

BY-LAWS

OF THE

LINDSAY AND DISTRICT LABOUR COUNCIL

**Chartered by the Canadian Labour Congress
April 3, 1957**

Motion to Amend Passed – October 5, 2016
Approved by Canadian Labour Council – November 23, 2018



CANADIAN LABOUR CONGRESS

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ARTICLE 1 – IDENTITY

Section 1: Name

This Labour Council shall be known as the Lindsay and District Labour Council, CLC, and is chartered by the Canadian Labour Congress, to consist of organizations affiliated to the Canadian Labour Congress which become affiliated to this Council. These organizations shall conform to the By-Laws and the rules and regulations of this Council as set forth herewith. This Labour Council shall not be dissolved while there are three (3) organizations remaining in affiliation.

Section 2: Jurisdictional Boundaries

The Labour Council territory shall consist of the City of Kawartha Lakes and the County of Haliburton.

Section 3: Obligation for Delegates

“I sincerely promise and declare that I shall be faithful to the duties of a delegate to this Labour Council; that I shall attend all meetings of this Council if possible, and work at all times in the interest of the Council and the Canadian Labour Congress.”

Section 4: Obligation of Executive members

“I, (speak 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. In accepting office, I make oath and say that I will faithfully support the By-Laws, principals and policies of the Lindsay and District Labour Council, and the Constitution of the Canadian Labour Congress. I also promise that I will deliver to my successor in office, everything that is the property of Lindsay and District Labour Council at the close of my official term.”

ARTICLE 2 – PURPOSE

The purposes of this Labour Council are:

1. To support the principles and policies of the Canadian Labour Congress.
2. To promote the interests of its affiliates and generally to advance the economic and social welfare of workers.
3.
 - (a) To assist affiliated organizations in extending its benefits of mutual assistance and collective bargaining to workers.
 - (b) To assist in the organization of the un-organized into unions 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 organizations.
4. To encourage all workers without regard to race; creed; sex; age; colour; national origin, and other grounds prohibited by Law, to share in the full benefits of union organization.
5. To secure legislation that will safeguard and promote the principle of free collective

bargaining, the rights of workers and the security and welfare of all people.

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.

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.

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.

9. 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.

10. To safeguard the democratic character of the labour movement and to observe and respect the autonomy of each affiliated union.

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.

12. Engage in political action and participation in municipal, provincial and federal election campaigns;

13. Engage in ongoing political activism-addressing local issues, working with community groups, lobbying and advocacy of municipal councils, school boards, members of provincial legislatures and members of Parliament;

14. Participate in campaigns of the CLC, Federations of Labour and affiliates by providing support and coordination;

15. Engage in media relations and public communications campaigns to raise the profile of the labour movement in the community;

16. Communicate with affiliates and union members to provide information on important issues;

17. Promote the identity of the labour movement by organizing events for designated days: e.g. Labour Day, Day of Mourning, International Women's Day, National Aboriginal Day, December 6, and other activities as deemed appropriate by the Council; and

18. Promote the interest of its affiliates and generally to advance the economic and social welfare of workers.

ARTICLE 3 - MEMBERSHIP

Section 1: Composition

The Labour Council shall be composed of local unions, branches and lodges of national and international, regional and provincial organizations affiliated to the Canadian Labour Congress and local unions in the area chartered by the Canadian Labour Congress.

Section 2: Guests and Observers

Guests attend at the invitation of the Council with voice but no vote. Observers may attend without voice or vote.

Section 3: Canadian Labour Congress

Canadian Labour Congress Officers and staff shall be accorded all rights and privileges of delegates, except the right to vote, when they attend meetings of the Labour Council.

Section 4: Expulsion of an Organization

Any organization affiliated with this Labour Council may be expelled from membership in this Council by a majority roll call vote at a special meeting. Organizations shall be notified by registered mail and a copy of the reason for the special meeting shall be enclosed. Thirty (30) days written notice shall be given all locals. 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.

Section 5: Contrary Aims

Any organization controlled or dominated by any totalitarian agency or whose policies and activities are consistently directed toward the achievement of the program or purposes of any totalitarian movement shall not be permitted as affiliates of the Labour Council.

