

BY-LAWS

OF THE

CORNWALL AND DISTRICT

LABOUR COUNCIL

(CLC)

(Chartered by the Canadian Labour Congress – December 10, 1956)

Motion to amend passed – January 14, 2010
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ARTICLE 1 - NAME AND LOCATION

Section 1. This Labour Council shall be known as the **Cornwall and District Labour Council** and is chartered by the Canadian Labour Congress. It shall consist of organizations affiliated to the Canadian Labour Congress which became affiliated to this Council. These organizations shall conform to the By-Laws, Rules and Regulations of this Council as set forth herewith. This Labour Council shall not be dissolved while there are five (5) remaining organizations in affiliation.

Section 2. The jurisdiction of the Cornwall and District Labour Council will be on the East to the Quebec provincial boundary. On the West, the Eastern line of the Brockville and District Labour Council which is the county line between Grenville and Dundas running south to Highway 401, then Easterly to include the town of Iroquois then South to the St. Lawrence River. The boundaries of the Cornwall and District Labour Council geographically are: Dundas, Stormont and Glengarry and the County of Prescott on a temporary basis until enough locals are established to form a Labour Council.

ARTICLE 2 - PURPOSE

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 economics 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 mutual aid protection and advancement giving recognition to the fact 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, colour, or national origin to share in the full benefits of union organization.
5. To secure legislation which will safeguard and promote the right 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 co-operate with free and democratic labour movements throughout the world.
8. To aid and encourage the sale and use of union-made goods and union services through the use of the Union Label and other symbols; to promote the labour press and other means of furthering the education of the labour movement.
9. To protect the labour movement from any and all corrupt influences and from the undermining efforts of any agencies which are opposed to the basic principles of our democracy and free democratic unionism.
10. To safeguard the democratic character of the labour movement, and to observe and respect the autonomy of each affiliated union.
11. While preserving the independence of the labour movement from political control, to encourage workers to vote, to exercise their full rights and responsibilities of citizenship and to perform their rightful part in the political life of the municipal, provincial and federal governments.

ARTICLE 3 - MEMBERSHIP

Section 1. The Labour Council shall be composed of:

- (1) Local unions, branches and lodges of national and international unions, regional and provincial organizations affiliated to the Canadian Labour Congress.
- (2) Local unions in the area chartered by the Canadian Labour Congress.

Section 2. Any organization affiliated with this Labour Council may be expelled from membership in the Council by a 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/her. 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.**
- (a) 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.
 - (b) CLC 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. It shall be the duty of each affiliated organization to furnish the 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.
- (c) A statement of their membership in good standing. Affiliates are encouraged to file with the Treasurer of the Council and the Research Department of the Canadian Labour Congress in Ottawa, copies of their collective bargaining agreements.

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 by majority vote.

Section 2. The regular meetings of this Labour Council shall be held on the second Thursday of each month. Executive meetings will be held at 6:30 pm and also as required. Meetings shall commence at 7:00 pm sharp. Regular meetings will not be scheduled during the months of July and August and to call special meetings if necessary.

- 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 Treasurer.
- (b) In the event a majority as provided in Sub-Section (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 as such meeting.
- (c) Representation to special meetings shall be on the same basis as regular meetings.
- (d) Except as provided in Sub-Section (b), a special meeting shall exercise the same authority as regular meetings.

Section 4. In the event Officers of the Council fail to call meetings or otherwise fail to carry out their duties and responsibilities, the 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. Two (2) delegates for the first hundred (100) or less members and one (1) additional delegate for each hundred (100) or more or major fraction thereof; however, maximum delegates shall not exceed seven (7) delegates to any one (1) local.

Section 6. 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 7. The Secretary 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 8. Obligation For Delegates

All delegates to this Council, upon first taking up position as delegate, shall come forward and clearly and audibly repeat the following obligation:

"I, (name...), 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 him or her, 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 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 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 of his/her organization, certifying to the sickness, absence from city, or engagement at work, said delegate shall forfeit his/her seat, and immediate notice sent to his/her 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 13. 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 14. One-fourth ($\frac{1}{4}$) of the registered delegates representing at least one-fourth ($\frac{1}{4}$) of the affiliated unions shall constitute a quorum for the transaction of business.

