

BY-LAWS

OF THE

**OTTAWA AND DISTRICT
LABOUR COUNCIL/CONSEIL
DU TRAVAIL D'OTTAWA ET
DU DISTRICT**

(CLC/CTC)

(Chartered by the Canadian Labour Congress)

**Motions to amend passed – November 20, 2014
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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 **Ottawa and District Labour Council, CLC/Conseil du travail d'Ottawa et du district, CTC.**
- 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 of the regional municipality of Ottawa-Carleton.
- 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 - 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, sexual orientation, disability, age, colour, or national origin, sexual orientation or political affiliation or belief 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 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 and to undertake other appropriate political action.

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 two-thirds (2/3) majority roll call vote at a meeting to which proper notice has been given. 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 to which proper notice has been given. In such cases, the local union, which the delegate represents, will be notified and replacement will be requested. 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. 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. Guests invited by the Executive Council will be granted voice to address the delegates.

Section 5. It shall be the duty of each affiliated organization to furnish the Secretary of the Labour 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 effective the work of the Council.
- (c) A statement of their membership in good standing.

Affiliates are encouraged to file with the Secretary of the Labour Council 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 13, its decisions shall be by majority vote.
- Section 2.** The regular meetings of Labour Council shall usually be held on the third (3rd) Wednesday of each month except the month of July. The annual meeting shall be held on the third (3rd) Wednesday of February. Council meetings shall commence at 7:00 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 Secretary.
 - (b) In the event a majority as provided in subsection(a) requests a special meeting, the Executive Council shall call such meeting within ten (10) calendar days and shall give all affiliated 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 on the following basis: from affiliated local unions, branches and lodges, one (1) delegate and one (1) alternate for each fifty (50) members or part thereof, up to a maximum of seven (7).
- Section 5.** An alternate delegate shall not be eligible to hold office or act on a committee and can only become a regular delegate by action of his or her local union.
- 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. 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, _____ promise that I will support and obey the By-Laws of the Labour Council and the Canadian Labour Congress. I promise to regularly report on the activities of this Council to my local union or lodge and to actively encourage my local union or lodge to become involved in the activities organized by this Council.”

Section 9. Any person suspended by or expelled from any organization affiliated to this Labour Council shall not be seated as a delegate.

Section 10. Any delegate being absent from three (3) consecutive meetings of the Labour Council (as per record having been 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 Secretary.

Section 11. The President, in consultation with the Executive Council, shall appoint such committees as are necessary to conduct the affairs of the Labour Council. 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 12. Fifteen (15) registered delegates, representing at least five (5) of the affiliated unions, shall constitute a quorum for the transaction of business.

Section 13. The Rules and Order of Business governing meetings shall be:

1. The President, or at the President's 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 designated representative, a Chair shall be chosen by the Executive Council.
2. When a delegate wishes to speak, the delegate shall be recognized by the Chair and shall give his or her name and the organization represented and shall confine all remarks to the question at issue.
3. A delegate shall not speak more than once upon a subject until all who wish to speak have had an opportunity to do so.
4. A delegate shall not interrupt another except it be to call a Point of Order.
5. A delegate, who has been called to order shall, at the request of the Chair, be seated until the question of order has been decided.
6. 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.
7. 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.
8. 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.
9. 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.

10. The Chair shall have the same right as other delegates to vote on any question. In case of a tie vote, the Chair shall cast the deciding vote.
11. When the previous question is moved, no discussion or amendment of either Motion is permitted. If a majority vote that the “question now be 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.
12. A Motion may be reconsidered provided the mover of the Motion 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.
13. 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 Labour Council shall consist of a President, Vice-President, Secretary, Treasurer, Recording Secretary, and seven (7) Executive 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 or she has attended fifty percent (50%) of the regular meetings of the Labour Council in the previous twelve (12) months.
- Section 3.** The Officers shall be elected by the Labour Council delegates every second (2nd) year at the annual meeting, except as provided in Sections 8 and 9 of this Article.
- 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. On the second (2nd) and subsequent ballots, the candidate receiving the lowest number of votes on the previous ballot shall be dropped. In the case of a final tie vote, voting will continue until a majority is reached.
- 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, Recording Secretary 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 promise that I will faithfully support the Constitution and policies of the Canadian Labour Congress and the By-Laws of this Labour Council.”

