

CONSTITUTION



**BRITISH COLUMBIA FEDERATION OF LABOUR
(CLC)**

(Chartered by the Canadian Labour Congress)

**Amended by Convention: November 28 to
December 3, 2016**

Approved by CLC Canadian Council: June 20, 2017



Canadian Labour Congress

Congrès du travail du Canada

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ARTICLE 1

NAME

Section 1. This Federation shall be known as the British Columbia Federation of Labour and is chartered by the Canadian Labour Congress. It shall consist of organizations affiliated to or chartered by the Canadian Labour Congress which become affiliated to this Federation. These organizations shall conform to the Constitution and the Rules and Regulations of this Federation as set forth herewith. This Federation shall not be dissolved while there are three (3) affiliates of three (3) organizations remaining in affiliation.

ARTICLE 2

PURPOSE

Section 1. The purposes of this Federation 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 the workers of British Columbia.
3. **(a)** To assist affiliated organizations in extending the benefits of mutual assistance and collective bargaining to workers.
(b) To assist, wherever possible, 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, colour, sex or national origin to share in the full benefits of union organization.

- 5.** To secure provincial 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 promote 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 all corrupt influences and from the undermining effects of any agencies which are opposed to the basic principles of democracy and free and democratic unionism.
- 10.** To preserve 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. To promote and develop action in the political field and to support the legislative program of the Canadian Labour Congress.

ARTICLE 3 MEMBERSHIP

- Section 1.** (a) The Federation shall be composed of:
- (i) Local unions, branches and lodges of national and international unions, regional and provincial organizations affiliated to the Canadian Labour Congress.
 - (ii) Local unions within the province chartered by the Canadian Labour Congress.
 - (iii) Labour Councils within the province chartered by the Canadian Labour Congress.
- (b) The application of the above shall not be deemed in any way to provide for dual representation and a delegate is entitled to only one (1) credential.
- Section 2.** Any organization affiliated with this Federation may be expelled from affiliation by a two-thirds (2/3) roll call vote of the Convention. 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 appeal.
- Section 3.** Each affiliated organization shall be encouraged to furnish the Secretary-Treasurer of the Federation with the following:
- (a) All official reports which deal with matters within the purview of the Federation.
 - (b) Such other reports as will facilitate and make more effective the work of the Federation.
 - (c) A statement of their membership in good standing.

Section 4. Any organization affiliated to this Federation which can be shown to have engaged in strikebreaking or scabbing or to have aided or assisted any employer during a strike may be suspended from affiliation by a majority vote of the Executive Council. Any decision to suspend may be appealed by the suspended union to the following Convention and if such suspension is upheld by the Convention, the suspended organization shall have the right to appeal to the Canadian Council of the Canadian Labour Congress.

ARTICLE 4 CONVENTIONS

Section 1. (a) The Convention shall be the governing body of the Federation and, except as provided in Section 12(c) of this Article and Article 12, its decision shall be by majority vote.

(b) The Executive Officers shall adopt a tentative agenda for the Convention and make the tentative agenda available to affiliates not less than fourteen (14) days prior to the opening of Convention. The Convention shall retain the authority to adopt or revise the agenda during its deliberations.

Section 2. Beginning in 2010, the regular Conventions of the Federation shall be held every second year during the month of November whenever possible. The time and the place for holding the regular Conventions shall be determined by the Executive Council which shall give at least ninety (90) calendar days' notice.

Section 3. (a) Special Conventions may be called by direction of a regular Convention, by order of the Executive Council, or on request of the majority of affiliated organizations representing a majority of the total membership of the Federation, as evidenced by the records of the Secretary-Treasurer to the last Convention.

- (b)** In the event a majority as provided in subsection(a) requests a Special Convention, the Executive Council shall issue the call for the Special Convention within thirty (30) calendar days of such request, and shall give all organizations at least forty-five (45) calendar days' notice of the time and place for holding the Special Convention, together with a statement of the business to be considered at such Convention.
- (c)** Representation to Special Conventions shall be on the same basis as regular Conventions.
- (d)** Except as provided in subsection(b), a Special Convention shall exercise the same authority as regular Conventions.
- (e)** Notwithstanding anything to the contrary contained in this Article, in an emergency situation, the Executive Council may order an emergency Convention, and shall provide for the issuance of credentials and the registration of delegates in a manner appropriate to the circumstances.

