

BY-LAWS

OF THE

BARRIE AND DISTRICT

LABOUR COUNCIL

(CLC)

(Chartered by the Canadian Labour Congress - 1958)

Motion to amend passed – May 15, 2018
Approved by CLC Canadian Council – October 13, 2021

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BY-LAW 1 – NAME, RECOGNITION AND LOCATION

- 1.0** This Labour Council shall be known as the Barrie and District Labour Council, and is chartered by the Canadian Labour Congress.
- 1.1** This Labour Council shall consist of organizations which are affiliated to the Canadian Labour Congress.
- 1.2** Such organizations shall be located in whole or in part with the areas of Barrie, and the municipalities of Innisfil, New Tecumseth, Bradford, West Gwillimbury, Spring Water, Essa, Base Borden, Adjala-Tosorontio, and Oro-Medonte.
- 1.3** These organizations shall conform to the By-Laws and the rules and regulations of this Council as set forth herein.
- 1.4** This Labour Council shall not be dissolved while there are five (5) organizations remaining in affiliation.

BY-LAW 2 – PURPOSES

The purposes of this Labour Council are:

- 2.0** To support the principles and policies of the Canadian Labour Congress.
- 2.1** To promote the interests of its affiliates and generally to advance the economic and social welfare of workers.
- 2.2** To assist affiliated organizations in extending its benefits of mutual assistance and collective bargaining to workers.
- 2.3** 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
- 2.4** To encourage all workers without regard to race, creed, sex, gender, sexual orientation, disability, culture, marital status, family status, age, colour, religion or national origin to share in the full benefits of union organization.
- 2.5** 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.

- 2.6 To protect and strengthen our democratic institutions, to secure full recognition and enjoyment of the rights and liberties to which we are justly entitled, and to preserve and perpetuate the cherished traditions of our democracy.
- 2.7 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.
- 2.8 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.
- 2.9 To protect the labour movement from any and all corrupt influences and from the undermining efforts of any agencies which are opposed to the basic principles of our democracy and free democratic unionism.
- 2.10 To safeguard the democratic character of the labour movement and to observe and respect the autonomy of each affiliated union.
- 2.11 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 the municipal, provincial and federal governments.

BY-LAW 3 – MEMBERSHIP

The Labour Council shall be composed of:

- 3.0 Local unions, branches and lodges of national and international unions, regional and provincial organizations affiliated to the Canadian Labour Congress; Local unions in the area chartered by the Canadian Labour Congress.
- 3.1 Any organization affiliated with this Labour Council may be expelled from membership by a two-thirds vote at a meeting. Any decision to expel may be appealed to the Executive Committee of the Canadian Labour Congress within two (2) months. The decision shall be in force and effect during the appeal. Notification of expulsion will be sent to the affiliate, by the President, within five (5) days of the decision.
- 3.2 Any delegate representing a local union affiliated with this Labour Council, on a recommendation of the Labour Council Executive may be suspended or expelled for conduct unbecoming a delegate from membership in the Council by a majority ballot vote at a meeting. The Labour Council will vote on the recommendation at the next Labour Council 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 (2) months. The

decision shall be in force and effect during appeal.

- 3.3** It shall be the duty of each affiliated organization to furnish the Secretary of the Labour Council with a statement of their delegates/alternates in good standing who will represent that affiliate at the Labour Council meetings. Affiliates are encouraged to file with the Secretary of the Council local reports and copies of their collective bargaining agreements.
- 3.4** Honorary Membership to the Barrie and District Labour Council is granted by the Labour Council Executive to individuals in recognition of their long service to the labour community. The nomination of a candidate for an Honorary Membership shall be submitted by that candidate's Local Union and shall include a brief rationale indicating why that person is deserving of this accreditation. Honorary Members have the right to a "voice" at all regular meetings, but are not eligible for election to the Executive Council or to vote, unless they are members in good standing of an affiliated organization and delegates to the Labour Council.

