

# CONSTITUTION & BYLAW NO. 1

OF THE



# QUALITY CONTROL COUNCIL OF CANADA



# **QUALITY CONTROL COUNCIL OF CANADA**

## **CONSTITUTION**

### **ARTICLE 1 - NAME**

#### **SECTION 1**

This organization shall be known as the Quality Control Council of Canada ("Council").

### **ARTICLE 2 - JURISDICTION**

#### **SECTION 1**

The jurisdiction of this Council shall be all of Canada.

### **ARTICLE 3 - PURPOSE AND OBJECTIVE**

#### **SECTION 1**

The purpose of this Council is to organize and represent members employed in the Nondestructive Testing, Heat Treat, Visual Inspection and associated industries throughout Canada.

The Council shall operate through National and Regional Boards to ensure that training, qualifications, representation and collective bargaining is performed in the best interest of the membership.

In addition, member concerns are to be mitigated in a timely and professional manner and all members shall be informed of the dealings of the Council through regular correspondence and meetings.

## **ARTICLE 4 – MEMBERSHIP**

### **SECTION 1**

Membership in this Council shall be limited to the constituent trade unions of this Council, namely, the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry ("UA") and the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers ("IBB"); hereinafter collectively referred to as the "Affiliated Unions".

### **SECTION 2**

The Affiliated Unions hereby vest authority in the Council to seek certification and/or voluntary recognition in order to act as bargaining agent and enter into collective agreements with employers and/or employer associations and authority to administer such collective agreements; including, but not limited to, initiating and/or defending proceedings on behalf of the Council.

## **ARTICLE 5 – COUNCIL STRUCTURE**

### **SECTION 1**

The National Board shall consist of six (6) Directors three (3) of whom shall be appointed by the UA and three (3) of whom shall be appointed by the IBB; being the President, the Secretary Treasurer and four (4) Vice-Presidents. The President and Secretary Treasurer shall be one from the UA and one from the IBB. Of the four Vice-Presidents, two (2) shall be from the UA and two (2) shall be from the IBB. An Officer shall remain in office until his death, resignation or removal. The UA and/or the IBB, as the case may be, may remove any Officer it appoints, at any time, and appoint another in his stead. In addition to the role of Director, each appointee will assume the roles of Trustees on the financial accounts of the Council

Regional Boards shall be established to service the following areas:

**Eastern Zone** – NFLD, Maritime Provinces, Quebec, Ontario

**Western Zone** – Manitoba, Saskatchewan, Alberta, British Columbia, Nunavut, Northwest Territories and Yukon

## **ARTICLE 6 – OFFICERS’ DUTIES**

### **SECTION 1**

1. The President shall preside at all meetings of the Council, preserve order, appoint all committees and see that all National Directors perform their duties. Decisions of the Council shall be by vote of the National Directors with each National Director having one (1) vote. In case of a tie the President shall cast an additional deciding vote.
2. The President shall be empowered to authorize person(s) to carry out specific duties on behalf of the Council. He may authorize the payment of expenses incurred during the conduct of such duties, when they are itemized in an expense account.

### **SECTION 2**

The Secretary Treasurer and Vice-Presidents shall assist the President in performance of his duties. In the absence of the President, the Vice-Presidents shall appoint one of the Vice-Presidents to assume the duties and power of the President.

### **SECTION 3**

- (a) The Secretary Treasurer shall maintain records of the proceedings of all meetings of the Council as prepared by him or some other designated person, keeping important documents, papers, correspondence, as well as files on contracts and agreements with employers.
- (b) The Secretary Treasurer shall be authorized to pay out monies on behalf of the Council for the following:
  - (i) Administrative affairs;
  - (ii) Expenses arising out of Council business; and
  - (iii) All other expenses authorized by the National Directors.

## **SECTION 4**

The Secretary Treasurer shall issue annually to the National Directors an audited financial report indicating the exact income, expenditures and assets of the Council.

## **SECTION 5**

The National Directors shall appoint all trustees to the national pension, health/welfare, national training and post retirement funds of the Council.

## **SECTION 6**

The National Directors will be responsible for the development of an investment policy for the Council.

# **ARTICLE 7 – LOCAL UNIONS/MEMBERS**

## **SECTION 1**

The local unions of the Affiliated Unions shall supply the members who perform the work under the collective agreements; such local unions will be referred to herein as "Affiliated Local Unions". The members of the Affiliated Local Unions who perform the work under the collective agreements shall be described as Quality Control Members ("QCC Members") and the Affiliated Local Unions shall issue suitable member identification cards as such.

