

BY-LAWS

OF THE

**WOOD BUFFALO AND
DISTRICT LABOUR COUNCIL**

CLC

(Chartered by the Canadian Labour Congress—March 5, 2013)

Motion to amend passed—August 21, 2013
Approved by CLC Canadian Council—March 5, 2013



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 the **“Wood Buffalo and District Labour Council, CLC.”**
- Section 2.** It shall consist of organizations affiliated to the Canadian Labour Congress which become affiliated to this Labour Council and which are situated in the area bounded on the north by the Northwest Territory boundary, on the south by Athabasca, on the east by the Saskatchewan border, and on the west by Highway 2 north, excluding Peace River to the east side of Highway 35 north, excluding High Level.
- Section 3.** These organizations shall conform to the By-Laws and the rules and regulations of this Labour Council as set forth herewith. This Labour Council shall not be dissolved while there are five (5) organizations remaining in affiliation.

ARTICLE 2—PURPOSE

- Section 1.** 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 without regard to race, creed, sex, age, colour, or national origin 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 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.

ARTICLE 3—MEMBERSHIP

Section 1. The Labour Council shall be composed of:

- (a) local unions, branches and 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 organization affiliated with this Labour Council may be expelled from membership in the Council by a majority roll call vote at a meeting. Any decision to expel may be appealed to the Executive Committee of the Canadian Labour Congress within two (2) months. The decision shall be in force and effect during the appeal.

Section 3. Any delegate representing a local union affiliated with this Labour Council may be suspended or expelled, for conduct unbecoming a delegate, from membership in the Council by a majority roll call vote at a meeting. In such cases, the local union, which the delegate represents, will be notified and requested to replace this delegate. Any decision to expel may be appealed to the Executive Committee of the Canadian Labour Congress within two (2) months. The decision shall be in force and effect during the appeal.

Section 4 (a) Canadian Labour Congress Officers, Directors and Representatives shall be accorded all rights and privileges of delegates except the right to vote when they attend meetings of this Labour Council.

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

Section 5. (a) It shall be the duty of each affiliated organization to furnish the Treasurer of the Labour Council with the following:

(i) All official reports which deal with matters within the purview of the Council.

(ii) Such other reports as will facilitate and make more effective the work of the Council.

(iii) A statement of their membership in good standing.

(b) Affiliates are encouraged to file copies of their collective bargaining agreements with the Treasurer of the Labour Council.

ARTICLE 4—MEETINGS

- Section 1.** The regular meetings of this Labour Council shall be the governing body of the Council. Except as provided in Article 15, its decisions shall be made by majority vote.
- Section 2.**
- (a)** The regular meetings of the Labour Council shall be held on the third (3rd) Tuesday of each month, with the exception of April, July, August and December. Meetings shall commence at 7:30 P.M. sharp.
 - (b)** The Annual General Meeting of the Labour Council shall be held on the third (3rd) Tuesday of April each year. Meetings shall commence at 7:30 P.M. sharp.
- Section 3.**
- (a)** Special meetings of the Labour Council may be called by direction of the Executive Council, or on request of affiliated organizations representing a majority of the total membership of the 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 Council shall call such 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(a) of this Section, a special meeting shall exercise the same authority as regular meetings.
- Section 4.** In the event Officers of the Labour Council fail to call meetings, or otherwise fail to carry out their duties and responsibilities, the Canadian Labour Congress shall take whatever measures are necessary to reorganize the Council.
- Section 5.** Representation at meetings shall be on the following basis: from affiliated local unions, branches and lodges, three (3) delegates for one hundred (100) members or less and one (1) additional delegate for each additional one hundred (100) members or major fraction thereof, with a maximum of ten (10) delegates per local.

Section 6. 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 7. The Treasurer 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 in Labour Council.

Section 8. Obligation for Delegates

All delegates to this Labour Council, before being seated shall come forward and clearly and audibly repeat the following obligation:

(with the right hand over the heart, the delegate repeats after the installing officer).

“I, solemnly promise and declare that I will support and obey the By-Laws of this Labour Council, and the Constitution of the Canadian Labour Congress. That I will, if within my power to do so, assist my fellow members, or their families, when they are in distress, that I will not purposely, or knowingly wrong a member of the Council, or assist others in wronging a member, that I will not divulge, except to a delegate, any of the affairs of this Council, that I will not recommend any person to become a delegate to this Council whom I believe unworthy to be a delegate. I do hereby solemnly promise and declare that I will undertake a faithful performance of this obligation.”

Section 9. 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. Any organization which is in arrears to the Council for per capita tax three (3) months or more shall not be entitled to recognition or representation in the Council.

Section 10. Any person suspended or expelled from any organization affiliated to this Labour Council shall not be seated as a delegate.

Section 11. Any delegate being absent from four (4) consecutive meetings of this Labour Council (as per record kept by the Sergeant-at-Arms) without good and sufficient reason, in writing, having been previously presented to the Secretary from the delegate, or his or her organization, certifying to the sickness, absence from city, or engagement at work, said delegate shall forfeit his or her seat, and immediate notice sent to the delegate's organization by the Secretary requesting a new credential for the vacant seat. The Secretary shall also revise the official Roll Call Book and attendance card file, for accurate use by the Sergeant-at-Arms.

