Section 4 (f) - When the election begins, the envelopes containing the smaller ballot envelopes will be opened by the board of tellers, at which time a determination will be made as to the right of each member to vote on the various offices. The smaller envelopes containing the ballots may be marked prior to the time they are opened at the discretion of the board of tellers, or the smaller envelopes containing the ballots may be placed in stacks designating the status of the member voting the ballot.

Section 4 (g) - Each candidate or his representative may observe the work of the board of tellers by standing not closer than five (5) feet from the table at which the ballots are counted. These observers shall not interfere with the work of the board of tellers and must address any remarks pertaining to the counting of the ballots to the division secretary-treasurer, who will convey such inquiries or remarks to the board of tellers. They shall be required to refrain from conversation except as herein provided.

Section 4 (h) - Each division shall be permitted to prepare its own ballots, following a form that will be furnished by the Rail Conference.

Section 4 (i) - The division, previous to each election of officers, shall elect by a ballot a board of tellers, unless appointed by the president with the unanimous consent of the members present, composed of three (3) non-nominees, if available, from the members present at the meeting at which election is held, who, in company with the secretary-treasurer, shall act as tellers at such election of officers; and when ballot is presented, they shall announce in open division in whose name the ballot is voted. The secretary treasurer's duty in assisting the board of tellers shall be to give the financial standing of the member when the name of the member voting the ballot is announced.

Section 4 (j) - The tellers shall make an exact return of the total number of votes cast for each person voted for and announce such return to the president, who shall thereupon declare the result; no unsealed ballot shall be counted unless the member voting it is present. Member who receives the largest number of votes cast for any office in a division shall be declared duly elected thereto.

Section 4 (k) - A copy of the exact return with the total number of votes cast for each candidate must be forwarded to the Rail Conference President within five (5) days of the completion of the election. The candidate receiving the highest number of votes shall be declared elected if eligible. Should an equal number of votes have been cast for two (2) or more members for any office, the tie shall be decided by another election for that office, the tied members being the only candidates.

Section 4 (l) - Where a nominee is elected to an office to which he is ineligible, votes cast for him should not be counted; and the nominee or non-nominee who is eligible to serve in that office that receives the next highest number of votes is declared elected.

DIVISION BYLAWS

Section 4 (m) - Where a nominee is elected to an office and eligible to serve but resigns or refuses to accept the election, a vacancy is created; and it will be necessary to hold a special election to fill the office as per Article 44 section 1 –Division Bylaws.

Section 4 (n) -Every member elected to an office shall be entitled to fill the same, providing he is eligible under the law, unless it be shown that the law was clearly violated in the manner of holding it or that the results were fraudulently obtained. The fact that any member or members may be ineligible or erroneously declared elected shall not affect the rights of those who are eligible and duly elected, nor be a sufficient reason for setting an entire election aside and ordering a new one.

Section 4 (o) - In the event of any irregularities in the election of officers of a division, resulting in a contest of election, the protest must be filed in duplicate with the division and the Rail Conference President within thirty (30) days after such election. The Rail Conference President will conduct an investigation to obtain the facts and evidence and render his decision accordingly. Any member who is dissatisfied with the decision of the Rail Conference President may appeal such decision within thirty (30) days to the Rail Conference Executive Board.

Section 4 (p) -In elections for Division Committee of Adjustment, only members holding seniority in a craft under the jurisdiction of the Division Committee of Adjustment shall be eligible for election to the Division Committee of Adjustment. Members in service (working) under the jurisdiction of such committee will be notified of such election and permitted to file or sign nominating petitions and vote.

Section 5 - Ballots Sealed and Preserved

Section 5 (a) - The ballots and envelopes shall be sealed by the board of tellers in the presence of the division and, together with all other records pertaining to the election, will be placed among the private papers of the division and, if practical, in the division room until the next election, where they shall be destroyed; but in no case shall they be held for less than one (1) year.

Section 5 (b) -The ballots cannot be unsealed without first having submitted a resolution to the division at a regular meeting thereof, at which it must be stated why it is desired to have them opened; said resolution to lie over until the next regular meeting of the division before action is taken by a majority vote, unless the division is ordered to unseal the ballots by the Rail Conference President or his representative.