Section 4. **(a)** In order to be seated as a delegate, a member shall have membership in a local union, branch or lodge affiliated with the Federation. Representation at Conventions shall be:

- (i)** From affiliated local unions, branches and lodges, one (1) delegate for the first one hundred (100) or less members and one (1) additional delegate for each additional one hundred and fifty (150) members, or major fraction thereof.
- (ii)** Local Labour Councils shall be entitled to a maximum of three (3) delegates.
- (iii)** The B.C. Federation of Retired Union Members shall be entitled to a maximum of two (2) delegates.

(b) The average per capita tax payment of the previous twelve (12) months prior to the issuing of the Convention Call shall determine the basis of representation.

Section 5. Not less than sixty (60) calendar days prior to the opening of each

regular Convention, and forty-five (45) days prior to any Special Convention, the Secretary-Treasurer shall furnish each affiliate with credential blanks in duplicate, which must be attested as required on the blanks. The original shall be retained by the delegate and the duplicate sent to the Secretary-Treasurer. A delegate must be a member of the local union, branch or lodge he or she represents at Convention. Two (2) or more local unions, branches or lodges may combine to send a delegate. No credentials shall be accepted later than fifteen (15) days prior to the opening date of a regular Convention, and ten (10) calendar days prior to a Special Convention. Conventions may permit seating of delegates upon recommendation of Credentials Committee.

Section 6. A registration fee for Convention shall be determined by the Executive Council prior to the notice of Convention required under Section 2. The stated fee shall accompany the credential being sent to the Secretary-Treasurer.

Section 7. (a) Any organization suspended or expelled by the Canadian Labour Congress or this Federation shall not, while under such penalty, be allowed representation in the Federation.

(b) Any organization which, at the opening date of the Convention, is in arrears to the Federation for per capita tax for three (3) months or more, or has not paid its share of the previous year's travel pool, shall not be entitled to recognition or representation in the Convention.

Section 8. Any organization which has not applied for and obtained a Certificate of Affiliation at least one (1) month prior to the Convention shall not be allowed representation in this Federation.

Section 9. (a) Prior to the opening date of the Convention, the President, in consultation with the Executive Officers, shall appoint a Committee on Credentials. Such Committee shall consist of not less than three (3) members chosen from those on whose behalf credentials have been submitted. The Committee shall meet prior to the opening day of the Convention, shall pass on the validity of the credentials which have been received by the Federation, and register

those approved by the Committee. It shall report to the Convention on the first day thereof and subsequent days if necessary. The Convention shall be constituted for business and delegates deemed to be seated upon report by the Committee and acceptance thereof by the delegates so reported. Appeals from any decision of the Committee shall be laid before the Convention so constituted.

- (b)** The Credentials Committee shall make its second report within twenty-four (24) hours from the opening of the Convention. Delegates arriving after that time will not be seated except on report and recommendation from the Credentials Committee and approved by the majority of the delegates.

Section 10. Members of the Executive Council shall be deemed to be delegates to the Convention with all rights and privileges.

Section 11. Officers of the Canadian Labour Congress and invited Honoured Delegates attending Conventions of the Federation shall be entitled to all rights of delegates other than voting or standing for office.

Section 12. (a) (i) Except as provided in subsection(c) of this Section, all resolutions, petitions and appeals other than those provided in Section 11 hereof, to be considered by any Convention of the Federation, must be received by the Secretary-Treasurer not less than sixty (60) calendar days immediately preceding the opening of the Convention.

(ii) Electronic facsimiles of written resolutions shall be accepted, provided the resolutions comply with the requirements of subsection(b).

