

Northumberland and District Labour Council

By-Laws

Motion to amend passed—October 8, 2003
Approved by CLC Executive Council—June 11, 2007

Northumberland and District Labour Council

ARTICLE 1 - SCOPE AND RECOGNITION

Section 1 – This Labour Council shall be known as the Northumberland Labour Council, CLC.

Section 2 – It shall consist of Organizations affiliated to the Canadian Labour Congress, which become affiliated to this Labour Council and which are situated in the area known as Northumberland County (excluding Trenton).

Section 3 – These Organizations shall conform to the By-Laws, rules and regulations of this Council as set forth herewith. This Labour Council shall not be dissolved while there are five Organizations remaining in affiliation.

ARTICLE II - PURPOSE

1. To support the principles and policies of the Canadian Labour Congress (CLC).
2. To promote the interest of its affiliates and generally to advance the economic and social welfare of workers.
3. To assist affiliated organizations in extending its benefits of mutual assistance and collective bargaining to workers.
4. To assist in the organization of the unorganized into a union for their mutual aid, protection and advancement, giving recognition to the principle that both craft and industrial unions are appropriate, equal and necessary as methods of union organization.
5. To encourage all workers without regard to race, creed, sex, age, colour or national origin to share the full benefits of union organization.
6. To secure legislation which will safeguard and promote the principle of free collective bargaining, the rights of workers and the security and welfare of all people.
7. To protect and strengthen our democratic institutions, to secure full recognition and enjoyment of our rights and liberties to which we are justly entitled, and to preserve and perpetuate the cherished traditions of our democracy.
8. To promote the cause of peace and freedom in the world and to assist and cooperate with free and democratic labour movements throughout the world.

9. To aid and encourage the sale and use of union made goods and union services through the use of the union label and other symbols; to promote the Labour press and other means of furthering the education of the Labour movement.
10. To protect the Labour movement from any and all corrupt influences and from the undermining efforts of all totalitarian agencies which are opposed to the basic principles of our democracy and free democratic unionism.
11. To safeguard the democratic character of the Labour movement and to observe and respect the autonomy of each affiliated union.
12. While preserving the independence of the Labour movement from political control, to encourage workers to vote, to exercise their full rights and responsibilities of citizenship, and to perform their rightful part in the political life of municipal, provincial and federal governments.
13. In order to perform its proper function in the Community, the Council should press for representation on public boards, committees, United Way, recreation boards and Commissions and other public municipal bodies.

ARTICLE III - MEMBERSHIP

Section 1 – Wherever in these By-Laws the male gender is used, the female gender shall apply.

Section 2 – The Labour Council shall be composed of:

1. Local unions, branches and lodges of national and international unions, regional and provincial organizations affiliated to the Canadian Labour Congress (CLC).
2. Local unions in the area chartered by the Canadian Labour Congress (CLC).

Section 3 – Any organization affiliated with this Labour Council may be expelled from membership in the Council by a majority roll call vote at a meeting. Any decision to expel may be appealed to the Executive Committee of the Canadian Labour Congress (CLC) within two months. The decision shall be in force and effect during the appeal .

Section 4 – Any delegate representing a Local union affiliated with this Labour Council may be suspended or expelled, for conduct unbecoming a delegate, from membership in the Council by a majority roll call vote at a meeting. In such cases the Local union which the delegate represents will be notified and requested to replace the delegate. Any decision to expel may be appealed to the Executive Committee of the Canadian Labour Congress within two months. The decision will be in force and effect during the appeal.

Section 5 - Canadian Labour Congress (CLC) Officers, Directors and Representatives shall be afforded all rights and privileges of delegates except the right to vote when they attend meetings of this Council.

Section 6 – Canadian Labour Congress (CLC) Officers, Directors and Representatives are eligible as delegates and where credentialed have the same rights as delegates including the right to vote.

Section 7 – Any organization controlled or dominated by a totalitarian agency or whose policies and activities are consistently directed towards the achievement of the program or purpose of any totalitarian movement shall not be permitted as affiliates of this Labour Council.

Section 8 – It shall be the duty of each affiliated organization to furnish the Secretary-Treasurer of this Council with the following:

1. All official reports which deal with matters within the scope of the Council.
2. Such other reports as will facilitate and make more effective the work of the Council .
3. A statement of their membership in good standing.

Section 9 – Affiliates are encouraged to file with the Secretary–Treasurer of the Council and Research Department of the Canadian Labour Congress (CLC) in Ottawa, copies of their current Collective Labour Agreement.

