

BY-LAW NO. 3

RE: MASONRY INDUSTRY EMPLOYERS' COUNCIL OF ONTARIO

BE IT ENACTED AND IT IS HEREBY ENACTED AS A By-Law of ONTARIO MASONRY CONTRACTORS' ASSOCIATION AS FOLLOWS:

1. A Committee of the Corporation is hereby established to be known as "The Masonry Industry Employers' Council of Ontario" (hereinafter called "the Council"). The function of the Council is to act as an employers' organization to negotiate, sign and administer collective agreements on behalf of employers. The Council has all of the rights and capacities of an "employers' organization" under the Labour Relations Act R.S.O. 1970, c. 232.
2. The Council shall represent all, full contractor and affiliate contractor members of Ontario Masonry Contractors' Association, any masonry industry employer which it is authorized to represent by law and any masonry industry employer who authorizes the Council to represent it for the purpose of negotiating collective agreements with the Ontario Provincial Conference of the International Union of Bricklayers and Allied Craftsmen covering bricklayers, stonemasons, and plasterers, their respective apprentices, improvers and working foremen and with the Ontario Provincial Council, Laborers International Union of North America covering mason tenders.
3. Steering Committees

The Council shall elect from among its members two Steering Committees to advise and guide its bargaining committees in negotiating and administering collective agreements. Representation on the Steering Committees shall be distributed among members as follows:

 - (a) about 25% shall be general contractors represented by the Labour Relations Council of the Ontario General Contractors Association, and about 75% shall be masonry and specialized trade contractors.
 - (b) members shall be chosen so as to ensure that regional interests are fairly represented.

The Steering Committees shall each elect annually from among their members a Chairman and a Vice-Chairman to preside at all meetings.
4. Bargaining Committee

The Steering Committees shall elect from among their members two Bargaining Committees whose membership shall be distributed in the same manner as the Steering Committees. The Bargaining Committees shall be responsible for negotiating and administering collective agreements with trade unions subject to general policies established by the Steering Committees and, subject to the absolute right of the respective Steering Committees to accept or reject any proposed collective agreement negotiated by the Bargaining Committees. Any proposed collective agreement shall be accepted or rejected by a simple majority vote by secret ballot by all members of the appropriate Steering Committee who vote at a Special Ratification Meeting called for such purpose.
5. Authorization-Bargaining Rights

The Council may require that each full contractor member and each affiliate contractor member of the Ontario Masonry Contractors' Association authorize the Council to bargain collectively on its behalf as its sole and exclusive

bargaining agent. The Council may accept from any employer who is not a member of the Ontario Masonry Contractors' Association, but whose employees are represented by either or both of the aforesaid Bricklayers or Laborers Unions an authorization that the Council may bargain collectively on its behalf as its sole and exclusive bargaining agent. There shall be no unjust discrimination against non-members with respect to membership or otherwise and all non-members shall be covered under the Council's collective agreements to the same extent and in the same manner as members.

ENACTED and passed by the directors this 24th day of November 1977, A.D., and ratified at the annual general meeting the 25th day of November 1977.

E. GEORGE - PRESIDENT

T. MASCARIN - SECRETARY-TREASURER