Section 6: Expulsion of a Member Delegate

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 ballot vote at a meeting. In such cases the local union which the delegate represents will be notified and requested to replace that delegate.

Any decision to expel may be appealed to the Executive Committee of the Canadian Labour Congress within two months. The decision shall be in force and effect during appeal.

Section 7: Delegate Complaint

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

The Ombudsperson will, under the authority vested by the Congress, undertake such inquiries, hearings or meetings as he/she deems advisable and report their findings as soon as possible to the

parties to the complaint. Terms of reference appear in Article 19 of these By-Laws.

Section 8: Delegate Notification to the Council

It shall be the duty of each affiliated organization to furnish the Secretary of the Council with the following:

- (a) A list of the delegates, as chosen by the Affiliates' governing body to the Secretary of the Labour Council by January 1st of each year; and
- (b) A notice to amend the list of delegates to the Secretary of the Labour Council, immediately following the decision of the Affiliates' governing body and prior to the next meeting of the Council.

It shall be the duty of each affiliated organization to furnish a statement of the size of its current membership, as calculated according to Article 4, Section 5, to the Treasurer of the Labour Council on forms supplied by the Council by the January 1st of each year.

ARTICLE 4 – MEETINGS

Section 1: Governing Meetings

The regular monthly meetings, or a special meeting, shall govern the Labour Council, except as provided in Article 13, Section 2. Except where otherwise provided, its decisions shall be by majority vote.

Section 2: Timing or Change of Meeting

The regular meetings of the Council shall be held on the First Wednesday of each month and shall not exceed two hours in duration, unless agreed to as described below. 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 Council meeting.

Meetings may be extended for specific periods of time by a two-thirds (2/3) majority vote of the delegates present.

The Executive shall meet at the call of the President.

Section 3: Special Meetings

Special meetings of the Council may be called by direction of the Executive, or on request of affiliated organizations representing a majority of the total membership of the Council as evidenced by the records of the Secretary.

In the event that a two-thirds (2/3) majority requests a special meeting, the 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.

Representation to special meetings shall be on the same basis as regular meetings.

Section 4: Affiliate Representation

Representation at meetings shall be on the following basis: From affiliated local unions, branches and lodges one (1) delegate for fifty (50) or less members, and one (1) additional delegate for each additional fifty (50) members or major fraction thereof, subject to a maximum ten (10) delegates from any one organization.

An accredited representative of the Canadian Labour Congress, or of an International or National or Provincial Union with a local, branch or lodge affiliated with this Council, shall be accorded the privilege to attend meetings and shall be given voice in Council proceedings. Unless such representative is a properly credentialed delegate in the Council, such representative shall not be entitled to vote in Council proceedings.

Section 5: Delegates Calculated in December

For the purpose of selecting delegates to the Council (Section 4 above), the number of members of each organization shall be calculated in December and shall be the average monthly number on which per capita tax is paid, on a twelve (12) month basis in the current calendar year.

Section 6: Suspended, Expelled or in Arrears

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 months or more shall not be entitled to recognition or representation in the Council.

Any member suspended by or expelled from any organization affiliated to this Council shall not be seated as a delegate nor allowed representation in this Council. The affiliated local must notify the Secretary of the Council.

Section 7: Excluded from Meetings

An organization controlled or dominated by communists, fascists, or other totalitarians, shall not be allowed in this Council.

Section 8: Executive Member Absent

Any Executive member being absent from four (4) consecutive meetings of this Council (as per records kept by the Sergeant-at-Arms) without excuse from the delegate or his/her organization certifying to the absence, shall be reported to their local union or organization by the Secretary as to their non-attendance. The local union or organization shall be entitled to register a new delegate as a replacement.

Section 9: Meeting Quorum

Five (5) registered delegates representing separate affiliating unions shall be represented to form a quorum.

Section 10: CURC and Retirees and Other Community Groups

A maximum of two (2) delegates can attend and speak on issues but not vote or run for office from CURC or other retiree groups or community groups.

ARTICLE 5 – ANNUAL GENERAL MEETING

The Canadian Labour Congress will convene an annual meeting of labour council executive members, local union leadership and designated affiliate staff in each labour region to:

- a) Develop a strategic plan with goals and objectives for the community;
- b) Create working groups and committees which will involve other affiliates; and
- c) Establish plans and goals for strike and bargaining support, community outreach, municipal election campaign, media relations, and union communications and campaigns as required.

