

## ARTICLE 8 - DUTIES OF THE SECRETARY

Section 1 - The Secretary shall keep a correct record of the proceedings of the meeting of the Council, Executive, Special and General Membership Meetings.

Section 2 - They shall conduct the correspondence in connection with the business of the Council, convene all special meetings when ordered by the President, and notify all members of the same, and fulfil all other duties attached to this office.

Section 3 - Copies of the proceedings shall be forwarded to the Canadian Labour Congress at Ottawa, the Canadian Labour Congress Regional Office and the Ontario Federation of Labour.

## 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 all financial records of the Council which shall at all times be subject to the inspection of the President and the Executive Council.

Section 3 - The Treasurer shall, subject to the approval the Executive, invest surplus funds of the Council in securities or deposit them in a bank or banks. Investments in securities to be made only in guaranteed bonds.

Section 4 - The Treasurer shall be bonded in such amount as may be determined by the Executive Council.

Section 5 - The Treasurer is empowered to require affiliated organizations to provide statistical data in their possession relating to the membership of the organization.

## 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 their attendance. An attendance book shall be maintained by the Sergeant-At-Arms. They shall perform such duties as may be assigned by the President.

## ARTICLE 11 - EXECUTIVE COUNCIL

Section 1 - The Executive Council shall consist of the President, First Vice President, Second Vice President, Secretary, Treasurer, Sergeant-At-Arms, and six Executive 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 fully the decisions and instructions of the Council meetings and to enforce the provisions contained in the Constitution.

Section 3 - The Executive Council shall meet at least once a month and also at the call of the President. It shall be necessary for the President to call a meeting of the Executive Council upon the request of three other officers.

Section 4 - The Executive 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 and policies of the Council. Upon 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 further authority upon two-thirds 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 Lost time and necessary expenses in performing work for the Council provided prior consent for the lost time and expenses has been approved by the Council or the President.

## ARTICLE 12 - DELEGATE EXPENSES

Section 1 - Delegates appointed to represent the Council at various functions are entitled to be reimbursed for legitimate expenses such as lost time, transportation and registration fees, upon the submission of a detailed expense account to the Treasurer, with appropriate receipts attached.

Section 2- Expenses will be allowed for transportation by air, economy class, by train first class including berth, where applicable.

Section 3- Reimbursement for in-town function will be for lost time and actual expenses.

Section 4- Reimbursement for out-of town functions such as conventions, conferences, special meetings where an overnight stay is required, shall be lost-time, transportation, registration, hotel costs and \$60.00 per diem.

Section 5- Reimbursement for seminars and functions where board and room is a package deal, shall be actual cost plus a reasonable allowance for incidentals approved by the Executive Council.

Section 6- A maximum of 80% of anticipated cost, including lost time may be advanced to the delegate prior to departure.

#### 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 each month for the preceding month a per capita tax of 30 cents 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 the fact by the Treasurer of the Council. Any organization three 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 involved in a strike, after consideration by the Executive, may be exempt of per capita tax during the period of the strike.

#### ARTICLE 14 - DISCIPLINE, CHARGES AND TRIALS

Section 1 - Every member of a Labour Council is guilty of an offense against the Constitution of the Canadian Labour Congress and the Bylaws of the Labour Council who;

(a) violates any of the provisions of these bylaws;

- (b) obtains membership through fraudulent means or by mis- representation;
- (c) institutes, urges, or advocates that a member of any Labour Council should institute action in a Court of Law against the Canadian Labour Congress or any of its Officers or against a Labour Council or any of its members, in respect of any matter concerning the affairs of the Canadian Labour Congress, without first exhausting all remedies through the forms of appeal provided in these bylaws;
- (d) advocates or attempts to bring about the withdrawal from the Canadian Labour Congress of any Labour Council or any member or group of members of any such Labour Council;
- (e) publishes or circulates, either verbally or otherwise, among the membership false reports or misrepresentations concerning any member of the Canadian Labour Congress in respect of any matter connected with the affairs of the Canadian labour Congress;
- (f) works in the interests of any organization competing with the Canadian Labour Congress in a manner which is detrimental to the Canadian Labour Congress;
- (g) fraudulently receives or misappropriates any property of the Labour Council or of the Canadian Labour Congress;
- (h) uses, without authority, the name, seal or crest of the Canadian Labour Congress or of a local union for soliciting funds or advertising;
- (i) without receiving proper authority to do so, furnishes a complete or partial list of the membership of any Labour Council to any person or persons other than those whose official position entitles them to have such a list;
- (j) wrongfully interferes with any officer or any accredited representative of the C.L.C. or of the Labour Council in the discharge of their duties.
- (k) circulates reports designed or calculated to injure or weaken the Canadian Labour Congress.
- (l) refuses to comply with a constitutional order of the C.L.C. to do so, or to refrain from doing any thing.