ARTICLE IV - MEETINGS

Section 1 – The regular meetings of this Labour Council shall be the governing body of The Council. Except as provided in Article XV, its decisions shall be by a majority vote.

Section 2 – The regular meetings of the Council shall be held on the second Wednesday of each month, except during the months of July and August when the Executive Council will be empowered to conduct the affairs of the Council. Meetings shall commence at 7:30 p.m. sharp, and shall adjourn no later than 9:30 p.m., except by two-thirds (2/3) majority vote.

Section 3 a) – Special meetings of the Council may be called by direction of the Executive Council or on request of affiliated organizations representing a Majority of the total membership as evidenced by the records of the Secretary-Treasurer.

3 b)– In the event a majority as provided in sub-section (a) requests a special meeting, the Executive Council shall call such meeting within five calendar days and shall give all organizations five calendar days notice

of the time and place for holding the special meeting together with a statement of the business to be considered at such meeting.

3 c) - Representation to special meetings shall be on the same basis as regular meetings.

3 d) – Except as provided in sub-section (b) a special meeting shall exercise the same authority as regular meetings.

Section 4 – In the event officers of the council fail to call meetings or otherwise fail to carry out their duties and responsibilities, the Congress shall take whatever measures are necessary to re-organize the Council.

Section 5 – Representation at meetings shall be on the following basis: From affiliated Local unions, branches and lodges – three (3) delegates for one hundred (100) or less members and one (1) additional delegate for each additional twenty-five members or major fraction thereof to a maximum of seven (7) delegates per affiliate.

Section 6 – The number of members of each organization for the purpose of selecting delegates to the Council shall be the average monthly number on which per capita tax is paid.

Section 7 – The Secretary-Treasurer shall furnish each affiliate with credential blanks which must be attested as required on the blanks and deposited at a regular Council meeting before new delegates may be seated.

Section 8 – Obligation for Delegates

“ I (name) solemnly promise and declare that I will obey and support the By-Laws of this Labour Council and the Constitution of the Canadian Labour Congress.”

Section 9 – Any Organization suspended or expelled by the Canadian Labour Congress or this Council shall not while under such penalty be allowed representation in the Council . Any Organization which is in arrears to the Council for per – capita tax three (3) months or more shall not be entitled to recognition or representation to the Council.

Section 10- Any Organization controlled or dominated by any totalitarian shall not be allowed representation in this Council.

Section 11 – Any person suspended by or expelled from any organization affiliated to this Council shall not be seated as a delegate.

Section 12 – Any delegate being absent from 4 consecutive meetings of this Council (as per records kept by Sgt. At Arms) without good and sufficient reason, in

writing, having been previously presented to the Secretary from the delegate or the delegates organization, certifying to sickness, absence from City, or engagement at work, said delegate shall forfeit all entitlements to being a delegate and immediate notice sent to the persons organization by the Secretary requesting a new credential for the vacant seat. The Secretary shall also revise official roll call book, and attendance card file, for accurate use by the Sgt. At Arms.

Section 13 - The President in consultation with the Executive Council shall appoint such committees as necessary to conduct the affairs of the Council. Such committees may include legislative, municipal, organization, education, political education, welfare and community services, Labour Day and social, union label, and such other committees as the Council shall at other times appoint. The Executive Council may request any such committee to meet for the purpose of considering matters placed before it and such committee shall prepare reports of its activities for presentation to Council meetings.

Section 14 – Registration of delegates representing four (4) affiliated Local unions shall constitute a quorum for the transaction of business.

Section 15 – The rules and order of business shall be:

1. The President or in the Presidents absence / request , the Vice-President shall take the chair at the time specified , at all regular and special meetings. In the absence of both the President and Vice-President , a chairperson will be designated by the Executive Council.
2. No question of a sectarian nature shall be discussed at meetings.
3. When a delegate wishes to speak he shall be recognized by the Chairperson and shall state the delegates name and organization the delegate represents and shall confine remarks to the question at issue.
4. A delegate shall not speak more than once upon a subject until all who wish to speak have had an opportunity to do so. A delegate's remarks shall be limited to three (3) minutes except where a member of a committee is reporting or answering questions concerning the report of the committee
5. A delegate shall not interrupt another except to call a point of order.
6. If a delegate is called to order the delegate shall, at the request of the chairperson, be seated, until the question of order has been decided.
7. Should a delegate persist in unparliamentary conduct, the chairperson will be compelled to name the delegate and submit the delegate's conduct to the