Section 6 - Installation of Officers

Section 6 (a) - All officers of divisions, except officers who are elected to succeed themselves, shall be installed at the first meeting in January following election of officers. In the event there is no nominee to a Division Officer position at the nomination meeting the Division Executive Board will fill the position through appointment at the January Division meeting.

Article 42

DUTIES

Section 1 - President's Duties

Section 1 (a) - It shall be the duty of the president to preside at all meetings of the division, to preserve decorum, to decide all questions of order - subject, however, to an appeal to the members present, except for committees integral to the duties and responsibilities of the Local Chairman (any disputes between Local Chairman(s) shall be decided by the Division President), appoint all committees and enforce these Bylaws.

Section 1 (b) - The President shall see that the trustees audit the books and accounts of the division annually, makes a proper report to the division, and makes a full report to the Rail Conference President. He will, in conjunction with the secretary-treasurer of the division, furnish a financial statement annually to the Rail Conference Office in a form required by the Rail Conference. He shall have the authority to call special meetings and must call a special meeting when request is made, in writing, by five (5) or more members. All names of the members requesting the special meeting must be printed and their signatures applied to the request. The signatories of the request must be in attendance at the special meeting for the division president to call the assembly to order. Such request must state the object for which the meeting is called, and no other business shall be transacted at such special meeting.

Section 1 (c) - Upon receiving a written request from five (5) or more members, the president shall instruct the secretary treasurer to post notices at terminals and on Rail Conference bulletin boards. Notices must be posted at least five (5) days prior to the time a special meeting is scheduled.

Section 1 (d) - When the president is notified of the failure of the secretary-treasurer of his division to make a prompt monthly dues report to the RCA, as per Article 42 section 3 Division Bylaws, it shall be the duty of the president to contact the secretary-treasurer and instruct him to promptly make such report. Continued failure on the part of the secretary-treasurer will subject him to removal from office, with the president to prefer charges against him in accordance with Article XIX, Section 1(a) of the IBT Constitution. A copy of the letter of notification is to be sent to the secretary-treasurers of the Regional Committee of adjustment representing the division.

Section 1 (e) - The President shall cast the deciding vote in the case of an equal vote on matters coming before the division except in the case of a tie in a referendum or in the election of officers. Breaking of a tie in the election of officers is provided for in Article 41 Section 4 – Division Bylaws.

DIVISION BYLAWS

Section 1 (f) -It shall be the duty of the President to provide ways and lend encouragement to securing new members, to inquire into and investigate cause of any member or members being expelled and at times endeavour to build up and retain the membership of his division.

Section 1 (g) - The President may speak on points of order in preference to other members of the division, rising from his seat for the purpose, and shall decide questions of order subject to an appeal to the division by any two (2) members. On such an appeal no member shall speak more than once.

Section 1 (h) - When an appeal is made from the decisions of the president, the president shall put the question thus: "Shall the decision of the chair be sustained?"

Section 1 (i) - It shall be the duty of the president and the privilege of any member of the division to call a member to order who violates an established rule of order.

Section 1 (j) - The president shall be the principal officer of the division.

Section 1 (k) - Motions previously defeated at the Division meeting will not, unless approved by the Rail Conference President, be allowed to be reintroduced for a period of six (6) months unless the motion is related to a material change in rules, pay or working conditions. Repetitive motions within the six (6) month period may be ruled "out of order" by the Division President.

Section 2 - Vice President's Duties

Section 2 (a) - It shall be the duty of the vice president to assist the president in the duties of his office; and in the absence of the president, he shall perform all the duties of the office; and should the vice president also be absent, the division shall elect a temporary president from the members present. The vice president shall serve as an alternate to the president and assume the duties of that office in the event it becomes vacant due to death, resignation or for any other reason.

Section 3 - Secretary Treasurer – Duties and Bonding

Section 3 (a) - The secretary-treasurer shall be bonded for all funds received for the division. He shall keep a true account of all funds received by the division and shall deposit all moneys of the division in the name of the division in a bank designated by the division, disbursing none of the funds in his possession except for division purposes, and with the authority given by division action at a regular meeting and written order signed by the president. Fixed monthly expenses, such as meeting room rental, officers' salaries, telephone/utilities expenses, etc., once properly authorized for payment as stated in this section, will be considered as authorized each month until the division takes action eliminating such authorization. Disbursements of division funds by cheque or by an approved alternate method, cheques will be signed by the secretary-treasurer or any one of the following persons: president, vice president or alternate secretary-treasurer.