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 President, the Vice-President shall perform the duties of the President until a successor is elected. If the Vice-President is unable to act in this matter, the Treasurer shall perform this duty.

(b) In the event of a vacancy in the office of either Vice-President 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 or assets of the Labour Council as Trustees for the Council. They shall have no right to sell, convey or encumber any real estate or assets without first submitting the proposition to a regular meeting and such proposition is approved by majority vote.

Section 11. Obligation of Officers

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

“I promise 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.”

- Section 12.** Any Executive member who misses, without just cause, more than three (3) Labour Council meetings or six (6) Executive meetings per term shall lose their position on the Executive.
- Section 13.** Executive members shall be required to submit at least quarterly reports on their activities to the Labour Council.
- Section 14.** Any new organization which has become affiliated to the Labour Council at least one month prior to the AGM, as noted in the Section 3 above, shall be allowed delegate representation at the AGM.

ARTICLE 6 - DUTIES OF THE PRESIDENT

- Section 1.** The President shall be 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 all 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 such 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 7 - DUTIES OF THE VICE-PRESIDENT

- Section 1.** The Vice-President shall aid the President in the duties as chief executive officer of the Labour Council and act on behalf of the President 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 Labour Council in a bound minute book.
- Section 2.** The Recording Secretary shall also maintain a full account of the proceedings of special meetings on the same basis as regular meetings.
- Section 3.** The Recording Secretary shall also file all written reports submitted by committee members.
- Section 4.** The Recording Secretary shall forward copies of the minutes of all meetings and copies of other reports to the Canadian Labour Congress and the Ontario Federation of Labour.

ARTICLE 9 - DUTIES OF THE SECRETARY

- Section 1.** The Secretary shall have charge of the Seal and records of the Labour Council.
- Section 2.** The Secretary shall conduct all correspondence on behalf of the Labour Council, acknowledge all communications promptly and write all letters as directed by Council meetings.
- Section 3.** The Secretary shall inform the Canadian Labour Congress Regional Office of all changes of Officers of the Labour Council and the time and place of meetings.
- Section 4.** The Secretary shall be in charge of books, documents, files and effects of the Labour Council which shall at all times be subject to the inspection of the President and Executive Council.
- Section 5.** The Secretary shall maintain a list of all affiliates of the Labour Council and the reported numbers of each one.

ARTICLE 10 - DUTIES OF THE TREASURER

- Section 1.** The Treasurer shall be the chief financial officer of the Labour Council.
- Section 2.** The Treasurer shall prepare a financial statement for a quarterly report to the Labour Council.
- Section 3.** The Treasurer shall have the books of the Labour Council audited semi-annually by Trustees elected under provisions of Article 14. A copy of the Audit reports shall be forwarded to the Canadian Labour Congress Regional Office.
- Section 4.** The Treasurer shall, subject to the approval of the Executive Council, invest surplus funds of the Council in securities or deposit them in unionized financial institutions where possible.
- Section 5.** The Treasurer is empowered to require affiliated organizations to provide statistical data in their possession relating to the membership of their organization.
- Section 6.** The Treasurer shall be the Chair of the Finance Committee.

ARTICLE 11 - DUTIES OF THE EXECUTIVE

- Section 1.** The duties of the Executive members shall be to act as Chair or Co-Chair of one of the four (4) Standing Committees of the Labour Council as listed herein. It shall be their responsibility to develop the resources of the committee and to report on the committee affairs to the Executive Council and to the meetings of this Council.
- Section 2.** Standing Committees are: Education; Health, Safety and the Environment; Women's; Human Rights; Political and Municipal Affairs.