(b) Any resolution to be accepted must be submitted by the Executive Council or Executive Officers, or by an organization directly affiliated to the Federation, or by an affiliated organization as defined in Article 10, Section 3. Each resolution must be signed by the presiding officer and secretary of the body submitting it. A resolution shall not deal with more than one (1) subject, shall refer to the action

which is proposed and shall contain no more than one hundred and fifty (150) words.

- (c) Resolutions, petitions and appeals received or submitted contrary to the above shall be stamped as to date of arrival; shall be referred to the Resolutions Committee following the completion of all Convention business, and may be referred in order of receipt to the Convention, with the understanding that consideration is dependent upon two-thirds (2/3) majority consent of the Convention.
- (d) Notwithstanding anything to the contrary contained in this Section, amendments to the Constitution must be in resolution form and submitted to the Secretary-Treasurer of the Federation not less than sixty (60) calendar days immediately preceding the opening of the Convention.
- (e) Resolutions submitted in compliance with the requirements of this Section shall be made available to affiliates not less than fourteen (14) days prior to the opening of the Convention.

Section 13. Prior to the opening date of the Convention, the President, in consultation with the Executive Officers, shall appoint such committees as are necessary to conduct the affairs of the Convention. The Executive Officers may request any such Committee to meet prior to the Convention for the purpose of considering matters placed before it, in which event, the members thereof shall be paid by the Federation such expenses for such extra days as the Executive Council shall determine.

Section 14. One-fourth (1/4) of the registered delegates at any Convention shall constitute a quorum for the transaction of business.

Section 15. The Rules of Order governing Federation Conventions shall be Bourinot's Rules of Order.

Section 16. Unless otherwise specified, any decision taken by the Convention shall take effect immediately upon adjournment of the Convention.

Section 17. A travel pool shall be provided for Convention delegates.

ARTICLE 5 OFFICERS

Section 1. (a) The Executive Officers of the Federation shall consist of a President, Secretary-Treasurer, and fourteen (14) Vice-Presidents designated by each of the fourteen (14) largest affiliated organizations of the Federation, and one (1) representative from the Maritime Council, provided the person comes from a union affiliated to the BC Federation of Labour, and one (1) representative from the building trades, provided the person comes from a union affiliated to the BC Federation of Labour.

(b) At least seven (7) of the Vice-Presidents shall be women. In the event that less than seven (7) women are designated by the affiliated organizations, the Executive Council shall elect from among themselves, by majority vote among all its members, sufficient additional women Vice-Presidents to meet this requirement.

Section 2. Each Executive Officer shall be a member in good standing of an affiliated organization. No candidate who has reached age sixty-five (65) may be nominated for a position as an Executive Officer or as a member of the Executive Council.

Section 3. (a) Nominees allowing their names to go forward for the offices of President and Secretary-Treasurer shall, upon acceptance of the nomination, come forward to the Convention platform and clearly affirm the following lines to the assembled delegates:

“I, do hereby, sincerely pledge my word of honour to perform my duties as an Executive Officer of the British Columbia Federation of Labour. I will attend, when able to do so, all meetings of the Executive Officers or Executive Council of which I shall be a member, and at the end of my term of office, I shall turn over to the British Columbia Federation of Labour or to my successor, all properties or funds in my possession that belong to the Federation.”

- (b) All Executive Officers and Executive Council members shall affirm this oath of office prior to assuming their duties.

Section 4. The terms of the Executive Officers of the Federation shall commence within thirty (30) days following the adjournment of the Convention and shall be of two (2) years' duration.

Section 5. (a) In the event of a vacancy in the office of President, the Secretary-Treasurer shall perform the duties of the vacant office until a successor is elected.

(b) It shall be the duty of the Secretary-Treasurer immediately to issue a call for a meeting of the Executive Council of this Federation, to take place within thirty (30) days of the date upon which the vacancy occurred, for the purpose of electing an Executive Officer to fill such vacancy for the unexpired term.

(c) In the event of a vacancy in the office of the Secretary-Treasurer, the President shall perform the duties of the vacant office until a successor is elected.