BY-LAW 4 – MEETINGS

- 4.0** The regular monthly meetings shall be the governing body of the Labour Council. Except where otherwise provided, its decision shall be by majority vote.
- 4.1** The regular meetings of the Labour Council shall be held on the third (3rd) Tuesday of each month except that meetings may be suspended for the months of July and August of each year. Meetings shall commence at 5:30 p.m. sharp and extend no longer than 7:30 p.m. without consensus of the attending delegates.
- 4.2** However, in the event it is deemed not advisable to hold the regular meeting on that date, the date of such meeting may be changed by a two-thirds (2/3) majority vote of the delegates present at the preceding regular Labour Council meeting.
- 4.3** On the Labour Council Executive's approval, by majority, a regular meeting may be cancelled in the event of adverse weather, power failure, or any other event that may affect the safety of delegates to attend the meeting. The meeting will be cancelled by noon and rescheduled to a virtual meeting.
- 4.4** Special meetings of the Labour Council may be called:
- a)** By direction of the Labour Council Executive, or on request of affiliated organizations representing a majority of the total membership of the Labour Council as evidenced by the records of the Treasurer.
 - b)** In the event a majority, as provided in subsection(a) request a special meeting, the Labour Council Executive shall call such meeting within five (5) calendar days and shall give all organizations and delegates

five (5) 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.

- c) Representation to special meetings shall be on the same basis as regular meetings.
- d) Except as provided in subsection(b), a special meeting shall exercise the same authority as regular meetings.

4.5 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 one hundred (100) members or major fraction thereof, but no local union, lodge or branch shall be allowed more than five (5) delegates.

4.6 The Secretary shall furnish each affiliated organization with credential blanks which must be-completed and signed by affiliate's President or designate and submitted at a regular Labour Council meeting before new delegates may be seated in Council.

4.7 Any organization suspended or expelled by the Canadian Labour Congress or this Labour Council shall not, while under such penalty, be allowed representation in the Council.

4.8 Any person suspended by, or expelled from, any organization affiliated to this Labour Council shall not be seated as a delegate.

4.9 Members of the Executive Committee or the Executive Council of the Canadian Labour Congress, representatives of National or International Unions, shall be delegates ex-officio of this Labour Council and shall have a voice, but no vote, in the proceedings unless elected as delegates by a local labour body affiliated with the Labour Council.

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

4.11 In the event officers of the Labour Council Executive fail to call meetings or otherwise fail to carry out their duties and responsibilities, the Congress shall take whatever measures necessary to reorganize the Labour Council.

4.12 Obligations for Delegates

Each November all delegates to this Labour Council shall come forward and clearly and audibly repeat the following obligation:

"I (name) solemnly promise and declare that I will support and obey the By-Laws of this Labour Council and the Canadian Labour Congress. That I will, if within my power to do so, assist my fellow members or their families when they

are in distress. I will not purposely or knowingly wrong a member of the Council or assist others in wronging them. I will not divulge except to a delegate any of the affairs of this Council. I will not recommend any person to become a delegate to this Council whom I believe unworthy to be a delegate. I do hereby solemnly promise and declare that I will undertake a faithful performance of this obligation.”

- 4.13** Seven (7) delegates representing at least four (4) of the affiliated unions/organizations shall constitute a quorum for the transaction of business.

BY-LAW 5 – RULES OF ORDER

- 5.0** The President, or in the absence or at the request of the President, 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 the Vice-President, a Chair shall be chosen by the Labour Council Executive.
- 5.1** No question of a sectarian character shall be discussed at meetings.
- 5.2** Any delegate wishing to speak shall be recognized by the Chair and shall give their name and the organization they represent and shall confine all remarks to the topic at issue. Speakers at general membership meetings will be allowed three (3) minutes to speak on a subject. Guest speakers will be allowed up to ten (10) minutes to make their presentation. Guest speakers will be allowed to address the membership at a time as determined by the Labour Council Executive.
- 5.3.** A delegate shall not speak more than once upon a subject until all those who wish to speak have had the opportunity to do so.
- 5.4** A delegate shall not interrupt another except it be to call a Point of Order.
- 5.5** A delegate, upon being called to order at the request of the Chair, shall take her/his seat until the question of order has been decided.
- 5.6** Should a delegate persisting in unparliamentarily conduct, the Chair will be compelled to name the delegate and submit their conduct to the judgement 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.
- 5.7** When a question is put, the Chair after announcing shall ask: “Are you ready for the question?” If no delegate wishes to speak, the question **shall** be put.
- 5.8** Questions may be decided by a show of hands, or a standing vote, or a roll call vote. Each delegate shall be entitled to one (1) vote.
- 5.9** A delegate may appeal the decision of the Chair. When an appeal is made from

the decision of the Chair, the Vice-President shall act as Chair. The question is not debatable and must be seconded. The delegate challenging the Chair may briefly state the reason for the challenge. The Chairperson may make an explanation of the ruling. The question shall then be put, thus, "shall the decision of the Chair be sustained?". Section 12. In the case of a tie vote, the Chair shall cast the deciding vote.

