

ST. THOMAS AND DISTRICT LABOUR COUNCIL
BY-LAWS

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TABLE OF CONTENTS

ARTICLE	PAGE	
ARTICLE I - NAME	1	
Section 1.01	1	
Section 1.02	Boundaries	1
ARTICLE II - PURPOSE	1	
Section 2.01	1	
Section 2.02	1	
Section 2.03	1	
Section 2.04	1	
Section 2.05	1	
Section 2.06	1	
Section 2.07	1	
Section 2.08	2	
Section 2.09	2	
Section 2.10	2	
Section 2.11	2	
Section 2.12	2	
ARTICLE III - MEMBERSHIP	2	
Section 3.01	Composition	2
Section 3.02	2	
Section 3.03	2	
Section 3.04	2	
Section 3.05	3	
Section 3.06	3	
Section 3.07	Suspension	3
Section 3.08	3	
ARTICLE IV - MEETINGS	3	
Section 4.01	3	
Section 4.02	Time and Place	3
Section 4.03	Quorum	4
Section 4.04	4	
Section 4.05	4	
Section 4.06	Representation	4
Section 4.07	5	
Section 4.08	5	
Section 4.09	Suspended	5
Section 4.10	Three Meeting Rule	5
Section 4.11	Rules of Order	5
Section 4.12	Meeting Order	7

ARTICLE V - ELECTIONS	7
Section 5.01 Eligibility	7
Section 5.02 Time of Election	7
Section 5.03 Ballot	7
Section 5.04 Votes Required to Be Elected	7
Section 5.05	8
Section 5.06 Letter of Intent	8
Section 5.07 Obligation	8
Section 5.08 Term of Office	8
Section 5.09 Vacancy	8
 ARTICLE VI - DUTIES OF THE PRESIDENT	 9
Section 6.01	9
Section 6.02	9
Section 6.03 Interpretation	9
Section 6.04	9
 ARTICLE VII - DUTIES OF THE VICE-PRESIDENT	 9
Section 7.01	9
Section 7.02	9
 ARTICLE VIII - DUTIES OF THE RECORDING SECRETARY	 9
Section 8.01 Minute Book	9
Section 8.02 Seal	9
Section 8.03 Correspondence	9
Section 8.04	10
Section 8.05	10
Section 8.06	10
 ARTICLE IX - DUTIES OF THE FINANCIAL-TREASURER	 10
Section 9.01	10
Section 9.02	10
Section 9.03 Financial Statement	10
Section 9.04 Audit	10
Section 9.05	10
Section 9.06	10
 ARTICLE X - DUTIES OF THE SERGEANT-AT-ARMS	 10
Section 10.01	10
Section 10.02	11
Section 10.03	11
 ARTICLE XI - EXECUTIVE BOARD	 11
Section 11.01 Council Officers	11
Section 11.02 Authority	11
Section 11.03	11

Section 11.04	Investigation	11
Section 11.05	Quorum	12
Section 11.06	Expenses	12
Section 11.07	Audit	12
Section 11.08	Three Meeting Rule	12
Section 11.09	Reorganization	12
Section 11.10	Property	12
ARTICLE XII	- TRUSTEES	13
Section 12.01		13
Section 12.02		13
Section 12.03	Audit	13
ARTICLE XIII	- FINANCIAL	13
Section 13.01	Per Capita	13
Section 13.02		14
Section 13.03		14
Section 13.04	Bonding	14
Section 13.05		14
ARTICLE XIV	- COMMITTEES	15
Section 14.01		15
Section 14.02	Appointment	15
Section 14.03		15
Section 14.04	Election	16
ARTICLE XV	- OMBUDSMAN	16
Section 15.01		16
Section 15.02		16
Section 15.03	Terms of Reference for Ombudsman	16
Section 15.04		17
ARTICLE XVI	- AMENDMENTS	17
Section 16.01		17
Section 16.02		17
Section 16.03		17

ARTICLE I - NAME

Section 1.01 This Labour Council shall be known as the St. Thomas and District Labour Council, and is chartered by the Canadian Labour Congress. It shall consist of organizations affiliated to the Canadian Labour Congress which become affiliated to this Labour Council. These organizations shall conform to the Constitution of the Canadian Labour Congress and the rules and regulations of this Labour Council as set forth here within. The Labour Council shall not be dissolved while there are five (5) organizations remaining in affiliation.