(d) It shall be the duty of the President immediately to issue a call for a meeting of the Executive Council of this Federation, to take place within thirty (30) days of the date upon which the vacancy occurred, for the purpose of electing an Executive Officer to fill said vacancy for the unexpired term.

Section 6. The Executive Council shall hold title to any real estate of the Federation as Trustees for the Federation. They shall have no rights to sell, convey or encumber any real estate without first submitting the proposition to a Convention and such proposition is approved.

Section 7. On the call of the President, or on request of two (2) Vice-Presidents representing two (2) affiliated organizations, a meeting of the Executive Officers shall be convened when required between meetings of the Executive Council. The attendance of eight (8) members of the Executive Officers shall constitute a quorum for the transaction of the business of the Executive Officers.

Section 8. The Executive Officers of the Federation, while engaged in business of the Federation, shall be compensated for wages, transportation, hotel accommodation, meals and other justifiable and necessary expenses while out of town, upon submission of receipts.

ARTICLE 6 DUTIES OF THE PRESIDENT

Section 1. The President shall be the full-time chief executive officer and spokesperson of the Federation and shall be responsible for the implementation of all policies of the Federation as determined by Convention. The President shall exercise supervision over the affairs of the Federation, sign all official documents and preside at regular and special Conventions, Executive Council meetings and Executive Officers' meetings. In the event of a tie vote, the President shall cast the deciding ballot. The President shall carry out other duties as may be requested, from time to time, by the Executive Officers and/or by the Executive Council of the Federation.

Section 2. Notwithstanding Section 1, the President may delegate the duty to preside at regular and special Conventions, Executive Council meetings and Executive Officers' meetings to another Officer of the Federation.

Section 3. The President, in consultation with the Secretary-Treasurer and the Executive Officers, shall employ, direct and fix compensation of Directors and technical staff as is necessary, subject to the approval of the Executive Council. The direction of all Directors and technical staff shall be under the President or his or her designated representative.

- Section 4.** Subject to appeal to the Canadian Labour Congress, the President shall have authority to interpret this Constitution and such interpretation shall be conclusive and in full force and effect, unless reversed or changed by the Executive Council or a Convention or the Canadian Labour Congress.
- Section 5.** The President shall make a report on the affairs of the Federation to the Convention through the report of the Executive Council.
- Section 6.** The President shall assume the duties of the Secretary-Treasurer in the event of his or her absence.

ARTICLE 7

DUTIES OF THE SECRETARY-TREASURER

- Section 1.** The Secretary-Treasurer shall be a full-time Executive Officer of the Federation and shall be responsible for all financial and administrative operations of the Federation.
- Section 2.** The Secretary-Treasurer shall be in charge of books, documents, files and effects of the Federation which shall, at all times, be subject to the inspection of the President and the Executive Council.
- Section 3.** The Secretary-Treasurer shall prepare a financial statement of the Federation for each meeting of the Executive Council. Copy of this statement shall be forwarded to the Canadian Labour Congress Regional Office.
- Section 4.** The Secretary-Treasurer shall have the books of the Federation audited at least once each year by a registered firm of chartered accountants selected by the President and approved by the Executive Council. Such audit shall be furnished to the Executive Council and to the Convention and a copy shall be forwarded to the Canadian Labour Congress Regional Office.
- Section 5.** The Secretary-Treasurer shall deposit all monies received in a bank or banks or other approved financial institutions and shall, subject to the approval of the Executive Council, invest surplus funds of the Federation in securities.
- Section 6.** The Secretary-Treasurer shall be bonded in such amount as may

be determined by the Executive Council.