**Section 2 -** If it is alleged that a member of a Labour Council has committed an offence under Section 1 of this Article, they shall be given a fair and impartial trial in the manner stated hereunder.

**Section 3 -** Specific charges shall be submitted in writing signed by a member of the Labour Council or by an officer or accredited representative of the Canadian Labour Congress. The charge or charges shall be filed with secretary of the Labour Council and a copy shall be delivered to the accused, either personally or by registered mail, together with notice as to the date of the meeting at which time the charge or charges will be presented. At the next regular meeting after the charges have been delivered to the accused:

- (a) The Labour Council shall consider the charges and decide by majority vote whether they are worthy of trial.
- (b) If the charges are voted worthy of trial, a Trial Committee of three members shall be elected. If the accused or the person who is preferring the charge or charges is present at the meeting when the Trial Committee is chosen, and makes immediate objection to any member of such Trial Committee, Such member shall be disqualified and another immediately chosen, except that neither the accused nor the person preferring the charges, may object to more than two persons.
- (c) The Trial Committee shall hold a hearing on due written notice to the accused and to the charging party, both of whom shall have the right to be present in person and to have Counsel, which Counsel shall be a member of the Labour Council. The said trial shall be fixed for a date not less than ten days, or more than thirty days from the date of the meeting at which the Trial Committee is elected.
- (d) In all cases, the onus of establishing the guilt of the accused shall be upon the prosecutor. At the trial, the prosecutor shall present his evidence against the accused member and both the prosecutor and the accused shall be given a full and fair opportunity to present evidence, both for the prosecution and the accused member.
- (e) The decision of the Trial Committee shall be reported to the next regular membership meeting after its hearing is closed. The Committee's decision shall be as to guilt or innocence. If the decision is that the accused is innocent, then this decision shall be recorded in the minutes of the meeting to which the Trial Committee's decision is reported, and this decision shall be final and no appeal may be taken by the accuser against such decision. If the decision is that the accused is guilty, then the Trial Committee's decision shall also include the punishment. When the decision is reported to the meeting no member shall be allowed to speak except, first the accuser, and second the accused, or a member in good standing speaking on behalf of them. When both sides have spoken, there shall be no debate and the presiding officer shall state, " Shall the decision of the Trial Committee be sustained ", and if the decision is sustained, then the decision shall be final unless reversed on appeal as hereinafter provided.

Section 4- The accused may appeal against the conviction or against any penalty imposed upon them, or both, by appealing to the Executive Council of the Canadian Labour Congress. Such appeal shall be made within thirty days from the time the decision of the Labour Council is made as hereinbefore provided. The appeal shall be in writing, fully stating the facts upon which the appeal is based. A copy of the appeal shall be sent to the Secretary of the Labour Council, who shall upon receipt thereof, immediately forward to the Secretary of the Executive Council, a copy of the original charges, the evidence offered and the verdict made and a copy thereof shall be sent by the Secretary of the Labour Council to the appellant. The accused member shall have the right to appear before the Executive Committee of the Canadian Labour Congress and to be heard, together with witnesses and Counsel, who shall be a member of the Labour Council. The decision of the Executive Council shall be final and binding upon all persons connected with the case subject to an appeal to the next regular Convention of the Canadian Labour Congress. If the appeal is allowed by the Executive Council, or by the Convention, then the appellant shall be paid, out of the treasury of the Labour Council, such out of pocket expenses which he may have incurred in maintaining his defense, together with any wages or salary which they may have lost in consequence thereof.

Section 5 - The foregoing procedures shall be subject to and conform with Article 9-Section 6, and Article 14-Section 2 of the Constitution of the Canadian Labour Congress.

Section 6 - If summoned to testify at any trial or appeal held in accordance with the provisions of this article, it shall be the duty of the member to do so and to answer all questions put to them.

Section 7 - If the Secretary should be accused of any charge or charges, then the duties provided in this article to be performed by the Secretary shall be performed by the President or by any other member appointed by the President for that purpose.

#### ARTICLE 15 - STANDING COMMITTEES

Section 1 - To carry out the proper functioning of the Labour Council, the following Standing Committees shall be elected:

- (1) Education
- (2) Labour Day/Labour Participation
- (3) Political Action
- (4) Women's Committee
- (5) Full Employment
- (6) Year Book
- (7) Trustees

- (8) By-laws
- (9) Coalition
- (10) Organization and Affiliation

Section 2 - Members of all standing committees shall be democratically elected by a simple majority.

