

**CONSTITUTION/BY-LAWS**

**OF THE**

**PEEL REGIONAL LABOUR**

**COUNCIL**

**CLC**

*(Chartered by the Canadian Labour Congress—January 1, 1962)*

**Motion to amend passed—December 14, 2016**

**Approved by**  
**CLC Canadian Council—June 20, 2017**



Canadian Labour Congress

Congrès du travail du Canada

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## **ARTICLE 1—NAME AND LOCATION**

**Section 1.** This labour council shall be known as Peel Regional Labour Council, CLC and is chartered by the Canadian Labour Congress.

**Section 2.** It shall consist of organizations affiliated to the Canadian Labour Congress which jurisdiction boundaries shall be as follows:

Commencing at the intersection the eastern boundaries of Peel County (Indian Line) and the shoreline of Lake Ontario, thence northerly along this line to Steeles Avenue. Thence easterly along Steeles Avenue to Highway # 27. Thence northly along Highway # 27 to Highway # 88. Thence westerly along Highway # 88 (extended westerly from the village of Bond Head) and parallel to Highway # 9 to a point where it intersects Highway # 104 (extended). Thence southerly along Highway # 104 to the intersection of Highway # 9. From this point, and on a south-easterly direction on a line parallel to the western boundary of Peel County, (and identified as the sixth (6th) line in Esquesing Township, (Halton Country) to a point where this line intersects # 5 Sideroad, Esquesing Township. Thence north-easterly along said # 5 Sideroad to where it intersects the western boundary of Peel County. Thence south-easterly along the western boundary line of Peel county to a point where it intersects Highway # 5. Thence north-easterly along Highway # 5 to the intersection of Highway # 10. Thence south-easterly along Highway # 10 to the shoreline of Lake Ontario. Thence north-easterly along the shoreline to the point of commencement.

The above outlined area includes the Towns and/or Villages of Bolton, Caledon, Georgetown, Brampton and Mississauga excluding Orangeville. Notwithstanding the above mentioned boundaries, Local Unions, Branches, and Lodges, which as of this date are affiliated to the Peel Regional Labour Council, CLC so remain.

**Section 3.** These organizations shall conform to the Constitution, the Rules and Regulations of this Council as set forth herein. This Labour Council shall not be dissolved while there are five (5) organizations remaining in the affiliation.

## ARTICLE 2—PURPOSES

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 and their communities.
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 unorganized 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 organization.
4. To encourage all workers without regard to race, creed, sex, sexual orientation, disability, age, colour, ~~or~~ national origin, political affiliation or belief to share in the full benefits of union organization.
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.
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 any 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 and to undertake other appropriate political action.

### **ARTICLE 3—MEMBERSHIP**

**Section 1.** 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.
- (2) Local unions in the area chartered by the Canadian Labour Congress.

**Section 2.** Any organization affiliated with this Labour Council may be expelled from membership in the Council by a two-thirds (2/3) roll call vote at a meeting, provided the charges in writing have been filed with the organization concerned. 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 3.** Any organization controlled or dominated by agencies or whose policies and activities are negatively directed toward the achievement of the program or purpose of the labour movement shall not be permitted as affiliates of this Labour Council.

**Section 4.** It shall be the duty of each affiliated organization to furnish the Treasurer of the Labour Council with the following:

- (a) All official reports which deal with matters within the purview of the Council.
- (b) Such other reports as will facilitate and make effective the work of the Council.
- (c) A statement of their dues paying membership in good standing.

Affiliates are encouraged to file with the Secretary of the Labour Council copies of their collective bargaining agreements.

## **ARTICLE 4—MEETINGS**

- Section 1.** The general membership meetings of this Labour Council shall be the governing body of the Council. Except as provided in Article 3, Section 2 and Article 14, its decisions shall be by majority vote.
- Section 2.** The general membership meetings of Labour Council shall usually be held, whenever possible, on the fourth (4th) Wednesday of each month except the months of July and August. Meetings will commence at 6:00 P.M. sharp.
- Section 3. (a)** Special meetings of the Labour Council may be called by direction of the Executive Board 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), requests a special meeting, the Executive Board shall call such meeting within five (5) calendar days and shall give all affiliated organizations 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 the general membership meetings.
- Section 4.** Representation at meetings shall be on the following basis: from affiliated local unions, branches and lodges, two (2) delegates for one hundred (100) members or less and one (1) additional delegate for each additional two hundred (200) members or a major fraction thereof, with a maximum of ten (10) delegates from any one local, branch or lodge.
- (a)** A Delegate to the Labour Council shall be considered to be a dues paying member of an affiliate of the labour council or any member of a retiree chapter of an affiliated organization in good standing.