ARTICLE 6 – STRATEGIC PLAN, GOALS AND OBJECTIVES

The strategic plan will identify goals and objectives for the Labour Council to implement over the following year. This plan could include:

- a) Raising the community profile of the labour movement by organizing around name days such as Labour Day, Day of Mourning, International Women's Day and other days as identified by the local union leadership;
- b) Identifying issues for advocacy work with municipal councils and school boards including participation on committees such as community infrastructure, transportation and other citizen's committees;
- c) Developing strategies for participation in local, national, provincial or affiliate campaigns;
- d) Recommending committees for affiliate participation to organize events, coordinate strike and bargaining support, liaise with community organizations, coordinate campaigns;
- e) Developing a media and public relations plan to raise the profile of the labour movement; and;
- f) Developing relationships with community organizations and allies.

ARTICLE 7 – RULES OF ORDER

Section 1: Meeting Chair

The President, or in his/her absence or at his/her 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 his/her designated representative, a chairperson shall be chosen by the meeting.

Section 2: Sectarian Questions Prohibited

No question of a sectarian character shall be discussed at meetings.

Section 3: Delegate Recognition by Chairperson

When a delegate wishes to speak he/she shall be recognized by the Chairperson, and shall give his/her name and the organization he/she represents, and shall confine his/her remarks to the question at issue.

Section 4: Speaking to Issues

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.

Section 5: Interruption Prohibited

A delegate shall not interrupt another except it be to call a point of order.

Section 6: Delegate Called to Order

If a delegate be called to order he/she shall, at the request of the Chairperson, take their seat until the question of order has been decided.

Section 7: Un-Parliamentary Conduct

Should a delegate persist in un-parliamentary conduct, the Chairperson will be compelled to name him and submit his/her 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.

Section 8: Question Called

When a question is put, the Chairperson after announcing shall ask: "Are you ready for the question?" If no delegate wishes to speak, the question will be put.

Section 9: Voting

Questions may be decided by a show of hands or a standing vote, or a secret ballot but a roll call vote may be demanded by thirty per cent (30) of the delegates present. In a vote each delegate shall be entitled to one (1) vote.

Section 10: Decision of Chair Appealed

Two delegates may appeal the decision of the Chair. When an appeal is made from the decision of the Chair, the Vice-President shall act as chairperson. The chairperson shall then put the question thus: "Shall the decision of the Chair be sustained?" The question shall not be debatable except the appellant and the Chair make their explanation.

Section 11: Ties

In the case of a tie vote, the Chairperson shall cast the deciding vote.

Section 12: Testing the Floor

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.

Section 13: Motion Reconsidered

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.

Section 14: Bourinot's Rules Used

In all matters not regulated by these rules of order, Bourinot's Rules of Order (revised) shall govern. (Appendix 1 - Bourinot's Rules at a Glance)

ARTICLE 8 – ELECTION OF OFFICERS

Section 1: Executive Officers

The Executive Officers of the Council shall consist of a President, Vice-President, Secretary, Treasurer, Sargent-at-Arms and two (2) members at large.

Section 2: Other Officers

Other Officers shall consist of the Trustees and the Youth representative.

Section 3: Eligibility

- (a) Each officer shall be a member in good standing of an affiliated organization.
- (b) At the time of the election, the Young Workers' Representative shall be thirty (30) years of age or under.

Section 4: Term of Office

The officers shall be elected biannually at a regular meeting in even numbered years.

Section 5: Balloting

Election of officers shall be by secret ballot. A majority of votes cast shall be required before any candidate can be declared elected. Second and/or subsequent ballots shall be taken if necessary to obtain such a majority. On the second and/or subsequent ballots the candidate receiving the lowest number of votes shall be dropped. In the case of a final tie vote, the presiding officer shall ask the meeting to decide how to break the tie.

Section 6: Offices Filled Successively

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

Section 7: Obligation Stated

Once elected, the President, Vice-President, Secretary, Treasurer, Sergeant-at-Arms, Young Workers' Representative, and Trustees shall come forward and clearly speak the Obligation for Members of the Executive Article 1, subsection 4, to the assembled delegates.

