

CONSTITUTION AND BYLAWS
Of the
**ALBERTA & N.W.T. (DISTRICT OF MACKENZIE)
BUILDING AND CONSTRUCTION TRADES COUNCIL**

ARTICLE 1.000

- 1.000 This organization shall be known as the Alberta & Northwest Territories (District of MacKenzie) Building and Construction Trades Council.
- 1.200 This organization shall be composed of the Southern Alberta Building and Construction Trades Council, the Northern Alberta & Northwest Territories (District of MacKenzie) Building and Construction Trades Council, International Building and Construction Trades Unions historically organized as such and which are primarily and customarily or historically engaged or operating in the Building and Construction Trades Industry, and all branches, divisions and subdivisions thereof.

ARTICLE 2.00 – OBJECTS AND PRINCIPLES

- 2.100 To coordinate and harmonize the activities, functions and interests of the Affiliated International Unions in the Building and Construction Trades Industry.
- 2.101 To promote the growth and development of all the Building and Construction Trades Unions and to foster and develop the organization of Building and Construction Trades workers on traditional or craft lines.
- 2.102 To foster, develop and advance apprenticeship and journeyman training and to cooperate with Federal and Provincial agencies promoting the interests of apprenticeship and journeyman training.
- 2.103 To promote the development of Health and Safety practices and procedures and protect the health and safety of trades people and workers in the Building and Construction Industry.
- 2.104 To maintain the historical function, continuity and jurisdiction of the Building and Construction Trades Department since its creation at Norfolk, Virginia, on November 11th, 1907, and the issuance of its Charter by the American Federation of Labour on February 10th, 1908.

- 2.105 To aid and assist in the organization, development, and coordination of the activities of Building and Construction Unions on craft or trade lines and also to be able to obtain Council Certifications with the prior approval of the Affiliates affected.
- 2.106 To promote industrial peace and development a more harmonious relationship between employers, owners, and employees.
- 2.107 To aid and support all Affiliated International Unions in securing improved wages, hours, and working conditions, through the process of collective bargaining.
- 2.108 To engage in legislative activity for the promotion and protection of the interest of Building and Construction Trades Unions, and their members, and to protect and advance the interests of Affiliated Unions, and their members, in the Building and Construction Trades Industry.
- 2.109 To engage in research, legal and public relations activities, appropriate for the advancement of the interests of Affiliated Unions, and their members, in the Building and Construction Trades Industry.
- 2.110 To protect International Unions, affiliated with the Department in the established trade jurisdiction, in the Building and Construction Trades Industry, as historically granted, and conferred upon them by the American Federation of Labour, and traditionally exercised by them.

ARTICLE 3.000 – JURISDICTION

- 3.100 The Council shall have complete jurisdiction over the Building and Construction Trades Industry, and all branches, divisions and subdivisions thereof, as indicated in the preamble to and as contained in Article 1, Section 2 and Article IX, Section 2 of the Constitution of the Building and Construction Trades Department within the following geographical area: Province of Alberta and District of MacKenzie in the Northwest Territories and that territory lying directly north thereof to the territorial limits of Canada.
- 3.200 The Council shall, in all its activities, cooperate with the Officers and Representatives of the Building and Construction Trades Department.

ARTICLE 4.000 – MEMBERSHIP

4.100 Membership in this Council shall be open to bona fide Building and Construction Trades Local Unions in good standing with International Unions affiliated with the Building and Construction Trades Department who agree to be bound by all of the rules, regulations, and bylaws of this Council. Such Local Unions must be accepted on application. All Affiliates to this Council shall be bound by all decisions made by the Council by a majority vote or in accordance with the specified voting resolution reserved for project labour agreements as long as they are a member of this Council.

That any affiliate who has withdrawn or been suspended from the Council may make application and be reinstated on the payment of per capita for the month following the month in which the application is received. For the first three months from the time per capita is paid, the re-affiliating Local Union may attend meetings of the Alberta and NWT Building and Construction Trades Council, but have no voice or vote.

