



CONSTITUTION

2015



CONSTITUTION AND BY-LAWS

PREAMBLE

Dedicated to the proposition that Canadian retirees, as free citizens, are entitled to secure and protect their mutual welfare, and that of their families by all legitimate means, this Canadian retiree organization is brought into being.

Inherent in this proposition is the attainment of its economic, social and legislative objectives through the organization of Canadian retirees of free trade unions, and the promotion and advancement of their interests in all fields of common endeavour by the utilization of their collective strength, abilities and resources.

Founded to contribute to the realization of the legitimate aspirations of those who toil for a living, this organization will not deviate from the pursuit of the cause of peace, freedom and security for all peoples.

It will at all times hold true to the high ideals and principles of social justice on which the labour movement was founded.

With a keen appreciation of the tremendous responsibilities which it has assumed, this organization accepts the challenge of the future to foster and defend the principles of democracy in the economic, social and political life of the nation.

ARTICLE I – NAME AND HEADQUARTERS

Section 1: This Organization shall be known as the Congress of Union Retirees of Canada (CURC) affiliated to the Canadian Labour Congress (CLC).

Section 2: The national headquarters will be the same as that of the Canadian Labour Congress.

ARTICLE II – OBJECTIVES

Section 1: To unite chapters or clubs of retired members from unions affiliated with the Canadian Labour Congress, and other organizations representing retired officers and staff of affiliated unions and the Canadian Labour Congress, and to monitor collective bargaining trends, social, economic, educational, legislative and political events of interest to retired union members and their spouses.

Section 2: To petition legislators for the introduction and enactment of legislation on measures to improve the health and welfare of all retired persons, consistent with the policies of the Canadian Labour Congress.

Section 3: To fight for the rights of all retired persons to have an equitable standard of living.

Section 4: To cooperate with other organizations, with similar objectives and on mutual campaigns for long-term goals.

Section 5: To encourage all unions to organize their retirees into clubs or chapters at the local level with a provincial and/national structure as appropriate.

Section 6: To organize viable provincial \ territorial federations of union retirees and local area councils of CURC with their full participation with the appropriate CLC chartered body.

Section 7: To encourage individual membership in CURC

ARTICLE III – MEMBERSHIP

Section 1: Membership in the Congress of Union Retirees of Canada shall consist of:

- (a) Local branches, clubs or chapters of union retirees' organizations of CLC affiliates.
- (b) Area councils of union retirees' organizations of CURC affiliates in a defined geographic area.
- (c) Provincial or territorial federations of union retirees' organizations of CURC affiliates in a defined geographic area.
- (d) National organizations of union retirees of CLC affiliates in Canada.
- (e) Organizations representing retired officers and staff of affiliated unions and CLC staff.
- (f) Individual union retirees of CLC affiliates and their spouses may directly join CURC and participate in area councils and federations.
- (g) Directly chartered organizations or local branches, clubs or chapters of union retirees.

Section 2: Any organization affiliated with the Congress may be suspended or expelled for just cause from affiliation by a majority vote of the Convention.

ARTICLE IV – FEES

Section 1: Local branches, clubs or chapters of union retirees' organizations affiliated to CURC shall pay an annual affiliation fee on the following basis: up to fifty (50) members, \$25 per year; fifty- one (51) to two hundred and fifty (250) members, \$50 per year; two hundred and fifty- one (251) to five hundred (500) members, \$100 per year; five hundred and one (501) to one thousand (1,000) members, \$150 per year; more

than one thousand (1,000) members, \$250 per year to CURC.