Section 8: Term Commences

The term of the Officers and Executive Officers of the Council shall commence upon the completion of elections.

Section 9: Offices Vacated

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 perform the duties of President: the Secretary shall perform the duties of the President until a successor is elected. If the Vice-President or Secretary are both unable to perform in this matter the Treasurer shall perform this duty. In the event of a vacancy in the office of Vice-President, Secretary or Treasurer, the President shall perform the duties of the vacant office until a successor is elected.

Section 10: Filling of Vacated Offices

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

Section 11: Title Prohibition

The Executive Officers shall not hold title to any real estate of the Council in trust for the Council. They shall have no right to sell, convey, and encumber any real estate without first submitting the proposition to a meeting and such proposition is approved.

Section 12: Officers Bonded

The President, Vice-President and Treasurer shall be bonded in such sum as to cover the total assets of the Council. The premium of such bond shall be payable by the Council. Bonding shall be done through the Canadian Labour Congress.

ARTICLE 9 – DUTIES OF THE PRESIDENT

Section 1: President as Ex-Officio

The President shall be an ex-officio member of all standing and all special committees.

Section 2: President as CEO

The President shall function as the chief executive officer of the Council. He/she shall exercise supervision over the affairs of the Council, sign all official documents and preside at regular and special meetings.

Section 3: Interpretation

Subject to appeal to the Canadian Labour Congress, the President shall have authority to interpret these by-laws and his/her interpretation shall be conclusive and in full force and effect unless revised or changed by the Executive Committee or a meeting of the Council or the Canadian Labour Congress.

ARTICLE 10 – DUTIES OF THE VICE-PRESIDENT

The Vice-President shall aid the President in his/her duties as Chief Executive Officer of the Council, and act on his/her behalf when requested to do so. The Vice-President, or in his/her absence the Secretary, shall preside at the Council's Executive meetings.

ARTICLE 11 – DUTIES OF THE SECRETARY

1. The Secretary shall keep a correct record of the proceedings of the meetings in a book provided for that purpose. He/she shall keep a record of the enrollment of the delegates of each organization represented. He/she shall carry on all correspondence connected with the business of the Council when so directed by the President or the Council and perform such other duties as may pertain to his/her office.
2. The Secretary is empowered to require affiliated organizations to provide data in their possession relating to the membership of their organizations.
3. The Secretary shall cause the proceedings of all Council meetings and all sessions of the Executive to be recorded. Copies of all proceedings shall be forwarded to the Canadian Labour Congress and the Ontario Federation of Labour, if requested.

ARTICLE 12 – DUTIES OF THE TREASURER

1. The Treasurer shall be the Chief Financial Officer of the Council.
2. The Treasurer shall be in charge of books, documents, files and effects of the Council which shall at all times be subject to the inspection of the President and Executive Committee. He/she shall maintain a list of all affiliates of the Council and the reported number of members of each one.
3. The Treasurer shall prepare a financial statement of the Council for a monthly report to Council.
4. The Treasurer shall have the books of the Council audited annually by the trustees elected under provisions of Article 11. A copy of the audit report shall be forwarded to the Canadian Labour Congress in Ottawa and the CLC Regional Office.
5. The Treasurer shall, subject to the approval of the Executive Council, invest surplus funds of the Council in securities or deposit them in a bank or banks.

6. The Treasurer is empowered to require affiliated organizations to provide statistical data in their possession relating to the membership of their organizations.

ARTICLE 13 – TRUSTEES

Section 1: Trustee Allocation

Three (3) members shall be elected from three (3) different local unions or affiliated organizations.

Section 2: Trustee Audit

Books are to be audited every twelve (12) months, in January. The Trustees shall notify the Treasurer as to the exact time, place, etc., of all audits. The audits shall be confined to the Trustees and the Treasurer only, unless authorized by the general meeting of the Lindsay and District Labour Council.

Section 3: Executive Conflict

No member of the Executive shall be elected or appointed as a Trustee.

Section 4: Other Audits

Should the Trustees be unable or otherwise fail to audit the books of the Council, it shall be the duty of the Executive or the President to have the books checked and properly audited.

