

## ARTICLE 1 – JURISDICTION

- Section 1.** This Labour Council shall be known as the “Vancouver and District Labour Council” and is chartered by the Canadian Labour Congress. It shall consist of organizations affiliated to the Canadian Congress which become affiliated to this Council. These organizations shall conform to the Constitution and rules and regulations of this Council as set forth herewith.
- Section 2.** This Labour Council shall not be dissolved while there are organizations remaining in affiliation representing at least ~~fifteen (15)~~ five (5) national unions, international unions, regional, or provincial organizations affiliated to the Canadian Labour Congress, or chartered locals of the Canadian Labour Congress.
- Section 3.** The geographic jurisdiction of the Vancouver and District Labour Council, CLC, now covers the area west of Boundary Road, south to the Fraser River, including Lulu Island, Sea Island, City of Richmond, City of Vancouver, Lions Bay, City of North Vancouver, the Corporation of the District of North Vancouver, Bowen Island, West Vancouver, and the University Endowment Lands within Electoral Area “A”.

## **NOTES**

Section 2 – the intent of these changes is to remove the potential of falling below the minimum threshold due to mergers or other changes.

Section 3 – the intent is to accurately reflect the composition of our District, which the old language no longer achieved.

## ARTICLE 2 – DECLARATION OF PRINCIPLES AND OBJECTIVES

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 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 to share in the full benefits of union membership, especially those who identify with equity seeking groups and any others worker who is protected by the grounds of the BC Human Rights Code.
5. ~~To encourage all workers without regard to race, creed, colour, national origin, sex, sexual orientation, or disability to share in the full benefits of union organization.~~  
To actively oppose racism, sexism, homophobia, transphobia, ageism, ableism, and xenophobia and work to eliminate the barriers that prevent marginalized workers from benefiting from union organization or participating fully in the labour movement.
6. To affirm the underlying title of indigenous nations on their traditional territories, and their inherent rights of self determination, including to promote reconciliation with Indigenous peoples through acting on, and conducting our work in accordance with, the Truth and Reconciliation Commission 94 Calls to Action, and the United Nations Declaration on the Rights of Indigenous Peoples.
7. To promote public and cooperative ownership as models which better promote economic democracy and social good.
8. To secure legislation which will safeguard and promote the principle of free collective bargaining, the rights of all workers, and the security and welfare of all people.
9. 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.

10. To promote the cause of peace and freedom in the world and to assist and co-operate with free and democratic labour movements throughout the world.
11. To stand for action to address the real and immediate danger of climate change and ensure a sustainable economy with a just transition for all workers.
12. 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.~~
13. To protect the labour movement from ~~any and~~ all corrupt influences and from any agencies which are opposed to the basic principles of ~~our~~ democracy and free democratic unionism; and to strongly support affiliates against raiding.
14. To safeguard the democratic character of the labour movement and to observe and respect the autonomy of each affiliated union.
15. While preserving the independence of the labour movement from political control, to engage in political action by:
  - (a) ~~encourage~~ Encouraging 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 government.
  - (b) Engaging in political action and participation in municipal, provincial and federal election campaigns.
  - (c) Engaging in ongoing political activism addressing local issues, working with community groups, lobbying and advocacy of municipal councils, school boards, park boards, members of the provincial legislature, and members of parliament.
16. To promote safety and health for workers in all types of employment, and to initiate and support programmes designed to reduce injuries, disease and death in all industries.
17. To engage in media relations and public communications to raise the profile of the labour movement in the community.
18. To promote the identity of the labour movement by organizing events for designated days, e.g. International Women's Day, Day of Mourning, International Worker's Day (May Day), National Aboriginal Day, Labour Day, The National Day for Remembrance and Action on Violence Against Women.

## **NOTES**

Changes to this Article are intended to bring up-to-date the priorities and regular activities of the Labour Council and remove references that are dated or no longer accurate.

The language of paragraph 6 currently being recommended reflects the amendment from the October meeting as well as the original language. The Committee, following discussion and consultation, felt that this language is more action-oriented and covers both general statements of principle as well as more specific commitments.