DIVISION BYLAWS

Section 3 (b) - The secretary-treasurer of each division shall send the monthly reports to the secretary-treasurer of the relevant RCA.

Section 3 (c) - In case any secretary-treasurer shall fail to make his monthly report to the RCA Secretary-Treasurer within ten (10) days from the time it shall become due, it shall be the duty of the RCA Secretary-Treasurer to notify the president of the division of the failure of said secretary treasurer to make proper returns.

Section 3 (d) -The secretary-treasurer shall have charge of all books and papers pertaining to the duties of his office, and they shall be kept in a convenient place where he can have access to them at all times. He shall keep a true record of all meetings of the division, which shall be placed in the minute book at time of meeting, and shall keep his division accounts in such form that he may give the total amount of orders on treasury and balance in treasury at each meeting, and shall record balance in the minute book, issue notice of all special meetings when instructed to do so by the proper officer, notify candidates of their election within one (1) week after such election shall have taken place, and shall make out withdrawal cards, traveling cards, membership certificates, etc., and shall immediately forward proposition for membership to Rail Conference Secretary-Treasurer of the admission of all new members by initiation, and shall report all cases of members transferred into or out of the division, expelled, suspended, deceased or withdrawn, stating date and age of member; and the Rail Conference Secretary-Treasurer will issue membership card to the division secretary-treasurer for his records. If withdrawal card is issued, he must report why.

Section 3 (e) - At all regular meetings of the division, the secretary-treasurer shall read from the record book a report of the proceedings of the previous meeting; and at the end of each month, he shall present to the division and the Rail Conference Office a monthly report, which shall embrace the number of persons, proposed, accepted, rejected, initiated, forfeited, admitted by card, withdrawals, expulsions, the number of deaths, together with the whole number of members in good standing; and at the expiration of his official term, shall deliver to his successor all books, papers and moneys belonging to his office. In the absence of the secretary-treasurer, the president will appoint some member of the division present to perform the duties of the office.

Section 3 (f) - The secretary-treasurer, when requested to do so by the Rail Conference President, shall turn over records, accounts and books of the division to the Rail Conference President's authorized representative for audit or inspection.

Section 3 (g) - The bond covering the office of the secretary-treasurer shall be in an amount in accordance with Article X, Section 7(a) of the IBT Constitution. The expenses on bonds are to be paid by the division.

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Section 3 (h) - The secretary-treasurer will, in conjunction with president of the division, furnish a financial statement annually to the Rail Conference Office in the prescribed form. He shall in general be responsible to insure that the duties set forth in Article XXIII of the IBT Constitution are fulfilled with respect to members within the division consistent with these bylaws.

Section 4 - Chaplain's Duties

Section 4 (a) - It shall be the duty of the chaplain to assist in the exercise of opening and closing of the division, and perform the duties of chaplain for the division on all public occasions.

Section 5 - Relief Committee Duties

Section 5 (a) - It shall be the duty of the president, vice president, and chaplain to act as relief committee. Their duties shall be to visit the sick and provide them with any attention of which they may be in need.

Section 6 - Relief of Sick or Disabled Members

Section 6 (a) - Should any division assist a sick or disabled member, the necessary funds may be taken from the treasury of the division or raised by assessment as per Article 47 Section 7 – TCRC Division Bylaws or voluntary contribution.

Section 7 - Memorial Day

Section 7 (a) - April 28 or any other day set aside by the Canadian Labour Congress each year shall be observed as a day of mourning. The day is to be observed by all divisions, with appropriate services in memory of our deceased members.

Section 8 - Trustees – (Auditing Committee) Duties

Section 8 (a) -It shall be the duty of the trustees (auditing committee) to examine the books and accounts of the division annually, making a written report of same to the division; failing to do so, they shall be held responsible for defalcations. They shall also make an annual report to the Rail Conference President at the close of the year. Any division desiring to employ the services of a chartered accountant to assist the auditing committee may do so by a majority vote of the members present at the meeting of the division.

Section 8 (b) - Positions not eligible to serve as trustees are referenced in Article 39 Section 2 Division Bylaws.