- Section 2:** Area councils of CURC shall pay annual fees of \$25 to the Congress. They must join and remain affiliated to provincial/territorial federations of union retirees.
- Section 3:** Each territorial or provincial federation of a CURC union retiree affiliate shall pay fees on the following basis: five hundred (500) members or less, \$50; more than five hundred (500) members, \$100 per year to CURC.
- Section 4:** Each national/international union retiree organization of CLC affiliates shall pay on the following basis: up to fifty (50) members, \$25 per year; fifty-one (51) to two hundred and fifty (250) members, \$50 per year; two hundred and fifty-one (251) to five hundred (500) members, \$100 per year; five hundred and one (501) to one thousand (1,000) members, \$150 per year; more than one thousand (1,000) members, \$250 per year to CURC.
- Section 5:** The fee for individual membership in the Congress of Union Retirees of Canada shall be \$20s for an individual and \$30 for a couple. If the fees are paid for three year period in one payment, the fee for an individual shall be \$50 and for a couple eighty \$80. These fees shall apply to retired members and to active members who have reached the age of fifty (50).
- Section 6:** Forty (40) per cent of the fees from individual memberships in the Congress of Union Retirees of Canada shall remain with CURC.

Thirty (30) per cent shall be sent to the provincial/territorial federations.

Thirty (30) per cent shall be sent to the area councils.

The percentage of payment to each provincial/territorial federation of union retirees and area councils shall be based upon the individual membership fees paid by union retirees in the province/territory or area in which they reside.

ARTICLE V - OFFICERS

Section 1: Executive Committee

The **Executive Committee** shall consist of: President; First Vice-President; Second Vice-President; Treasurer; Recording Secretary; and two members-at-large, one of whom shall represent women and one of whom shall represent visible minorities and aboriginals.

The Executive Committee, following every convention, can name a person responsible for communications matters to advise both the Committee and full Executive. This person will be entitled to a delegate credential to attend the CURC Convention.

The Executive Committee shall meet at the call of the President.

Section 2: The Executive Council shall consist of the Executive Committee and one representative from each Provincial and Territorial Federation of Union Retirees.

The Executive Council shall meet at least twice a year on the call of the President.

Section 3: Election of Officers

Each Officer shall be a member in good standing of a union retirees' organization affiliated to the Congress of Union Retirees of Canada.

Section 4: Such election shall take place on the last day of the Convention, unless otherwise determined by the Convention.

Section 5: Election of Officers shall be by secret ballot. A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken if necessary to obtain such a majority. On the second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In case of a final tie vote, the Chairperson may cast the deciding vote.

Section 6: When two (2) or more nominees are to be elected to any office by ballot, each delegate voting shall be required to vote for the full number of candidates to be elected or the delegate's ballot will be declared spoiled.

Section 7: The election of each office shall be completed before nominations may be accepted for any subsequent office.

Section 8: All Officers, before assuming office in this Congress, shall take the following oath:

"I do hereby, sincerely pledge my word and honour to perform my duties as an Officer of the Congress of Union Retirees of Canada of the Canadian Labour Congress. I will attend, when able to do so, all meetings of the Executive Committee and of the Executive Council of which I shall be a member, and at the end of my term of office, I shall turn over to the Congress of Union Retirees of Canada or to my successor, all properties or funds in my possession that belong to the Congress."

Section 9: The term of the Officers of the Congress shall commence within thirty (30) days following the adjournment of the Convention.

Section 10: Expenses

The Executive Committee is authorized to reimburse members of the Committee for necessary expenses in performing their duties for the Congress of Union Retirees of Canada.

ARTICLE VI - DUTIES OF OFFICERS

Section 1: The President

The President shall be the chief executive officer of CURC/CLC. The President shall sign all official documents and preside at regular and special Conventions and at meetings of the Executive Committee

he/she has called. The President shall assign the Executive Vice-Presidents' duties and responsibilities that are consistent with their respective positions. The President shall have authority to interpret the Constitution and that interpretation shall be conclusive and in full force and effect unless reversed or changed by the Executive Committee or a Convention. The President shall report on the administration of that office and on the affairs of the Congress to the Convention.

Section 2: First Vice-President

The First Vice-President will assist the President and shall take the place of the President if he/she is unable to carry out his/her functions. In case of a vacancy in the office of the President, the First Vice-President assumes the President's office until the next Convention.

Section 3: Second Vice-President

The Second Vice-President shall assist the First Vice-President and the President in carrying out **their** duties. If neither the President nor the First Vice-President is at a meeting of CURC/CLC, the Second Vice-President shall preside.