### ARTICLE 3 – AFFILIATION AND DUTIES

- Section 1.** The Labour Council shall be composed of:
- (a) local unions, branches, units, or lodges of national and international unions, regional, and provincial organizations affiliated to the Canadian Labour Congress; and
  - (b) local unions in the area chartered by the Canadian Labour Congress.

~~**Section 2.** Any trade union desiring admission to this Labour Council shall forward its application, accompanied by a copy of its Constitution and By-Laws, to the President.~~

**Section 2.** 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.

**Section 3.** Any organization affiliated with this Labour Council may be expelled from membership in the Council by a majority roll call vote at a meeting, ~~provided Notice of Motion has been served at the previous regular meeting together with written charges.~~ 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.** It shall be the duty of such affiliated organization to furnish the President of the Labour Council with the following:~~

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

**Section 4.** BC Federation of Retired Union Members (BC FORUM) shall be entitled to membership as an affiliated organization upon application by BC FORUM and payment of a \$10.00 application fee, and shall be entitled to two (2) delegates.

**Section 5.** 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.

## **NOTES**

The proposed changes to this Article bring the language in-line with actual practice which has been ongoing for several years.

## ARTICLE 5 – REGULAR AND SPECIAL MEETINGS

- Section 1.** The regular meetings of this Labour Council shall be the governing body of the Council; its decisions shall be by majority vote, unless otherwise provided for.
- Section 2.** Registered delegates representing at least ~~twenty (20)~~ fifteen (15) of the affiliated unions locals shall constitute a quorum at the meeting of the Labour Council for the transaction of business.
- Section 3.** The regular meetings of the Labour Council shall be held on the third (3<sup>rd</sup>) Tuesday of each month except that there will be no meeting in the month of August. The December regular meeting will be held on the second (2<sup>nd</sup>) Tuesday of that month. Meetings shall commence at ~~7:30~~ 7:00 p.m. sharp, or such other regular hour as the ~~Vancouver and District Labour Council~~ Executive Board might deem to be appropriate.
- Section 4.**
- (a) Special meetings of the Labour Council may be called by the direction of the Executive Board or on written request of fifteen (15) or more delegates representing at least fifteen (15) affiliated organizations.
  - (b) In the event a majority as provided in subsection (a) requests a special meeting, the Executive Board shall call such a meeting within five (5) calendar days and shall give all 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 regular meetings.

## **NOTES**

Changes to this Article aim to bring the language in-line with current practice regarding meeting dates and times while also minimizing instances of no-quorum by reducing the number of affiliates required to be represented. Although these instances have been rare, the trend toward mergers over the course of past decade or more increases the potential for this to occur.

## ARTICLE 6 – EXECUTIVE BOARD REPRESENTATION

### Part I. Officers of the Labour Council

**Section 1.** The ~~Officers~~ Executive Board of the Labour Council shall consist of five (5) ~~Officers~~, and twelve (12) members-at-large. The ~~Officers of the Labour Council~~ shall be the ~~a~~ President, 1<sup>st</sup> (First) Vice-President, 2<sup>nd</sup> (Second) Vice-President, Recording Secretary, and Treasurer, and twelve (12) Members-at-Large ~~Executive Board Members~~.

**Section 2.** ~~The objective of gender equity and the promotion of diversity shall guide the nomination of Executive Board members.~~

**Section 2.** Each member of the Executive Board ~~Officer~~ shall be a member in good standing of an affiliated organization. No delegate shall be eligible for election to office, unless they have at least twelve (12) months' previous experience as a delegate, and have attended at least fifty percent (50%) of the Labour Council meetings, including meetings missed for valid reasons, in the twelve (12) months up to and including the meeting where the election will be conducted.