Section 9 - Local Committee of Adjustment Duties

Section 9 (a) - It shall be the duty of each local committee of adjustment of each division to meet at such time and place as the Local Chairman may designate and adjust, if possible, with the local officials of management or system, the grievances of the members of their respective divisions.

Section 9 (b) - The local committee or Local Chairman shall handle any grievance, upon written instructions from their divisions or Regional vice president (except in cases of emergency, such as dismissals, suspension, etc., or any cases involving schedule interpretations); such cases may be referred directly to the Local Chairman, who shall use his discretion as to whether they should be handled immediately or referred to the division before handling.

Section 9 (c) - All grievances arising as a result of a disputed time claim, being referred to the division committee of adjustment for further handling shall be accompanied by a full statement of facts. A written report of all cases handled shall be made to the division, and such report shall be filed with the division papers for future reference. If the local committee of adjustment is unable to adjust satisfactorily with the local officials, the dispute must be sent along with a complete record to the RCA for further action.

Section 9 (d) - The first of each year or each time a revised seniority list is issued; the Local Chairman of each division on a system will furnish the Regional Vice President's office with a revised seniority list of their respective seniority districts, showing by check, names of all active members and names of all non-members under their jurisdiction.

Section 9 (e) - The local committee of adjustment is vested with the authority to appoint additional representatives when necessary to represent the committee at points or locations where no member of the local committee is located or where the Rail Conference represents multiple crafts of railway workers.

Section 9 (f) - Where twelve (12) or more members of a division are employed in a craft not covered by Rail Conference agreements, the local committee of adjustment may appoint a member from that craft to represent their grievances. The appointed representative will work directly under the supervision of the Local Chairman and will be required to report directly to him.

Section 9 (g) - Local working conditions of a craft over which a division has jurisdiction may not be revised or changed unless authorized to do so by a majority of the votes cast by the members holding seniority and working in the craft at the time of the vote. Such a proposal must be read at one (1) regular or special meeting and thereafter, all affected members must be notified of the proposal and the date on which the proposal will be considered. If more than one craft is affected, the issue shall be determined by a majority vote of each and every affected craft,

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i.e., in the event any one of the crafts affected rejects the issue, the matter shall remain unchanged.

Section 9 (h) - For the purpose of this Section 9 only, local crafts over which divisions have jurisdiction are:

- 1) Locomotive Engineer
- 2) Conductor/trainmen
- 3) Yardmen/Switchtenders
- 4) Yardmasters/Traffic coordinators
- 5) Rail Traffic Controllers
- 6) Shopcrafts and such other crafts as the Conference Executive Board may establish.

Section 9 (i) - Local committees of adjustments of a craft over which a division has jurisdiction may be merged as authorized to do so by a majority of the votes cast by the members holding seniority and working in the crafts at the time of the vote. Such a proposal must be read at one (1) regular or meeting and thereafter, all affected members must be notified of the proposal and the date on which the proposal will be considered. If passed a ballot shall be sent to all affected members if more than one craft is affected, the issue shall be determined by a majority vote of each and every affected craft, i.e., in the event any one of the crafts affected rejects the issue, the matter shall remain unchanged.

Section 10 – Duties of the Local Chairman

- 10 (a) – A Local Chairman shall be the Chairman of a Local Committee of Adjustment and delegate to the Regional Committee of Adjustment.
- 10 (b) – A Local Chairman shall direct and supervise the Vice Local Chairman(s).
- 10 (c) – A Local Chairman shall, as provided herein, be a delegate the Convention of the Conference.

Section 11 – Duties of the Vice Local Chairman

Section 11 (a) - The Vice Local Chairman(s) shall perform all duties as directed by Local Chairman. When approved by the Division prior to elections, be the alternate to the position of the Local Chairman.

Section 12 - Duties of the Legislative Representative

Section 12 (a) - There shall be one (1) –Legislative Representative for each Division.

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Section 12 (b) - The duties and responsibilities of the Legislative Representative are, in conjunction with the Regional Vice President and the Executive Legislative Vice President the safety and sanitation of the working environment and the political education for the members of the Division.

Section 12 (c) - The Legislative Representative will in their normal course of duties monitor the enforcement of safety rules, regulations, and acts of Parliament and/or provincial legislatures that provide the membership with a safe and healthy work environment.