ARTICLE 14 – DUTIES OF SERGEANT-AT-ARMS

It shall be the duty of the Sergeant-at-Arms to receive the name of each delegate upon entering the room and shall record his or her attendance. He/she shall maintain good order in meetings and perform such duties as may be assigned by the President.

ARTICLE 15 – EXECUTIVE

Section 1: Composition

The Executive shall consist of the President; Vice-President; Secretary; Treasurer; Sargent-at-Arms, and two (2) Members at Large.

Section 2: Authority

The Executive shall be the governing body of this 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 this By-Law. The Executive is authorized to reimburse members of the Council for necessary expenses in performing their duties for the Council

Section 3: Meetings of the Executive

The Executive shall meet upon the call of the President. It shall be necessary for the President to call a meeting upon the request of three (3) other officers.

Section 4: Executive Investigation

The 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 Council or Canadian Labour Congress. Upon the completion of such an investigation, including a hearing if requested, the Executive Council shall have the authority to make recommendations to the organization involved, and the Canadian Labour Congress. It shall have the further authority upon a two-thirds (2/3) vote of the Executive Committee to suspend any organization. Any action of the Executive Committee under this Section may be appealed to the next meeting of the Council.

Section 5: Quorum

A majority of the members of the Executive shall constitute a quorum for the transaction of the business of the Executive.

Section 6: Executive Member Absent

Any member of the Executive Committee absent from three (3) consecutive meetings of the Executive Committee without excuse from the member or his/her organization certifying as to the absence, shall forfeit his/her seat.

ARTICLE 16 – SPECIAL AD HOC COMMITTEES

The Council may, by motion at a meeting, establish a Special Ad Hoc Committee, determine its composition, define its terms of reference, decide upon its duration and reporting requirements and appoint delegates to the committee.

ARTICLE 17 – REVENUE

Section 1: Per Capita

A per capita tax shall be paid on the full paid up membership of each union.

Section 2: Payments Made to Council

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 five (25) cents per member, as of January 1, 2017. A ten (10) cent per capita increase may be discussed at a future Council meeting.

Section 3: Arrears

Any organization which does not pay its per capita tax on or before the time specified shall be notified of that fact by the Treasurer of the Council. Any organization that is three (3) months in arrears shall

not be entitled to seat delegates in the Council and can be reinstated only after arrears are paid in full except provided in Section 4 of this Article.

Section 4: Strike as an exception to Per Capita

Any affiliated organization which is on a legal strike may, on written request to the Labour Council, be relieved of per capita tax payments for the duration of such strike.

ARTICLE 18 – DELEGATE EXPENSES AND PAYMENT FOR LOST TIME

The Executive Council is authorized to reimburse members of the Council for necessary expenses in performing their duties for the Council on the following basis:

1. Office stationary and supplies when approved by the delegates;
2. Mileage \$0.47 per kilometre when personal vehicle used;
3. Travel cost of public transportation, with receipt(s);
4. Travel costs between point of arrival and location of hotel accommodation, with receipt(s);
5. Parking, with receipt(s);
6. Meal allowance and miscellaneous expenses \$80.00 per diem in province, \$100.00 per diem out-of-province. Receipts are not required;
7. Costs of meals in conjunction with a meeting/conference which are additional to the costs of registration with per diem meal and miscellaneous expenses to be reduced by 50%. Evidence of ticket purchase required;
8. Hotel accommodations when required to remain out of town overnight, with receipt(s);
9. Cost of one telephone call home per day, with receipt(s);
10. Internet costs for executive members only, with receipt(s);
11. Lost time wages at their current hourly rate of pay, official documentation (i.e. pay information, collective agreement, management leave approval form) required;
12. Conference or meeting registration, with receipt(s); and
13. Out of pocket administrative expenses of \$200.00 total per year to be given to the President, Vice-President, Secretary, Treasurer and Sergeant-at-Arms. This amount will be divided in half (50%) and paid in the months of June and December. Receipts are not required.
14. The total cost of car rental (Rental Fee; Fuel Usage; Mileage Charge; Insurance Charge).

ARTICLE 19 – AMENDMENTS

Section 1: Review Period

By-Law review shall be conducted in the second year of the Executive's term of office.