~~However, if a candidate did not attend fifty percent (50%) of the meetings during the previous twelve (12) months because they have been absent due to a prohibited ground for discrimination in the BC Human Rights Code, their eligibility will be determined by the period one year prior.~~

**Section 3.** ~~If no eligible candidate accepts nomination, candidates who have attended fewer than fifty percent (50%) of the Labour Council meetings in the period described above may be accepted as eligible.~~

**Section 4.** ~~The Executive Board shall consist of the elected Officers of the Labour Council.~~

**Section 3.** Election of Executive Board members 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 to obtain such a majority. In case of a final tie vote, the presiding Officer may cast the deciding vote.

**Section 4.** All elected Executive Board members shall, at the first opportunity following their election, take the following oath:

*"I, \_\_\_\_\_, most solemnly promise, on my honour, to perform the duties of my office faithfully and impartially, and to the best of my ability until my successor is duly elected and installed, and will support the Constitution,*

*principles, and policies of the Vancouver and District Labour Council and the Canadian Labour Congress.”*

**Section 5.** A potential candidate for office who finds they shall be absent from the nominating and election meeting due to sickness, accident, work, or absence from the city, must:

- a) submit a letter to the Labour Council President prior to the nomination, signifying that ~~she or he~~ they will accept should their name be placed in nomination; and
- b) acquire from the Labour Council office and have delivered to the President thereof, prior to the said meeting, a form letter bearing the oath of nomination duly executed with the nominee’s personal signature signifying allegiance to the oath contained therein.

**Section 6.** The term of Executive Board members shall commence upon the completion of elections.

**Section 7.** In the event of a vacancy through death or resignation, or for any other reason, in the office of President, the Vice-Presidents, in order of precedence, shall perform the duties of President until a successor is elected.  
In the event of a vacancy in any other office, the Executive Board shall appoint a delegate of the Labour Council to fill the position until the next regular meeting when nominations for the vacated office shall take place, and at the next succeeding meeting, nominations shall be reopened and the election held.

**Section 8.** When two (2) or more nominees are to be elected to any office by ballot, each delegate voting shall be required to vote for the full number of candidates to be elected or the delegate’s ballot will be declared spoiled.

**Section 9.** All Executive Board members elected shall hold office for a period of two (2) years.

**Section 10.** The Officers Executive Board of this Labour Council shall be ~~nominated~~ elected as follows:

Nominations shall be opened at the regular meeting in ~~January~~ October.  
Nominations will be reopened and Officers will be elected at the regular meeting in ~~February~~ November. The election for each office shall be completed before nominations are reopened for any subsequent office.

The election of Officers shall take place in the following sequence:

President

First (1<sup>st</sup>) Vice-President

Second (2<sup>nd</sup>) Vice-President

Treasurer

Recording Secretary

Members-at-Large

All Officers shall hold office for a period of one (1) year.

In the event that it is deemed that the meetings for nominations and/or elections are to fall on inappropriate dates, the Labour Council shall have the right to change such meeting dates provided notice is served at the ~~first (1<sup>st</sup>)~~ meeting in ~~December~~ September that the change is contemplated and provided that a Motion to so change is carried by a majority vote of the delegates, at the said ~~December~~ September meeting.

## **Part II. Members-At-Large**

### **Section 11. — Members At-Large shall be elected as follows:**

- a) Local unions, branches, or lodges of the ten (10) unions with the largest average membership affiliated with the Labour Council shall each nominate one (1) Member At Large to the Executive Board.
- A “union” shall be defined, for the purposes of this Section, as the total of all local unions, branches, or lodges of an organization affiliated to the Canadian Labour Congress that are also affiliated to this Labour Council.
  - The President shall provide an affiliate membership report to the July Labour Council meeting, for approval, in even numbered years. Upon acceptance of the membership report, the ten (10) largest affiliated unions shall be notified in writing of their status, including a list of their delegates and attendance records.
  - Each of the ten (10) largest affiliated unions shall notify the Labour Council in writing of their Executive Board nominee by September 30<sup>th</sup>.
  - In the event of a vacated Executive Board seat, the union shall nominate a replacement.
- b) Local unions, branches or lodges of unions, other than the ten (10) largest unions shall form a Small Union Caucus to elect two (2) Members At Large to the Executive Board.
- The Labour Council shall schedule a meeting of the Small Union Caucus to elect two (2) Executive Board members.
  - The Small Union Caucus of the Labour Council shall, in addition to electing two (2) Executive Board members, elect two (2) alternate members in the event a vacancy occurs during the term of office.