Section 12 (d) - The Legislative Representative shall undertake corrective measures relative to the issues specified above at the Division level. If unable to resolve those issues, they will report these issues to the Regional Committee of Adjustment for further handling. The Vice President of the Regional Committee of Adjustment, where appropriate, shall undertake to correct such conditions through appropriate measures.

Section 12 (e) - If the RCA is unable to correct the issues, they will report such to the Executive Legislative Vice President of the TCRC for further assistance.

Section 12 (f) – The Legislative Representative and/or their designate(s) will be a Representative(s) for the Safety and Health Committee.

Note: In the application of this section 12 (e) the ten (10) dollars dues allocated in Article 7 Section 2 -National Bylaws shall, through office of Legislative executive vice present, be made available to the RCA.

Section 13 - Delegates to the Rail Conference – How Instructed

Section 13 (a) - Whenever a poll of a division is ordered to instruct a delegate to the Rail Conference, the secretary treasurer will send out a ballot to each member (with all questions printed thereon), requesting him to vote on said questions; and when properly filled out, it must be returned to the secretary-treasurer before the date indicated on the ballot.

Section 13 (b) - If a majority of the members vote in favour of the questions submitted, the division shall so instruct the delegate; and he shall carry out his instructions; such instructions shall be signed by the president and the secretary-treasurer; and said instructions shall be brought in person to the convention by the delegate so instructed; and in case he fails to carry out such instructions, he shall be guilty of violation of obligation.

Section 13 (c) - If any instructed delegates refuses to comply with such instruction, the Rail Conference President shall serve said delegate with written specific charges. After the individual has been given an opportunity to respond to such charges the Rail Conference President shall have the authority, at the time, of deciding the matter. If it has been found that the delegate wilfully or deliberately violated his obligation, the Conference President may remove him from

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office as a delegate and/or to reprimand, expel or suspend his membership in the Rail Conference.

Section 13 (d) - If said delegate is found guilty and ordered removed from office, the Rail Conference Secretary Treasurer shall immediately notify the alternate delegate and the division(s) represented by said delegate of the action taken and to further instruct the alternate delegate to assume representation of said division(s) until the next regular election of delegates.

Article 43

Responsibilities

Section 1 - Officers Failing to Attend Meetings

Section 1 (a) - Should any officer of a division fail to attend the division meetings for four (4) consecutive months, he shall be subject to removal from office after a trial conducted under Article XIX, IBT Constitution. In the application of this section, acceptable excuses can be, but not limited to, working, attending other division business, vacation, etc.

Article 44

Vacancies

Section 1 - Vacancies – How Filled

Section 1 (a) - An officer of a division may at any time resign. Resignation shall be in writing and shall be read at a regular meeting of the division by the secretary-treasurer; and the resigning officer shall not be eligible for nomination, re-election or appointment to the office vacated until the next regular quadrennial election of division officers. Any office left vacant by resignation, death, or otherwise, special election shall be held by ballot.

Section 1 (b) - Notice of nomination will be posted ten (10) days prior to regular meeting, and ballots will be mailed at least fifteen (15) days prior to regular meeting. Ballot must specify the date to be returned to division secretary-treasurer. The president will fill the office vacated by appointment until such election is completed.

Section 1 (c) - A special election need not be held if vacancy occurs within twelve (12) months of regular division elections, provided further, that no special election shall be necessary to fill an office that is protected by an alternate, or to fill the alternate office that is vacated. (Any

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officer or member who is under Rail Conference suspension shall not be eligible to be appointed or become a candidate for any division office while under suspension.)

Section 1 (d) - Temporary vacancies created by illness, incapacity or unavailability in the office of local chairman shall be filled by appointment by the local chairman from members of the local committee of adjustment.

Article 45

Communications

Section 1 – Correspondence

Section 1 (a) - The official letterheads of the Rail Conference Office and of divisions shall be used for Rail Conference business only.

Section 1 (b) - Any division president, secretary-treasurer, local chairman, vice local chairman, legislative representative or Vice President RCA of any system, upon receiving correspondence or other communication, either from the Rail Conference or from a division, requesting information relative to a member, or any other business between divisions, shall reply to the same without delay.