- Section 5.** 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.
- Section 6.** The Secretary shall furnish each affiliate with credential blanks which must be attested as required on the blanks and deposited with the Secretary prior to the meeting before new delegates may be seated. All new delegates shall, at their first attendance at a meeting, be required to take the oath of allegiance, as quoted in Article 5, Section 6.
- Section 7.** Any organization suspended or expelled by the Canadian Labour Congress or the Council, shall not, while under such penalty, be allowed representation in the Council. Any organization which is in arrears to the Council for a per capita tax for three (3) months or more shall not be entitled to recognition or representation in the Council.
- Section 8.** Any person suspended or expelled from any organization affiliated to this Council shall not be seated as a delegate.
- Section 9.** Any organization controlled or dominated by any totalitarian agencies shall not be allowed representation in this Council.
- Section 10.** Any organization, whose delegates do not give proper support to the Council by their attendance at meetings will be requested to furnish credentials for suitable replacements.
- Section 11.** Fifteen (15) of the registered delegates of the affiliated unions, shall constitute a quorum for the transaction of business.
- Section 12.** The Rules and Order of Business governing the meetings shall be:
- (a)** The President, or in their absence or at their request, the Vice-President shall take the Chair, at the time specified, at all general membership meetings and special meetings. In the absence of both the President or their designated representative, a Chairperson shall be chosen by the Executive Board.
  - (b)** No question of a sectarian character shall be discussed at meetings.

- (c)** When a delegate wishes to speak, they shall be recognized by the Chairperson and shall give their name and that of the organization they represents and shall confine their remarks to the question at issue.
- (d)** Delegates shall not speak more than once upon a subject until all who wish to speak have had an opportunity to do so.
- (e)** A delegate shall not interrupt another except if to call a point of order.
- (f)** If a delegate is called to order, they shall, at the request of the Chairperson, take their seat until the question of order has been decided.
- (g)** Should a delegate persist in unparliamentarily conduct, the Chairperson will be compelled to “name” them and submit their conduct to the judgement of the meeting. In such a 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.

When a question is put, the Chairperson, after announcing the question, shall ask:

“Are you ready for the question?” If no delegates wish to speak, the question shall be put.

- (h)** Questions may be decided by a show of hands or standing vote, but a roll call vote may be demanded by thirty per cent (30%) of the delegates present. In a roll call vote, each delegate shall be entitled to one vote only.
  - 1.** Those delegates who are unable to stand due to physical limitation or injury may continue to vote via a raised hand or by any other method that has been accepted as customary voting practise by the PRLC for delegates unable to stand or raise their hand.
- (i)** Two (2) delegates may appeal the decision of the Chair. The Chairperson shall then put the thus: “Shall the decision of the Chair be sustained?” The question shall not be debatable except that the Chairperson may make an explanation of their decision.



- (j) The chairperson shall have the same right as other delegates to vote on any questions. In case of a tie vote, they shall cast the deciding vote.
- (k) 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.
- (l) A motion may be reconsidered provided the mover of the motion to reconsider voted with the majority and the notice of the 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.
- (m) Requests for donations or support in excess of \$500.00 shall be presented to the Executive Board for a recommendation prior to a General Membership Meeting.
- (n) In all matters regulated by these Rules of Order, *Bourinot’s Rules Of Order* shall govern.

## **ARTICLE 5—OFFICERS**

**Section 1.** The Officers of the Labour Council shall consist of a President, two (2) Vice-Presidents, one (1) Secretary, one (1) Treasurer, one (1) Sergeant-at-Arms, five (5) Members-at-large and one (1) youth delegate (under the age of 30).

**Section 2.** Each Officer shall be a member in good standing of an affiliated organization. No one shall be eligible for election unless they have attended a minimum fifty percent (50%) of the general membership meetings of the Labour Council in the previous twelve (12) months.