- ~~The Small Union Caucus nomination meeting will be scheduled prior to the October meeting.~~
- ~~A minimum of thirty (30) days' notice of said meeting shall be given to each local union, branch, or lodge within the Small Union Caucus, including a list of the union's delegates and their attendance record.~~
- ~~Delegates must be properly credentialed and approved no later than the September meeting in order to be eligible to vote in the Small Union Caucus meeting.~~
- ~~The Small Union Caucus meeting shall be conducted by the President or their designate and supervised by the Canadian Labour Congress representative.~~

## **NOTES**

Proposed change of note is to move the election date from February to November in order to avoid conflict with CLC Winter School and to ensure the new Executive is in place to plan and budget for the coming calendar-year.

The proposed changes also move from a one-year term to two and amend and clarify the attendance requirements and delegate seniority required for nomination to the Executive Board.

The proposal to move away from an at-large election system has been removed, as has paragraph 2 (in accordance with the amendment passed at the October meeting). The questions of changing the Executive Board election process and structure to ensure affiliate representation as well as equity and inclusion will be submitted to a further consultative process with affiliates next year in light of the controversy generated by the proposed changes.

## ARTICLE 7 – DUTIES OF OFFICERS

**Section 1.** The President shall function as the Chief Executive Officer of the Labour Council. The President shall be the primary public spokesperson for the Council, attend all meetings of the Council, sign all official documents, and receive and answer all communications.

The President shall be a full-time Officer of the Labour Council. ~~Starting on~~ On January 1, ~~2007 and of each January thereafter~~ year, the annual wage for the position of President shall be increased by the same percentage increase as the average wage increase for unionized workers in the province of British Columbia for the previous twelve (12) months. The amount of the wage increase shall be calculated and applied as soon as the wage increase data for the previous year becomes available and shall be retroactive to the first (1<sup>st</sup>) of January.

The President, in consultation with the Executive Board, will appoint such committees as are necessary to conduct the affairs of the Labour Council, and shall be an ex-officio member of all committees. The President shall be a Labour Council delegate to conventions.

The President shall assist the Recording Secretary to keep a correct record of proceedings of all Labour Council meetings and shall report the delegate attendance at meetings twice yearly to Local Unions. The Recording Secretary shall have a copy of minutes of the previous Council meeting available for all accredited delegates attending meetings.

~~The President, in conjunction with the Treasurer, following the regular meeting in January, shall have prepared an annual audit on the financial standing of the Labour Council by a reputable auditing firm. A copy of the audited report shall be provided to all affiliated organizations and to the Canadian Labour Congress. The audited report shall list monthly per capita payments of all affiliated organizations, the number of delegates each organization has seated in the Council, and all other information required in a financial report.~~

The President shall be a signing Officer and shall sign all cheques issued by the Labour Council. The President shall be bonded for an amount determined by the Executive Board and the premium paid for by the Council.

The President shall, upon vacating office, deliver to the Labour Council all books, papers, and monies belonging to the Council that may or should be in ~~his or her~~ their possession.

~~The President shall receive an amount designated by the Labour Council as remuneration for service.~~

**Section 2.** The 1<sup>st</sup> (First) Vice-President shall Chair all meetings of the Labour Council, shall decide all questions of order, and shall have the authority to interpret the Constitution. The 1<sup>st</sup> (First) Vice-President's interpretation shall be conclusive and in full force unless reversed by the Executive Board or by a meeting of this Labour Council or by the Canadian Labour Congress.

The 2<sup>nd</sup> (Second) Vice-President shall perform the duties of the 1<sup>st</sup> (First) Vice-President when ~~she or he is~~ they are unavailable.

