

BY-LAWS

OF THE

CORNER BROOK AND

DISTRICT LABOUR COUNCIL

(CLC)

(Chartered by the Canadian Labour Congress)

Motion to amend passed—May 16, 2023
Approved by CLC Canadian Council—November 15, 2024



CANADIAN LABOUR CONGRESS

Table of Contents

ARTICLE I – NAME AND LOCATION	1
ARTICLE II – PURPOSE.....	1
ARTICLE III – MEMBERSHIP	2
ARTICLE IV – MEETINGS	3
ARTICLE V – OFFICERS.....	5
ARTICLE VI – DUTIES OF THE PRESIDENT	7
ARTICLE VII – DUTIES OF THE VICE-PRESIDENTS	7
ARTICLE VIII – DUTIES OF THE SECRETARY	7
ARTICLE IX – DUTIES OF THE TREASURER.....	7
ARTICLE X – DUTIES OF THE SERGEANT-AT-ARMS	8
ARTICLE XI – EXECUTIVE COUNCIL	8
ARTICLES XII – FINANCES	9
ARTICLE XIII – TRUSTEES.....	9
ARTICLE XIV – REVENUE	10
ARTICLE XV – OMBUDSPERSON.....	10
ARTICLE XVI – AMENDMENTS	11
ARTICLE XVII – ORDER OF BUSINESS	12

ARTICLE I – NAME AND LOCATION

1. This Labour Council shall be known as the Corner Brook and District Labour Council, CLC.
2. It shall consist of organizations affiliated to the Canadian Labour Congress which become affiliated to this Labour Council which are situated within a radius of sixty (60) miles.
3. These organizations shall conform to the By-Laws and the rules and regulations of this Council as set forth herewith. This Labour Council shall not be dissolved while there are five (5) organizations remaining in affiliation.

ARTICLE II – 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 economic and social welfare of workers.
3.
 - (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 appropriate, equal and necessary as methods of union organization.
4. To encourage all workers without regard to race, creed, sex, age, colour, marital status or national origin to share in the full benefits of union organization.
5. To secure legislation which will safeguard and promote the principle of free collective bargaining, the rights of workers, and the security and welfare of all people.
6. To protect and strengthen our democratic institutions, to secure full recognition and enjoyment of the rights and liberties to which we are justly entitled, and to preserve and perpetuate the cherished traditions of our democracy.
7. To promote the cause 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 all totalitarian agencies which are opposed to the basic principles of our democracy and free democratic Unionism.

10. To safeguard the democratic character of the Labour Movement and to observe and respect the autonomy of each affiliated Union.
11. While preserving the independence of the Labour Movement from political control, to encourage workers to vote, to exercise their full rights and responsibilities of citizenship and to perform their rightful part in the political life of the Municipal, Provincial and Federal Government.

ARTICLE III – MEMBERSHIP

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.
2. Any organization affiliated with the 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 months. The decision shall be in force and effect during appeal.
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.
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.
5. Any organization controlled or dominated by any totalitarian agency or whose policies and activities are consistently directed toward the achievements of the program or purposes of any totalitarian movement shall not be permitted as affiliates of this Labour Council.
6. It shall be the duty of each affiliated organization to furnish the secretary of the Council with the following:
7.
 - (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.

8. Affiliates are encouraged to file with the Secretary of the Council and the Research Department of the Canadian Labour Congress in Ottawa, copies of their collective bargaining agreement.

ARTICLE IV – MEETINGS

1. The regular meeting of this Labour Council shall be the governing body of the Council. Except as provided in Article XV, its decisions shall be by majority vote.
2. The Council will meet January, March, May, September and November.
3.
 - (a) Special meetings of the Council may be called by direction of the Executive Council or on request of affiliated organizations representing a majority of the total membership of the Council as evidenced by the records of the Secretary.
 - (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 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 Sub-section (b), a special meeting shall exercise the same authority as regular meetings.
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.
5. Representation at meetings shall be on the following basis: From affiliated local unions, branches and lodges, four (4) delegates for one hundred (100) or less members except where membership is less than ten (10) they shall be entitled to two (2) delegates and one (1) additional delegate for each additional one hundred (100) members or major fraction thereof. Local Unions/Affiliates or Organizations shall provide, in writing, delegate names representing their organizations to attend Labour Council.
 - (i) Retired delegates shall be delegates of the organization they retired from
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.
7. The Treasurer shall furnish each affiliate with credential blanks which must be deposited at a regular council meeting before new delegates may be seated in Council.