ARTICLE 12 – DUTIES OF THE SERGEANT-AT ARMS

- Section 1.** It shall be the duty of the Sergeant-At-Arms to pass an attendance register to record the names of each delegate at each regular meeting. The Sergeant-at-Arms shall perform such other duties as may be assigned by the President.

ARTICLE 13 – EXECUTIVE COUNCIL

- Section 1.** The Executive Council shall consist of the President, Vice-President, Secretary, Treasurer, Recording Secretary and Executive 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 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 or 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 14 - 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 the Audit Reports are available for the information of all delegates and copies forwarded to the Canadian Labour Congress Regional Office and the Ontario Federation of Labour.
- 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 15 - REVENUE

- Section 1.** A per capita tax shall be paid upon the full, paid-up membership of each organization.
- Section 2.**
- (a)** Each affiliated local union, branch or lodge shall be invoiced for the preceding two (2) months, a per capita tax of forty-two cents (\$0.42) per member per month upon the entire, paid up membership of the affiliate in Ottawa-Carleton.
 - (b)** An increase of seven cents (\$0.07) effective January 1, 2011.
 - (c)** A Political Action Fund be created where five percent (5%) of the total per capita received from affiliates be directed to be used for defined activities of the Labour Council including municipal elections.
- 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 Labour Council. Any organization three (3) months in arrears in payment of per capita tax may become suspended from membership in the Council and can be reinstated only after arrears are paid in full.
- Section 4.** Any organization which is locked-out or on strike will not be required to pay a per capita tax on those members that are locked-out or on strike for the duration of the lock-out or strike.

ARTICLE 16 - OMBUDSPERSON

Section 1. If a delegate has a complaint or grievance against any Officer or delegate of 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 Ombudsperson appointed by the Canadian Labour Congress.

Section 2. The Ombudsperson will, under the authority vested in the Ombudsperson by the Canadian Labour Congress, undertake such inquiries, hearings or meetings as are 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 3. Terms of Reference for Ombudsperson

In carrying out the duties assigned by the Canadian Labour Congress, the Ombudsperson is empowered:

1. To receive enquiries concerning the rights of delegates 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 where the complaint warrants it, and to issue written reports, determination 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 the decision favours the complainant, such remedies as are necessary to redress the injustice to the individual.
5. To recommend, based upon the cases handled, changes in the constitutions of bodies concerned which, in the judgement of the Ombudsperson, 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 this office.
7. (a) To recommend, for the approval of the Canadian Labour Congress:
 - (i) Procedures for the handling of correspondence and written records relative to complaints received.
 - (ii) Procedures to be followed at meetings, hearings and inquiries, including the appearance and testimony of individuals.
 - (iii) Procedures for obtaining access to relevant files and other documentation.
 - (iv) Procedures for reimbursement of complainants, defendants and witnesses for travel and other expenses.
- (b) In addition to the foregoing, the Ombudsperson would, if his or her orders or recommendations are not acted upon and grievances settled within a period of thirty (30) days after the report has been submitted to the parties, have the authority to publicize any decision, award or other findings he or she has made.

ARTICLE 17 – 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 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 Canadian Council of the Canadian Labour Congress.

ARTICLE 18 - ORDER OF BUSINESS

Section 1. The business of the Labour Council in each regular meeting shall be conducted in accordance with an agenda adopted at the beginning of the meeting.

ARTICLE 19 - REGULATIONS

Section 1. Regulations shall be attached to these By-Laws as adopted by the Labour Council in order to ensure that Constitutional provisions are enforced. Regulations will deal with administrative procedures and be enacted by a simple majority vote of those present at a Council meeting.

Section 2. Sixty (60) days' notice must be given before regulations are either enacted or rescinded.