4.200 This Council shall notify the Department, in writing, of any Local Union failing or refusing to pay its dues or per capita tax and all other indebtedness to the Council. Affiliates failing to remit its dues or per capita for a period of three (3) consecutive months shall automatically be denied all rights and privileges of an Affiliate, including having their delegates or representatives present, or having them participate in any meeting of the Council or Executive Board. Any Local Union or Council of Unions which has failed to remit per capita tax and assessments to the extent that it is three (3) months in arrears shall be considered to be no longer in good standing and shall be denied all rights.

4.300 All Local Building and Construction Trades Unions or International Unions affiliated with the Department within the geographical jurisdiction of this Council shall affiliate with this Council.

ARTICLE 5.000 – CONVENTIONS

5.100 The Convention of the Council shall be held annually during the months of September, October or November as may, from time to time, be determined by the Executive Board.

5.200 Special Conventions may be called by the Chair on request of a majority of the Executive Board, which request shall set forth the business to be settled; provided, however, that no other business will be considered or acted upon except that specified in the call.

5.300 Representations in Conventions:

5.301 Representations in Conventions from Local Unions or District Councils shall be as follows:

CONTRIBUTION ON:

1 to 100,000 hours	1 delegate
100,001 to 200,000 hours	2 delegates
200,001 to 300,000 hours	3 delegates
300,001 to 400,000 hours	4 delegates
400,001 to 500,000 hours	5 delegates
500,001 to 600,000 hours	6 delegates
600,001 to 700,000 hours	7 delegates
700,001 to 800,000 hours	8 delegates
800,001 to 900,000 hours	9 delegates
900,001 to 1,000,000 hours	10 delegates

Plus one additional delegate for each 25,000 man-hours over 1,000,000 man hours contributed upon.

5.302 Where two or more Local Unions of an International Union form a District Council within a geographical jurisdiction of this Council, representation of the Local Unions may come through such District Council in lieu of direct representation from the Local Unions.

5.303 The Table Officers shall be ex officio delegates to the Convention with all rights and privileges of elected or appointed delegates, but shall not be eligible for re-election, unless he/she/they is/are a delegate(s) from an Affiliated Local Union.

5.304 Delegates to the Convention shall be elected or appointed by each Affiliated Local Union or District Council and the name of such delegates and their alternates shall be forwarded to the Secretary-Treasurer at least thirty (30) days prior to the first day of the Convention. Each Local Union shall have at least sixty (60) days notice before a Convention.

5.305 Delegates to this Council shall consist of duly elected or appointed members in good standing in the Local Unions for a period of not less than two (2) years. The President of the Department shall have the authority to waive this requirement in any case when, in the President's judgment, the circumstances warrant.

5.306 Council Representatives of Affiliated Local Councils shall not be entitled to a voice or vote in this Council, unless elected or appointed by their Local Unions as a delegate.