Section 1.02 Boundaries

The boundaries of Elgin County shall be the boundaries of this Labour Council.

ARTICLE II - PURPOSE

The purposes of this Labour Council are:

Section 2.01 To support the principles of the Canadian Labour Congress.

Section 2.02 To promote the interests of its affiliates and generally to advance the economic and social welfare of workers.

Section 2.03 (a) To assist affiliated organizations in extending the 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 appropriately equal and necessary as methods of union organization.

Section 2.04 To encourage all workers without regard to race, sex, religion, creed, colour, age, or national origin to share in the full benefits of union organization.

Section 2.05 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.

Section 2.06 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.

Section 2.07 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.

Section 2.08 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.

Section 2.09 To promote the labour press and other means of furthering the education of the labour movement.

Section 2.10 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.

Section 2.11 To safeguard the democratic character of the labour movement and to observe and respect the autonomy of each affiliated union.

Section 2.12 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 III - MEMBERSHIP

Section 3.01 Composition

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.

(b) Local unions in the area chartered by the Canadian Labour Congress.

Section 3.02 Any organization affiliated with this Labour Council may be expelled from membership in the Labour 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 3.03 Any organization controlled or dominated by any totalitarian agency or whose policies and activities are constantly directed toward the achievement of the program or purpose of any totalitarian movement, such group shall not be permitted affiliation to this Labour Council.

Section 3.04 (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 3.05 It shall be the duty of each affiliated organization to furnish the Recording Secretary with the following:

(a) All official reports which deal with the 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 3.06 Affiliates are encouraged to file with the Recording Secretary of the Labour Council and the Research Department of the Canadian Labour Congress in Ottawa, copies of their collective agreements.

Section 3.07 Suspension

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 Labour Council.

Section 3.08 Any organization which is in arrears to the Labour Council for per capita tax of three (3) months or more may not be entitled to recognition or representation in this Labour Council.

ARTICLE IV - MEETINGS

Section 4.01 The regular meetings of the Labour Council shall be the governing body of the Labour Council, except as provided in Article XVI, its decisions shall be by majority vote.

Section 4.02 Time and Place

(a) The regular meeting shall be held the fourth (4th) Tuesday of each month with the exception of July and August, when the Executive Board will be empowered to act on behalf of the Labour Council.

(b) In the event that the third Monday is a holiday, the regular meeting may be set by membership or Executive Board action.

(c) The regular meeting shall commence at 8:00 p.m. sharp and will adjourn at 10:00 p.m. sharp, subject to a motion from the floor for an extension.

Section 4.03 Quorum

Ten (10) or more registered delegates representing at least three (3) or more of the

affiliates, in excess of the Executive Board members, shall constitute a quorum for the transaction of business.

Section 4.04 The executive of the Labour Council shall meet one (1) hour prior to the regular meeting or at the call of the President and prepare their recommendations on all matters properly brought before them, including communications and bills, and prepare a report for presentation to the regular Labour Council meeting.

Section 4.05 (a) Special meetings of the Labour Council may be called by direction of the Executive Board or on the request of the affiliated organizations representing a majority of the total membership of the Labour Council as evidenced by the records of the Recording Secretary.

(b) In the event a majority as provided in subsection (a) request a special meeting, the Executive Board shall call a meeting within five (5) calendar days and shall give all delegates and affiliates on record at the time five (5) days notice of the time and place for holding the special meeting together with a statement of 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 a regular meeting.

