

BY- LAWS
OF THE
LABRADOR WEST DISTRICT LABOUR COUNCIL
C. L. C.

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ARTICLE I - NAME AND LOCATION

Section 1 This Labour Council shall be known as the LABRADOR WEST DISTRICT LABOUR COUNCIL, C.L.C.

Section 2 It shall consist of organizations affiliated to the Canadian Labour Congress which become affiliated to this Labour Council and which are situated within a ten (10) mile radius of Wabush and Labrador City.

Section 3 These organization shall conform to the By-Laws and rules and regulations of this Council as set forth herewith. This Labour Council shall not be dissolved while there are five (5) organizations remaining in affiliation.

ARTICLE II - 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.
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 the undermining efforts of all totalitarian agencies which are opposed to the basic principles of our democracy and free democratic unionism.
10. To safeguard the democratic character of the labour movement and to observe and respect the autonomy of each affiliated union.
11. While preserving the independence of the labour movement from political control, to encourage workers to vote, to exercise their full rights and responsibilities of citizenship, and to perform their rightful part in the political life of municipal, provincial and federal governments.

ARTICLE III - 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.

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 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 him. 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 4 CLC Officers, Directors and Representatives shall be accorded all rights and privileges of delegates except the right to vote when they attend meetings of this Council.

Section 5 Any organization controlled or dominated by any totalitarian agency or whose policies and activities are consistently directed towards the achievement of the program or purposes of any totalitarian movement shall not be permitted as affiliates of this Labour Council.

Section 6 It shall be the duty of each affiliated organization to furnish the Secretary- Treasurer of the 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 more effective the work of the Council; and
- (c) A statement of their membership in good standing.

Affiliates are encouraged to file with the Secretary-Treasurer of the Council and the Research Department of the Canadian Labour Congress in Ottawa, copies of their Collective Agreements.

ARTICLE IV - MEETINGS

Section 1 The regular meetings of this Labour Council shall be the governing body of the Council. Except as provided in Article XIV, its decisions shall be by majority vote.

Section 2 The regular meetings of the Council shall be held on the 3rd Thursday of each month, except for the months of July and August. Meetings shall commence at 7:30 p.m.

Section 3 (a) Special meetings of the 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 Secretary-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 (b), a special meeting shall exercise the same authority as regular meetings.

Section 4 Representation at meetings shall be entitled to three (3) voting delegates and two (2) alternate delegates, who will have a vote when a regular voting delegate is not present. Alternate delegates shall not have the right to stand as a candidate for any office in the Council.

Section 5 The number of members of each organization for the purpose of selecting delegates to the Council shall be the average monthly number on which per capita tax is paid.

Section 6 The Secretary-Treasurer shall furnish each affiliate with credential blanks which must be attested as required on the blanks and deposited at a regular Council meeting before new delegates may be seated in Council.

Section 7 Obligation for Delegates

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

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

“I, (name) solemnly promise and declare ... that I will support and obey the By-Laws of this Labour Council and the Canadian Labour Congress. That I will if within my power to do so assist my fellow members or their families when they are in distress that I will not purposely or knowingly wrong a member of the Council or assist others in wronging him,.... 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 8 Any organization suspended or expelled by the Canadian Labour Congress or this Council shall not, while under such penalty, be allowed representation in the Council. Any organization which is in arrears to the Council for per capita tax, three (3) months or more, shall not be entitled to recognition or representation in the Council.

Section 9 Any organization controlled or dominated by any totalitarian agency shall not be allowed representation in this Council.

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

Section 11 Any delegate being absent from four (4) consecutive meetings of this 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 his organization by the Secretary requesting a new credential for the vacant seat. The Secretary

shall also revise 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 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 Council meetings.