8. Obligation for Delegates: "I sincerely promise and declare that I shall be faithful to the duties of a delegate to this Labour Council; that I shall attend all meetings of this Labour Council if possible, and work at all times for, and in the interest of, the Council and the Canadian Labour Congress."
9. Any organization suspended or expelled by the Canadian Labour Congress, or this Council shall not, while under such penalty, be allowed representation in this 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.
10. Any organization controlled or dominated by any totalitarian agency shall not be allowed representation in this Council.
11. Any person suspended by or expelled from any organization affiliated to this Council shall not be seated as a delegate.
12. 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 at a meeting. In such cases the local union which the delegate represents will be notified and requested to replace her/him. Any decision to expel may be appealed to the Canadian Council of the Canadian Labour Congress within two (2) months. The decision shall be in force and effect during the appeal
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.
14. Eight (8) delegates representing two (2) affiliated unions shall constitute a quorum for the transaction of business.
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 1st 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 questions 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 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 30 per cent of the delegates present. In a roll call vote each delegate shall be entitled to one vote.
10. Two delegates may appeal the decision of the Chair. The Chairperson shall then put the question thus: "Shall the decision of the Chair be sustained?" The question shall not be debatable except that the Chairperson may make an explanation of his/her decision.
11. The Chairperson shall have the same rights as other delegates to vote on any question. 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 debate. If the motion to put the question is defeated, discussion will continue on the original motion.
13. A motion may be reconsidered provided the mover of the motion to reconsider voted with the majority, and notice of motion is given for reconsideration at the next meeting, and said notice of motion is supported by two-thirds of the delegates qualified to vote.
14. In all matters not regulated by these rules of order, Bourinot's Rules of Order shall govern.

ARTICLE V – OFFICERS

1. The Executive officers of the Council shall consist of a President, First Vice-President, Second Vice-President, Secretary and Treasurer and Sergeant-At-Arms and a Young Worker Vice President.
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 50% of the meetings of the Council in the previous six months.

3. Effective January 1987, the officers shall be elected by the Council during the regular January monthly meeting and the Officers elected will serve a two (2) year term. Election of Officers will be held in 1987, 1989 and every two years thereafter.
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 candidates receiving the lowest of votes in the previous ballot shall be dropped. In case of a final tie the presiding officer may cast the deciding vote.
5. The election of each officer shall be completed before nominations may be accepted for any subsequent office.
6. Nominees allowing their names to go forward for the offices of President, Vice-President(s), Secretary, Treasurer, Sergeant-At-Arms, 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."
7. The term of Officers of the Council shall commence upon the completion of the elections.
8. In the event a vacancy in the office of the President, the First Vice-President shall perform the duties of the President until a successor is elected. If the First Vice-President or one of the remaining Vice-Presidents is unable to act in this matter, the Secretary shall perform the duties of the vacant office until a successor is elected.

In the event of a vacancy in the Office of either of the Vice-Presidents or Secretary or Treasurer, the President shall perform the duties of the vacant office until a successor is elected.
9. In the event of a vacancy in any office of the Council, the vacancy shall be filled at the next regular meeting.
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.
11. Obligation for Members of the Executive "In accepting office, I make oath and say that I will faithfully support the By-Laws, principles and policies of the Corner Brook and District Labour Council and the Constitution of the Canadian Labour Congress. I also promise that I will deliver to my successor in office everything that is the property of the Corner Brook and District Labour Council at the close of my official term."

ARTICLE VI – DUTIES OF THE PRESIDENT

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.
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 VII – DUTIES OF THE VICE-PRESIDENTS

1. The Vice-President(s) 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 VIII – DUTIES OF THE SECRETARY

1. The Secretary shall keep a correct, full and impartial account of the proceedings of each meeting of the Council in a bound minute book. He/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 Regional Director of the Canadian Labour Congress of all changes of officers of the Council and in time and place of meetings. He shall also forward copies of all proceedings to the Canadian Labour Congress at Ottawa and the CLC Regional Office.

ARTICLE IX – DUTIES OF THE TREASURER

1. The Treasurer shall be the Chief Financial Officer of the Council.
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 in each one.

3. The Treasurer shall prepare a financial statement of the Council for a monthly report to Council.
4. The Treasurer shall have the books of the Council audited semi-annually by the Trustees elected under provisions of Article XIII. A copy of the Audit Report shall be forwarded to the Canadian Labour Congress at Ottawa and the CLC Regional Office.
5. The Treasurer shall, subject to the approval of the Executive Council, invest surplus funds of the Council in securities or deposit them in a bank or banks.
6. The Treasurer is empowered to require affiliated organizations to provide statistical data in their possession relating to the membership of their organizations.