In this Constitution and Bylaw No. 1 words importing male persons include female persons.

# **ARTICLE 8 – MEETINGS/EXPENDITURES**

## **SECTION 1**

Meetings of the Council shall take place as required, but not less than once a year. A majority of the National Directors may call a meeting of the Council.

## **SECTION 2**

Roberts' Rules of Order shall govern the Council meetings.

## **SECTION 3**

When funds permit, the National Directors may authorize the payment of air fares or mileage, and a per diem to cover the hotel and all other out-of-pocket expenses to Affiliated Local Unions who are invited and who respond to notice of a Council meeting.

Such payment shall be made on the basis of one (1) delegate from each Affiliated Local Union. The air fares, mileage and per diem shall be set by the National Directors.

The Council shall hold an annual meeting of the Council with the time and location to be determined by the National Directors. The costs for this meeting shall be shared equally by the Regional Boards as established in Article 11 of this Constitution.

## **SECTION 4**

The Council shall not be responsible for any expenses which are normally considered a Regional Board responsibility, i.e. servicing, including grievance and arbitration costs, meetings expenses or the signing-up of new contractors. Regional Boards may request financial assistance from the National Board for any initiative that they deem to be national in scope.

# **ARTICLE 9 – REVENUE/DUES**

## **SECTION 1**

The National Boards main source of revenue shall be the employer contribution under the Quality Control Agreement to the Nondestructive Testing Administration Fund, which is split equally with the Nondestructive Testing Management Association.

## **SECTION 2**

The Council shall receive all dues deducted from the wages of non-member employees however when a new member is admitted into one of the Affiliated Local Unions, the monthly dues received on their behalf, to a maximum of one year shall, upon request of the Affiliated Local Union, be directed to its Secretary-Treasurer.

## **SECTION 3**

Regular monthly dues of QCC Members payable to the Council shall be established at forty dollars (\$40.00) per month.

## **SECTION 4**

In addition to the monthly dues specified in Section 3 of this Article, a sum equal to an amount of up to one and one-half percent (1.5%) of each employee's total earnings shall be deducted from their wages as working dues and remitted to the Regional Board(s). These dues shall be used solely for the purposes as outlined in the Constitution and for the welfare of the membership of the QCCC.

# **ARTICLE 10 – INITIATION**

## **SECTION 1**

- (a) The initiation fee to become a QCC Member shall be two hundred and fifty dollars (\$250.00).
- (b) The reinstatement fee for re-entry of a QCC Member into an Affiliated Local Union shall be set at a sum equivalent to twelve (12) months dues.
- (c) Application for special dispensation to assist in organizing of new members may be made to the National Directors.

Any **QCC** Member whose dues are in arrears by four (4) months shall be suspended from membership and be required to pay a reinstatement fee as set out in Section (b) of this Article.

## **ARTICLE 11 – Regional Boards/Regional Representatives**

### **/Training Board**

#### **SECTION 1**

Regional Boards shall be established in the Eastern and Western Zones of the Country as outlined in Article 5.

The National Board will appoint two (2) Representatives as Regional Directors (one from each of the IBB and the UA) who shall have signing authority over the Regional Board funds established in Article 9 Section 4 and for the purposes as outlined in Article 9/Section 4.

#### **SECTION 2**

Regional Boards shall maintain offices, at a location of their choice, where business shall be conducted on a day-to-day basis. The cost of the office shall be borne by the Regional Boards and they shall approve budgets on a yearly basis for rent, administrative staff, office supplies, equipment and promotional materials.

#### **SECTION 3**

Regional Boards, with the approval of the National Board, shall employ Regional Business Representatives who shall carry out the duties as outlined in the Constitution (such as National Bargaining) or as assigned by the National and Regional Boards. The number of Regional Business Representatives employed will be determined based on need and financial constraints.

They shall be compensated for wages and benefits as determined by the Boards. Regional Business Representatives shall be responsible for their own expenses and shall remit an Activity and Expense Report monthly to their Regional Directors for re-imbursement.

Regional Business Representatives shall operate within their own areas and shall seek prior approval from their Regional Directors for travel outside their areas, attendance at conferences, attendance at parent organization functions or for any other activities outside of the day-to-day business of their Region.

