



TEAMSTERS CANADA RAIL CONFERENCE

CONFÉRENCE FERROVIAIRE DE TEAMSTERS CANADA

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October 5, 2018

James P. Hoffa
General President
International Brotherhood of Teamsters
25 Louisiana Avenue NW
Washington DC 20001

Dear Sir and Brother,

This is to report the Teamsters Canada Rail Conference assembled the properly constituted majority of delegates in Vancouver, British Columbia on September 18, 19, 20, 2018, and successfully completed the Quadrennial Convention consistent with the Teamsters Canada Rail Conference Bylaws.

The Delegates determined that eighteen (18) modifications to the Bylaws were necessary and attached to this letter is a list of the amended clauses, which reflect the necessary changes. New language is bolded and removed language is struck through.

On behalf of the membership of the Teamsters Canada Rail Conference these modifications are submitted to your office for the necessary review and approval so that our Bylaws may be updated and distributed throughout the organization.

Your timely attention to this matter is appreciated and should you have any questions or concerns at all, please feel free to contact me at your convenience.

Sincerely and in Solidarity,

Douglas Finnon
President - TCRC

cc: TCRC National Executive Board



Teamsters Canada Rail Conference Convention September 18, 19, 20, 2018

1. Modify TCRC Bylaws Mission Statement, First Paragraph – Page 2, as follows:

To unite into one labour organization all ~~railway~~ workers eligible for membership, regardless of religion, race, creed, colour, national origin, age, physical disability, ~~or~~ sex, **gender expression, or sexual orientation;**

2. Modify TCRC Bylaws Section 18 – Page 15, as follows:

- a) Each division as recorded in the Rail Conference Office on April 1 prior to the opening date of the convention will be entitled to one (1) delegate for each craft sector represented by such division at each Rail Conference convention.

NOTE: For the purpose of this Section 18 (a), the craft sectors for which a division will be entitled to a delegate or delegates are:

1. Locomotive Engineer
 2. Conductor, Trainmen, Yardmen, Yardmasters and Switch-tenders
 3. Rail Traffic Controllers
 - 4. Maintenance/shop workers**
 - 5. Onboard non-operational worker**
 - 6. Motorcoach operators**
- ~~4.~~ 7. Other craft jurisdictions brought into the rail conference through organizing drives and/or mergers as agreed to by the Rail Conference Executive Board.
- b) Each delegate will have one (1) vote.
- c) All divisions must be square on the books on the date the convention convenes.
- d) Each division entitled to representation must be represented by either delegates or by proxy.
- e) Any division granting proxy to a delegate of another division has the same right in instructing such proxy, as they would have in instructing the delegate of their own division.
- f) In the event of the death of the delegate-elect or other cause that might prevent attendance at the convention, the first alternate delegate shall be the legal representative. Should conditions arise whereby both the delegate-elect and the first alternative delegate are prevented from attending, the second alternate delegate shall be the legal representative. Should conditions arise whereby the delegate-elect and the first and second alternate delegates are prevented from attending, Section 20 – TCRC Division Rules will apply.

3. Modify TCRC Bylaws Section 27 c) – Page 17, as follows:

- c) In addition to the above Rail Conference dues, all members, except those under section (d), will be required to pay ~~two dollars (\$2.00)~~ **three dollars (\$3.00)** per month to establish and maintain a convention fund and five dollars (\$5.00) per month to establish and maintain an education and training fund. The ~~Education and Training Committee~~ **President** shall prepare a budget prior to the beginning of each fiscal year subject to the approval of the Rail Conference Executive Board.

4. Insert new clause (d) in TCRC Bylaws Section 27– Page 17 , as follows:

Note that current clause d), e) and f) would change to e), f) and g)

- d) All members, except those under Section (e), will be required to pay a monthly assessment of ten dollars (\$10.00) to establish and maintain a National Legal Fund. This Fund will be administered by the National Office as prescribed by Policy established by the National Executive Board. The purpose of the Fund is to protect and preserve the rights of the TCRC membership, the TCRC as an institution and to pay for legal action in fulfilling the legal obligations in representation of the TCRC membership.**

5. Modify TCRC Bylaws Section 34 – Page 19, as follows:

~~Except in case of the suspension of the rules by two-thirds (2/3) vote of all delegates present, a copy of any resolution that has for its purpose the changing of existing laws, or the enactment of new laws, shall be forwarded to the Rail Conference office not less than one hundred twenty (120) days before the convention convenes and shall be mailed to the delegates not less than forty five (45) days prior to the convention. Should the resolution recommend changes in more than one (1) section of the law, each section shall be printed on a separate sheet of paper. Each sheet shall bear a heading showing the particular section and page that is to be amended. All recommended changes shall be shown in boldface type; and the section, as it would read after being so changed or amended, shall be written out in full. Resolutions received that are not in conformity with the above will not be entertained by the committee on bylaws.~~