Section 2: Adoption and Approval

Amendments to these By-Laws may be adopted by a two thirds (2/3) majority vote of those present. Amendments may not conflict with the CLC's Constitution, Policies or Procedures and shall only become effective after approval by the Executive Committee of the Canadian Labour Congress.

Section 3: Notice of Motion to Amend

Notice of motion to amend must be in writing and be given to the Secretary. The Secretary shall send the notice of motion to amend to all the affiliated groups within five working days of receipt of the notice. Such notice of motion to amend shall be dealt with at the regular meeting of the Council occurring at least thirty (30) days after the sending of the notice of the motion to amend to the affiliates.

ARTICLE 20 – ORDER OF BUSINESS

The following Orders of Business can be re-ordered upon the authority of the Council President.

1. Rollcall of Officers
2. Installation of New Unions
3. Reading of Minutes of previous meeting
4. Business Arising
5. Guest Speaker (Ad Hoc. Max. 20 min including Q&A)
6. Correspondence
7. Presidents Report
8. Executive Report
9. CLC Report
10. Workers Health & Safety Centre Report
11. Financial Report
12. Auditor's Reports, (February & August)
13. Reports of Unions
14. Reports of Committees
15. Elections of Officers
16. Unfinished Business
17. New Business.
18. Good and Welfare
19. Adjournment

Approved by Canadian Labour Congress (date)

Approved by Lindsay and District Labour Council (date)

ARTICLE 21 – OFFICE OF OMBUDS

Section 1: Delegate Complaint

If a delegate has a complaint or grievance against any officer or delegate of the Labour Council which cannot be dealt with by the procedures set forth in these ByLaws, the aggrieved delegate shall have the right to submit the case with all relevant material to the Secretary-Treasurer of the Canadian Labour Congress who shall immediately refer the case with all documentation to the Ombudsperson appointed by the Canadian Labour Congress.

Section 2: Terms of Reference for Ombudsperson:

In carrying out the duties assigned by the Congress, the Ombudsperson is empowered to:

- a) Receive inquiries concerning the rights of delegates and to advise them on the procedures open to them for the redress of complaints;
- b) Receive complaints, to investigate them, to hold hearings when the complaint warrants it, and to issue written reports, determination or findings on the individual cases;
- c) Decide whether or not allegations are sufficiently serious and substantial to justify a hearing and if not, to dismiss a complaint without a hearing;
- d) Order, in cases where the decision favours the complainant, such remedies as are necessary to redress the injustice to the individual;
- e) Recommend, based upon the cases handled, changes in the constitutions of bodies concerned which, in his/her judgment, would eliminate the causes of the complaints;
- f) Submit to the Canadian Labour Congress, before March 31 each year, a statistical report of the cases handled during the previous calendar year, and the disposition thereof, including such comments and recommendations as may be of assistance to the Congress in determining future policy with respect to the functions of this office.
- g) Recommend, for the approval of the Congress:
 - (i) Procedures for the handling of correspondence and written records relative to complaints received;
 - (ii) Procedures to be followed at meetings, hearings and inquiries, including the appearance and testimony of individuals;
 - (iii) Procedures for obtaining access to relevant files and other documentations; and
 - (iv) Procedures for reimbursement of complainants, defendants and witnesses for travel and other expenses.

Section 3: Investigation

The Ombudsperson will, under the authority vested in the Office of Ombuds by the Congress,

undertake such inquiries, hearings or meetings as deemed advisable and report on the findings conclusions and recommendations as soon as possible to the parties to the complaint and to the Secretary-Treasurer of the Canadian Labour Congress.

Section 4: Publication Allowed

In addition to the foregoing, the Ombudsperson would, if his/her orders or recommendations are not acted upon and grievances settled within a period of thirty days after the report had been submitted to the parties, have the authority to publicize any decision, award, or other findings the Ombudsperson has made.