- (a) Members who were absent from general membership meetings while engaged in affiliate or labour council business shall not have those absences counted against the minimum attendance requirements.
- (b) Members who are scheduled to work during general membership meetings shall not have those absences counted against the minimum attendance requirements.

**Section 3.** The Officers shall be elected by the Council for a two (2) year term at the January meeting in 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 (2<sup>nd</sup>) and subsequent ballots shall be taken if necessary. On the second (2<sup>nd</sup>) and subsequent ballots, the candidate receiving the lowest number of votes on the previous ballot shall be dropped. In the case of a final tie vote, voting will continue until a majority is reached.

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

**Section 6.** Those who have successfully been elected for the office of President, Vice-Presidents, Secretary, Treasurer, Members-at-Large, Trustees, Sergeant-at-Arms and youth delegate shall at the completion of elections come forward and clearly and audibly speak the following lines to the assembled delegates:

*“I....., make oath and say that I will faithfully support the constitution, principles and policies of the Peel Regional Labour Council and the Canadian Labour Congress.*

**Section 7.** The term of Officers of the Labour Council shall commence upon the completion of elections.

**Section 8. (a)** In the event of a vacancy in the office of President, the 1st Vice-President shall perform the duties of the President until a successor is elected. If the 1st Vice-President is unable to act in this matter, the 2nd Vice-President shall perform the duties of the President until a successor is elected. If neither the 1st Vice-President or 2nd Vice-President is ~~unable to act~~ ~~in this matter~~ perform the duties of the President, the Treasurer shall perform the duties of the President until a successor is elected.

**(b)** In the event of a vacancy in the office of either the 1st Vice-President, 2nd Vice-President or 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 Labour Council, the vacancy shall be filled at the next general membership meeting.

**Section 10.** The Executive Officers shall hold title to any real estate or assets of the Labour Council as Trustees for the Council. They shall have no right to sell, convey or encumber any real estate or assets without first submitting the proposition to a general membership meeting and such proposition is approved by majority vote.

**Section 11.** Standing Committees shall be elected by the Council for a two (2) year term at the February meeting in odd numbered years. Such committees may include Legislative, Municipal, Organization, Education, Political Action, Welfare and Community Services, Labour Day and Social, Union Label, Workers of Colour, and such other Committees as the Council shall at other times elect. The Executive Board may request any such Committee to meet for the purpose of considering matters placed before it and such Committee shall prepare reports of it's activities for presentation to Council meetings.

All committees must report in writing to the Executive Board prior to incurring any costs.

#### **ARTICLE 6—DUTIES OF THE PRESIDENT**

**Section 1.** The President shall be the chief executive officer of the Labour Council. The President shall exercise supervision over the affairs of the Council, sign all official documents and preside at all general membership and special meetings and at meetings of the Executive Board. The president has the authority to appoint a designate to functions, conferences and meetings on their behalf to represent the Labour Council if they cannot attend. The president or their designate will sit as a member of all Boards (i.e. United Way, Labour Community Services etc.) as approved by the Labour Council Executive Board.

**Section 2.** 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 Labour Council Executive Board, or a general membership meeting, or the Canadian Labour Congress.

**Section 3.** The President shall be allowed one (1) day per week to do Labour Council business to be reported at general membership meetings.

## **ARTICLE 7—DUTIES OF THE FIRST (1st) AND SECOND (2nd) VICE-PRESIDENTS**

**Section 1.** The First (1st) Vice-President and the Second (2nd) Vice-President, shall aid the President in their duties as Chief Executive Officer of the Council and act on their behalf when requested to do so.

## **ARTICLE 8—DUTIES OF THE TREASURER**

**Section 1.** The Treasurer shall be the Chief Financial Officer of the Council.

**Section 2.** The Treasurer shall be in charge of all financial documents which shall at times be subject to the inspection of the President and the Executive Board. The treasurer shall maintain a list of all affiliates of the Council and the reported number of dues paying members of each one.

**Section 3.** (a) There will be four (4) signing Officers; President, First (1st) Vice-President, Second (2nd) Vice-President and Treasurer. Two (2) out of four must sign each cheque.

(b) The Treasurer shall prepare a financial statement of the Council for a report at all general membership meetings.

(c) The Treasurer shall be allowed four (4) hours per month to conduct Labour Council Business.