- Section 7.** The Secretary-Treasurer is empowered to require affiliated organizations to provide statistical data in their possession relating to the membership of their organizations.
- Section 8.** The Secretary-Treasurer shall issue the call for, and act as, Secretary at Conventions, and shall cause the proceedings of all Conventions and all sessions of the Executive Council to be recorded. Copies of all proceedings shall be forwarded to the Canadian Labour Congress Regional Office.
- Section 9.** The Secretary-Treasurer shall, in consultation with the President and Executive Officers, employ, direct and fix compensation for all administrative support staff, subject to approval of the Executive Council.
- Section 10.** The Secretary-Treasurer shall make a full financial report to the Annual Convention of the Federation.
- Section 11.** The Secretary-Treasurer shall, upon ceasing to act as Secretary-Treasurer, surrender and turn over to the President or Executive Council, all books, monies or other property in his or her custody, possession or control.
- Section 12.** The Secretary-Treasurer shall assume the duties of the President in the event of his or her absence.
- Section 13.** All cheques issued against the funds of the Federation shall be signed by the Secretary-Treasurer and the President. Two (2) Vice-Presidents will be designated by the Executive Officers to act as signing officers. Either one of these designated Vice-Presidents may sign cheques in the absence of either the Secretary-Treasurer or President, but not both.

ARTICLE 8 OFFICERS' REMUNERATION

- Section 1.** (a) The salaries of the President and Secretary-Treasurer will be increased annually on January 1st, by applying the percentage in the Statistics Canada average of major settlements in British Columbia for the previous twelve (12) months to the President's salary, with the resulting dollar figure applied equally to the salaries of the President and Secretary-Treasurer.
- (b) Annual salary increases for the President and Secretary-Treasurer shall be reported to Convention.
- Section 2.** The President and Secretary-Treasurer shall receive such fringe benefits as may be recommended by the Executive Council and approved by the Convention. Such benefits shall include, but not be limited to, pensions, dental plan, health and welfare, transportation (automobile), life insurance, vacations, statutory holidays, severance pay.

ARTICLE 9 EXECUTIVE COUNCIL

- Section 1.** (a) The Executive Council shall consist of the President, Secretary-Treasurer and:
- (i) (1) Two (2) members designated by each of the fourteen (14) largest affiliated organizations. At least one (1) of the two (2) members designated by each of the affiliated organizations must be a member of an affirmative action group. For this purpose, affirmative action groups include women, workers of colour, Aboriginal peoples, people with disabilities, LGBTQ (lesbian, gay, bisexual, transgender and queer) persons.
- (2) Each affiliated organization will designate one (1) of their two (2) members as a Vice-President, pursuant to Article 5, Section 1.

- (ii)** One (1) member designated by each affiliated organization that is not among the largest fourteen (14).
 - (iii)** Four (4) members of the Human Rights Standing Committee selected in accordance with Article 10, who shall each represent one (1) of the following groups of Federation members:

 - (1)** Workers of colour.
 - (2)** Aboriginal peoples.
 - (3)** People with disabilities.
 - (4)** LGBTQ (lesbian, gay, bisexual, transgender and queer) persons.
 - (iv)** One member of the Young Workers Committee, selected in accordance with Article 10.
 - (v)** Five (5) members representing Labour Councils, selected in accordance with Article 10.
 - (vi)** The President or designate of the B.C. Federation of Retired Union Members (BC FORUM).
 - (vii)** In addition to the membership of the Executive Council set out in this Section, each affiliated organization with an affiliated membership exceeding twenty thousand (20,000) members shall be entitled to appoint an additional member for each ten thousand (10,000) affiliated members, or major fraction thereof, in excess of twenty thousand (20,000).
- (b)** The term of office of Executive Council members shall be two (2) years.

Section 2. The Executive Council shall be the governing body of this Federation between Conventions. It shall take such action and render such decisions as may be necessary to carry out fully the decisions and instructions of the Convention and to enforce the provisions contained in this Constitution.

Section 3. The Executive Council shall meet at least five (5) times between Conventions, and at least two (2) of these meetings will be convened outside of the Lower Mainland region.

Section 4. It shall be the duty of the Executive Council to:

- (a) Initiate provincial legislative action in the interests of working people.
- (b) Direct the political action program of the Federation.
- (c) Direct the policy and program development of the Federation's Standing Committees.