**Section 3.** The Recording Secretary, working with the President, shall be responsible for keeping correct minutes of all Executive Board and Labour Council meetings. The Recording Secretary shall have access to all minutes, records, and correspondence of the Council and shall report in this regard to the Executive Board and Council.

**Section 4.** The Treasurer shall be a signing Officer and shall have access to all books, receipts, and disbursements and other finances that come within the jurisdiction of the Labour Council. ~~In conjunction with the President, the Treasurer shall have prepared an annual audit on the financial standing of the Labour Council by a reputable auditing firm and report the results to the Executive Board. The Treasurer shall be bonded for an amount determined by the Executive Board and the premium paid by the Council. The Treasurer may receive a stipend in an amount to be determined by the Council.~~

**Section 5.** ~~The resignation of an Officer holding Labour Council funds shall not be accepted until the books and accounts have been audited and proper returns made.~~

## **NOTES**

Changes to this Article bring the language in-line with current practice, including having a financial review but not requiring an audit annually.

## ARTICLE 8 – EXECUTIVE BOARD

- Section 1.** The Executive Board shall be the governing body of this Labour Council between meetings. It shall take such action and render such decisions as may be necessary to carry out fully the decisions and instructions of the Council meetings and to enforce the provisions contained in this Constitution.
- Section 2.** The Executive Board shall meet upon the call of the President. It shall also be necessary for the President to call a meeting upon the request of three (3) other ~~Officers~~ Executive Board members.
- Section 3.** A majority of the members of the Executive Board shall constitute a quorum for the transaction of the business of the Labour Council.
- Section 4.** Executive members who are absent for three (3) consecutive meetings shall be deemed to have vacated their positions, unless:
- a) a reasonable explanation is provided and accepted by vote of the executive, and
  - b) on-going regular attendance is expected for the remainder of the term.
- Section 5.** The Executive Board is authorized to reimburse members of the Labour Council for necessary expenses in performing their duties for the Council.
- Section 6.** The Executive Board is authorized to employ such staff as it deems necessary for the efficient administration of all departments of the Labour Council and fix salaries therefore.
- Section 7.** The Executive Board 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 regular meeting and such proposition is approved.
- Section 8.** Committee Chairpersons duly appointed in accordance with this Constitution, who are not members of the Executive Board, shall have the right to attend Executive Board meetings with voice but not vote unless the Executive Board determines otherwise by majority vote.

## **NOTES**

The new language added in Section 8 covers the current practice of including the Young Workers Committee Chair a voice but no vote at the Executive Board and extends it to the other Committees as well. The intent is to ensure strong lines of communication between the Executive Board and all Committees and increase input from Committees in the direction of the Council.

## ARTICLE 9 – REVENUE

**Section 1.** A per capita tax shall be paid upon the full, paid-up membership of each organization.

**Section 2.** Each affiliated local union, branch, unit, or lodge shall pay, before the last day of each month, for the preceding month, a per capita tax ~~as follows:~~

~~October 1, 2013 — forty six cents — (\$0.46) per member~~  
~~October 1, 2014 — forty seven cents — (\$0.47) per member~~  
~~October 1, 2015 — forty eight cents — (\$0.48) per member.~~

All changes to the per capita tax shall require Notice of Motion and formal approval by the Labour Council, and approval by the Canadian Labour Congress.

**Section 3.** Any organization which does not pay its per capita tax on or before the time specified shall be notified of that fact by the President of the Labour Council. Any organization three (3) months in arrears in payment of per capita tax may become suspended from membership in the Council and can be reinstated only after arrears are paid in full.

**Section 4.** Revenues other than those herein before mentioned may be provided in such manner as the Labour Council may devise.

**Section 5.** No individual expenditure of monies for a specific purpose in excess of ~~five hundred dollars (\$500)~~ one thousand dollars (\$1,000) shall be authorized at any meeting of this Labour Council except that two weeks' prior notice has been given, together with the object of the expenditure, as well as the amount to be expended.

**Section 6.** No money shall be paid out except by the President and countersigned by the Treasurer or the 1<sup>st</sup> (First) Vice-President. All receipts with stubs, and cheques, shall be numbered consecutively.