Section 12. The President, in consultation with the Executive Council, shall appoint such committees as are necessary to conduct the affairs of the Labour Council. Such committees may include Legislative, Municipal, Organization, Education, Political Education, Welfare and Community Services, Labour Day and Social, Union Label, and such other committees as the Council shall at other times appoint. The Executive Council may request any such committee to meet for the purpose of considering matters placed before it, and such committee shall prepare reports of its activities for presentation to the Council meetings.

Section 13. Five percent (5%) of the registered delegates representing at least five percent (5%) of the affiliated unions shall constitute a quorum for the transaction of business.

Section 14. The Rules and Order of Business governing meetings shall be:

- (a) The President, or in his or her absence or at his or her request, the Vice-President(s) shall take the Chair at the time specified at all regular and special meetings. In the absence of both the President or designated representative, a Chair shall be chosen by the Executive Council.
- (b) No question of a sectarian character shall be discussed at meetings.
- (c) Any delegate wishing to speak he shall first be recognized by the Chair, then the delegate shall give a suitable identification, including the organization represented, and shall confine all remarks to the question at issue.
- (d) A delegate 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 it be to call to a Point of Order.
- (f)** A delegate who has been called to order they shall, at the request of the Chair, be seated until the question of order has been decided.
- (g)** Any delegate persisting in unparliamentary conduct, shall be named by the Chair, and the conduct shall be submitted to the judgement of the meeting. In such case, the delegate whose conduct is in question shall explain and then withdraw, while the meeting determines what course to pursue in the matter.
- (h)** When a question is put, the Chair, after announcing the question shall ask: "Are you ready for the question?" If no delegate wishes to speak, the question shall be put.
- (i)** Questions may be decided by a show of hands, or a standing vote, but 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 (1) vote.
- (j)** Two (2) delegates may appeal the decision of the Chair. The Chair shall then put the question thus: "Shall the decision of the Chair be sustained?" The question shall not be debatable, except that the Chair may make an explanation of the decision.
- (k)** The Chair shall have the same right as other delegates to vote on any questions. In case of a tie vote, the Chair shall cast the deciding vote.
- (l)** When the previous question is moved, no discussion or amendment of either Motion is permitted. If the majority vote that "the question be now put," the original Motion has to be put without debate. If the Motion to put the question is defeated, 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 consideration at the next meeting, and said Notice of Motion is supported by two-thirds (2/3) of the delegates qualified to vote.
- (n)** In all matters not regulated by these Rules of Order, *Bourinot's Rules of Order* shall govern.

ARTICLE 5—OFFICERS

- Section 1.** The Officers of the Council shall consist of a President, two (2) Vice-Presidents, Secretary, Treasurer, Sergeant-at-Arms and one (1) Executive member.
- Section 2.** Each Officer shall be a member in good standing of an affiliated organization.
- Section 3.** The Officers shall be elected by the Labour Council at the annual meeting which will be held on the third (3rd) Tuesday in the month of April.
- 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 (2nd) and subsequent ballots shall be taken if necessary to obtain such a majority. On the second (2nd) and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In case of a final tie vote, the presiding officer may cast the deciding vote.
- Section 5.** The election of each office shall be completed before nominations may be accepted for any subsequent office.
- Section 6.** Nominees allowing their names to go forward for the offices of President, Vice-President(s), Secretary, Treasurer, Sergeant-at-Arms, and Executive members, shall upon acceptance of nomination, come forward and clearly and audibly speak the following lines to the assembled delegates:
- “In accepting nomination, I swear and affirm
that I will faithfully support the Constitution,
principles and policies of 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 the President, a Vice-President shall perform the duties of the President until a successor is elected. If a Vice-President is unable to act in this manner, the Secretary shall perform this duty.
- (b) In the event of a vacancy in the office of either Vice-President(s), Secretary, 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 regular meeting.

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

Section 11. Obligation for Officers

After being elected, each Officer before assuming the duties of office, shall be required to take the following obligation:

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

ARTICLE 6—DUTIES OF THE PRESIDENT

- Section 1.** The President may function as 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 regular and special meetings and at meetings of the Executive Council.
- Section 2.** Subject to appeal to the Canadian Labour Congress, the President shall have the authority to interpret these By-Laws and this interpretation shall be conclusive and in full force and effect unless reversed or changed by the Executive Council, or a meeting of the Canadian Labour Congress.

ARTICLE 7—DUTIES OF THE VICE-PRESIDENT(S)

- Section 1.** The Vice-President(s) shall aid the President in the duties of chief executive officer of the Labour Council and act on behalf of the President when required to do so.