Regional Business Representatives shall be responsible to ensure that members in their regions are aware and have input into the direction of the Council through regular communication and interaction, including the establishment of Steward Councils.

In addition to their Monthly Activity Reports, Regional Business Representatives shall report as directed to the National Board.

## **SECTION 4**

A National Training Board shall be established to carry out the objectives outlined in Article 3 and shall report to the National Board.

The composition of the National Training Board shall be determined by the National Board.

Funding for the National Training Board shall be established jointly between the National and Regional Boards.

# **ARTICLE 12 – BYLAWS**

## **SECTION 1**

The Council shall enact such Bylaws as it deems appropriate. Bylaw No. 1 appended hereto is hereby enacted as a Bylaw of the Council.

# **ARTICLE 13 – AMENDMENTS**

## **SECTION 1**

This Constitution and Bylaw No. 1 may be amended at any time by the UA and the IBB as evidenced by an agreement in writing signed by both parties or by the National Directors or Council while in session by majority vote or by unanimous vote when not in session.

## **ARTICLE 14 – SAVINGS CLAUSE**

### **SECTION 1**

If any provision of this Constitution is declared invalid or inoperative by any competent authority of the Federal or Provincial Government, the Council shall have the authority to suspend the operation of such provision during the period of its invalidity. If an article or section of this Constitution shall be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of this Constitution or the application of such Article or Section to persons or circumstances other than those as to which it has been held invalid, shall not be affected thereby.

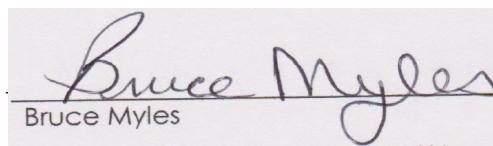
This Constitution and Bylaw No. 1 amend the current Constitution and Bylaws of the Council and are effective as of the 19 day of October, 2020

### **National Directors/Trustees**



Arnie Stadnick

President & Trustee, IBB



Bruce Myles

Secretary Treasurer & Trustee, UA



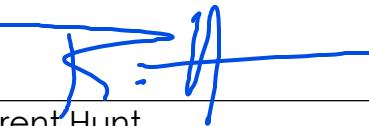
Kent Oliver

Director & Trustee, IBB



Stephane Favron

Director & Trustee, UA



Brent Hunt,

Director & Trustee, QCCC



Garen Robb

Director & Trustee, QCCC

# **QUALITY CONTROL COUNCIL OF CANADA**

## **BYLAW NO. 1**

### **ARTICLE 1 – INTERNATIONAL CONSTITUTIONS AND LOCAL UNION BYLAWS**

#### **SECTION 1**

- (a) The definitions found in the Constitution of the Council shall apply to this Bylaw No. 1.
- (b) This Bylaw No. 1 shall be interpreted as to not conflict with the Constitution of either the IBB or the UA; however, if there is a conflict between the International Union's Constitution and the Constitution and this Bylaw No. 1 of the Council, the International Union's Constitution will take precedence.
- (c) If there is a conflict between a bylaw of an Affiliated Local Union and this Constitution and Bylaw No. 1 of the Council, the Constitution and the Bylaw No. 1 of the Council will take precedent.
- (d) Save as modified in the Constitution and Bylaw No. 1 of the Council, each QCC Member shall comply with the International Constitution and Affiliated Local Union bylaws of which he is a member. Any QCC member violating the Constitution or Bylaw No. 1 of the Council will be subject to disciplinary actions by their Affiliated Local Union.

### **ARTICLE 2 – MEMBERSHIP REQUIREMENTS**

#### **SECTION 1**

QCC members shall not belong to any rival organization nor participate in any organization in opposition or conflict to the Council or its Affiliated Local Unions.

## **SECTION 2**

Upon completion of the Affiliated Local Union's enrollment procedures, QCC Members will be required to pay the initiation fee as established in the Constitution of the Council and be obligated to maintain the membership requirements of their Affiliated Local Union.

## **SECTION 3**

QCC Members are required to ensure the regional office, their local and benefits administrator has their current and up-to-date contact information. QCC Members changing their address shall notify the Affiliated Local Union office within seven (7) days.

## **SECTION 4**

It is the duty of all QCC Members to carry their Affiliated Local Union membership card at all times when working on the job or attending meetings.