## **NOTES**

Changes to this Article remove outdated language and reflect current practices previously approved.

## ARTICLE 10 – RULES OF ORDER

- Section 1.** The 1<sup>st</sup> (First) Vice-President, or in ~~her or his~~ their absence the 2<sup>nd</sup> (Second) Vice-President or another Executive Board Member, shall take the Chair at the hour specified in the Constitution for regular meetings, or in the call for a special meeting. In the absence of said Officers, a Chair *pro tempore* shall be chosen by the Labour Council.
- Section 2.** ~~Robert's~~ Bourinot's Rules of Order shall be the authority to decide all questions of order not provided for in the Constitution, By-Laws, or Rules of Order.
- Section 3.** All regular meetings shall commence at ~~7:30 p.m.~~ 7:00 p.m., or such regular hour as the ~~Vancouver and District Labour Council~~ Executive Board might deem to be appropriate, and adjourn at 9:30 p.m. A Motion to extend the time must have a two-thirds (2/3) vote.
- Section 4. Order of Business**
1. Territorial Acknowledgement
  2. Notice of Policy on Harassment
  3. Adoption of Agenda
  4. Reading Adoption of Minutes
  5. Report of Credentials Committee
  6. Obligation of New Delegates
  7. Guest Speakers
  8. Educational Session
  9. ~~Report of Executive Board~~ President's Report
  10. Treasurer's Report
  11. Canadian Labour Congress Report
  12. ~~Communications read and disposed of~~ Correspondence
  13. Reports of Unions
  14. Reports of ~~Officers and~~ Committees
  15. Reports of Labour Council Appointed Representatives to External Bodies
  16. Unfinished Business
  17. Election and Installation of Officers
  18. New Business
  19. ~~Questions by members~~
  20. Notices of Motion
  21. Good and Welfare of the Labour Council
  22. Adjournment
- Section 5.** Delegates from twenty percent (20%) of the unions affiliated, if dissatisfied with the decision of the Labour Council on any subject before them, may have the matter referred to a referendum vote of the affiliated local unions. The Secretary

of each union to notify the Council of the votes, for and against, within two (2) months. A favourable decision from a majority of the membership voting shall sustain the decision of the Council.

**Section 6.** In addition to the rules of order specified above, the following rules shall govern meetings of the Labour Council:

- a) There shall be no recording, photographing or other media capture of meetings of the Labour Council without prearranged consent of the President.
- b) No questions of a sectarian character shall be discussed at meetings.
- c) A delegate wishing to speak shall first be recognized by the Chair. The delegate shall state their name and the organization they represent and shall confine their remarks to the question at issue.
- d) A delegate shall not speak more than once upon a subject until all first-time speakers have had an opportunity to do so.
- e) A delegate shall not interrupt another except to call a point of order.
- f) Proposals for expenditure shall not be approved by the regular meeting without the Executive Board first giving consideration to the proposal.
- g) If any delegate while speaking is called to order by the Chair, the delegate shall be seated until the question of order has been decided.
- h) Should a delegate persist in un-parliamentary conduct, the Chair shall name the delegate and submit their conduct to the judgement of the meeting. In such case, the delegate whose conduct is in question shall have up to three (3) minutes to provide an explanation and then withdraw from the room, while the meeting determines what course to pursue in the matter.
- i) Questions shall be decided by vote, using voting cards provided upon signing into the meeting. A roll call vote may be demanded by thirty percent (30%) of the delegates present. In a roll call vote each delegate shall be entitled to one vote; names shall be called from the meeting's delegate attendance report.
- j) Two (2) delegates may appeal a decision of the Chair, stating their reasons for appeal. The question shall not be debateable except that the Chair may make an explanation of the decision. The Chair shall then put the question thus: "Shall the decision of the Chair be sustained?"
- k) The Chair shall have the same right as any other delegates to vote on any question. In case of a tie vote, the Chair shall cast the deciding vote, provided the Chair has not already voted on the question.
- l) When the previous question is moved or called, no discussion of amendment of either motion is permitted. If the majority vote that "the question be now put", the original motion has to be put without debate. If the motion to put the question is defeated, discussion will continue on the original motion.

m) A motion may be reconsidered, provided the mover of the motion to reconsider voted with the majority and notice of motion is given for reconsideration at the next meeting. The said notice of motion must be supported by two-thirds (2/3) of the delegates qualified to vote.