Section 5. (a) The Executive Council shall have the power to conduct an investigation of any situation in which there is reason to believe:

- (i) any affiliated organization may be dominated, controlled or substantially influenced in the conduct of its affairs by any corrupt influence; or
 - (ii) any affiliated organization's policies or activities are contrary to the principles or policies of the Federation.
- (b) 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 to the Canadian Labour Congress and/or to the next British Columbia Federation of Labour Convention. It shall have the further authority upon a two-thirds (2/3) vote of the Council to suspend any organization. Any action of the Executive Council under this Section may be appealed to the Convention.

- Section 6.** The Executive Officers may, from time to time, assign to members of the committees such duties as they may determine.
- Section 7.** The decision of the Executive Officers, or of the Executive Council, or any sub-committee thereof, may be effected by a letter or telegram and, in that event, a decision of a majority of the members of the Executive Officers, or of the Executive Council, shall be the decision of the sub-committee.
- Section 8.** A minimum of thirty (30) days' notice of any meeting of the Executive Council shall be forwarded to each member thereof, whenever possible.
- Section 9.** The Executive Council shall present to the Convention a report of the activities of the Federation between Conventions.
- Section 10.** A quorum for the transaction of the business of the Executive Council shall consist of at least twenty (20) members of the Council representing at least nine (9) affiliated organizations.
- Section 11.** The Executive Council is authorized to reimburse members of the Council for necessary expenses in performing their duties for the Federation.
- Section 12.** (a) In votes on questions before the Executive Council, each member shall be entitled to one (1) vote.
- (b) Notwithstanding subsection (a):
- (i) When an election by the Executive Council is required to fill a vacancy in the office of President or Secretary-Treasurer during the term of office, a weighted vote shall be conducted by secret ballot.
- (ii) At the request of a Council member representing an affiliated organization, a weighted vote shall be conducted on any question before the Council, provided such a request is made prior to a vote on the question.

- (c) A weighted vote shall be conducted in the following manner:
- (i) Each affiliated organization represented on the Executive Council shall be entitled to one (1) weighted vote, and the weight of that vote shall be equal to the number of affiliated members used to determine the delegate entitlement of the affiliated organization for the previous Convention.
 - (ii) In the event an organization affiliates to the Federation after the Convention preceding the vote, the weight of its ballot shall be equal to the number of members currently affiliated.
 - (iii) An affiliated organization may divide its support on a question, and in casting its vote, shall indicate the weight to be attributed both for and against the Motion.
 - (iv) The question shall be decided by the total weight of the votes both for and against the Motion.

ARTICLE 10

ELECTION AND DESIGNATION OF EXECUTIVE OFFICERS AND EXECUTIVE COUNCIL

- Section 1.** (a) The President, Secretary-Treasurer, and Executive Council members representing Labour Councils shall be elected at the Constitutional Convention by majority vote. Such election shall take place on the last day of the Convention, unless otherwise determined by the Convention.

- (b)** Elections 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, to obtain such a majority. On the second (2nd) and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot, shall be dropped. In the case of a final tie vote, the presiding executive officer may cast the deciding vote.
- (c)** The nomination and election to offices in the Federation shall be conducted in the following order: President, Secretary-Treasurer, Executive Council members representing Labour Councils and Trustees-at-Large.

Section 2. Executive Officers and Executive Council members designated by affiliated organizations shall be selected in accordance with the internal by-laws and procedures of that organization.

Section 3. For the purposes of this Article, all affiliated local unions, branches, and lodges of a British Columbia union shall be considered one (1) affiliated organization.

Section 4. In the event of a vacancy in the designated representation of an affiliated organization on the Executive Officers or Executive Council, the affiliated organization shall designate a replacement.

Section 5. (a) In the event of an affiliation or merger that results in an affiliated organization becoming one (1) of the fourteen (14) largest affiliated organizations, the new affiliated organization shall be entitled to appoint Executive Officers and Executive Council Members in accordance with its entitlement under Article 5, and the requirements of this Article.

(b) The incumbent Vice-President representing any affiliated organization affected by a change in entitlement under Article 5 because of an affiliation or merger of two (2) other affiliated organizations shall continue in their duties until the expiry of their term.