Section 4.06 Representation

(a) Representation at special meetings shall be on the following basis: from affiliated local unions and/or units, branches and lodges, three (3) delegates for one hundred (100) or less members and one (1) additional delegate for each one hundred (100) members or major fraction thereof or accredited alternate delegates up to a maximum of ten (10) voting delegates from any one (1) affiliate.

(b) 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 for the six (6) months previous to December 31st of each year.

Section 4.07 The Secretary may furnish each affiliate with credential blanks which must be attested to as required on the blanks and deposited at a regular Labour Council meeting before new delegates may be seated at Labour Council.

Section 4.08 All delegates to this Labour Council, before being seated, shall come forward and clearly and audibly repeat the following obligation: {with their hand over their heart, the delegate repeats after the installing officer.}

"I, {name(s) of delegate(s)} SINCERELY 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 BE FAITHFUL TO THE
DUTIES DEVOLVING UPON ME AS A DELEGATE TO
THIS LABOUR COUNCIL. THAT I WILL ATTEND
ALL MEETINGS OF THIS LABOUR COUNCIL, IF
POSSIBLE, AND WORK AT ALL TIMES FOR, AND IN
THE BEST INTERESTS OF THIS LABOUR COUNCIL
AND THE CANADIAN LABOUR CONGRESS."
11/21/81

Section 4.09 Suspended

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

Section 4.10 Three Meeting Rule

Any delegate being absent from three (3) consecutive meetings of this Labour Council, as per the records kept by the Sergeant-at-Arms, without proper notification having been previously presented to the Recording Secretary from the delegate or delegate's organization, certifying to the sickness, absence from the city, or engagement at work, shall forfeit his seat, and immediate notice shall be sent to the delegate's organization by the Recording Secretary requesting a new credential for the vacant seat. The Recording Secretary shall also revise the official roll call book, and attendance card file, for use of the Sergeant-at-Arms.

Section 4.11 Rules of Order

The rules and order of business shall be:

(a) The President, or in the absence of, or at the request of the President, the Vice-President, shall take the chair at the time specified, at all regular and special meetings. In the absence of the President, Vice-President or the President's designated representative, a chairperson shall be chosen by the Executive Board.

(b) No questions of a sectarian character shall be discussed at the meetings.

(c) When a delegate wishes to speak, the delegate shall be recognized by the chairperson and shall give his/her name and organization and shall confine remarks to the question at issue; time allowance shall be three (3) minutes.

(d) A delegate shall not speak more than once on 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 a point of order.

(f) If a delegate be called to order, said delegate shall, at the request of the chairperson, be seated until the question of order has been decided.

(g) Should a delegate persist in unparliamentary conduct, the chairperson will be compelled to name said delegate and submit the delegate's conduct to the judgement of the meeting. In such case, the delegate whose conduct is in question should explain reasons for the conduct and then withdraw, and the meeting will determine what course to pursue in the matter.

(h) When the previous question is moved, no discussion or amendment of the motion is permitted. If the majority vote that the question be now put, the question has to be put to a vote without further debate. If the question is defeated, discussion will continue on the motion.

(i) When the 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.

(j) Questions may be decided by a show of hands, or a standing vote.

(k) 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.

(l) Two (2) delegates may appeal the decision of the chair. The chairperson shall 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.

(m) The chairperson shall have the same rights as other delegates to vote an any question. In case of a tie vote, the chairperson shall cast the deciding vote.

(n) A motion may be reconsidered provided the mover of the motion to reconsider voted with the majority, and the notice 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.

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

Section 4.12 Meeting Order

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

- (a) Call to Order
- (b) Calling roll of officers by the Recording Secretary
- (c) Receiving of credentials
- (d) Initiations
- (e) Reading of the Minutes of the Last Meeting
- (f) Treasurer's Report

- (g) Communications and Bills
- (h) Nominations
- (i) Elections and Installation of Officers
- (j) Unfinished Business
- (k) New Business
- (l) Report of Delegates
- (m) Report of Committees
- (n) Good and Welfare
- (o) Sergeant-at-Arms Report
- (p) Adjournment

ARTICLE V - ELECTIONS

Section 5.01 Eligibility

To be eligible to hold Executive Board Office in this Labour Council, a candidate shall be a member in good standing of an affiliated organization and a delegate to this Labour Council.