Section 15. The Rules and Order of Business governing meetings shall be:

1. The President, or in his/her absence or at his/her 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/her 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/she shall be recognized by the Chairperson and shall give his/her name and the organization he/she represents and shall confine his/her 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/she shall, at the request of the Chairperson, take his/her 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/her and submit his/her conduct to the judgement 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 question to 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/her decision.
- 11.** The Chairperson shall have the same right as other delegates to vote on any questions. In case of a tie vote, he/she 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 debated. 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 5 - OFFICERS

- Section 1.** The Officers of the Council shall be as follows: President, Vice-President, Recording Secretary, Treasurer, Sergeant-At-Arms, Education Co-Ordinator and three (3) Executive Board members.
- Section 2.** Each Officer shall be a member in good standing of an affiliated organization. No one shall be eligible for election unless he/she has attended fifty percent (50%) of the meeting of the Council in the previous six (6) months.
- Section 3.** The Officers shall be elected at the regular meeting of the Council in January and hold office for a term of two (2) years.
- Section 4.** Election of Officers shall be by secret ballot. A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken if necessary to obtain such a majority. On 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.** 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, 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 matter, 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/her 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 6 - DUTIES OF THE PRESIDENT

Section 1. The President shall be the Chief Executive Officer of the Council. He/she 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/her 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

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

ARTICLE 8 - DUTIES OF THE RECORDING SECRETARY

- Section 1.** The Recording Secretary shall keep a correct, full and impartial account of the proceedings of each meeting of the Council in a bound minute book. He/she shall have charge of the seal and records of the Council. He/she 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/she shall sign the "Authorization-To-Pay" form known as the "Order on the Treasurer," in all cases where disbursements are to be made. He/she shall inform the Executive Director of the Canadian Labour Congress of all changes of Officers of the Council and on time and place of meetings. He/she shall also forward copies of all proceedings to the Canadian Labour Congress at the Ottawa and the Canadian Labour Congress Regional Office.

ARTICLE 9 - 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/she shall maintain a list of all affiliates of the Council and the reported number of members of each one (1).
- Section 3.** The Treasurer shall prepare a financial statement of 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 12. A copy of the Audit Report shall be forwarded to the Canadian Labour Congress at Ottawa and the Canadian Labour Congress 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 of 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 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 his/her attendance. He/she shall perform such duties as may be assigned to him/her by the President.

ARTICLE 11 - EXECUTIVE COUNCIL

Section 1. The Executive Council shall consist of the President, Vice-President, Secretary, Treasurer, Education Co-Ordinator and Executive Council members.

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 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.** When attending Executive Council meetings, an Executive member who must travel 25 kilometers or more one (1) way shall be reimbursed forty cents (\$.40) per kilometer.

ARTICLE 12 - 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 ineligible 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 30 and December 31, based on actual verification of the Treasurer's records as outlined on the Canadian Labour Congress Audit 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 at Ottawa and the Canadian Labour Congress 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 of 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 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, before the last day of each month, for the preceding month, a per capita tax of twenty cents (\$0.20) per member per month based on full-time equivalency effective January 1, 2007.

Section 3. Any organization three (3) months or more in arrears of per capita to the Council shall be notified by the Treasurer. Such organization shall not be entitled to seat delegates at Council meetings until all arrears are paid in full.

ARTICLE 14 - GENERAL

Section 1. The permanent Committees of the Council shall be as follows:

- (a) Educational Committee.
- (b) Political Action Committee (City Council).
- (c) Labour Day Committee.
- (d) Status of Women Committee.
- (e) Day of Mourning Committee.
- (f) Such other committees as are deemed necessary to fulfil the obligations of this Council.
- (g) The members of the various committees shall be elected at the January meeting, for a period of two (2) years.

Section 2. Political Action Committee

It shall be the function of this Committee to encourage the interest of trade unionists in political affairs and promote political policies favourable to organized labour. Through this Committee, the Council shall take an interest in the municipal, provincial and federal governments and carry out the political programme of the Canadian Labour Congress.

Section 3. Labour Day Committee

The first Monday in September, being recognized as the legal holiday of the worker, it shall be the duty of all wage earners to observe that day in a manner befitting the dignity of labour. Arrangements for a Labour Day Celebration held by this Council, shall be introduced at the regular meeting in May of each year.

Section 4. Members on Council Business

When an affiliate member is on authorized Labour Council business he/she shall receive a per diem of thirty dollars (\$30.00) over and above the per diem currently provided by the Ontario Federation of Labour and the Canadian Labour Congress. The above per diem shall be reimbursed by this Labour Council.

Section 5. Donations

The Labour Council Executive will consider all requests for donations first, then bring forward a recommendation to the membership. Each request will be dealt with on an individual basis, amount not to exceed twenty-five percent (25%) of the Labour Council Fund.

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 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 16 – 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.** New delegates' swearing in.
- 3.** President's Report.
- 4.** Delegates' Reports.
- 5.** Minutes of previous meeting.
- 6.** Treasurer's Report.
- 7.** Correspondence.
- 8.** Committee Reports.
- 9.** Nominations, elections and installations.
- 10.** Unfinished business.
- 11.** New business.
- 12.** Adjournment.