

**Constitution of the Employment Lawyers Association of Ontario**  
**Updated: August 13, 2022**

**Article I: The Organization**

- 1.1. The organization shall be known as the “Employment Lawyers Association of Ontario” or the “ELAO”;
- 1.2. The term "Board of Directors" and “BOD” used in this document shall refer to the governing board of the ELAO;
- 1.3. The ELAO shall operate under the incorporation of “Employment Law Association (Toronto) Inc.”;
- 1.4. The sole holding director of the incorporated entity will be Andrew Monkhouse, who will hold the organization’s incorporated directorship as a fiduciary for the BOD;
- 1.5. The term “Constitution” herein stated shall refer to the Constitution and bylaws of the ELAO;

**Article II: Aims of the Employment Lawyers Association of Ontario**

- 1.1. The aims of the ELAO are:
  - a) to organize events for Employment Lawyers and members in Ontario, Canada;
  - b) to provide resources of mutual benefit to Employment Lawyers and members in Ontario, Canada;
  - c) to respond to issues affecting Employment Lawyers in Ontario, Canada;

**Article III: Membership**

**1.0 Membership**

- 1.1. Membership shall be open to the following categories of persons:
  - (A) Licenced Lawyers who practice or are interested in practicing Employment Law;
  - (B) Law Students or Articling Students who are interested in practicing Employment Law;
  - (C) Licenced Paralegals who practice or are interested in practicing Employment Law;
  - (D) Neutrals who practice or are interested in practicing in Employment Law, for example mediators, arbitrators, members of tribunals, or investigators;
  - (E) Judges
- 1.2. Membership in 2022 will be complimentary for all members who meet the criteria in 1.1. After 2023, the fee will be \$25 for members in category (A), (C), or (D) and will be free for those in category (B) or (E).
- 1.3. After 2023 the fees will be set by the BOD on a yearly basis.
- 1.4. Every currently registered member shall be entitled to vote in any election or referendum held by the ELAO, subject to any restrictions in this Constitution and further subject to any by-laws governing elections and referenda;

## **Article IV: Board of Directors**

### **1.0 Authority**

- 1.1. The ELAO Board of Directors shall maintain sole authority of its Constitution, policies, and composition;

### **2.0 Composition**

- 2.1. The BOD shall consist of the following members:
  - a) The President;
  - b) The Vice President;
  - c) The Secretary;
  - d) The Treasurer;
  - e) The Newsletter Editor;
  - f) The Director of Member Services;
  - g) The Director of Events;
  - h) The Member at Large (Mediator/Arbitrator);
  - i) The Member at Large (In-House);
  - j) The Mooting Director;
  - k) The member at large (Employee or Employer Side);
  - l) Other positions as decided by the Board of Directors;

### **3.0 Terms of Office for Board of Directors;**

- 3.1. The term of each elected Board of Directors shall be two years from when they are elected or appointed;
- 3.2. The Vice President shall automatically become the President at the expiration of the term of the President or the vacancy of the office of the President;
- 3.3. Each member of the BOD should attend each meeting they are able to. If a member of the BOD does not attend 3 out of 4 consecutive BOD meetings they will be deemed to have resigned at the request of the President;
- 3.4. A BOD member may be removed from the BOD by an impeachment vote of two-thirds (2/3) of all BOD members present at a meeting at which quorum has been established;
- 3.5. A vote of impeachment may be brought against any BOD member who:
  - a) has not fulfilled their terms of office
  - b) is found to be in violation of the Constitution, by-laws, or policy;
- 3.6. If a BOD member cannot attend a meeting, they should send regrets;
- 3.7. No BOD member shall serve in the same position for more than two consecutive terms;

### **4.0 Elections**

- 4.1 All elected positions require the completion of a nomination form;
- 4.2 All election candidates must campaign and be elected as independents;
- 4.3 Elections shall occur 3 months prior to the ending of term for the BOD;
- 4.4 Elections shall be done online and the outgoing President will be the Chief Electoral Officer;
- 4.5 All members of the ELAO get a vote on the new BOD by secret ballot vote;

4.6 If seats remain vacant after the elections, then these vacant seats may be filled by the BOD as they see fit.

## **5.0 Meetings**

5.1 BOD meetings shall be convened by the President no less than once every two months, including during the summer months;

5.2 Meetings of the BOD may be called with no less than 168 hours (7 days) of notice by the President, Vice President, or by petition of three (3) members of the BOD;

5.3 Emergency BOD meetings may be called with 72 hours (3 days) notice by a petition of 5 members of the BOD or by any of the President, or Vice President

5.4 Quorum

5.4.1 From September to April of each calendar year, the quorum requirement is at least twenty-five percent (25%) of the BOD;

5.4.2 From May to August of each calendar year, the quorum requirement is at least ten percent (10%) of the BOD.

## **6.0 Constitution and Amendments**

1.0 This document is the highest authority within the ELAO and its organization; any subsequent documents that may conflict with this document will be nullified by this document;

2.0 Amendment of the Constitution

2.1 The Constitution can only be amended by a two-thirds (2/3) majority vote of the representatives present at a meeting at which quorum has been established.