ARTICLE 6.000 – ROLL CALL VOTE

- 6.100 A roll call vote shall be held when demanded by a two-thirds (2/3) majority of all credentialed delegates in attendance.
- 6.101 Delegates from an Affiliated Local Union on roll call votes shall equal the total number of votes to which the Local Union they represent is entitled as determined and certified in accordance with 6.200 of this Article, divided by the number of registered delegates to which such Local Union is entitled under 5.301.
- 6.102 When representation of a Local Union comes through a District Council, as per 5.302, the delegates representing such combined membership shall apportion a number of votes to each delegate, corresponding to the membership representation of such delegates. In any event, the total of such apportioned votes shall not exceed the number of votes to which the combined numbers of delegates are entitled, in accordance with Article 6.201. A list of the names of such delegates, together with the total of such votes, will be given to the Secretary-Treasurer prior to voting.
- 6.200 The number of members of each Local Union or District Council, for the purpose of selection or designation of delegates and for roll call votes at the Convention shall be the average monthly number of man hours on which per capita tax is paid to the Council during the year prior to and including the second month preceding the month of the opening date of the Convention.
- 6.201 Where affiliation has occurred during such current year the average shall be computed from the month of affiliation. The Secretary-Treasurer shall prepare for the use of the Convention, and certify to it a printed list showing the number of votes and the number of delegates to which each affiliated Local Union or District Council is entitled.
- 6.202 Any Affiliate who has not paid per capita tax and other indebtedness to the Council prior to and including the second month preceding the month of the opening date of the Convention shall not be entitled to recognition or representation in the Convention. No organization shall be entitled to representation unless such organization is a Building and Construction Trades Union.
- 6.300 Resolutions must be filed with the Secretary-Treasurer at least thirty (30) days prior to the first day of the Convention. All Resolutions shall be imprinted with the seal of the Local Unions or Councils and be under the signatures of the Chair and Recording Secretary.

- 6.301 All Emergency Resolutions, before being considered by the Convention, must be referred to the Resolutions Committee by a two-thirds (2/3) majority vote of the delegates in attendance at the Convention.
- 6.400 A quorum shall be fifteen (15) delegates to the Convention provided they represent one-half (1/2) of the Affiliated' Trades.

ARTICLE 7.000 – OFFICERS

- 7.100 The Officers of this Council shall be the Chair of the Executive Board and Secretary-Treasurer. No two members of the same International Union with the same or similar jurisdiction affiliated with the Building and Construction Trades Council may be elected to Office in this Council at any time.
- 7.101 The Executive Board will hire and direct the Executive Director for the Council who shall manage the day-to-day affairs of the Provincial Council between meetings. His terms and conditions of employment shall be determined by a contract negotiated and approved by the Executive Board.
- 7.102 The duties of the Executive Director shall include:
- a) Regular and ongoing contact with the public, government, construction owners, contractors, union representatives and members, becoming the trustee of the welfare of the affiliated Local Unions;
 - b) protecting and enhancing the reputation and influence of the Council and its affiliated Local Unions;
 - c) supporting the collective bargaining process by collecting and disseminating relevant bargaining information, and administrating on matters of general interest to the Council, including such things as the Camp Agreement, Camp Installation Agreement, "Project Terms" and all similar undertakings;
 - d) promoting and marketing unionized construction, maintenance, and fabrication on behalf of the affiliated Local Unions;
 - e) lobbying and establishing effective relationships with all levels of government;
 - f) participating, as appropriate, in the national activities of the Canadian Building Trades Department;
 - g) coordinating and liaising with contractors and contractors' associations on behalf of the affiliated Local Unions;
 - h) being responsible for the operation and administration of all regional offices and provincial staff of the Council;
 - i) managing the affairs of the Building Trades between meetings of the Executive Board;
 - j) by virtue of office, being a delegate to the Building Trades Department Convention and similar conventions of the Canadian Building Trades;
 - k) such further and other duties as may be reasonably required.