- a) Except in case of the suspension of the rules by two-thirds (2/3) vote of all delegates present, a copy of any resolution that has for its purpose the changing of existing laws, or the enactment of new laws, shall be forwarded to the Rail Conference office not less than one hundred twenty (120) days before the convention convenes and shall be mailed to the delegates not less than forty-five (45) days prior to the convention.**
- b) Should the resolution recommend changes in more than one (1) section of the law, each section shall be printed on a separate sheet of paper.**
- c) Each proposal must:**

- i. be typed;
- ii. bear a heading showing the particular section and page that is to be amended;
- iii. include a verbatim copy of the existing section of law to be changed or specify that the proposal is for a new law;
- iv. show all proposed changes in full, below the copy of existing law;
- v. show deletions of words from the existing law in strikethrough type (example: ~~strikethrough~~);
- vi. show additions of words in bold type (example: bold); and
- vii. include the number of the division making the submission and be signed by the president and secretary-treasurer of the division.

d) Resolutions received that are not in conformity with this Section will not be entertained by the committee on bylaws.

NOTE: Refer to Section 99 – TCRC Bylaws page 22 for an example resolution.

6. Modify TCRC Bylaws Section 39 – Page 21, as follows:

Rail Conference President	2014 Cdn \$194,069.72	2018 Cdn \$205,448.88
Rail Conference Vice President	2014 Cdn \$180,580.14	2018 Cdn \$191,168.12
Rail Conference Secretary-Treasurer		2018 Cdn \$147,721.23
Rail Conference National Legislative Director		2018 Cdn \$175,510.10

Note: *Rail Conference officers' salaries will be adjusted by using monetary allowances/increases or other applicable adjustments negotiated nationally for Rail Conference members.*

7. Modify TCRC Bylaws Section 99 – Page 22, as follows:

~~(TCRC Bylaws, Rules of Order – Rail Conference Division Rules, Rules of Order; GCA Rules, Rules of Order; Legislative Rules, Rules of Order), page 999.~~

Present law reads:

~~a) Type the present law exactly as it reads in the bylaws and – or Rules.~~

~~NOTE: If you wish to propose changes in more than one (1) subsection of a particular section (e.g. a change in Section 99 (a) and a change in Section 99 (b), they must be submitted as separate resolutions on separate sheets of paper.~~

~~Resolution submitted by Division 000:~~

~~Section 99 (a) – (TCRC Bylaws, etc.), page 9~~

~~a) Type the paragraph as you would like it to read. Any changes in the present law must be put in bold type.
At the end of the resolution, give a brief explanation of your reasons for the proposed change.~~

Example resolution:

Section 99 (a)-(TCRC Bylaws, etc.), page 9

Present law reads:

[Type the present law exactly as it reads in the Bylaws and/or Rules]

Resolution Submitted by Division 000:

[Type the paragraph as you would like it to read. Any words deleted must be shown in strikethrough type, and any words added must be shown in bold type]

Purpose of Amendment:

[Give a brief explanation of the reasons for the proposed change]

Division: 000

[Signature of Division President]

[Signature of Division Secretary-Treasurer]

[Date]

NOTE: If you wish to propose changes in more than one (1) subsection of a particular section (e.g. a change in Section 99 (a) and a change in Section 99 (b)), they must be submitted as separate resolutions on separate sheets of paper.

8. Modify TCRC Division Rules Section 7 e) – Page 27, as follows:

- e) In the event of irregularities in the nomination of officers, protest must be filed in ~~duplicate~~ **writing** with the Rail Conference President within fifteen (15) days after alleged violation. The Rail Conference President will conduct an investigation and render a decision. Any member dissatisfied with such decision may appeal such decision, within thirty (30) days to the Executive Board, whose decision shall be final and binding.

9. Insert new clause (i) in TCRC Division Rules Section 8 – Page 27, as follows:

- i) **Alternatively, Divisions may use electronic balloting systems through a supplier approved in writing by the National Executive Board.**

10. Modify TCRC General Committee Rules Section 8 a) – Page 44, as follows:

- a) It shall be the duty of the GCA of each system to meet quadrennially after the ~~quadrennially~~ election of the division, ~~unless the GCA has adopted a resolution to meet quadrennially~~ (once each four (4)-year period), at such time and place as may be determined by the chairman and secretary-treasurer, or by a majority of the divisions, and adjust the differences existing on the systems.

11. Modify TCRC General Committee Rules Section 9 a) – Page 45, as follows:

- a) The chairman, vice-chairman or vice-chairmen, and secretary-treasurer of the GCA will be elected after the officers have made their report and each division has presented and discussed its grievances and before reducing to an executive committee. ~~Chairman and vice-chairman or vice-chairmen~~ **All GCA Officers shall must** hold active membership as defined in Section 25(b) – TCRC Division Rules.