- 5.10 The Chair shall have the same right as other delegates to vote on any question. In case of a tie vote, the chair shall cast the deciding vote.
- 5.11 When the previous question is moved, no discussion or amendment of either Motion is permitted. If the majority vote that "the question now be put," the original Motion has to be put without debate. If the Motion to put the question is defeated, discussion will continue on the original Motion.
- 5.12 A Motion may be reconsidered provided the mover of the Motion to reconsider voted with the majority, and 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.
- 5.13 In all matters not regulated by these rules of order, *Robert's/ Bourinot's Rules of Order* shall govern.

BY-LAW 6 – ELECTION OF OFFICERS

- 6.0 The officers of the Labour Council shall consist of a President, Vice-President, Secretary, Treasurer, a Youth Representative (thirty (30) years of age or younger) where possible, and three (3) Executive Members-at-Large.
- 6.1 Each officer shall be a member in good standing of an affiliated organization, and shall be a delegate to the Barrie and District Labour Council.
- 6.2 By October 31st of each year affiliates must present a list of their delegates and alternates to the Secretary of Barrie and District Labour Council, in writing and signed by the President or designee and amended as needed.
- 6.3 No one shall be eligible for election unless they have attended sixty per cent (60%) of the meetings of the Council within the previous calendar year (February to January). Exceptions shall be made for absences related to attending affiliate/Labour Council business, employment or statutory leaves.
- 6.4 Nominations will be opened at the November Labour Council meeting. Closure and acceptance will take place on the night of elections.
- 6.5 If no eligible candidates are nominated, nominations shall be opened to all remaining delegates.
- 6.6 The Officers shall be elected by the Labour Council every two (2) years at the

February meeting effective 2008 and thereafter each even numbered year.

- 6.7** 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 (2nd) and subsequent ballots, the candidate receiving the lowest votes in the previous ballot, shall be dropped.
- 6.8.** The election of each office shall be completed before nominations may be accepted for any subsequent office.
- 6.9** Nominees will confirm their acceptance of nomination.
- 6.10.** The term of Officers of the Labour Council shall commence upon the completion of elections.
- 6.11** In the event of a vacancy in the office of 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 the matter, the Secretary or Treasurer shall perform this duty.
- 6.12** In the event of a vacancy in the office of either Vice-President or Secretary, the President shall perform the duties of the vacant office until a successor is elected.
- 6.13** In the event of a vacancy in any office of the Labour Council, the vacancy shall be filled at the next regular meeting. Only those delegates who have attended sixty percent (60%) of the monthly meetings in the twelve (12) months prior to an election to fill a vacancy, shall be eligible to stand for election. Exceptions shall be made for absences related to attending affiliate/ Labour Council business, employment or statutory leaves.
- 6.14** **Obligation for Officers:**
- After being elected, each Officer before assuming their duties shall be required to take the following obligation:
- “I (name), 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.”*
- 6.15** All elected officers shall act in accordance with direction of the Council.

BY-LAW 7 – DUTIES OF THE PRESIDENT

- 7.0** The President shall function as the chief executive officer of the Labour Council and shall exercise supervision over the affairs of the Labour Council, sign all

official documents and preside at regular and special meetings of the Labour Council Executive.

- 7.1 Subject to appeal to the Canadian Labour Congress the President shall have authority to interpret these By-Laws and such interpretation shall be conclusive and in full force and effect unless reversed or changed by the Executive Council or a meeting of the Labour Council, or the Canadian Labour Congress.
- 7.2 The President shall be an *ex-officio* member of all committees except for the audit committee.
- 7.3 For services, the President shall receive honorarium of \$100.00 per month to be payable every three (3) months.
- 7.4 The President shall be the official spokesperson of the Barrie and District Labour Council.
- 7.5 The President shall act as one of three bank signing authorities, along with the Vice-President and Treasurer.
- 7.6 The President shall be bonded in such amount as may be determined by the Canadian Labour Congress.