Article 46

Expenditures

Section 1 - Bills – How Paid

Section 1 (a) - All bills against divisions shall be acted upon by the divisions; and on such bills being ordered paid by a majority of members present, the secretary-treasurer shall make an order signed by himself and the president and shall pay such bills, taking the receipts of the parties to whom they are paid unless paid by cheque, in which case the cancelled cheque will be the receipt. Funds of the division are to be used only to defray the legitimate obligations of the division.

Section 2 - Expenses of Committee

Section 2 (a) - When a division is composed of members of more than one (1) railway, craft or seniority district, the time and expense of the local committee of adjustments representing each railway, craft or seniority district will be paid promptly from the funds of their respective local committee of adjustments, held by the division. When necessary to reimburse the division, a pro rata assessment shall be levied on all members employed on the railway, craft or seniority district which each Local Chairman represents, provided that such assessment is authorized by a two-thirds (2/3) affirmative vote by secret ballot of all the active members of the affected railway, craft or seniority district present at the meeting at which the matter is considered, provided, however, that reasonable notice of intention to vote on such question has been given.

Section 2 (b) - Unless prior agreement has otherwise been reached with a member, a member doing committee work as instructed by the division shall receive not less than time lost plus necessary expenses.

Section 2 (c) - Each division has the authority to make such arrangements for the payment of time consumed by the Local Chairman, in addition to time or mileage lost, as best meets with the needs and wishes of the membership. Compensation and expenses for members of the Local Committee of Adjustment shall be determined by the members of the division under the jurisdiction of the said Committee.

Article 47

Eligibility

Section 1 - Active Service

Section 1 (a) - To be eligible for election to any Office in the TCRC, a member must be in continuous good standing in the TCRC to seek office and, in addition, actively employed in a craft within the jurisdiction of the TCRC, for a period of twenty-four (24) consecutive months prior to the month of nomination for said office.

Section 1 (b) - All officers and employees of the TCRC (except licensed, professional personnel employed by the TCRC) shall be considered as meeting the requirement of working in the craft within the jurisdiction for the purpose of retaining active membership and to be eligible for election to office in the TCRC to which he is a member.

Section 1 (c) - However, officers who are not full-time employees of the TCRC, who are not otherwise employed at the craft, and who do not receive a salary for performing work for the TCRC in addition to their duties under the TCRC Bylaws, shall not be considered to satisfy the working at the craft requirement by virtue of being an officer of the TCRC.

Section 2 - Membership Eligibility

Section 2 (a) - Individuals in service as defined in Article 47 – TCRC Division Bylaws are eligible for membership in the Rail Conference.

Section 3 - Application for Membership

Section 3 (a) - All proposals for membership shall be made to the division located on the division of the system or the railway where the applicant is employed; and on the application blanks for membership by initiation, there shall be a blank space where the applicant shall be required to state the date of his qualification within a craft governed by the TCRC.

Section 4 - Membership – Where Held

Section 4 (a) - When two (2) or more divisions are located on one (1) seniority district, the member may hold membership in the division located at the point nearest where he resides. In all other cases, membership shall be held in the division that under the law adjusts his grievances.

Section 4 (b) - On systems where members hold system seniority on which there are two (2) divisions having concurrent jurisdiction, membership may be held in either division.

Section 5 - Members Changing Address – Notification

Section 5 (a) - It shall be the duty of members away from the location of their division to make known to their division their whereabouts and the business in which they are engaged at least once in three (3) months.

Section 5 (b) - Any member moving from one (1) location to another, resulting in a permanent change of address, shall notify the secretary-treasurer of his division of such change of address.

**Section 6 - Membership Division Transfer
And Payment of RCA Assessments**

Section 6 (a) - When a member of any division, except a division officer or the Local Chairman or a member of the division committee of adjustment, obtains employment under the jurisdiction of another division, it will be his duty within ninety (90) days after securing such employment to make application to such division for transfer card.

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Section 6 (b) - It shall be the duty of the division to which application has been made to request the transfer card from the division in which he holds membership. If a member secures employment under the jurisdiction of another division and fails to request a transfer within one hundred twenty (120) days after obtaining employment, the division having jurisdiction may request a transfer card from the division in which he holds membership.

Section 6 (c) - A division receiving a request for a transfer card from another division, in accordance with Article XVIII, Section 3 – IBT Constitution, shall, if the member is square on the books of the division, grant such card without delay.

