

EXTRACTS FROM ECAO'S BY-LAWS

PART 8 – MEMBERS

- 8.1 Entitlement.** There shall be the following categories of membership and requirements for application therefor:
- (a) ECA Group Member means an Electrical Contractor:
 - (i) with a contractual relationship with the IBEW; and
 - (ii) who belongs to an ECA Group and whose ECA Group has acknowledged responsibility for the payment of the ECA Group Member's fees and which acknowledgment and responsibility has been accepted by the board.
 - (b) Direct Contractor Member means an Electrical Contractor:
 - (i) with a contractual relationship with the IBEW; and
 - (ii) who has been granted direct contractor membership by the board.
 - (c) An ECA Group Member or a Direct Contractor Member which is a partnership or a corporation shall be recorded on the books of the Corporation in its firm or corporate name and shall provide to the Corporation in writing the name of one nominee of the firm or corporation who shall be its representative with respect to the affairs of the Corporation.
 - (d) An ECA Group Member or a Direct Contractor Member who is a self-employed person or such a nominee representative of a partnership or corporation, may either vote or appoint a proxy in writing to represent that Member at all meetings of members.
- 8.2 Granting of Membership.**
- (a) Every person, firm or corporation which has made application for membership in the prescribed form and has the recognized qualification for membership as required by these by-laws and has:
 - (i) been approved by the executive of the Area in which such applicant is resident or has its head office;
 - (ii) paid the appropriate fees; and
 - (iii) undertakes to be bound by the Corporation by-laws;may be granted membership in the appropriate category.
 - (b) Each applicant for any category of membership shall submit to the board such information as the board may require relating to the financial status and experience and business history of the applicant.
 - (c) Any application whether approved or refused by the executive of an Area shall be referred to the board for final disposition.
 - (d) Every member, other than Associate, Honorary and Life Members, shall be assigned to the area in which such member is principally engaged in the electrical trade. Members who are not resident in the Province of Ontario shall be assigned to the Area in which the Head Office of the Corporation is located.
 - (e) The Corporation shall not act in a manner that is arbitrary, discriminatory or in bad faith in its representation of any employer in connection with labour negotiations whether or not the employer is a Member and the Corporation shall not discriminate against any employer in the matter of fees, dues or levies whether or not that employer is a Member.
- 8.3 Termination of Membership.**
- (a) Save and except as hereinafter provided, the membership of any member (and the holding of any office by that member or by the member's representative) is not transferable and lapses when the period of membership (if any) expires. A membership may, at the discretion of the board, be terminated upon:
 - (i) non-payment of one half of the Member's annual dues or fees on or before the 1st day of March in the year which such fees and dues are payable; or
 - (ii) non-payment of the balance of all dues or fees on or before the 15th day of June in the year for which such dues and fees are payable.The membership of an ECA Group Member shall not be terminated pursuant to this paragraph 8.3(a) where the respective ECA Group has indicated in form satisfactory to the board that regular monthly dues payments will be made on behalf of the ECA Group Member by the said ECA Group.
 - (b) Any Member whose account is fully paid may resign from the Corporation, or any office held by that Member, and such Member's resignation shall be accepted at the next meeting of the board and shall be effective as of the date of resignation.
 - (c) The board, by resolution passed by a two-thirds majority, shall have the power to censure, suspend, expel or otherwise discipline members for violation of any provision of these by-laws, the Code of Ethics or any other rule or regulation duly accepted by the board. Prior to any disciplinary action, the member shall be entitled to a notice and a hearing before a committee of the board.
- 8.4 Reinstatement of Membership.** The membership only (as opposed to the office) of a former member shall be reinstated:
- (a) if the membership was terminated for non-payment of dues and fees, upon payment of dues and fees owing at the time of termination plus the amount of fees and dues owing from that time until the end of the year in which application for reinstatement is made; or
 - (b) if the membership was terminated for reasons other than non-payment of dues and fees then upon application by the member for reinstatement and approval of the application by a two-thirds majority vote of the board, at a meeting called for the purpose, among others, of considering the application, providing the applicant has first prepaid the appropriate dues and fees referred to in paragraph (a) of this section.
- For clarity, the board shall determine if such reinstatement includes the continuation of any office held by any such Member.

The Electrical Trade Bargaining Agency of ECAO is a designated bargaining agent for all electrical contractors bound to collective agreements with the IBEW in the ICI sector of the construction industry.

The majority of ECAO members are bound to collective agreements with the IBEW and therefore the interests of the signatory members as expressed by ECAO policies and actions may be in conflict with the interests of non-signatory members from time to time.

The ECAO cannot provide services unique to the interests of non-signatory members.

ECAO does not provide labour relations services to any member, signatory or non-signatory, on matters before the OLRB regarding related employer, successor rights, sale of business, certification or decertification applications.