Section 13 One-fourth (1/4) of the registered delegates representing at least one-fourth (1/4) 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:

- 1) The President, or in his absence or at his request, the Vice-President shall take the Chair at the time specified, at all regular and special meetings. In the absence of both the President or his designated representative, a Chairperson shall be chosen by the Executive Council.
- 2) No question of a sectarian character shall be discussed at meetings.
- 3) When a delegate wishes to speak he shall be recognized by the Chairperson and shall give his name and the organization he represents and shall confine his remarks to the question at issue.
- 4) A delegate shall not speak more than once upon a subject until all who wish to speak have had an opportunity to do so.
- 5) A delegate shall not interrupt another except it be to call to a point of order.

- 6) If a delegate be called to order he shall, at the request of the Chairperson, take his seat until the question of order has been decided.
- 7) Should a delegate persist in unparliamentary conduct, the Chairperson will be compelled to name him and submit his conduct to the judgment of the meeting. In such case the delegate whose conduct is in question should explain and then withdraw, and the meeting will determine what course to pursue in the matter.
- 8) When a question is put, the Chairperson after announcing the question shall ask: "Are you ready for the question?" If no delegate wishes to speak, the question shall be put.
- 9) 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.
- 10) Two (2) delegates may appeal the decision of the Chair. The Chairperson shall then put the question thus: "Shall the decision of the Chair be sustained?" The question shall not be debatable except that the Chairperson may make an explanation of his decision.
- 11) The Chairperson shall have the same right as other delegates to vote on any questions. In case of a tie vote, he shall cast the deciding vote.
- 12) 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.
- 13) 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.

- 14) In all matters not regulated by these rules of order,
Bourinot's Rules of Order shall govern.

ARTICLE V - OFFICERS

- Section 1* The Officers of the Council shall consist of a President, three (3) Vice-Presidents, Secretary, Treasurer and Sergeant-at-Arms.
- Section 2* Each Officer shall be a member in good standing of an affiliated organization. No one shall be eligible for election unless he has attended fifty percent (50%) of the meetings of the Council in the previous six (6) months.
- Section 3* Effective January 1987, the Officers shall be elected by the Council during the regular January monthly meeting and the Officers elected will serve a two (2) year term. Election of Officers will be held in 1987, 1989 and every two (2) years thereafter.
- 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 and subsequent ballots shall be taken if necessary to obtain such a majority. On the second and subsequent ballots the candidate receiving the lowest 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 and the
By-Laws of this Labour Council.”

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

Section 8 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.

In the event of a vacancy in the office of either Vice-President or Secretary, the President shall perform the duties of the vacant office until a successor is elected.

Section 9 In the event of a vacancy in any office of the 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 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 his duties, 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 VI - DUTIES OF THE PRESIDENT

Section 1 The President shall be the Chief Executive Officer of the Council. He 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 authority to interpret these By-Laws and his interpretation shall be conclusive and in full force and effect unless reversed or changed by the Executive Council, or a meeting or the Canadian Labour Congress.

ARTICLE VII - DUTIES OF THE VICE-PRESIDENT

Section 1 The Vice-President(s) shall aid the President in his duties as Chief Executive Officer of the Council and act on his behalf when required to do so.

ARTICLE VIII - DUTIES OF THE SECRETARY

Section 1 The Secretary shall keep a correct, full and impartial account of the proceedings of each meeting of the Council in a bound minute book. He shall have charge of the seal and records of the Council. He shall conduct all correspondence on behalf of the Council, acknowledge all communications promptly and write all letters as directed by Council meetings. Along with the President, he shall sign the "AuthorizationToPay" form known as the "Order on the Treasurer", in all cases where disbursements are to be made. He shall inform the Director of the Department of Federations and Labour Councils of the Canadian Labour Congress, of all changes of Officers of the Council and in time and place of meetings. He shall also forward copies of all proceedings to the Canadian Labour Congress and the Ottawa and the CLC Regional Office.

ARTICLE IX - 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 books, documents, files and effects of the Council which shall at all times be subject to the

inspection of the President and Executive Council. He 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 Council for a monthly report to Council.