- judgment of the meeting. In such case the delegate whose conduct is in question should explain and then withdraw, and the meeting will determine what course to pursue in the matter.
8. When a question is put, the chairperson after announcing the question shall ask: "Are you ready for the question ?" If no delegate wishes to speak the question shall be put.
 9. Questions may be decided by a show of hands, or a standing vote, but a roll call may be demanded by 30% of the delegates present. In a roll call vote each delegate shall be entitled to one vote.
 10. Two delegates may appeal the decision of the chair. The Chairperson shall then put the question thus: "Shall the decision of the chair be sustained?" The question shall not be debatable except that the chairperson may make an explanation of the chair's decision.
 11. In the case of a tie vote the Chairperson shall cast the deciding vote.
 12. When the previous question is moved, no discussion or amendment of either motion is permitted. If the majority vote that "the question be now put", the original motion has to be put without debate. If the motion to put the question is defeated, the discussion will continue on the original motion.
 13. A motion may be reconsidered provided the mover of the motion to reconsider voted with the majority, and the notice of motion is given for consideration at the next meeting, and said notice of motion is supported by two-thirds (2/3) of the delegates qualified to vote.
 14. In all meetings not regulated by these rules of order, Bourinot's Rules of Order shall govern.

ARTICLE: V - OFFICERS

- Section 1 – The Officers of the Council shall consist of a President, Vice-President, Secretary-Treasurer, Sergeant-at-Arms and three (3) Trustees.
- Section 2 – each Officer shall be a member in good standing of an affiliated organization. No one shall be eligible for election unless the delegate has attended fifty percent (50%) of the meetings in the previous six (6) months.
- Section 3 – The Officers shall be nominated and elected by the Council bi-annually at the Annual General meeting (AGM) .Elections will be held during the month of April, in the odd numbered years.
- Section 4 – Election of Officers shall be by secret ballot. A majority of votes cast shall be

required before any candidate can be declared elected, and second and subsequent ballots shall be taken if necessary to obtain such a majority. On the second (2nd) and subsequent ballots the candidates receiving the lowest of votes in the previous ballot shall be dropped. In case of a final tie vote the presiding officer may cast the deciding vote.

Section 5 – The election of each office shall be completed before nominations may be accepted for any subsequent office.

Section 6 – Nominees allowing their names to go forward for the offices of President, Vice-President, Secretary-Treasurer, Sergeant-at-Arms, and Trustees, shall upon acceptance of nomination, come forward and clearly and audibly speak the following to the assembled delegates: “I accept the nomination”.

Section 7 - The term of office of the Council shall commence at the next regular Business meeting of the Council.

Section 8 – In the event of a vacancy in the office of the President, the Vice-President shall perform the duties of the President until a successor is elected. If the Vice-President is unable to act in this manner, the Secretary-Treasurer shall perform this duty. In the event of a vacancy in the office of the Secretary-Treasurer, the President shall perform the duties of the vacant office until a successor is elected.

Section 9 – In the event of a vacancy in any office of the Council the vacancy shall be filled at the next regular meeting.

Section 10 – The Executive officers shall hold title to any real estate of the Council as Trustees for the Council. They shall have no right to sell, convey or encumber any real estate without first submitting the proposition to a meeting and such proposition is approved.

Section 11 – (Obligation of Officers)

After being elected, each officer prior to assuming their duties as an officer of the Council shall be required to take the following obligation:

“I, do hereby, sincerely pledge my word and honour to perform my duties as an officer of this Labour Council. I will attend when able to do so, all meetings of the Council of which I shall be a member, and at the end of my term of office, I shall turn over to the Council or to my successor, all properties or funds in my possession that belong to the Council.”

Section 12 – An officer who fails to attend three (3) consecutive meetings (meetings shall mean Executive Council meetings and regular monthly meetings), without reasonable explanation in writing having been previously submitted to the Secretary-Treasurer, certifying the officers sickness, absence from the

Municipality or engagement at work shall be replaced at the next regular meeting of the Council.

ARTICLE VI – DUTIES OF THE PRESIDENT

Section 1 – The President shall be the Chief Executive Officer of the Council. The President shall exercise supervision over the affairs of the Council, sign all official documents, sign cheques in conjunction with the Secretary-Treasurer and preside at regular and special meetings of the Executive Council, be official spokesperson of the Council in all affairs, including any discussion with the media.

Section 2 - Subject to appeal to the Canadian Labour Congress, the President shall have authority to interpret these By-Laws and the Presidents interpretation shall be conclusive and in full force and effect unless reversed or changed by the Executive Council, or written directive of the Canadian Labour Congress.