12. Modify TCRC General Committee Rules Section 23 – Page 50, as follows:

The GCA shall make such rules and regulations (**Bylaws**) as are deemed necessary for the proper adjustment of differences on their respective systems. Such laws and regulations (**Bylaws**), however, must not conflict with the laws of the International Brotherhood of Teamsters, Teamsters Canada, The Rail Conference or applicable civil law, **and must be approved in writing by the TCRC Executive Board in order to be in effect. Such Bylaws cannot contain benefits or annual vacation that exceeds the rank and file benefits or vacation they qualify for within the Collective Agreement applicable to where the officer(s) hold seniority.**

13. Modify TCRC General Committee Rules Section 24 a) – Page 50, as follows:

- a) Any action taken by a general chairman or GCA shall stand as law for all members and divisions in the territory over which the general chairman or GCA has jurisdiction, until repealed by the general committee or in accordance with the provision for appeals **contained within either in Section 24(b) or Section 25 – TCRC GCA Rules (but not both methods of appeal for the same issue)**. A copy of all rulings shall be furnished to the vice-chairman, secretary-treasurer GCA, and to the secretary-treasurer of divisions whose membership is affected.

14. Insert new clause (c) in TCRC General Committee Rules Section 24 – Page 50, as follows:

- c) **Unless otherwise defined in GCA Bylaws, the appeal provision within Section 24(b) is to be administered in the following manner:**
- i. **An appeal of a decision made by the General Chairman must be filed in writing with, and received by, the General Chairman's office within 60 days from the**

date of the General Chairman's decision. The written appeal must contain all relevant facts and documents to support the appeal of the General Chairman's decision.

- ii. An appeal so properly advanced will be placed before the Executive of the General Committee within 60 days. The Executive of the General Committee, including the General Chairman, will review all relevant facts and documents and will make a decision whether or not to sustain the decision of the General Chairman.**
- iii. Should the Executive of the General Committee support the appeal, the matter will be placed before the General Chairman for his continued handling, with notification to the relevant parties.**
- iv. Should the Executive of the General Committee sustain the decision of the General Chairman, such decision will be made in writing and be distributed to the relevant parties.**
- v. An appeal of the decision made by the Executive of the General Committee must be filed in writing with, and received by, the General Chairman's office within 60 days from the date of the decision. This appeal will be placed before the full General Committee of Adjustment within 60 days of filing, and in no circumstances later than the next session of the General Committee of Adjustment.**
- vi. Electronic Poll may be used to provide for timely and cost effective handling of any appeal.**
- vii. Provided an appeal is advanced to the General Chairman's office within the prescribed time limits, the General Chairman will be required to make every effort to protect the time limits, if applicable, with the employer.**

15. Modify TCRC General Committee Rules Section 26 – Page 51, as follows:

~~No appeal from a decision of the GCA on a settlement will be entertained by the Rail Conference President, unless there was a violation of the law of the Rail Conference by such GCA. A division, a member, or a group of members alleging a violation of Rail Conference Law by the GCA may appeal to the Rail Conference President who will investigate and place the matter before the TCRC National Executive Board for review and determination.~~

16. Modify TCRC Legislative Rules Preamble – Page 59, as follows:

The objective is to provide Governmental Affairs, Provincial and Division Representatives with a more direct contact and access to resources. As a result, members will have constant representation and governmental affairs will be addressed as a common effort for the benefit of the membership across Canada.

To set general overall legislative policy for ~~the protection of the locomotive engineer's craft~~, the protection of associated crafts which form part of the Rail Conference and to ensure the long- term health of the railway industry in Canada and North America.

17. Modify TCRC Legislative Rules Section 1 d) – Page 60, as follows:

- d) At every meeting of a legally organized provincial legislative board, each division in the province ~~having twelve (12) or more assessable members may~~ **will** be represented by a delegate. **The delegate will be the Legislative Representative from that division.** However, by a vote of the division, any division in the province may be represented by proxy. Such vote will designate ~~the~~ **a seated delegate from another division within the province** who is to exercise such proxy.

18. Modify TCRC Legislative Rules Section 1 j) – Page 61, as follows:

- j) Each provincial board shall be convened by the chairman, through the secretary-treasurer, ~~at the capital of the province, or at any point most convenient, on the fourth Tuesday in January after the election of officers of divisions, or at such time as~~ **no later than May 15th in the year succeeding the division election of officers at a location within the province determined by the chairman and secretary-treasurer. The board may also be convened at such other times** the chairman and secretary treasurer or a majority of the members of the board deem it advisable