Section 4 The Treasurer shall have the books of the Council audited semi-annually by the Trustees elected under provisions of Article XII. A copy of the audit report shall be forwarded to the Canadian Labour Congress, Ottawa and the CLC Regional Office.

Section 5 The Treasurer shall, subject to the approval of the Executive Council, invest surplus funds of the Council in securities or deposit them in a bank or banks.

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 X - 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 his or her attendance. He shall perform such duties as may be assigned to him by the President.

ARTICLE XI - EXECUTIVE COUNCIL

Section 1 The Executive Council shall consist of the President, three (3) Vice-Presidents, Secretary, Treasurer and Sergeant-at-Arms.

Section 2 The Executive Council 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 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 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 Council for necessary expenses in performing their duties for the Council.

ARTICLE XII - TRUSTEES

Section 1 Three (3) Trustees shall be elected by the 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 largest number of votes shall be elected for two (2) years and the Trustee receiving the third 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 Council semi-annually as of June 30th and December 31st, based on actual verification of the Treasurer's records as outlined on the Canadian Labour Congress Audit Report form (Form 34LC). They shall see that all audit reports are posted for the information of all delegates and copies forwarded to the Canadian Labour Congress, Ottawa and the CLC Regional Office.
- Section 4* Should the Trustees be unable or otherwise fail to audit the books of the 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 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 Council officers are not bonded through the 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 XIII - 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 before the last day of each month, for the preceding month, a per capita tax of twenty cents (.20¢) per member per month.
- 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 Treasurer of the 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.

ARTICLE XIV - 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 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 and voting. However, amendments shall only become effective after approval by the Executive Council of the Canadian Labour Congress.

ARTICLE XV - ORDER OF BUSINESS

The business of the Council in each regular meeting shall be conducted in the following order:

1. Roll call of Officers
2. Reading of Credentials (if any)
3. Credential Committee appointment (if necessary)
4. Minutes of the previous meeting read
5. Credential Committee report
6. Executive Committee report
7. Treasurer's report - Bills and Secretary's
Report - Communications
8. Nominations for office (if any)
9. Election and installation
10. Union Reports - report of delegates
11. Standing Committee Reports
12. Special Committee Reports

13. Reports from Council representatives serving on public and private boards and commissions
14. Unfinished business
15. Roll call of delegates
16. New business
17. Good and Welfare of the Council
18. Adjournment

ARTICLE XVI - OMBUDSPERSON

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

Section 2 The Ombudsperson will, under the authority vested in him by the Congress, undertake such inquiries, hearings or meetings as he deems advisable and report his findings as soon as possible to the parties to the complaint.

Section 3 Terms of Reference

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

- 1) To receive inquiries concerning the rights of members and to advise them on the procedures open to them for the redress of complaints.
- 2) To receive complaints, to investigate them, to hold hearings if he decides the complaint warrants it, and to

issue written reports, determinations or findings on the individual cases.

- 3) 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.
- 4) To order, in cases where his decision favours the complainant, such remedies as in his opinion are warranted.
- 5) To recommend, based upon the cases handled, changes in the constitutions of bodies concerned which, in his judgement, would eliminate the causes of the complaints.
- 6) To submit to the Canadian Labour Congress, before March 31st of each year, a statistical report of the cases handled during the previous calendar year, and the disposition thereof, including such comments and recommendations as may be of assistance to the Congress in determining future policy with respect to the functions of his office.
- 7) To recommend, for the approval of the Congress:
 - (a) procedures for the handling of correspondence and written records relative to complaints received;
 - (b) procedures to be followed at meetings, hearings and inquiries, including the appearance and testimony of individuals;
 - (c) procedures for obtaining access to relevant files and other documentation;
 - (d) procedures for reimbursement of complainants defendants and witnesses for travel and other expenses.

In addition to the foregoing the Ombudsperson would, if his recommendations were not acted upon and grievances settled

within a period of thirty (30) days after his report had been submitted to the parties, have the authority to publicize any decision, award, or other finding he had made.

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