Section 4: Treasurer

The Treasurer shall be the Chief Financial Officer of CURC/CLC. He/she shall prepare a financial statement of CURC/CLC for each meeting of the Executive Committee and for the CURC/CLC Convention. The Treasurer will keep a record of all receipts and expenditures and will have the books audited in a timely manner before each CURC/CLC Convention and such audit to be reported to the Convention through the Executive Committee Report. The Treasurer shall be bonded in such amount as may be determined by the Executive Committee. The Treasurer will receive and pay out money as authorized by the Executive Committee.

Section 5: Recording Secretary

The Recording Secretary shall take the minutes of all meetings and

keep the general records of the organization. The Recording Secretary shall handle all correspondence of the organization and send out the call for the Biennial Convention and for Executive Committee and Council meetings.

Section 6: Members-At-Large of the Executive:

The duties of the Member-At-Large for Women are to promote and increase the participation of women at all levels of CURC and to attend the relevant CLC Committee meetings and other activities when finances of CURC permit.

The duties of the Member-At-Large for Visible Minorities and Aboriginals are to promote and increase the participation of visible minorities and Aboriginals at all levels of CURC and to attend the relevant CLC Committee meetings and other activities when finances of CURC permit.

Section 7: Signing Officers

The signing officers for financial and legal documents shall be the President, Treasurer, First Vice-President, and Second Vice-President. Cheques shall be signed by any two (2) of them.

ARTICLE VII – CONVENTIONS

Section 1: The Convention shall be the supreme governing body of CURC/CLC and, except as provided in Section 10 of this Article, and Article IX, its decisions shall be by majority vote.

Section 2: A Convention shall be held every third year at a place decided upon by the Executive Committee which shall give at least one hundred and twenty (120) calendar days' notice.

Section 3: Local branches, clubs and chapters of union retirees affiliated to CURC shall be entitled two (2) delegates for each one hundred (100) members to a maximum of eight (8).

Section 4: Each area council of CURC shall be entitled to two (2) delegates for

the first two hundred (200) members and an additional delegate for every additional three hundred and fifty (350) members or major fraction thereof.

- Section 5:** Federations of union retiree organizations shall each be entitled to two (2) delegates.
- Section 6:** National organizations of retirees of unions affiliated with the CLC shall be entitled to two (2) delegates each.
- Section 7:** Organizations representing retired officers and staff of affiliated unions and CLC shall be entitled to two (2) delegates.
- Section 8:** Elected Officers and Executive Committee members shall be delegates to Conventions by virtue of their office.
- Section 9:** Any resolution to be accepted by the Convention must be submitted by an affiliated local organization of union retirees, a municipal or regional division thereof, or a federation, or national affiliate or the Executive Committee, or organizations representing retired officers and staff of affiliated unions and CLC; be signed by the presiding officer and secretary; sent to the Recording Secretary no later than seventy-five (75) days before the Convention; and be limited to one hundred and fifty (150) words and one (1) topic.
- Section 10:** Resolutions, petitions or appeals received or submitted contrary to the above shall be referred to the Executive Committee and the Committee may refer such proposal(s) to the Convention with the understanding that consideration is dependent upon two-thirds ($\frac{2}{3}$) majority consent of the Convention.
- Section 11:** One-fourth ($\frac{1}{4}$) of the registered delegates at any Convention shall constitute a quorum for the transaction of business.
- Section 12:** The rules and order of business governing Conventions shall be:
- (1) The President, or a member of the Executive Committee in the absence or at the request of the President, shall take the Chair at the time specified, at all regular and special

Conventions. In the absence of both the President and the designated representative, a Chairperson shall be chosen by the Executive Committee.

(2) No question of a sectarian character shall be discussed.

(3) A delegate wishing to speak shall proceed to one of the microphones provided for that purpose. When recognized by the Chairperson, the delegate shall state name and organization represented and shall confine remarks to the question at issue.

(4) Speeches shall be limited up to three (3) minutes, except in moving a resolution, when the delegates shall be allowed up to five (5) minutes.

(5) A delegate shall not speak more than once upon a subject until all who wish to speak have had an opportunity to do so.

(6) A delegate shall not interrupt another except it be to call to a point of order.