Section 5.02 Time of Election

The election of all Executive Board officers shall be held biannually at the November meeting.

Section 5.03 Ballot

Election of officers shall be by secret ballot.

Section 5.04 Votes Required to Be Elected

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. For the second 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 5.05 The election of each office shall be completed before nominations for the subsequent office, unless there are no nominees for an office, subsequent office shall continue.

Section 5.06 Letter of Intent

All delegates who are eligible under Article V, Section 1, and who are desirous and prepared to accept nominations and possible election to any Executive Board office of the Labour Council shall submit, if unable to attend, written notification of intent, to the Recording Secretary of the Labour Council.

Section 5.07 Obligation

Upon the completion of the elections, the newly elected officers shall come forward and clearly and audibly repeat in the presence of the assembly the obligations of office. Said installation shall be conducted by an appropriate official of the Canadian Labour Congress, Labour Council, or an affiliated organization. Said obligation of office shall be as follows:

"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 LABOUR COUNCIL OF WHICH I SHALL BE A MEMBER, AND AT THE END OF MY TERM OF OFFICE, I SHALL TURN OVER TO THE LABOUR COUNCIL OR TO MY SUCCESSOR, ALL PROPERTIES OR FUNDS IN MY POSSESSION THAT BELONG TO THE LABOUR COUNCIL."

Section 5.08 Term of Office

The term of office shall be for two (2) years and shall commence on January 1 of the next year.

Section 5.09 Vacancy

- (a) In the event of a vacancy in the Office of President, the Vice-President is shall assume the duties of the President for the remaining term of office.
- (b) In the event the Vice-President is unable to assume the duties of the President, the Recording Secretary shall perform this duty.
- (c) In the event of a vacancy in any Office other than the President of the Labour Council, the President shall appoint a person to perform the duties of the vacant office until a successor is elected at the next regular meeting.

ARTICLE VI - DUTIES OF THE PRESIDENT

Section 6.01 The President shall function as the Chief Executive Officer of this Labour Council.

Section 6.02 The President shall exercise supervision over the affairs of the Labour Council, sign all official documents and preside at all meetings.

Section 6.03 Interpretation

Subject to appeal to the Canadian Labour Congress, the President shall have authority to interpret these By-Laws and said interpretation shall be conclusive and in full force and effect unless reversed or changed by the Executive Board or a meeting of the Labour Council's delegates or the Canadian Labour Congress.

Section 6.04 The President, or designate, shall be the Labour Council's delegate to the Ontario Federation of Labour Executive Council meetings, and shall have related wages and expenses not covered by the OFL covered by the Labour Council

ARTICLE VII - DUTIES OF THE VICE-PRESIDENT

Section 7.01 The Vice-President shall aid the President in duties as Chief Executive Officer of this Labour Council and act on behalf of the President when required to do so.

Section 7.02 The Vice-President may preside over the Executive Board meetings.

ARTICLE VIII - DUTIES OF THE RECORDING SECRETARY

Section 8.01 Minute Book

The Recording Secretary shall keep a correct, full and impartial account of the proceedings of each meeting of the Labour Council in a bound minute book.

Section 8.02 Seal

The Recording Secretary shall have charge of the seal and records of the Labour Council.

Section 8.03 Correspondence

The Recording Secretary shall conduct all correspondence on behalf of the Labour Council, acknowledge all communications promptly and write all letters as directed by the Labour Council meetings.

Section 8.04 Along with the President, the Recording Secretary shall sign the "Authorization-to-Pay" forms known as the "Order on the Treasurer", in all cases where disbursements are to be made.

Section 8.05 The Recording Secretary shall inform the CLC staff representative and the CLC Regional Office of all changes in officers of this council and the time and place of meetings.