Section 6 (d) - The secretary-treasurer of the division granting the card shall send it to the secretary-treasurer of the division to which the member is to be transferred. As soon as transfer card is received, the secretary treasurer of the division receiving the card shall notify the secretary-treasurer of the division granting the card immediately of its receipt.

Section 6 (e) - Upon receipt of a transfer card, issued in accordance with Article XVIII, Section 3 – IBT Constitution, the member on whose account it is issued shall be declared a member of the division requesting the card without further action; but he remains a member of the division granting the card until the division to which he is transferred has received it. Such members shall pay the secretary-treasurer of the division having jurisdiction over the territory of the road upon which employed, all Division and RCA assessments levied after his employment, regardless of whether his division membership has been transferred or not.

Section 6 (f) - No member will be required to pay RCA assessments on more than one (1) railway at the same time. Failure to pay division and RCA assessments where employed will be sufficient cause for expulsion if found guilty after a full and fair hearing in accordance with Article XIX, Section 1 – IBT Constitution, inclusive, before the division which under Rail Conference law is empowered to adjust his grievances.

Section 7 - Dues and Assessments

Section 7 (a) - No assessments shall be levied by a division without a two-thirds (2/3) majority vote, by secret ballot, of all the active members present after a reasonable notice of intention to vote upon such question has been given.

Section 7 (b) - The employment status of a member on the first day of any month shall determine the amount of dues and assessments for which he is liable in the next succeeding months, except where agreements have been consummated with the carrier contradictory to this agreement. Employment status shall mean the member's regular assignment.

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Section 7 (c) - All dues and assessments are payable on or before the first day of the month to which they apply and, except in the case of dues check-off, are delinquent after the 20th day of the same month. Where there is an agreement in effect with the carrier to have dues deducted from the payroll at source, the secretary-treasurer of the RCA shall monthly remit dues to the Rail Conference Secretary-Treasurer with an electronic list of dues paying members and amounts and shall also remit division assessments to the secretary treasurer of the divisions.

Section 8 - Member in Arrears

Section 8 (a) - Any member failing to pay dues or assessments as per Article 47 Section 7 – Division Bylaws will be subject to expulsion, unless upon request in writing, signed by him, he is carried or excused by the division.

Section 9 - Register

Section 9 (a) - All divisions shall keep a registry book at their division room, and it shall be the duty of the president to have it opened for registry at each meeting. He shall call upon all members present previous to opening and closing the division to register in their own handwriting their names in such book.

Article 48

Disputes

Section 1 - Grievances – How Handled

Section 1 (a) - Except as otherwise provided herein, a member presenting a grievance to his division shall receive assistance in resolving such grievance from the local committee of adjustment and, where required, his regional committee of adjustment, if he is in good standing and not in arrears for dues or assessments when such request is made.

Section 2 - Divisions May Appeal to the Rail Conference Executive Board

Section 2 (a) - In the event of trouble arising in any division or between two (2) or more divisions that cannot be amicably adjusted, the Rail Conference Executive Board shall investigate the trouble and render a decision, which shall be final and binding subject to appeal under applicable provisions of the IBT Constitution.

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Section 2 (b) - When a Rail Conference Representative is appointed by the Conference President to investigate any matter within a division, the president and the secretary-treasurer of the Division shall be present at such meeting or investigation if possible and where practicable.

Section 2 (c) - Should it be necessary for them to lose time on this account, they will be paid for time lost by the division.

Section 3 - Executive Board

Section 3 (a) - Should any member feel that any injustice has been done him by any decision of his division, he may appeal to the Rail Conference Executive Board, making a written statement of his case, and file a copy of same with the division, except cases under the jurisdiction of a RCA, Article 27 Section 1 - Regional Bylaws. After allowing the division a reasonable time to reply, the Rail Conference Executive Board shall consider the facts and evidence, as well as the law, and render a decision that shall be final subject to appeal to the General President of the IBT in accordance with Article VI, Section 2(a) – IBT Constitution.

Section 3 (b) - A member, making an appeal under this section, must file same within sixty (60) days of the action being taken by the division of which he is a member.