## **SECTION 5**

All QCC members must be and remain in compliance with the Constitution and Bylaw No. 1 of the Council and remain free of any financial arrears to their Affiliated Local Union.

## **SECTION 6**

- (a) QCC Members are required to pay union dues as established by the Constitution of the Council.
- (b) The Constitution of the Council will govern initiation/reinstatements.

## **ARTICLE 3 – MEMBER VOTING AND COLLECTIVE AGREEMENT RATIFICATION**

### **SECTION 1**

- (a) QCC Members in good standing will retain all voting rights and privileges of their Affiliated Local Unions.
- (b) Where ratification is required, QCC Members will only have ratification voting privileges in their Affiliated Local Union's region and not in any other region.

## **ARTICLE 4 – MEMBERSHIP TRANSFERS**

### **SECTION 1**

- (a) **QCC** Members in good standing may be eligible to transfer from their home local to a sister local (within their International Union) in another region based on proof of:
  - I. Permanent residence within the jurisdiction of the new Local or Lodge, or
  - II. Three (3) years of continuous employment within the jurisdiction of the new Local. The Regional Representative may also recommend/request the transfer of members who have more than five (5) years of continuous employment within the jurisdiction of the new local and the members shall be required to transfer to the new local within a reasonable period of time.
- (b) QCC Members will not be allowed to transfer between an IBB Local and a UA Local.

## **ARTICLE 5 – MEMBERSHIP MEETINGS**

### **SECTION 1**

- (a) The Council will hold “Special Called Meetings,” specifically for QCC members.
- (b) Council meetings will be held at convenient times and locations throughout each region on a practical schedule and QCC Members will be notified by newsletter, telephone, work site bulletins or any other practical means of communication. QCC Members are expected to make every effort to attend.
- (c) QCC members are also eligible to attend and participate in their home local regular monthly or special called union meetings.

## **ARTICLE 6 – WORKING RULES**

### **SECTION 1**

#### Protection of Work Jurisdiction

- (a) No QCC Member shall knowingly permit work defined under “Scope” of the Quality Control Agreement be performed by persons who are not QCC Members without reporting same to the offices of the Council.
- (b) No QCC Member shall work for any employer whom is not signatory to an agreement with the Council without first obtaining the consent of the Regional Representative. The Regional Representative at his discretion may authorize QCC Members to work on a non-signatory contractor/client in order to organize or to protect the work jurisdiction of the Council.
- (c) QCC Members are prohibited from leaving the employ of a union contractor to work directly for a regular client of the contractor unless approved by the Regional Representative.

- (d) No QCC Member shall work with any person other than a QCC Member in the performance of any work claimed under the Quality Control Agreement unless expressly permitted to do so by the Regional Representative.
- (e) QCC Members do not require a "Travel Card" to work in the QCC trade outside their home local's jurisdiction however only QCC Members that are considered regular employees of a contractor, as defined by the collective agreement, may be assigned/transferred to work outside of their home region.

## **ARTICLE 7 – OUT OF WORK LIST**

### **SECTION 1**

- (a) **QCC** Members becoming unemployed must self-register on the Council website "Out of Work List".
- (b) **QCC** Members must have their dues paid up including the current month and be in good standing in order to register on the Out of Work List.
- (c) **QCC** Members must remove their name from the "Out of Work List" while gainfully employed at the trade. It remains the **QCC** Member's responsibility to ensure that he or she has terminated their employment with their previous employer prior to registering on the Out of Work List.
- (d) **QCC** Members not regularly full time employed with a signatory contractor may solicit other contractors for employment opportunities however they are not allowed to be employed by more than one contractor at a time nor are they allowed to solicit work while they are.

## **ARTICLE 8 – SAVINGS CLAUSE**

### **SECTION 1**

If any provision of this Bylaw No. 1 is declared invalid or inoperative by any competent authority of the Federal or Provincial Government, the Council shall have the authority to suspend the operation of such provision during the period of its invalidity. If an Article or Section of this Bylaw No. 1 shall be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of this Bylaw or the application of such Article or Section to persons of circumstances other than those as to which it has been held invalid, shall not be affected.

For up-to-date information please visit:



[www.uacanada.ca](http://www.uacanada.ca)



[www.boilermaker.ca](http://www.boilermaker.ca)



[\*\*www.qcccanada.com\*\*](http://www.qcccanada.com)



## QCCC (Quality Control Council of Canada) Structure