- 7.103 The Executive Board of the Provincial Council shall consist of the Officers, who are the Chairman and the Secretary-Treasurer, two (2) Vice-Chairs and an Executive Member representing each craft shall be elected or appointed from the members of that craft in caucus and the annual convention of the Council shall be so advised. A majority of the Executive Board, in accordance with article 4.100, shall conduct the business of the Council between Conventions and shall meet as often as is necessary to do so and, in any event, shall meet at least quarterly.
- 7.104 The role of the Executive Board shall be to:
- a) Ensure the organization has a clear vision, values, and goals.
 - b) Identify significant strategic initiatives to be supported by Council
 - c) Ensure that a viable, workable strategic plan exists to accomplish the mission and evaluate the success of the organization in achieving the objectives of council.
 - d) Define a recruiting process for a competent Executive Director
 - e) Set policies regarding the results expected, the limits of the Executive Directors authority and Council process.
 - f) Ensure the financial solvency of the organization
 - g) Monitor and evaluate the performance of the organization and the executive director
 - h) Represent the organization's stakeholders and report to stakeholders of priorities and results achieved.
- 7.105 Officers of the Council shall be elected from among the delegates. In order to qualify and to hold office in the Council a delegate must be a member in continuous good standing in his Local Union for a period of at least two (2) years prior to their election or appointment as a delegate and not a member of any subversive group. The President of the Department shall have the authority to waive this requirement in any case when, in the President's judgment, the circumstances warrant.
- 7.106 The positions of the two Vice-Chairs of the Council shall automatically be filled by the respective Presidents of the Northern Alberta & Northwest Territories (District of MacKenzie) Building and Construction Trades Council and the Southern Alberta Building and Construction Trades Council. The Convention shall decide, by election, who shall be first Vice-Chair in the event that the Vice-Chairs are unable to so agree.
- 7.107 Each craft affiliated to the Council shall be entitled to representation on the Executive Board, save and except where that craft is represented by either the President of the Northern Council, or the Chair, or the President of the Southern Council and, therefore, on the Executive Board. In the event that a craft representative is unable to attend an Executive meeting an alternate representative may be designated in writing by the craft representative to represent that craft with full voice and vote.

- 7.108 The Vice-Chairs, in order of seniority, shall, in the absence of the Chair, perform all duties pertaining to the Office of Chair.
- 7.109 The Secretary-Treasurer (ST) shall keep a record of the proceedings of the Council and attest all Orders signed by the Chair. The ST shall be custodian of the records and the seal of the Council. The ST shall furnish each Affiliated Local Union with a copy of the proceedings of the Council and he shall perform such other duties as may be required by this Constitution or assigned by the Council or the Executive Board.
- 7.110 The Secretary-Treasurer shall receive all monies to be paid to the Council. The ST shall keep an accurate account of all money received and expended. The ST shall issue all orders of the payment of bills ordered by the Council, the same to be attested by the signature of the Executive Director. The ST shall make quarterly financial reports to the Council, notify all Unions in arrears, and shall deposit all monies or funds in such banks as the Council may designate and produce his books for inspection whenever called upon by the Executive Board or the Finance Committee.
- 7.111 The Secretary-Treasurer of the Building and Construction Trades Department may, at any time, either in person or by deputy, examine and take possession of the books of the Council, and in cases of the suspension or revocation of the Charter or Dissolution of the Council, all monies and other properties in possession of the Council shall immediately be forwarded to the office of the Department in such manner as the Secretary-Treasurer shall direct.
- 7.112 No delegate shall be eligible to hold any office in the Council unless his organization shall have paid all its indebtedness to this Council.
- 7.113 The Provincial Council shall elect Officers for a term of three (3) years. The elections shall take place at the appropriate Annual Convention commencing at the Annual Convention of 1990.
- 7.114 The election shall be by secret ballot, and it shall require a majority of all votes cast to elect Officers or members of the Executive Board.
- 7.115 Officers shall hold office for the period of their election and until their successors are installed.
- 7.116 Before the Officers shall enter upon their duties, the presiding Officer, or in his absence the Chair, shall deliver the following obligations:

“I _____, pledge my honor as a member that I will, to the best of my ability, fulfill the duties

devolving upon me as an Officer of this Council and that I will act in my assigned capacity for the general benefits of the members, and that I will turn over to my successor all funds, books, records, and properties in my possession at the expiration of my official term.”