(7) If a delegate be called to order, at the request of the Chairperson, the delegate shall be seated until the question or order has been decided.

(8) Should a delegate persist in unparliamentary conduct, the Chairperson will be compelled to name the delegate and submit such conduct to the judgement of the Convention. In such case the delegate whose conduct is in question should explain and then withdraw, and the Convention will determine what course to pursue in the matter.

(9) 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.

(10) Questions may be decided by a show of hands, or a standing vote on the basis of one (1) vote per delegate. A roll call vote may be demanded by one-third ($\frac{1}{3}$) of the delegates

present. In a roll call vote each delegate shall be entitled to one (1) vote.

(11) Two (2) 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 the decision.

(12) The Chairperson shall have the same rights as other delegates to vote on any question. In case of a tie vote, the Chairperson shall cast the deciding vote.

(13) When the previous question is moved, no discussion or amendment of either motion is permitted. If the majority votes 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.

(14) Committees may combine resolutions or prepare a composite to cover the intent of the question at issue. Reports of Committees are not subject to amendment except such as is acceptable to the Committee, but a motion to refer back to the Committee for reconsideration shall be in order.

(15) A delegate shall not move a motion to refer back after speaking on the question at issue.

(16) A motion to refer back is not debatable and when properly seconded the question shall be immediately put to the Convention.

(17) If the report of a Committee is adopted, it becomes the decision of the Convention; if defeated, it may be referred back to the Committee for reconsideration.

(18) When a question is pending before the Convention, no motion shall be in order except motions to refer or to call the

previous question or to postpone for a definite time. If any of the foregoing motions is negated, it cannot be reintroduced until after an intermediate proceeding.

(19) 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 sitting, and said notice of motion is supported by two-thirds ($\frac{2}{3}$) of the delegates qualified to vote.

(20) The Executive Committee is empowered to establish the hours of Convention.

(21) In all matters not regulated by these rules or order, Bourinot's Rules of Order shall govern.

Section 13: Unless otherwise specified, any decision taken by the Convention shall take effect immediately upon adjournment of the Convention.

ARTICLE VIII – BONDING

Any Officer dealing with finances shall be bonded through the bonding procedure of the Canadian Labour Congress.

ARTICLE IX – CONSTITUTIONAL AMENDMENTS

Constitutional amendments must be submitted at least seventy-five (75) days prior to the Convention and must be adopted by a two-thirds ($\frac{2}{3}$) majority of those voting.

The Executive Committee of the Congress of Union Retirees of Canada may submit constitutional amendments when deemed necessary. For passage, these amendments will also require a two-thirds ($\frac{2}{3}$) majority.

ARTICLE X

- Section 1:**
- (a) Central bodies subordinate to the Congress of Union Retirees of Canada, such as provincial/territorial federations of retirees and area councils of union retirees, shall be established and chartered as deemed advisable by the Executive Committee.
 - (b) Where no organization, local branch, club or chapter of union retirees exists, the Executive Committee may issue a charter for direct affiliation to Congress of Union Retirees of Canada. These bodies shall be bound by the CURC Constitution and the same rules and procedures as provincial/territorial and area councils.
- Section 2:** Any body so chartered will conform with Article IV, Section 2.
- Section 3:**
- (a) The Executive Committee of the Congress of Union Retirees of Canada shall issue rules governing the conduct, activities, affairs, finances and property of provincial/territorial federations and area councils of union retirees and provide procedures for the discipline of such bodies or their officers. The rules shall further provide for appeals to the Executive Committee and to the Convention. Decisions appealed shall remain in full force and effect pending the appeal.
 - (b) Provincial/territorial and area councils of union retirees may set fees which are more than the Congress of Union Retirees of Canada, providing such fees are approved by the Executive Committee of CURC.
- Section 4:** Upon the dissolution, suspension or revocation of the above-mentioned charters, all funds and assets shall revert to the Congress of Union Retirees of Canada. In the event of a failure or refusal to so deliver the funds and property, all expenses incurred by CURC in recovering such funds and property involved shall be a lawful charge against the funds and property involved and, on recovery thereof, CURC shall reimburse itself from the funds and property recovered.