**Section 4.** The treasurer shall have the books of the Council audited semi-annually by the Trustees elected under the provisions of Article 12. A copy of the audit report shall be forwarded to the Canadian Labour Congress.

**Section 5.** The Treasurer shall, subject to the approval of the Executive Board, invest surplus funds of the Council in securities or deposit them in a Bank, Banks or Financial Institution.

**Section 6.** The Treasurer and signing Officers shall be bonded in such amounts as may be determined by the Executive Board and or the Canadian Labour Congress.

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

## **ARTICLE 9—DUTIES OF THE SECRETARY**

- Section 1.** The Secretary shall cause the proceedings of all general membership Council meetings and all sessions of the Executive Board to be recorded. Copies of all proceedings shall be forwarded to the Canadian Labour Congress.
- Section 2.** Such records of proceedings will include all motions with the names of the mover and seconder and will be recorded in the minute book of the Council.
- Section 3.** The Secretary shall file a copy of all letters sent out and keep on file all communications and answered correspondence as directed.
- Section 4.** The Secretary shall be allowed eight (8) hours per month to conduct Labour Council Business.

## **ARTICLE 10—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 and guest upon entering the room and it shall then be recorded for their attendance. The Sergeant-at-Arms shall perform such duties as may be assigned to them by the President.

## **ARTICLE 11—EXECUTIVE BOARD**

- Section 1.** The Executive Board shall consist of the President, First (1st) Vice-President, Second (2nd) Vice-President, Secretary, Treasurer, Sergeant-at-Arms, five (5) Members-at-Large and one (1) youth delegate.
- Section 2.** The Executive Board 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 general membership meetings and to enforce the provisions contained in the Constitution.
- Section 3.**        **(a)** The Executive Board shall have the authority 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 it's affairs by any corrupt influences, or that it's policies or activities are contrary to the principles or policies of the Council.

- (b)** Any organization affiliated to the Peel Regional Labour Council may be expelled from membership in the Peel Regional Labour Council by a two thirds (2/3) majority roll call vote held at a duly constituted meeting of the delegates. Any decision to expel may be appealed to the Executive Committee of the CLC, within two (2) months. The decision to expel shall have force and effect during any appeal.
- (c)** Any organization suspended or expelled by the CLC shall not, for the duration of the suspension, be allowed representation in the Peel Regional Labour Council, and shall also, for the duration of the suspension, be expelled from the Peel Regional Labour Council.
- (d)** Any delegate representing an organization affiliated to the Peel Regional Labour Council may be suspended or expelled from membership in the Peel Regional Labour Council for conduct unbecoming a delegate by a two thirds (2/3) majority roll call vote at a duly constituted meeting of the delegates. In such cases the Secretary shall notify the local union which the delegate represents in writing forthwith, stating the reason(s) for the suspension or expulsion, and requesting a replacement. Any decision to expel may be appealed to the Executive Committee of the CLC within two (2) months. The decision shall have full force and effect during any appeal.
- (e)** Any person suspended by or expelled from any organization affiliated to the Peel Regional Labour Council shall not be accepted as a delegate to the Peel Regional Labour Council.

**Section 4.** A majority of the members of the Executive Board shall constitute a quorum for the transaction of the business of the Executive Board.

**Section 5. (a)** The Executive Board is authorized to reimburse members of the Council for necessary expenses in performing their duties for the Council as set from time to time by simple resolution of the membership and published in Appendix II.

- (b) In addition for travel outside of area and overnight lodging authorized by the Council, a delegate will be compensated for the single room cost or one half (1/2) of a double room shared by another delegate (Receipts Required). If railway, bus, or air fare is not feasible an allowance for passenger car transportation as set from time to time by simple resolution, of the membership and published in the Appendix II shall be granted, except for transportation to regular council meetings. Parking fees will also be paid. (Receipts Required) Highway 407 or toll highway fees will only be compensated with Receipts and matching date of event attended.
- (c) The Executive Board shall have the power to adjust these amounts if the conditions so warrants.
- (d) In the event that any delegate incurs any loss of wages while conducting business for the Council, such expense shall be reimbursed at regular rate of pay to the delegate's Local Union. Vouchers will be completed and given to Treasurer for payment.

