

UBCJA Employer Bargaining Agency Constitution

(Originally passed in 1978 with amendments passed March 9th 1981)

ARTICLE 1 - NAME

1.01 The name of the Agency shall be "U.B.C.J.A." Employer Bargaining Agency.

ARTICLE 2 - MEMBERSHIP

2.01 Any employers' organization as defined in The Labour Relations Act which bargains on behalf of employers who employ employees represented by the O.P.C. on behalf of its construction local union and district council affiliates throughout the Province and the International, hereinafter called the Union, with the industrial, commercial and institutional sector of the construction industry within the Province of Ontario shall be eligible for membership in the agency on being approved for membership by two-thirds of the then eligible voting members.

2.02 The following employer organizations are deemed to be members of the Agency:

1. Acoustical Association Ontario
2. Caulking Contractors Association of Ontario
3. Labour Relations Bureau of Ontario General Contractors Association
4. Resilient Flooring Contractors Association of Ontario
5. Industrial Contractors Association of Canada
6. Interior Systems Contractors Association of Ontario

2.03 Members of the Agency may be represented by one or more officers or senior employees of the employers' organization. Each such organization shall forward to the Secretary the names of such persons as are from time to time authorized to represent the organization.

Article 3 - ASSESSMENTS

3.01 The membership shall determine from time to time the amounts payable by the members to provide for payment of the expenses of the Agency.

ARTICLE 4 - OBJECTS

4.01 The objects of the Agency shall be:

- a) To act as an Employer Bargaining Agency as defined under the Labour Relations Act and specifically to represent the members in bargaining for a province-wide collective agreement with the Union.

ARTICLE 4 - OBJECTS (Continued)

- b) To assist in the administration of the province-wide collective agreement.
- c) To do such other acts in order to carry out its function as an Employer Bargaining Agency.

ARTICLE 5 - SECRETARY

5.01 The membership shall appoint a secretary who shall be the only officer of the Agency. The Secretary shall record in permanent form the proceedings of all meetings of the Agency and shall perform such other duties as may be assigned from time to time by the membership including the mailing of copies of all minutes, correspondence both to and from the Agency and any other records to the membership.

ARTICLE 6 - MEETINGS OF MEMBERS

6.01 Notice of all meetings of the members shall be given by telephone at least two (2) days prior to the date of the meeting or by registered post to each member at least ten (10) days prior to the date of the meeting. Such notice shall be given by the Secretary or designee.

6.02 At all meetings of the Agency the presence in person or by proxy in writing deposited with the Secretary or designee of at least two-thirds (2/3) of the members shall constitute a quorum. Each member or group of members shall be entitled to one (1) vote, save and except as hereinafter set forth:-

Labour Relations Bureau of Ontario General Contractors Association	4 votes
Industrial Contractors Association of Canada	2 votes
Acoustical Association Ontario	2 votes
Interior Systems Contractors Association of Ontario	2 votes
Resilient Flooring Contractors Association of Ontario	1 vote
Caulking Contractors Association of Ontario	1 vote

being 12 votes in all

6.02(i) All questions at meetings shall be decided by unanimous vote of the members present or represented by proxy, provided that if a question cannot be so resolved any member may request an adjournment in regard to that question and such question will be dealt with at the next meeting and shall be decided by a seventy-five percent (75%) majority vote or by all but one of the members present or represented by proxy.

ARTICLE 6 - MEETINGS OF MEMBERS (Continued)

- 6.03 A master agreement shall be negotiated by the Agency containing general terms and conditions pertaining to the employment of employees represented by the Union. Each employer group(s) as hereinbefore set forth shall, if it so desires, negotiate an appendix with the appropriate employee council/committee which appendix shall contain the specific terms and conditions pertaining to its specific trade (branch of the trade). Any employer group may have representation at any of the negotiations of any other employer group but each employer group/member shall make the final and absolute determination of its own appendix. Provided, however, that prior to the finalization of the appendix same shall be submitted for review to the Agency at a meeting of all the members called as provided for in Paragraph 6.01.
- 6.04 Prior to entering negotiations there shall be called a meeting of the Agency at which meeting each employer group wishing to negotiate an appendix shall table the suggested form and contents of the appendix for review by the membership.
- 6.05 It is agreed by all members that any employer not bound by operation of law wishing to employ persons represented by the Union to perform any of the work as set out in the appendix or appendices of any other employer group shall execute and become signatory to that appendix and shall be bound by all the terms and conditions of same.
- 6.06 All appendices shall be attached to and form part of the master agreement.
- 6.07 Subject to the provisions of The Labour Relations Act, the terms of this Constitution cannot be changed except by the unanimous vote of all members at a meeting called as hereinbefore set forth; provided however that notice of such meeting shall contain notice of intention to change the Constitution.

PASSED at a general meeting of the Agency held in Toronto
in 1978 and amended the 9th day of March 1981.

By attaching our names hereto, we hereby signify our approval of the Constitution attached hereto and acknowledge that we are bound by its provisions and will conform therewith.

THE ACOUSTICAL ASSOCIATION OF ONTARIO

Per: *A. Blakemore*

CAULKING CONTRACTORS ASSOCIATION OF ONTARIO

Per: *H. R. Rowland*

LABOUR RELATIONS BUREAU OF ONTARIO GENERAL CONTRACTORS ASSOCIATION

Per: *Stuart*

RESILIENT FLOORING CONTRACTORS ASSOCIATION OF ONTARIO

Per: *C. B. Buchanan*

INDUSTRIAL CONTRACTORS ASSOCIATION OF CANADA

Per: *D. M. Stamp*

INTERIOR SYSTEMS CONTRACTORS ASSOCIATION OF ONTARIO

Per: *De Valle*