Section 8.06 The Recording Secretary shall forward copies of all proceedings to the Canadian Labour Congress Regional Office.

ARTICLE IX - DUTIES OF THE FINANCIAL-TREASURER

Section 9.01 The Financial-Treasurer shall be the Chief Financial Officer of the Labour Council.

Section 9.02 The Financial-Treasurer shall be in charge of the books and financial documents of the Labour Council which at all times shall be subject to the inspection of the President and Executive Board.

Section 9.03 Financial Statement

The Financial-Treasurer shall prepare a financial statement of the Labour Council for a monthly report to the Labour Council meetings.

Section 9.04 Audit

The Financial-Treasurer shall have the books of the Labour Council audited annually by the Trustees elected under the provisions of these By-Laws. A copy of the audit report shall be forwarded to the Canadian Labour Congress in Ottawa and to the Regional Office.

Section 9.05 The Financial-Treasurer shall, subject to the approval of the membership, invest surplus funds of the Labour Council in securities or deposit them in a bank or banks.

Section 9.06 The Financial-Treasurer is empowered to require organizations to provide statistical data in their possession relating to the membership of their organizations.

ARTICLE X - DUTIES OF THE SERGEANT-AT-ARMS

Section 10.01 It shall be the duty of the Sergeant-at-Arms to receive the name of each delegate upon entering the room, and shall record said delegates' attendance.

Section 10.02 The Sergeant-at-Arms shall perform such duties as may be assigned by the President.

Section 10.03 The Sergeant-at-Arms shall read the Credential report.

ARTICLE XI - EXECUTIVE BOARD

Section 11.01 Council Officers

The Executive Board shall consist of the President, Vice-President, Recording Secretary, Financial-Treasurer, Sergeant-at-Arms, and four (4) Executive at Large members.

Section 11.02 Authority

(a) The Executive Board shall be the governing body of this Labour Council between general meetings.

(b) The Executive Board shall take such action and render such decisions as may be necessary to carry out fully the decisions and instructions of the Labour Council meetings and to enforce the provisions contained in these By-Laws.

Section 11.03 (a) The Executive Board shall meet regularly each month as prescribed under Article IV, Section 4 of these By-Laws, and if necessary, at any other time upon the call of the President.

(b) It shall be necessary for the President to call a meeting of the Executive Board upon the request of three (3) or more Executive Board members.

Section 11.04 Investigation

(a) The Executive Board 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 its policies or activities are contrary to the principles and policies of the Labour Council.

(b) Upon the completion of such investigation under Section (a), including a hearing if requested, the Executive Board shall have the authority to make recommendations to the organization involved and the Canadian Labour

Congress.

(c) The Executive Board shall have further authority upon a two-thirds (2/3) vote of the Executive Board to suspend any organization and report this action to the next Labour Council meeting.

(d) Any action of the Executive Board under this Section may be appealed to the next meeting of the Labour Council.

Section 11.05 Quorum

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

Section 11.06 Expenses

The Executive Board is authorized to reimburse members of the Labour Council for all legitimate expenses in performing their duties for the Labour Council under Article XIII , Section 4.

Section 11.07 Audit

Should the Trustees be unable or otherwise fail to audit the books of the Labour Council, it shall be the duty of the Executive Board or the President to have the books checked and properly audited by a firm of chartered accountants or some equally qualified party.

Section 11.08 Three Meeting Rule

Any Executive Board member being absent from three (3) consecutive meetings of any combination of Executive Board and/or General/Special meetings of this Labour Council, as per the records kept by the Sergeant-at-Arms, without proper notification having been previously presented to the Recording Secretary from the delegate or the delegate's organization, certifying to the sickness, absence from the city, or engagement at work, said delegate shall forfeit his/her seat immediately. 12/12/81

Section 11.09 Reorganization

In the event the 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 Labour Council.

Section 11.10 Property

(a) The Executive Board Officers shall hold title to any and all real estate of the Labour Council as Trustees for the Labour Council.