## **NOTES**

Changes to this Article bring the Constitution and By-Laws in-line with the Canadian Labour Congress re: Bourinots vs. Roberts Rules of Order. They also update the agenda to reflect our current practices and also to add adoption of agenda, and financial report going forward in the interests of improved democracy and transparency. Additional rules governing meetings have also been added with the intent of ensuring the fair and efficient conduct of proceedings.

The Committee agreed that the proposal to ensure the agenda is circulated at least three days in advance, as discussed at the October meeting, is a good one. However, it was felt that this fits better in the policy manual. It will be added there. The policy manual will be distributed once necessary changes are made to reflect the changes to the Constitution & By-Laws.

## ARTICLE 11 – OMBUDSPERSON

**Section 1.** If a delegate to the Labour Council has a complaint or grievance against an Officer or delegate to the Council, and no procedure of redress of the complaint or grievance is set out in these By-Laws, the delegate shall have the right to submit the case, with all relevant material, to the Ombudsperson appointed by the Canadian Labour Congress.

The Ombudsperson will, under the authority vested by the Canadian Labour Congress, undertake such enquiries, hearings or meetings, as deemed advisable, and report the findings as soon as possible to the parties to the complaint.

**Section 2.** In carrying out the duties assigned the Ombudsperson by the Canadian Labour Congress, the Ombudsperson is empowered:

- a) To receive complaints concerning the rights of ~~members~~ delegates and to advise them of the redress of complaints.
- b) To receive complaints, to investigate them, to hold hearings if ~~she or he~~ they decides the complaint warrants it, and to issue written reports, determinations, or findings on the individual cases.
- c) To 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) To order, in cases where the decision favours the complainant, such remedies as in the opinion of the Ombudsperson are warranted.
- e) To recommend, based upon the cases handled, changes in the constitution of bodies concerns which, in the judgement of the Ombudsperson, would eliminate the cause of the complaint.
- f) To submit to the Canadian Labour Congress, before March 31<sup>st</sup> of each year, a statistical report of the cases handles 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) To recommend, for the approval of the Canadian Labour 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 documentation; and
  - iv. procedures for reimbursement of complainants, defendants, and witnesses for travel and other expenses.

h) In addition to the forgoing, the Ombudsperson would, if ~~her or his~~ their recommendations were not acted upon and grievances settled within a period of thirty (30) days after the report has been submitted to the parties, have the authority to publicize any decision, or other findings ~~she~~ or he they have made.

## ARTICLE 12 – AMENDMENTS

**Section 1.** Amendments to this Constitution, so long as they do not conflict with the Constitution of the Canadian Labour Congress, nor its principles and policies, may be adopted. Any amendments shall only become effective after approval by the Canadian Labour Congress.

**Section 2.** An amendment or alteration of any kind to this Constitution and By-Laws shall first be submitted to the Labour Council, in writing, and lie upon the table or be referred to Committee till the next regular meeting, when it shall be voted upon, and if two-thirds (2/3) of the ~~members~~ delegates present vote in favour of the amendment or alteration, it shall be declared adopted. The President shall keep a book in which shall be recorded all amendments or alterations of the Constitution and By-Laws.

~~Delegates to this Labour Council should use their influence at all times to secure support for the Union Label, shop card, and button of affiliated unions.~~

~~Delegates are not to patronize firms, persons, organizations, and functions that have been placed on the "Non-Patronage" list of this Labour Council and request their membership and friends to take like action.~~

## **NOTES**

The removal of the final paragraphs of this Article are proposed as they do not fit under the heading of "Amendments". They are reflected, in spirit, in Article 2 but with dated references removed.