ARTICLE 8—DUTIES OF THE TREASURER

- Section 1.** The Treasurer shall be the chief financial officer of the Labour Council.
- Section 2.** The Treasurer shall be in charge of all financial documents, files and effects of the Labour Council which shall at all times be subject to the inspection of the President and Executive Council, and shall maintain a list of all affiliates of the Council, and the reported number of members of each one.
- Section 3.** The Treasurer shall prepare a financial statement of the Labour Council for a report to Council.
- Section 4.** The Treasurer shall have the books of the Labour Council audited semi-annually by the Trustees elected under provisions of Article 12. A copy of the Audit Report shall be forwarded to the Canadian Labour Congress Regional Office.
- Section 5.** The Treasurer shall, subject to the approval of the Executive Council, invest surplus funds of the Labour Council in securities or deposit them in unionized financial institutions where possible.

Section 6. 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 keep a correct, full and impartial account of the proceedings of each meeting of the Labour Council. The Secretary shall have charge of the Seal and records of the Council. The Secretary shall conduct all correspondence on behalf of the Council, acknowledge all communications promptly, and write all letters as directed by Council meetings. The Secretary shall inform the Canadian Labour Congress Regional Office of all changes of Officers of the Council and in time and place of meetings. The Secretary shall also forward copies of all Council minutes to the Canadian Labour Congress Regional Office.

ARTICLE 10—DUTIES OF THE SERGEANT-AT-ARMS

Section 1. It shall be the duty of the Sergeant-at-Arms to receive the name of each delegate upon entering the room, and shall record each delegate's attendance. The Sergeant-at-Arms shall perform such duties as may be assigned by the President.

ARTICLE 11—EXECUTIVE COUNCIL

- Section 1.** The Executive Council shall consist of the President, Vice-President(s), Secretary, Treasurer, Sergeant-at-Arms and Executive Council Members.
- Section 2.** The Executive Council 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 these By-Laws.
- Section 3.** The Executive Council 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.
- Section 4.** The Executive Council shall have the power to conduct an investigation of any situation in which there is reason to believe that any affiliated organization may be dominated, controlled or substantially influenced in the conduct of its affairs by any corrupt influence, or that its policies or activities are contrary to the principles or policies of the Labour Council. 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 Council, to suspend any organization. Any action of the Executive Council under this Section may be appealed to the next meeting of the Council.
- Section 5.** A majority of the members of the Executive Council shall constitute a quorum for the transaction of the business of the Executive Council.
- Section 6.** The Executive Council is authorized to reimburse members of the Labour Council for necessary expenses in performing their duties for the Council.

ARTICLE 12—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 (2nd) largest number of votes shall be elected for two (2) years and the Trustee receiving the third (3rd) 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 not be members of the Executive Council.
- Section 3.** The Trustees shall conduct an audit of the books and accounts of the Labour Council semi-annually as of June 30th and December 31st, based on actual verification of the Treasurer's records as outlined on the appropriate Canadian Labour Congress Audit Report form. The Trustees shall see that all audit reports are available for the information of all delegates and copies forwarded to the Canadian Labour Congress Regional Office.
- Section 4.** Should the Trustees be unable or otherwise fail to audit the books of the Labour Council it shall be the duty of the Executive Council or the President to have the books checked and properly audited by a firm of chartered accountants or some equally qualified party.
- Section 5.** All financial officers of the Labour Council shall be bonded in an amount to be determined by the Council, but in no case shall the amount be less than the annual income of the Council.
- Section 6.** Where Labour Council Officers are not bonded through the Canadian Labour Congress, the Trustees shall certify to the Congress that all financial officers of the Council are bonded in accordance with the provisions of these By-Laws.

ARTICLE 13—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 or lodge shall pay, for the preceding month, a per capita tax of forty-five cents (\$0.45) per member effective March 2012.
- Section 3.** Any organization three (3) months or more in arrears of per capita to the Labour Council shall be notified by the Secretary or Treasurer. Such organization shall not be able to seat delegates at the Council until three (3) months arrears are paid in full.

ARTICLE 14—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 for redress of the complaint or grievance is set out in these By-Laws, the aggrieved member shall have the right to submit the case, with all relevant material, to the Ombudsperson appointed by the Canadian Labour Congress.
- Section 2.** The Ombudsperson will, under the authority vested by the Congress, undertake such inquiries, hearings or meetings, as deemed advisable, and report the findings as soon as possible to the parties to the complaint.

ARTICLE 15—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 (30) days before the proposed amendment is to be considered. Such amendments may be adopted by a two-thirds (2/3) majority vote of those present and voting. However, amendments shall only become effective after approval by the Canadian Council of the Canadian Labour Congress.

ARTICLE 16—ORDER OF BUSINESS

Section 1. The business of the Labour Council in each regular meeting shall be conducted in the following order:

1. Roll Call of Officers.
2. Reading of the minutes of the previous meeting.
3. Correspondence.
4. President's Report.
5. Treasurer's Report.
6. Union Reports.
7. Reports from the Standing Committees.
8. Special Committee Reports.
9. Reports from Labour Council Representatives serving on public and private boards and commissions.
10. Canadian Labour Congress Report.
11. Old business.
12. New business.
13. Good and welfare of the Labour Council.
14. Adjournment.

APPENDIX I

EXPENSE COMPENSATION RATE AND PER CAPITA TAX

Expense compensation with regards to meals, mileage, meeting allowance, etc., shall be provided at the same rate as that which is in effect at the Canadian Labour Congress.