Section 3 – The President of this Council shall be the Councils delegate to the OFL Executive Council and shall attend its meetings when able to do so.

ARTICLE VII – DUTIES OF THE VICE-PRESIDENT

Section 1 – The Vice-President shall aid the President in his duties as Chief Executive Officer of the Council and act in the Presidents behalf when required to do so.

ARTICLE VIII – DUTIES OF THE SECRETARY-TREASURER

Section 1 – The Secretary-Treasurer shall keep a correct, full and impartial account of the proceedings of each meeting of the Council in a bound minute book. The Secretary-Treasurer shall have charge of the seal and records of the Council. The Secretary-Treasurer shall conduct all correspondence, as requested by the Council, acknowledge all communications promptly. Along with the President the Secretary-Treasurer sign the” authorization to pay” form known as the “Order on the Treasurer”, in all cases where disbursements are to be made. The Secretary-Treasurer shall inform the Ontario Federation of Labour (OFL) and the Canadian Labour Congress (CLC) of all changes of Officers of the Council and the time and place of meetings.

Section 2 – The Secretary-Treasurer shall be the Chief Financial Officer of the Council.

Section 3 – The Secretary-Treasurer shall be in charge of books, documents, files and effects of the Council which shall be at all times subject to the inspection of the President and Executive Council. The Secretary-Treasurer shall maintain a list of all affiliates of the Council and the reported number of members of each one.

Section 4 – The Secretary-Treasurer shall prepare a financial statement for a monthly report to the Council.

Section 5 - The Secretary-Treasurer shall have the books of the Council audited annually by the elected Trustees under provision of Article XII . A copy of the audit report shall be forwarded to the Canadian Labour Congress (CLC) at Ottawa and the CLC Regional Office.

Section 6 – The Secretary-Treasurer shall subject to the approval of the Executive Council invest surplus funds of the Council in securities or deposit them in a Credit Union, Trust Company or Bank.

Section 7 - The Secretary-Treasurer is empowered to require affiliated organizations to provide statistical data in their possession relating to the membership of their Organizations.

Section 8 - There shall be three (3) signing officers of the Labour Council – President, Vice-President and Secretary-Treasurer. Signatures from any two (2) of the above noted officers are required on Labour Council cheques.

ARTICLE IX – DUTIES OF THE SERGEANT –AT-ARMS

Section 1 – It shall be the duty of the Sergeant-At-Arms to receive the names of each delegate upon entering the meeting, and shall record each delegates attendance.

Section 2 – The Sergeant-At-Arms shall perform such duties as may be assigned by the President .

ARTICLE X – WOMEN’S COMMITTEE

Section 1 - It shall be the duty of this committee to keep the Council informed of the policies of the Canadian Labour Congress (CLC) and its affiliated Organizations regarding issues affecting women.

ARTICLE XI – EXECUTIVE COUNCIL

Section 1 – The Executive Council shall consist of the President, Vice-President Secretary-Treasurer and Sergeant-At-Arms.

Section 2 – The Executive Council shall be the governing body of this Council between meetings. It shall take such action and render such decisions as may be necessary to carry out fully the decisions and instructions of the Council meetings and to enforce the provisions contained in these By-Laws.

Section 3 – The Executive Council shall meet upon the call of the President.

Section 4 – The Executive Council shall have the power to conduct an investigation of any situation in which there is reason to believe that any affiliated Organization may be dominated, controlled or substantially influenced in the conduct of its affairs by any corrupt influence, or that its policies or activities are contrary to those of this Council. Upon the completion of such investigation, including a hearing if requested, the Executive Council shall have the authority to make recommendations to the organizations involved, and the Canadian Labour Congress (CLC). It shall have the further authority upon a two-thirds (2/3) vote of the Executive Council to suspend any Organization. Any action of the Executive Council under this section may be appealed to the next meeting.

Section 5 – A majority of the members of the Executive Council shall constitute a quorum for the transaction of business of the Executive Council.

Section 6- The Executive Council is authorized to reimburse members of the Council for necessary expenses in performing their duties for the Council. The Executive Council is authorized to spend up to \$200.00 monthly between meetings to conduct the affairs of the Council.

ARTICLE XII – TRUSTEES

Section 1 – Three (3) Trustees shall be elected by the Council in the same manner and at time as the Executive Council.

Section 2 – The Trustees shall not be members of the Executive Council.