Section 4 - Division Must Entertain Appeal

Section 4 (a) - Any member in good standing who feels that an injustice has been done him, in a matter coming under the jurisdiction of the RCA, may appeal to that body, provided such appeal is made within sixty (60) days to the division; the division must entertain such appeal and send it to the Vice president of the RCA for handling.

Section 5 - Non-Member Employees Protection

Section 5 (a) - Any person engaged in any service coming under the jurisdiction of any Rail Conference contract or schedule, or engaged in any service over which the Rail Conference is endeavouring to secure jurisdiction by contract shall, in case of injustice, be entitled to the full protection of the local and regional committees of adjustment under the terms and conditions of Article 30 Section 1- Regional Bylaws, provided application is made to the division in writing and meets with their approval.

Section 6 - Charges

Section 6 (a) - Charges in the division shall be handled in accordance with Article XIX, Section 1(a) of the IBT Constitution.

**Section 7 - Refusing to Sustain a Decision of the RCA
or
Interfering with a Local Committee of Adjustment**

Section 7 (a) - Any member refusing to sustain the action or carry out instructions of the RCA of a system on which he is employed or who in any manner interferes with a case or cases in the hands of the local committee or the RCA shall, upon conviction after trial as provided in Article XIX, Section 1 – IBT Constitution, be expelled.

Article 49

Prohibitions

Section 1 - Soliciting Aid

Section 1 (a) - No division shall be allowed to solicit financial aid, either by circular or otherwise, from other divisions of the Rail Conference, except by consent of the Rail Conference President.

Section 2 - Taking the Place of a Striker

Section 2 (a) - It is the policy of the Rail Conference that it will support and, if necessary, place the full power of the Rail Conference behind the members of the Rail Conference who, because of fear of hazard or injuries to themselves or families or damage to their personal property, decline to cross picket lines; and if such conditions do exist, the management of the railway so affected will be notified by the Division or Regional Vice President of the Rail Conference.

Section 2 (b) - In case a strike is called by any labour organization which has for its purpose preventing the enforcement of Rail Conference contracts or an invasion of the jurisdictional or contractual rights of the Rail Conference, and, in enforcing the strike, picket lines are established, the Rail Conference will exert all the force at its disposal in an effort to make it possible for members to report for and perform their normal duties. In such cases, the Rail Conference President will promptly notify all concerned whether or not the controversy causing the strike is jurisdictional.

Section 3 - Taking Case to Court

Section 3 (a) - No member or members or any division of the Rail Conference shall submit or appeal any case in controversy arising within the Rail Conference, for which the laws of the Rail Conference provide a means of settlement, within four (4) months lapse time from the date of the decision, to the judges of the civil courts or administrative tribunals, for opinion or decision, without having previously exhausted all such remedies for settlement available to them within

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the Rail Conference. (See; Article 48 Sections 2, 3- Division Bylaws and, Article 24 Sections 1, article 37 section 1, Regional Bylaws).

Section 3 (b) - Any member violating the provisions of paragraph (a) of this section shall be expelled if found guilty after trial in accordance with Article XIX, Section 1 – IBT Constitution.

Section 3 (c) - Any division convicted of the same offence shall have its charter suspended by the Rail Conference President subject to appeal to the Executive Board.

Section 4 - Membership Reinstatements

Section 4 (a) - All applications for reinstatements must be made in writing, stating date of birth and giving name of railway employing him.

Section 4 (b) - An application for reinstatement of expelled members, except for non-payment of dues and assessments, must lie over to the first regular meeting after application is received.

Section 4 (c) - No member who has been expelled shall be reinstated unless he is eligible for active membership, as provided in Article 47 section 1-Division Bylaws; at the time he makes application.

Section 4 (d) - Any member who has been expelled for the non-payment of dues and assessments, upon application to the division from which he was expelled, may be reinstated by a majority vote of all the members present at the meeting when the application is received.

Section 4 (e) - If expelled for any other cause, he shall not be eligible as a candidate for readmission in less than three (3) months, after which time he must apply to the division from which he was expelled for reinstatement; and he may be reinstated by a two-thirds (2/3) vote of all members present if he is eligible for active membership, as provided in Article 47 Section 1-Division Bylaws, when application is made.

NOTE: The Regional Bylaws are subordinate to the authorities, as provided herein, of the TCRC National Bylaws.