BY-LAW 8 – DUTIES OF THE VICE PRESIDENT

- 8.0 The Vice-President shall aid the President in the duties as chief executive officer of the Labour Council, and act on behalf of the President when requested to do so.
- 8.1 The Vice-President shall act as one of three bank signing authorities, along with the President and Treasurer.
- 8.2 The Vice-President shall be bonded in such amount as may be determined by the Canadian Labour Congress.
- 8.3 For services, the Vice President shall receive expenses of \$100 per month to be payable every three (3) months.

BY-LAW 9 – DUTIES OF THE SECRETARY

- 9.0. The Secretary shall be responsible for all documents, files, records of attendance and affects of the Labour Council which shall at all times be subject to the inspection of the President and the Executive.
- 9.1 The Secretary shall cause the proceeding of all Labour Council meetings, and all sessions of the Executive Council, to be recorded. Copies of all proceedings shall be forwarded to the Canadian Labour Congress Regional Office and the

Ontario Federation of Labour.

- 9.2** The Secretary is empowered to require affiliated organizations to provide data in their possession relating to the membership of their organization, collect the delegate credentials from each of the affiliates and work with the Treasurer to keep records of the dues paid by the affiliates.
- 9.3** For services, the Secretary shall receive honorarium of \$100.00 per month to be payable every three (3) months.
- 9.4** To ensure that delegates sign in at each meeting, verify entitlements of the delegates and declare the quorum for the meeting.

BY-LAW 10 – DUTIES OF THE TREASURER

- 10.0.** The Treasurer shall be the chief financial officer of the Labour Council.
- 10.1** The Treasurer shall be in charge of books, documents, files and effects related to the finances of the Labour Council which shall at all times be subject to the inspection of the President and Labour Council Executive.
- 10.2** The Treasurer shall prepare a financial statement of the Labour Council for a monthly report to Council with copies available at each Labour Council Meeting.
- 10.3** The Treasurer shall have the books of the Labour Council audited annually by an audit committee. A copy of the audit report shall be forwarded to the Canadian Labour Congress and the Ontario Regional Office of the Congress with a written report to the Labour Council.
- 10.4** The Treasurer shall be bonded in such amount as may be determined by the Canadian Labour Congress.
- 10.5** The Treasurer is empowered to collect all dues as remitted by affiliates and work with the Secretary to keep records of dues paid by affiliates.
- 10.6** For services, the Treasurer shall receive honorarium of \$100.00 per month to be payable every three (3) months.
- 10.7** The Labour Council funds shall be operated through a Credit Union where possible.
- 10.8** The Treasurer shall act as one of three bank signing authorities, along with the President and Vice-President.

BY-LAW 11 – DUTIES OF THE EXECUTIVE OFFICERS/YOUTH REPRESENTATIVE

- 11.0** The Executive Officers/ Youth Representative shall be appointed as the Executive Liaison to any Committee as deemed necessary by the Labour Council.

BY-LAW 12 – LABOUR COUNCIL EXECUTIVE

- 12.0** The Labour Council Executive shall consist of a President, Vice-President, Secretary, Treasurer, a Youth Representative, where possible and three (3) Executive Members-at-Large.
- 12.1** The Labour Council Executive can appoint a Webmaster/ Facebook administrator from the Labour Council Executive or the delegates of the Labour Council, to maintain the Labour Council website/Facebook and/or any other social media. For services, the Webmaster/Facebook administrator shall receive honorarium of \$50 per month, to be payable every three (3) months.
- 12.2** The Labour Council Executive shall be the governing body of this Labour Council between meetings. It shall take such actions 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.
- 12.3** The Labour Council Executive shall meet immediately following Labour Council Meetings in August, October, December, February, April and June or as required. It shall also be necessary for the President to call a meeting of the Labour Council Executive upon the request of three (3) Executive Officers.
- 12.4** The Labour Council Executive 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 the principles or policies of the Labour Council.
- 12.5** Upon the completion of such an investigation, including a hearing if requested, the Labour Council Executive shall have the authority to make recommendations to the organization involved and the Canadian Labour Congress. Any action of the Labour Council Executive under this Section may be appealed to the next meeting of the Labour Council.
- 12.6** A majority of the members of the Labour Council Executive shall constitute a quorum for the transaction of the business of the Labour Council Executive.
- 12.7** The Labour Council Executive-is authorized to reimburse members of the Labour Council for necessary expenses in performing their duties for the

Council.