Section 3 –The Trustees shall conduct an audit of the books of the Council annually as of, February, 28, based on actual verification of the Secretary-Treasurer's records as outlined on the Canadian Labour Congress (CLC) "Audit Report Form". The Trustees shall see that all audit reports are posted for information of all delegates and copies forwarded to the CLC Regional Office.

Section 4- Should the Trustees be unable or otherwise fail to audit the books of the Council it shall be the duty of the Executive Council or the Secretary-Treasurer to have the books checked and properly audited by a firm of Chartered Accountants or some equally qualified party.

Section 5 – All Financial Officers of the Council shall be bonded in an amount to be determined by the Council but in no case shall the amount be less than the annual income of the Council.

Section 6 – Where Council officers are not bondable through the Congress, the Trustees shall certify to the Congress that all Financial Officers are bonded in accordance with the provisions of these By-Laws.

ARTICLE XIII – REVENUE

Section 1 – A per capita tax shall be paid based upon the full paid up membership of each Organization.

Section 2 – Each affiliated Local Union, Branch or Lodge shall pay before the last day of each month, for the preceding month, a per capita tax of twenty (20) cents per member.

Section 3 – Any Organization three (3) months or more in arrears of per capita to the Council shall be notified by the Secretary-Treasurer. Such Organization shall not be entitled to seat delegates at Council meetings until all arrears are paid in full.

ARTICLE XIV – AMENDMENTS

Section 1 – Proposed amendments to these By-Laws must conform with the Constitution, Principles and Policies of the Canadian Labour Congress (CLC) and must be submitted to the Council by notice of motion at least thirty (30) days before the proposed amendment is to be considered. Such amendments may be adopted by a two-thirds (2/3) majority vote of those present and voting. However, amendments shall only become effective after approval by the Canadian Labour Congress (CLC).

ARTICLE XV – STRIKES / LOCKOUTS

Section 1 – This Labour Council shall answer all strike appeals that are authorized by the Ontario Federation of Labour (OFL) or the Canadian Labour Congress (CLC) with a donation of twenty-five (25) dollars.

Section 2 – The Executive Council shall have the discretionary authority to exonerate any affiliate to the Labour Council from payment of per capita tax for the period of a strike or lock out of the affiliate provided it is requested to do so in writing.

Section 3 – When an affiliate of this Council is engaged in strike action the Council Executive will endeavour to aid the affiliate when requested to do so by the Executive of the affiliate Local, Branch or Lodge.

ARTICLE XVI – EXPENSES

Section 1 – Members of the Councils who attend meetings, conventions, seminars etc., on behalf of the Council shall be reimbursed as follows:

- When an overnight stay is required, the cost of single room accommodation plus sixty (60) dollars .

- When no overnight stay is required, a sum of thirty (30) dollars per day expenses.
- Lost wages will be paid if necessary.
- Transportation allowances ;
 - i) Economy class return airfare via shortest route
 - ii) For use of a personal automobile thirty-five (35) cents per kilometre with no liability to the Council for repairs or damage to the automobile. Parking fees/expenses will require receipts for reimbursement.

ARTICLE XVII – EXPENSE ALLOWANCE

Section 1 – An expense allowance shall be paid to the President, Vice-President, and the Secretary-Treasurer of the Labour Council on a semi-annual basis at One Hundred –Fifty (150) Dollars for the President, One Hundred (100) Dollars for the Vice-President, and Two Hundred (200) Dollars for the Secretary-Treasurer. This allowance shall be paid in the months of May and November of each year.

ARTICLE XVIII – OMBUDSMAN

Section 1 – If a delegate to the Council, has a complaint or grievance against an officer or delegate to the Council, and no procedure for redress of the complaint or grievance is set out in these By-Laws, the delegate shall have the right to submit their case, with all relevant material to the Ombudsman appointed by the Canadian Labour Congress (CLC).

The Ombudsman will under the authority vested by the Congress, undertake such inquiries, hearings, or meetings as the Ombudsman deems advisable, and report any findings as soon as possible to the parties of the complaint.

ARTICLE XIX – ORDER OF BUSINESS

- i) Call to Order
- ii) Roll Call of Officers
- iii) Reading of Credentials (if any)
- iv) Credential Committee appointment (if necessary)
- v) Adoption of Minutes
- vi) Financial Report
- vii) Correspondence
- viii) Nominations for Office (if any)
- ix) Election & Installation of New Officers
- x) Committee Reports
- xi) Unfinished Business
- xii) New Business
- xiii) Local Union Reports
- xiv) Good & Welfare
- xv) Adjournment