Section 3 - There shall be for each standing committee a chair and a secretary elected by the members of each committee.

Section 4 - The election of all standing committees shall take place at the annual meeting.

Section 5 - Members of all committees shall serve for a one year term.

Section 6 - All committees shall submit reports of their activities to the Executive Board and to the general membership meetings.

Section 7 - (a) - Each standing committee shall meet at least once each month if necessary, after working hours unless otherwise authorized by the President.

(b) - No lost time shall be paid for any work done on behalf of a standing committee unless such lost time has been approved by the President.

Section 9 - Duties of the Committee Chairman are as follows:

- (a) The Chair shall direct the functioning of the committee in accordance with the C.L.C. Constitution and Bylaws.
- (b) The Chair shall have the authority only to the extent of carrying out the decision of the committee subject to the approval of the membership.
- (c) The Chair shall be responsible for the functioning of any sub-committee.

Section 10 - Duties of the Committee Secretary are as follows:

- (a) The Secretary shall keep record of all proceedings of all meetings of the committee including roll call.

(b) The Secretary shall notify all members of the committee as to the time, place and date of all regular or special meetings of the committees sufficiently in advance to enable them to attend.

Section 11 - Each officer and member of the various committees shall, at the completion of their duties, turn over all property back to the Labour Council.

Section 12 - A simple majority shall constitute a quorum for all committees.

Section 13 - Any member of a standing committee who is absent from two committee meetings ( without having submitted an acceptable reason ) shall be automatically be removed from such committee by the Executive Board, and a successor elected or appointed.

Section 14 - Any committee or board not covered in the By-laws, the President will appoint or call an election.

#### ARTICLE 16 - TRUSTEES

Section 1 - Three trustee 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 years, the trustee receiving the second largest number of votes shall be elected for two years, and the trustee receiving the third largest number of votes shall be elected for one year. Subsequently, one trustee shall retire each year as the term for which such trustee was elected expires, and succeeding trustees shall be elected for three years. the retiring trustee shall be eligible for re-election.

Section 2 - The trustee shall not be members of the Executive Board.

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 Treasurers records as outlined on the C.L.C. 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 C.L.C. at Ottawa and the C.L.C. Regional Office.

Section 4 - Should the trustee 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 17 - PRESS AND PUBLICITY

Section 1 - Representatives of the public press may be admitted to meetings of the Council provided however they give their names and the name of the organization they represent to the Secretary and obtain the Chairs consent.

Section 2 - All publicity and press representatives admitted to the meetings of the Council who may be guilty of issuing false reports or failing to abide by the rules of in camera debates shall be excluded from future meetings by a majority vote of the delegates in which case the Secretary of the Council shall notify the organization they represent giving the reasons for such action on the part of the Council.

Section 3 - All official statements and press releases released in the name of this Council must be cleared by the President or the Executive Council.

#### ARTICLE 18 - VISITORS

Section 1 - Members of the Council Affiliates may attend Council sessions as visitors upon producing their union cards showing them to be in good standing but they shall have no voice in Council.

Section 2 - Any other person wishing to attend the meetings of this Council, must obtain the consent of the Council before being admitted: exception is made for visiting members of bona fide labour unions situated outside the jurisdiction of this Council carrying their membership cards or accompanied by a delegate of Council. They may be seated as a guest of the Council without voice or vote.

#### ARTICLE 19 - HONORARIUMS

Annual out of pocket expenses shall be set as follows:

President - \$ 480.00

Secretary - \$ 425.00

Treasurer - \$ 425.00

To be paid bi-annually

## ARTICLE 20 - AMENDMENTS

Section 1 - Amendments to this Constitution as long as they do not conflict with the Constitution of the Canadian Labour Congress nor its principals and policies may be adopted by a two-thirds majority ballot vote of those present in meeting and voting. Any amendment shall only become effective after approval by the Executive Committee of the Canadian Labour Congress.

Section 2 - Notice of action to amend must be in writing. A copy of such notice must be given to the Secretary at the time and such notice of motion to amend shall be dealt with at the next regular meeting of the Council by the procedure provided in Section 1.

## ARTICLE 21 - AGENDA

- (1) Roll call of officers
- (2) Installation of new union or delegates
- (3) Reading of minutes of previous meeting
- (4) Correspondence and Executive Recommendations
- (5) Presidents report
- (6) Financial report
- (7) Report of unions
- (8) Report of Committees and delegates
- (9) Good and Welfare
- (10) Unfinished Business
- (11) Nominations and Elections
- (12) New Business
- (13) Adjournment