- 12.8** The Labour Council Executive has spending authority as required and/or with motions from the Labour Council. Should emergency spending need to take place between meetings or in July and August the Labour Council Executive has authority to spend up to \$2500. Motions from the Labour Council Executive will be presented at the next Labour Council meeting for information.
- 12.9** Should any Labour Council Executive member fail to answer the roll-call for three (3) consecutive regularly scheduled Executive meetings without notifying the President the member shall be notified in writing that his/her position on the Labour Council Executive shall be deemed to be forfeited.
- 12.10** The Executive Officers shall hold title to any real estate of the Labour 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.

BY-LAW 13 – REVENUE AND EXPENSES

- 13.0.** A per capita tax shall be paid on the full, paid-up membership of each organization.
- 13.1** Each affiliated local union, branch or lodge shall pay a per capita tax of twenty-five cents (\$0.25) per member.
- 13.2** Any organization twelve (12) months or more in arrears of per capita to the Labour Council shall be notified by the Treasurer of the Labour Council. Such organization shall not be entitled to seat delegates at Labour Council meetings until all arrears are paid in full.
- 13.3** Any organization suspended or expelled by the Canadian Labour Congress or this Council shall not, while under such penalty, be allowed representation in the Labour Council.
- 13.4** Three (3) non-executive members, with the Treasurer (as resource), shall form the Audit Committee which shall meet once a year to perform an audit of the Labour Council's book. The three (3) non-executive members will be elected at the November meeting each year to have the audit completed in time for the February meeting and elections. In addition, the Labour Council Executive 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 Labour Council meetings. Each committee shall elect a chairperson, recording secretary and other positions as deemed necessary.
- 13.5** The per diem rate for approved delegates attending functions on behalf of the Labour Council shall be: when staying overnight \$70.00 per day, for a day event \$35.00 per day.

- 13.6** The President of the Labour Council shall have access of up to \$200, at their discretion, to conduct the business of the Labour Council. Receipts will be provided for reimbursement.
- 13.7** With the exception of regular Labour Council meetings, mileage will be paid to members of the Labour Council while on pre-approved Labour Council business at the Government of Canada rate per kilometre. All mileage claims will be accompanied by an expense voucher.
- 13.8** All banking transactions shall be completed by the Treasurer or as designated by the Treasurer.
- 13.9** The Treasurer shall present a budget at the November meeting to allocate funds to standing committees. A standing committee shall include, but not limited to: Labour Day, Women's March, Coldest Night of the Year, Day of Mourning, Health and Safety Dinner, By-Laws, OFL Convention, and CLC Convention.
- 13.10** The Labour Council will consider donations to affiliate and/or community organizations in the following manner:
- Affiliates of the Labour Council
 - Other Unions
 - Community Organizations

BY-LAW 14 – AMENDMENTS

- 14.0** Amendments to these By-Laws, as long as they do not conflict with the Constitution of the Canadian Labour Congress, nor its principles and policies, may be adopted by a two-thirds (2/3) majority ballot vote of those present in meeting and voting at the February meeting each year. Any amendments shall only become effective after approval by the Executive Committee of the Canadian Labour Congress.

BY-LAW 15 – OMBUDSPERSON

- 15.0** 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 grievances is set out in these By-Laws, they shall have the right to submit their case, with all relevant material, to the Ombudsperson appointed by the Canadian Labour Congress.
- 15.1** The Ombudsperson will, under the authority vested by the Canadian Labour Congress, undertake such inquiries, hearings or meetings, as deemed advisable and report the findings as soon as possible to the parties to the complaint.

BY-LAW 16 – ORDER OF BUSINESS

At the opening of a meeting the President shall take the Chair and conduct the business of the Labour Council in the following order:

1. Call to order.
2. Land acknowledgement and CLC Equity Statement. (to be read aloud).
3. Welcome and Introductions - Roll call of Labour Council Executives.
4. Adoption of Printed Agenda.
5. Installation of New Delegates (only in November).
6. Approval of minutes of previous meeting.
7. Business arising from minutes.
8. Correspondence.
9. Treasurer's Report.
10. President's Report/Executive Report.
11. Canadian Labour Congress Liaison Report.
12. Workers' Health and Safety Centre Liaison Report.
13. Injured Workers' Liaison Report.
14. Community Reports.
15. Committee Reports.
16. New Business.
17. Reports of Unions.
18. Notice of Motions.
19. Adjournment.

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