(b) They shall not have the right to sell, convey or encumber any real estate without first submitting the proposal to a meeting of the Labour Council and such proposal is approved.

ARTICLE XII - TRUSTEES

Section 12.01(a) Three (3) Trustees shall be elected by the Labour Council in the same manner as the Executive Board.

(b) Initially, the Trustee receiving the largest number of votes shall be elected for a term of three (3) years, the Trustee receiving the second largest number of votes shall be elected for a term of two (2) years, and the Trustee receiving the third largest number of votes shall be elected for a term of one (1) year.

(c) 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 a three (3) year term.

(d) The retiring Trustee shall be eligible for re-election.

Section 12.02The Trustees shall not be members of the Executive Board.

Section 12.03 Audit

(a) The Trustees shall conduct an audit of the books and accounts of the Labour Council annually as of December 31st, based on actual verification of the Treasurer's records as outlined on the Canadian Labour Congress Audit Report Form.

(b) The Trustees shall see that all audit reports are posted for the information of all delegates and copies are forwarded to the Canadian Labour Congress in Ottawa and the Canadian Labour Congress Regional Office in Don Mills, Ontario.

ARTICLE XIII - FINANCIAL

Section 13.01 Per Capita

A per capita tax shall be paid upon the full paid up membership of each organization.

Section 13.02 Each affiliated Local, Branch or Lodge shall pay before the last day of each month, for the preceding month, a per capita tax of twenty-five cents (.25¢) per member per month.

Section 13.03(a) Any organization which does not pay its per capita tax on or before the time period specified therein shall be notified of that fact by the Financial-Treasurer of the Labour Council.

(b) Any organization three (3) months in arrears in payment of per capita tax will become suspended from membership in the Labour Council and can be reinstated only after arrears are paid in full.

Section 13.04 Bonding

The President, Vice-President, and the Financial-Treasurer shall be the signing officers for the Labour Council and shall be bonded for two thousand dollars (\$2,000.00) or more each.

Section 13.05(a) Members of the Labour Council who are elected by the delegates as official representatives from this Labour Council to conventions, conferences, seminars, etc. of other affiliated bodies or parent organizations, which take that elected representative outside of the boundaries of the Labour Council as laid out in Article 1.02 where overnight accommodations are required, shall be allowed a per diem of fifty dollars (\$50.00) per day, plus cost of accommodation, substantiated by receipt, plus economy travel accommodations by air, rail, bus or car - mileage rate paid at twenty-eights cents (.28¢) per kilometer. If no overnight accommodations are required, a twelve dollars (\$12.00) per meal allowance will be allowed.

(b) Any member elected or appointed as official representative from this Labour Council to conventions, conferences, seminars, etc. of affiliated bodies or parent organizations, who suffers lost wages from his/her employer because of attendance as mentioned above, shall be entitled to receive lost time equal to the amount the member would have received at the regular hourly rate of pay – overtime rates are not applicable.

(i) Before the Treasurer pays any lost time wages, he/she will be in receipt of an itemized statement of such lost time on the appropriate Labour Council form.

Upon receipt of the form mentioned above, the Treasurer will ensure payment is made to the member within two (2) weeks time from the date of receipt.

(c) If no air, rail or bus travel is available and the elected representative must use own personal car for traveling to and from said session, then reimbursement shall be a minimum allowance of twenty-five cents (25¢) per kilometer. If economy class air, rail or bus travel is available and connections are obtainable, they shall be used. 04/15/91

(d) Where these allowances do not meet expenses, the additional costs may be reimbursed upon submission of expense receipts. All changes from minimums are subject to membership approval.

(e) All expenses over three hundred dollars (\$300.00) must be submitted to the Executive Board for approval prior to the General Membership meeting. 09/20/93

ARTICLE XIV - COMMITTEES

Section 14.01(a) The Labour Council shall have the following standing committees:

Education, Political Action, Union Label, Equity/Human Rights/Women.