Section 6. Where an affiliated organization appoints an Executive Officer and members to the Executive Council, and:

- (a) is entitled to designate two (2) or three (3) persons, at least one (1) of these persons must be a member of an affirmative action group as defined in Article 9, Section 1(a)(i); or
- (b) is entitled to designate four (4) or five (5) persons, at least two (2) of these persons must be members of an affirmative action group as defined in Article 9, Section 1(a)(i); or
- (c) is entitled to designate six (6) or seven (7) persons, at least three (3) of these persons must be members of an affirmative action group as defined in Article 9, Section 1(a)(i).

Section 7. At its first meeting following each Constitutional Convention, the Executive Council shall receive recommendations from the Human Rights Standing Committee and the Young Workers' Committee, and appoint the Human Rights Standing Committee members referred to in Article 9(a)(iii) and the Young Workers Committee member referred to in Article 9(a)(iv).

Section 8. (a) The Convention shall, by majority vote, elect five (5) Executive Council members to represent affiliated Labour Councils, at least two (2) of which shall be women. These elections shall be conducted in the same manner as provided in Article 10, Section 1(b).

(b) A candidate for Executive Council elected under this Section must be:

- (i) a member of an affiliated union; and
- (ii) a delegate to Convention; and

shall have and maintain:

- (iii) the endorsement of the member's affiliated organization;
- (iv) a position as an Officer of a Labour Council; and

(v) the endorsement of the member's Labour Council.

Section 9. In the event a member of the Executive Council vacates one (1) of the positions elected in accordance with Article 10, Section 8, the Executive Council shall appoint a successor after consultation with the Labour Councils affected, and subject to the requirements of Article 10, Section 8(b)(i), (iii), (iv) and (v).

ARTICLE 11 TRUSTEES

Section 1. (a) There shall be elected three (3) Trustees and one (1) Alternate Trustee who shall be nominated and elected at the British Columbia Federation of Labour Convention.

(b) The term of office of two (2) of the Trustees and the Alternate Trustee shall be two (2) years and the term of the remaining Trustee shall be four (4) years.

(c) In the event one (1) of the Trustees vacates the office during the term, the elected Alternate Trustee shall succeed that Trustee and serve for the balance of the Trustee's term.

Section 2. It shall be the duty of the Trustees to examine all financial records semi-annually.

Section 3. The Trustees shall determine whether all receipts have been properly recorded and all expenditures authorized by the British Columbia Federation of Labour Constitution, Convention or Executive Council.

Section 4. The Trustees shall report to the Convention through the report of the Executive Council.

ARTICLE 12 OMBUDSPERSON

- Section 1.** (a) If a delegate from a local union, affiliated to the Federation, has a complaint or grievance against an Officer of the Federation that cannot be resolved by the procedure presently set forth in this Constitution, he or she shall have the right to submit his or her case, with all relevant material and supporting evidence, to the Ombudsperson appointed by the Canadian Labour Congress.
- (b) The Ombudsperson will, under the authority vested in him or her by the Canadian Labour Congress, undertake such inquiries, hearings or meetings that he or she deems advisable, and report his or her findings as soon as possible to the parties to the complaint.

ARTICLE 13 APPOINTMENTS

- Section 1.** The President and the Secretary-Treasurer, or an Executive Officer designated by them, will be the delegates representing the Federation at Canadian Labour Congress Conventions. The Executive Officers shall appoint delegates to represent the Federation at other organizations' Conventions as the need arises.
- Section 2.** (a) When occasion arises and opportunity is afforded for the representation of Labour on Government Commissions or Boards, etc., through the medium of the Federation, the Executive Officers shall call upon the affiliated Labour Councils and affiliated Local Unions to nominate appointees thereto. The Executive Council shall, by secret ballot, elect the appointee from those nominated by the affiliates. Any such appointment shall be for a maximum of six (6) years from the date of appointment; however, such appointments may be extended.

- (c) Where an emergency appointment is necessary, the Executive Officers shall make the appointment without calling upon the affiliates.