ARTICLE 22 – HARASSMENT POLICY STATEMENT

- a) The Canadian Labour Congress takes seriously its responsibility to ensure that all union functions are free of harassment. Discrimination and harassment are against the Law and in violation of the Constitution of the Canadian Labour Congress.
- b) Harassment includes, but is not limited to:
 - (i) Unwelcome remarks, jokes, innuendos or taunts about a person's body; clothing; race; ancestry; colour; ethnic origin; citizenship; sex (including pregnancy); sexual orientation; disability; age; marital status; family status; political or religious affiliation; place of national origin; record of offences, and any other ground prohibited by Law;
 - (ii) Insulting gestures and practical jokes; for example, of a sexist, racist or homophobic nature;
 - (iii) Displaying of pornographic or racist pictures, graffiti or material;
 - (iv) Leering;
 - (v) Refusing to talk to, or work with, a person because of his or her race, ancestry, colour, ethnic origin, citizenship, sex (including pregnancy), sexual orientation, disability, age, marital status, family status, political or religious affiliation, place of national origin or record of offences;
 - (vi) Unwanted physical contact, such as patting, touching, pinching;
 - (vii) Sexual overtures;
 - (viii) Sexual assault; and
 - (ix) Physical assault.
- c) Complaints of harassment at all and Labour Council functions will be taken seriously and will be investigated immediately by the Representative of the Canadian Labour Congress and a member of the Executive.

APPENDIX 1 - BOURINOT'S RULES OF ORDER AT A GLANCE

To do this...	You say this...	May you interrupt the Speaker ?	Must you be seconded?	Is this debatable?	Is this amendable?	How is this decided?
Suspend any normal rule(s) for a specific (typically urgent) reason (this may not suspend rules set out in the CLC constitution)	I move we suspend the rule... In order to...	No	Yes	Yes	Yes	Consensus
Object to incorrect procedures being used	Point of order (and explain)	Yes	No	Yes, only on the point	No	Chair rules
Seek clarification from the previous speaker	Point of information (and explain)	Yes, if urgent	No	No	No	Chair rules
Object to something which prevents your continued participation (eg – excess noise)	Point of privilege (and explain)	Yes, if urgent	No	No	No	Chair rules
Make a motion	I move ...	No	Yes	Yes	Depends, usually Yes	Depends, Usually majority
Withdraw a motion	I withdraw my motion (mover only, motion must be on the floor)	No	Original seconder must consent	No	No	Consensus
Change a motion (this may be used to clarify a motion but not negate its intent)	I move that the motion be amended to read...	No	Yes	Yes	Yes	Majority (Or consent of both Mover of the original motion and the Seconder of the Original Motion)
Postpone consideration of a motion	I move that the motion be postponed until...	No	Yes	Yes	No	Majority
End debate on a motion without a vote (debate may continue later in the meeting)	I move that we proceed to the next order of business	No	Yes	No	No	Majority
End debate on a motion and proceed to a vote	I call the question	No	Yes	Yes	No	Majority
Object to an incorrect procedure being used	Point of Order	Yes	No	Yes, only on the point	No	Chair Rules

To do this...	You say this...	May you interrupt the speaker?	Must you be seconded?	Is this debatable?	Is this amendable?	How is this decided?
Postpone a motion until explicitly recalled	I move that the motion be tabled	No	Yes	Yes	Yes	Majority
Recall a tabled motion	I move that the motion be lifted from the table	No	Yes	Yes	No	Majority
Ask that individual votes be recorded in the minutes	I call for a roll call vote	No	No	No	No	Request granted, but only if 5 or more dissented from the original vote
Move that a motion from a previous meeting be reconsidered or rescinded (advance notice of motion required)	I move that the motion dated ... that reads... be reconsidered/rescinded	No	Yes	Yes	No	2/3 majority
Overturn the ruling of the chair	I challenge the chair on...	Yes	Yes	No	No	Majority
Adjourn a meeting (at any time, including in the middle of debate)	I move we adjourn	No	Yes	No	No	Majority
Consider an item/motion not on the agenda	Not permitted except during "other business" at which point standard speaking and motion rules apply	No	N/A	N/A	N/A	N/A
Consider something out of its scheduled order	I move that the agenda be amended in order to deal with item....	No	Yes	No	No	Majority
Seek clarification from the previous speaker	Point of information...	Yes if urgent	No	No	No	Chair Rules
Have a motion studied more before being voted on	I move that the motion be referred to...	No	Yes	Yes	Yes	Majority
Enquire about procedure or consequence	Point of Order	Yes	No	Yes, only on the point	No	Chair Rules