(b) Delegates to Boards or Agencies

The Labour Council shall have delegates to the following:

Big Brothers/Big Sisters Board of Directors
Economic Development Board
United Way Board of Directors
COPE Board of Directors
the Local Training and Adjustment Board

(c) Members of the Labour Council who are elected by the delegates as official representatives of Council to community boards or committees who suffer lost wages because of meeting schedules will be paid up to a maximum of four (4) hours, only if necessary to attend these meetings.

Section 14.02 Appointment

The President, with the approval of the Executive Board, shall appoint such special committees as are necessary to conduct the affairs of the Labour Council.

Section 14.03 The Executive may request any committee to meet for the purpose of considering matters placed before it and such committee shall prepare reports of their activities for presentation to the Labour Council meetings.

Section 14.04 Election

(a) Chairpersons of Committees shall be elected by the delegates at a Labour Council meeting or appointed by the Executive Board for a two (2) year term.

(b) Appointment to be ratified by the delegates present at the next Labour Council meeting.

(c) Subsequently committee elections shall take place along with the Executive Board elections.

(d) Chairpersons of each Committee shall immediately following election or appointment, set up said committee by election or selection from affiliates. Selection to be ratified by the delegates present at the next Labour Council meeting.

ARTICLE XV - OMBUDSMAN

Section 15.01 If a delegate to the Labour Council has a complaint or grievance against an officer or delegate to the Labour Council, which cannot be dealt with by the procedures set forth in these By-Laws, the aggrieved delegate shall have the right to submit the case with all relevant material, to the Secretary-Treasurer of the Canadian Labour Congress who shall immediately refer the case with all documentation to the Ombudsman appointed by the Canadian Labour Congress.

Section 15.02 The Ombudsman will, under the authority vested in the office of the Ombudsman by the Congress, undertake such enquiries, hearings or meetings, as deemed advisable, and report on the findings, conclusions and recommendations as soon as possible to the parties to the complaint and to the Secretary-Treasurer of the Canadian Labour Congress.

Section 15.03 Terms of Reference for Ombudsman -- In carrying out the duties assigned by the Congress, the Ombudsman is empowered:

(a) To receive inquiries concerning the rights of delegates and to advise them on procedures open to them for the redress of complaints.

(b) To receive complaints, to investigate them, to hold hearings when the complaint warrants it, and to issue written reports, determination or findings on the individual cases.

(c) 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 are necessary to redress the injustice to the individual.

(e) To recommend, based upon the cases handled, changes in the constitutions of bodies concerned which, in his/her judgement, would eliminate the causes of the complaints.

(f) To submit to the Canadian Labour Congress, before March 31 each year, a statistical report of the cases handled during the previous calendar year, and the disposition thereof, including such comments and recommendations as may be of assistance to the Congress in determining future policy with respect to the functions of this office.

(g) To recommend, for the approval of the Congress:

(I) Procedures for the handling of correspondence and written records relative to complaints received;

(ii) procedures to be followed at meetings, hearings and inquiries, including the appearance and testimony of individuals;

(iii) procedures for obtaining access to relevant files and other documentation;

(iv) procedures for reimbursement of complaints, defendants and witnesses for travel and other expenses.

Section 15.04 In addition to the foregoing the Ombudsman would, if his/her orders or recommendations are not acted upon and grievances settled within a period of thirty (30) days after the report had been submitted to the parties, have authority to publicize any decision, award, or other findings the Ombudsman has made.

ARTICLE XVI - AMENDMENTS

Section 16.01 Amendments to these By-Laws, so long as they do not conflict with the Constitution of the Canadian Labour Congress, nor its principles and policies, may be adopted by a two-thirds (2/3) vote of those present at the meeting and voting.

Section 16.02 Any amendment must be by way of a notice of motion at least twenty-eight (28) days before being discussed and voted upon.

Section 16.03 The proposed amendment shall only become effective after approval by the Executive Committee of the Canadian Labour Congress.