- 7.117 If any Officer shall fail to perform or discharge the duties of his office for two (2) consecutive meetings, the office shall be declared vacant unless he shall furnish the Executive Board with a reasonable and acceptance excuse.
- 7.118 Vacancies in office shall be filled for the unexpired term by a majority vote of the Executive Board.
- 7.119 The Signing Officers of the Council shall be at least two of the following: Chair of the Executive Board, Vice-Chairs, Secretary-Treasurer, Executive Director and members of the Executive Board who shall be bonded by an amount to be determined by the Executive Board. At its first meeting after the Convention wherein elections are held, the Executive Board shall designate its Signing Officers and, thereafter, forthwith advise any financial institutions with which the Council has dealings who its Signing Officers are for the ensuing term, similarly, any change of Signing Officers that may be made such notification shall be given.
- 7.120 The Officers and Executive Members of the Council shall be reimbursed for all legitimate, receipted expenses incurred while on Council business.

ARTICLE 8.000 – FINANCES

- 8.100 The per capita dues to the Council shall be 5¢ per hour for every hour worked by any member of an Affiliate under job classifications set out in the Construction and/or Maintenance Collective Agreements of Affiliates. In addition there shall be a 1 ¢ per hour per capita dues, either combined with the contribution referred to above or paid by some other method, in the discretion of the affiliate, which shall be paid to the Canadian Office of the BCTD in accordance with the provisions of this Article. The payment of the entire per capita dues amount, in the amount of 6 ¢, is required to remain in good standing. The per capita dues shall be paid to the Secretary-Treasurer on a monthly basis. The Council may, at its discretion, at the end of any fiscal year, consider whether or not to place a limitation on the amount of the per capita tax to be received from Affiliates and, in the event that such a decision is made, the Secretary-Treasurer shall prepare the necessary reconciliations in a reasonable time from the Convention at which such a decision is made.
- 8.200 Funding to the Regional Councils shall be a matter to be determined by the Annual Conventions of the Provincial Council.

- 8.300 All monies collected by way of any assessment or per capita tax authorized by the Council Affiliates shall be deposited in an account designated for such purpose.
- 8.400 Disbursements from funds of the Council shall be for the rent, stationery, printing, supplies, salaries and other necessary expenses.
- 8.500 Disbursements from funds of the Council shall be for legitimate expenses incurred in the Legal Defense of the Council, as determined by the Executive Board; promotional work of unionized construction, education or affiliated memberships, newsletters and bulletins are authorized expenditures and expenses incurred without restricting the generality of the foregoing.
- 8.600 A Provincial Finance Committee shall be formed prior to each Convention and its duties shall include the submission of a budget, recommendations to the Convention with respect to the finances of the Council and to generally act as an Audit Committee with the duty and authority to meet as is required to inspect the books, demand reasonable explanation for monies spent and to review the annual audit of Provincial Council funds.
- 8.601 The Finance Committee shall hire a duly qualified auditor to provide annual audits of Provincial Council Funds and shall lay such an audit before the Convention. The Finance Committee shall also have the privilege of determining the fiscal year of the Council.

ARTICLE 9.000 – AUTONOMOUS RIGHTS

- 9.100 Affiliated International Unions shall have autonomy over the conduct of their respective Local Unions and members, and this Council shall not suspend or expel an Affiliated Local Union without first obtaining approval of the Governing Board of Presidents of the Building and Construction Trades Department.

ARTICLE 10.000 – COUNCIL STAFF

- 10.100 The Provincial Council may employ full or part time personnel staff as may be required and who shall work under the general direction and management of the Executive Director. All council staff will have employment contracts negotiated and sanctioned by the Executive Board.

ARTICLE 11.000 – MISCELLANEOUS

- 11.100 The Provincial Council may not be disbanded without the approval of the Governing Board of Presidents of the Building and Construction Trades Department.

11.200 No Local Union affiliated with this Council shall institute or establish any picket line for jurisdiction purpose and this Council shall not authorize, institute or lend support to any such picketing. Picketing, picket lines and conduct on or near picket lines shall be in accordance with the Picket Line Policy established by the Council.