ARTICLE 14 COMMITTEES

- Section 1.** (a) The President, in consultation with the Executive Officers, shall have the authority to appoint the Chair and members of standing and ad hoc committees as are deemed necessary to the proper functioning of the Federation, subject to the approval of the Executive Council.

(b) Appointments to committees shall be made in a manner consistent with the principles of the Federation's affirmative action program.
- Section 2.** Standing committees shall be appointed for a two (2) year term.
- Section 3.** Committees shall be Chaired by an Executive Officer or member of the Executive Council and shall report on their activities to each Constitutional Convention.
- Section 4.** The powers of the committees established under this Article will be limited to recommending initiatives to the Executive Officers, and implementing Federation policy upon the instruction of the Executive Officers and/or the Executive Council.
- Section 5.** Standing committees established by Convention may be disbanded only by Convention.

ARTICLE 15 ACTIVITIES

- Section 1.** (a) Between Conventions, the Federation shall convene at least two (2) regional conferences outside of the Lower Mainland region.

(b) Additionally, beginning in 2011, the Federation will

convene a provincial conference every second (2nd) year and the focus of this Conference will be on building and strengthening the union movement.

- (c) Between Conventions, the Federation will organize a lobby of Members of the Legislative Assembly in Victoria to present labour's perspective on legislative, regulatory and policy reforms consistent with the purposes of Article 2.

Section 2. The time, place, agenda and delegate entitlement for these activities shall be determined by the Executive Council, and notice of these provisions shall be given to affiliates at least sixty (60) days prior to the start of the activity.

ARTICLE 16 REVENUE

Section 1. A per capita tax shall be paid upon the full, paid-up membership of each organization.

Section 2. (a) Effective:

(i) January 1, 1997, 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 sixty-seven (.67¢) cents per member per month. Effective March 1, 2013, this per capita tax shall be seventy-two (.72¢) cents per member per month, and effective March 1, 2014, this per capita tax shall be seventy-seven (.77¢) cents per member per month.

(ii) July 1, 2003, each affiliated local union, branch or lodge shall pay, before the last day of each month for the preceding month, a supplementary per capita tax of three cents (.03¢) per member per month to be allocated to a Campaign and Defence Fund.

(iii) January 1, 2004, the supplementary Campaign and Defence Fund's per capita tax of three cents (.03¢) per member per month mentioned in (ii), shall be

increased to five cents (.05¢) per member per month.

(b) Where:

(i) the working membership of an organization is temporarily reduced by reason of the organization's involvement in job action in support of workers in a labour dispute; and

(ii) the dispute has continued for more than thirty (30) days since the initial job action, the per capita tax payment for the month shall be reduced by the proportion that the organization's membership has ceased or reduced paying dues as a result of job action.

(c) A reduction in per capita tax payments as provided for in subsection (b) shall not reduce an organization's rights or privileges for any other purpose.

Section 3. Each Labour Council shall pay an annual fee of ten (\$10.00) dollars per year to be due July 1st of each year.

Section 4. Any organization which does not pay its per capita tax on or before the time specified in the Constitution, shall be notified of that fact by the Secretary-Treasurer of the Federation. The Executive Council shall be empowered to determine conditions of re-affiliation for unions which have been formally suspended, or are in arrears in their per capita tax payments.

Section 5. The fiscal year of the Federation shall be from the first (1st) day of September to the thirty-first (31st) day of August each year.

ARTICLE 17 AMENDMENTS

Section 1. Amendments to this Constitution, so long as they do not conflict with the Constitution of the Canadian Labour Congress or its principles and policies, may be adopted by a two-thirds (2/3) vote of those present in Convention and voting. Any amendment shall only become effective after approval by the Canadian Council of the Canadian Labour Congress.

ARTICLE 18 RULES AND REGULATIONS

Section 1. This Provincial Federation may adopt such rules and regulations as do not conflict, nor are inconsistent with, the provisions of the Constitution or the policies of the Canadian Labour Congress.

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