**ARTICLE 12—DUTIES OF THE TRUSTEES**

- Section 1.** Three (3) Trustees shall be elected by the Labour Council in the same manner as the Officers. Initially, the Trustee receiving the largest number of votes shall be elected for three (3) years, the Trustee receiving the second (2<sup>nd</sup>) largest number of votes shall be elected for two (2) years, and the Trustee receiving the third (3<sup>rd</sup>) largest number of votes shall be elected for one (1) year. Subsequently, one (1) Trustee shall retire each year as the term for which such Trustee was elected expires, and succeeding Trustees shall be elected for three (3) years. The retiring Trustee shall be eligible for re-election.
- Section 2.** The Trustees shall conduct an audit of the books and accounts of the Council semi-annually as of June 30th and December 31st each year and shall submit to the Council written reports thereon with any recommendation deemed necessary.

## **ARTICLE 13—REVENUE**

- Section 1.** A per capita tax shall be paid monthly to deem an organization to have a fully paid up membership.
- Section 2.** Each affiliated local union, branch or lodge shall pay before the first (1st) day of each month for the preceding month the per capita dues. The per capita dues shall be thirty cents (\$0.30) per member per month.
- Section 3.** Any organization which does not pay its per capita tax on or before the time specified in this Constitution shall be notified of that fact by the Treasurer of the Council. Any organization three (3) months in arrears of the per capita tax may become suspended from membership in the Council and can be reinstated only after arrears are paid in full.
- (a)** Any bargaining unit of an affiliated local engaged in strike action or lockout shall be exempt from their per capita dues for the duration of their strike or lockout.
- Section 4.** Any changes to the per capita tax must be made subject to Article 14—Amendments.

## **ARTICLE 14—AMENDMENTS**

- Section 1.** Proposed amendments to these By-Laws must conform with the Constitution and principles and policies of the Canadian Labour Congress and must be submitted to the Labour 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 at the general membership meeting.



## **APPENDIX I**

### **CONSTITUTION AND BY-LAWS FOR PEEL REGIONAL LABOUR COUNCIL – ORDER OF BUSINESS**

The business of the Labour Council in each general membership meeting shall be conducted in the following order:

- 1.** Call to Order/Moment of Silence
- 2.** Acceptance of Agenda
- 3.** Roll Call of Officers
- 4.** Reading of Credentials
- 5.** Installation of New Delegates
- 6.** Guest Speaker(s)
- 7.** Adoption of Minutes
- 8.** Election of Office
- 9.** Correspondence
- 10.** Financial Report/Financial Requests
- 11.** President's Report
- 12.** CLC Report
- 13.** Workers Health and Safety Report
- 14.** Labour Community Services Report
- 15.** Injured Workers Monument Report
- 16.** Reports from Standing Committees
- 17.** Reports from Boards
- 18.** Reports from Delegates
- 19.** Old Business
- 20.** Executive Recommendations (non-financial)
- 21.** New Business
- 22.** Good and Welfare
- 23.** Adjournment

## APPENDIX II

### CONSTITUTION AND BY-LAWS FOR PEEL REGIONAL LABOUR COUNCIL – EXPENSE COMPENSATION

#### Meal Expenses

#### Conventions and Courses

#### Per Diem as per CLC Rate:

- Delegates \$70.00 per day for each day with a hotel stay and \$35.00 for the last day.
- Delegates for each day without a hotel stay \$35.00.
- When accommodation and meals are included \$15.00
- Committee Meetings or Other Assignments:
  - Meals (when not on per diem) \$15.00
  - Parking – as required

RECEIPTS ARE REQUIRED FOR HOTEL, PARKING & TAXIES

#### Transportation:

- Allowance for passenger car transportation shall be paid at forty cents (\$0.40) per km as per membership approval.
- If more than one person is travelling in the same car, only one person will be paid.
- All bills, lost time expense forms must be filled out and submitted within 60 days of occurrence.

#### Stipends:

As per Article 11, the annual stipend shall be as follows:

- President will receive \$300.00 per year.
- Secretary and Treasurer will receive \$200.00 per year.
- First Vice-President and Second Vice-President will receive \$150.00 per year.
- Sergeant at Arms will receive \$100.00 per year.
- The balance of Executive will receive \$50.00 per year.