ARTICLE X – DUTIES OF THE SERGEANT-AT-ARMS

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 XI – EXECUTIVE COUNCIL

1. The Executive Council shall consist of the President, Two (2) Vice-Presidents, Young Worker Vice President, Secretary, Treasurer and Sergeant-At-Arms.
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.
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 other officers.
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 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.

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

ARTICLES XII – FINANCES

1. The Executive Committee is authorized to reimburse the members of the Council for necessary expenses in performing their duties for the Council.
2.
 - (a) Transportation will be paid for economy airfare or by car. While on authorized business of the Council, except for regular meetings of the Labour Council, delegates traveling by car will be per kilometre rate. The kilometre rate shall be paid at the same rate as the Canadian Labour Congress rate.
 - (b) Per diem expenses shall be:
 - (i) In Town: \$30.00, for members performing four (4) consecutive meeting hours to attend meetings on behalf of the Council. These meetings must be pre-approved by Executive Council
 - (ii) Out-of-Town: \$75.00
3. Lost Wages – Payment of lost wages will be paid where prior approval has been received from the Executive Council.
4. An honorarium of \$40.00 per month, will be payable to the President, Secretary and Treasurer.
5. An honorarium of \$100 per year will be payable to Vice Presidents, Young Worker Vice President and Sergeant-at-Arms.
6. The Trustees shall be paid \$40.00 for each audit performed.
7. The President, Treasurer and Secretary are the signing officers for the Labour Council.
8. In between regular Council meetings, the Executive Council is approved, by majority, to spend up to a maximum of \$500 on Council business.

ARTICLE XIII – TRUSTEES

1. Two (2) Trustees shall be elected by the Council in the same manner as the Executive Officers.
2. The Trustees shall not be members of the Executive Council.
3. The Trustees shall conduct an audit of the books and accounts of the Council semi-annually as of June 30th and December 31st, based on actual verification

of the Treasurer's records as outlined by the Canadian Labour Congress. 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 CLC Regional Office.

4. Should the Trustees be unable or otherwise fail to audit the books of the Council it shall be the duty of the Executive Council or the President to have the books checked and properly audited by a firm of Chartered Accountants or some equally qualified party.

ARTICLE XIV – REVENUE

1. A per capita tax shall be paid upon the full paid up membership of each organization.
2. Each affiliated local union, branch or lodge shall pay before the last day of each month, for the preceding month, a per capita tax of twenty cents (.20¢) per member per month.
3. Any organization which does not pay its per capita tax on or before the time specified shall be notified of that fact by the Treasurer of the Council. Any organization three months in arrears in payment of per capita tax may become suspended from membership in the Council and can be re-instated only after arrears are paid in full.

ARTICLE XV – OMBUDSPERSON

1. If a member has a complaint or grievance against any officer or member of the local union which cannot be dealt with by the procedures set forth in these By-Laws, the aggrieved member 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.
2. The Ombudsperson will, under the authority vested in the office of the Ombudsperson by the Congress, undertake such inquiries, 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.
3. Terms of Reference for Ombudsperson

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

1. To receive inquiries concerning the rights of members and to advise them on the procedures open to them for the redress of complaints;

2. To receive complaints, to investigate them to hold hearings when 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 his/her judgement would eliminate the causes of the complaints;
6. To submit to the Canadian Labour Congress, before March 31st 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. To recommend, for the approval of the Congress:
 - (a) procedures for the handling of correspondence and written records relative to complaints received;
 - (b) procedures to be followed at meetings, hearings, and inquiries, including the appearance and testimony of individuals;
 - (c) procedures for obtaining access to relevant files and other documentation;
 - (d) procedures for reimbursement of complainants, defendants and witnesses for travel and other expenses.

In addition to the foregoing the Ombudsperson would, if his/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 the authority to publicize any decision, award or other finds the ombudsperson has made.

ARTICLE XVI – AMENDMENTS

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 Canadian Council of the Canadian Labour Congress.

ARTICLE XVII – ORDER OF BUSINESS

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

1. Land Acknowledgement;
2. Roll call of officers;
3. Reading of Credentials (if any);
4. Credential Committee appointment (if necessary);
5. Minutes of the previous meeting;
6. Credential Committee Report;
7. Executive Committee Report;
8. Treasurer's Report;
9. Bills and Communications;
10. Nominations for office (if any);
11. Election and installation;
12. Union Reports - report of delegates;
13. Standing Committee Reports;
14. Special Committee Reports;
15. Reports from Council Representatives serving on public and private Boards and Commissions;
16. Unfinished business;
17. New Business;
18. Good and Welfare of the Council; and
19. Adjournment.

Approved the 15th day of November 2024 by the Canadian Council of the Canadian Labour Congress.