11.300 All Local Unions affiliated with this Council shall endeavor to incorporate in all collective bargaining agreements, without change, the following provisions:

“All jurisdictional disputes between or among Building and Construction Trades Unions and employers, parties to this Agreement, shall be settled and adjusted according to the present Plan established by the Building and Construction Trades Department (Plan for the Settlement of Jurisdictional Disputes in the Construction Industry) or any other plan or method of procedure that may be adopted in the future by the Building and Construction Trades Department. Decisions rendered shall be final, binding and conclusive on this employer and Union parties to this Agreement.”

11.400 Any Local Union requiring the support of this Council shall submit the same in writing to the Secretary-Treasurer prior to the meeting of the Executive Board.

ARTICLE 12.000 – COMMITTEES

12.100 The Chair of the ABTC, in conjunction with the Executive Director and with the endorsement of the Executive Board, shall have the full power to appoint any Committees that may be required by this Council. This power may be exercised between meetings of the Executive Board, provided always that such appointments shall be ratified by the Executive Board in general session at the next regular meeting of the Executive Board following such appointment.

12.101 The Executive Director and the Chair of the ABTC shall be an ex officio member of all Committees of the Council.

12.200 All delegates appointed or elected to Committees to represent the Council may be compensated and receive expenses in accordance with those matters set out at the time of their election, or thereafter as may be deemed appropriate by a resolution of the Executive Board.

12.300 All Committees shall perform the duties assigned to them within the time specified and no delegate shall be exempt from serving on a Committee when appointed or elected to serve unless excused by a vote of the Council. The first person named on a Committee shall be its temporary Chairman until such Committee meets at which time they shall elect a permanent Chairman and

Secretary. In the case of a vacancy occurring in a Committee, the remaining delegates may request the Executive Board to fill its vacancy.

ARTICLE 13.000 – ORDER OF BUSINESS

13.100 The order of business of each session shall be conducted in the following manner and the most recent edition of Robert's Rules of Order shall govern all parliamentary rules not herein provided for:

- 1) Call to Order
- 2) Report of Credentials Committee
- 3) Reading of Minutes
- 4) Bills and Communications
- 5) Executive Board Report
- 6) Reports of Committees
- 7) Unfinished Business
- 8) New Business
- 9) Election and Installation of Officers
- 10) Good and Welfare
- 11) Adjournment

13.101 The order of business suggested above is a guide for the conduct of the business of the Council and where matters of special import may arise the order of business may be varied in order to meet such circumstances, provided always that the tenets of good sense and parliamentary practice shall always be observed.

13.200 The order of business of the Convention shall be established by the Table Officers and accepted on the floor of the Convention.

ARTICLE 14.000 – ADOPTION AND AMENDMENTS

14.100 This Constitution was duly presented to the Convention of the Provincial Council, debated and ratified by the delegates in attendance on the 4th day of October, A.D., 1990 and accepted by unanimous vote of those delegates present.

14.200 The Council may add or delete other provisions to the Constitution as required provided that such amendments are not inconsistent with the Building and Construction Trades Department Constitution.

14.201 All resolutions which purport to amend these Constitution and Bylaws shall be dealt with at a duly called Convention of the Provincial Council and all such resolutions to amend this Constitution and Bylaws shall be presented to the

Executive Board first which shall report all recommendations as it may deem proper and, finally, that this Constitution and Bylaws may only be amended by a Special Resolution, that is to say a vote of two-thirds (2/3) majority of those delegates entitled to vote voting in favour of such an amendment.

14.300 Any and all amendments of this Constitution and Bylaws shall be submitted to the Building and Construction Trades Department for approval in accordance with the Constitution of the Department.

Amended at Convention September 21, 2011 in Jasper

Amended at Convention October 6th, 2010 in Jasper

Amended at Convention October 5th, 2005 in Jasper

Amended at Convention September 25th, 2000 in Jasper

Amended at Convention November 3rd, 1998 in Kananaskis

Amended at Convention September 13th, 1993