

Fellow members,

In the last few days we have uncovered some news regarding the status of GAMA. We have discovered that GAMA is no longer an "Active" Association. Our current status is "Struck". According to the Government of Alberta Corporate Registration system, GAMA became a legal Association on April 20th, 1964, and our struck off date was September 15, 1972. It lists outstanding requirements on annual returns. "Annual returns are outstanding for the 2019, 2018, 2017, and 52 previous file year(s)"

So what does this mean? We engaged the help of a lawyer to help us understand what is going on.

Basically, it appears that GAMA has never filed an Annual Return (different from a tax return which I will explain below). As such GAMA was Struck by the government in 1972, at which point we ceased to be a separate legal entity (ie businesses are Corporations, not for profits are Associations or Societies). While it is true that we do not have to file a TAX return as a non-profit association (we are below that threshold), we are required to file an ANNUAL return. **Tax returns** are about company finances whilst **annual returns** are about company information. A corporation may be dissolved (ie: legal end to its existence) for failing to file an annual return as it may be assumed that the corporation is not operating.

So what does that mean? It means since 1972 we have had a legal end to our existence and we have not had the legal protection of an association (exact same as being incorporated vs sole proprietorship), leaving the members open to any legal action taken against GAMA.(if we got sued etc, the members of GAMA are liable - very important) Furthermore, GAMA itself is not allowed to enter into any contracts etc in the name of GAMA. Basically since 1972 we have been operating in the eyes of the law as a "club" rather than an Association.

This obviously need to rectified immediately.

After receiving legal counsel, we have also found out that GAMA cannot be resurrected from being struck, as you have 6 years to do this, which we are way past that point.

So what now?

Our only option to have a proper legal association (like all trade associations are) is to register a brand new association. We cannot use the exact same name we had before, but our lawyer is looking at options to have one very similar. Our assets that we have accumulated (ie the bank account balance) can be easily transferred to this new association. We are working as quickly as possible to rectify this situation, however, as it has been only a matter of days, we may not have all the answers nor what is totally involved to do this, but we will be keeping you abreast as we have more.

We felt it was important to notify you immediately of this situation. We also felt until we have more of a concrete solution and action plan, and that we now know we do not have any legal protection etc, it was unanimously felt it was prudent to cancel the upcoming meeting. We will hold a meeting once we have said concrete solution and action plan.

I do kindly ask if there is any member with any additional information that can help shed light on this, to please contact me. I will also during this time make myself available as the contact point for any questions or concerns that you may have.

This will all be sorted out, there is no one to blame for this. There probably was some misunderstanding when GAMA first started about tax vs annual returns, and who knows at the time where a government letter about being struck would have been sent (people changing positions, companies moving...mailing address would have always been different). There was no internet, no easy access to information and definitely no malicious intent by anybody during that time period so long ago. This is the situation we are unfortunately in, and it will be corrected.

Sincerely yours

Stuart Cantrill - Treasurer/Membership

## **CALGARY GLASS AND ARCHITECTURAL METALS ALLIANCE SOCIETY**

### **THE PURPOSE OF THE SOCIETY**

1. To encourage, promote and support the advancement of the Glass and Architectural Metals industry and the efforts of all persons interested or engaged there in.
2. To encourage discussion amongst members of the Society on all matters pertaining to the industry and distribution of all information that can be useful to all members.
3. To encourage and assist the Apprenticeship Training Program.
4. To communicate with other Glass and Architectural Metal Associations to seek new ideas and improvements that can be beneficial to the industry.
5. To promote the safety of all workers and others engaged in the operation of the industry.
6. To promote for the recreation of the members in the form of friendly discussions and suitable entertainment.

# **CALGARY GLASS AND ARCHITECTURAL METALS ALLIANCE SOCIETY**

(Here in referred to as the Society)

## **BY-LAWS – OCTOBER 2019**

### **CLASSES OF MEMBERS**

1. The membership of the Society shall consist of the following classes of members:
  - a) **Active Members**
  - b) **Associate Members**
  - c) **Honorary Members**
2. The following or persons or corporations are eligible for membership in their respective classes:

### **ACTIVE**

- a) A firm or corporation bidding material and/or labor to those firms or corporations actively engaged in bidding glass and metal glazing contracts.

### **ASSOCIATE**

- b) ASSOCIATE MEMBERSHIP status will be accorded to those persons, firms or corporations that have a special interest in our Society or those who would benefit the Society by their presence. Voting privileges will be restricted to monetary items and social activities.

### **HONORARY**

- c) HONORARY MEMBERSHIP may be bestowed by a majority of active members at any meeting, upon any person (firms/corporations cannot hold honorary membership status) in recognition of valuable services rendered by them to the Society to the industry. Honorary members are not entitled to vote at any meeting of the Society or on any question on which a ballot is demanded, nor shall they be capable of holding office as president, vice-president, secretary or treasurer. Such honored individuals are required to pay monthly meeting dues and social events fees only.

### **ADMISSION OF MEMBERS**

3. Every applicant for Active or Associate Membership in the Society shall sign a form adopted and supplied by the Society and is sponsored by two Active Members, as described under 2.(a) above.
4. Every applicant for membership must be accompanied by the amount of the current annual membership fee.
5. The name of the candidate shall be brought by the Membership Committee before any regular monthly meeting of the Society and upon a motion by the Membership Committee Chair the applicant will be accepted or rejected, if any applicant is rejected, the amount of the annual fee paid by the applicant shall be refunded to the applicant.

## **MEMBERSHIP FEES**

6. (a) The annual membership fee payable by Associate Members shall be 75% of the membership fee established for Active Members. Membership fees are to be fixed annually at the Annual General Meeting.  
  
(b) Any other dues or assessments may be established at any other regular meetings.
7. The annual membership fee shall be paid yearly in advance, on or before the 31<sup>st</sup> of the month of January.

## **ABSENTEE OR NON-ACTIVE LIST**

8. Any Active or Associate member may, for any reason which the Active members as described in 2.(a) above deems adequate, be placed on the Absentee or Non-Active list for a definite period, or indefinitely, and shall during such period pay such dues, if any, as may be determined. No member may on such Absentee or Non-Active list shall be entitled to vote at any meeting of the Society or to hold any office there under.

## **RETIREMENT OF MEMBERS**

9. Any member not indebted to the Society shall be at liberty to withdraw from the Society on giving one month's previous notice in writing.

## **DEFAULT IN PAYMENT OF ANNUAL MEMBERSHIP FEES, ETC.**

10. If any member shall fail to pay their annual membership fees or other assessments when due following that in which they become payable, the Treasurer shall be empowered to draw a sight draft. If same is not accepted, the Treasurer shall report same to any regular meeting of Active Members as described in 2.(a) above who may cause the name of such member to be removed from the list of members of the Association and they shall thereupon cease to be a member. The Active Members described in 2.(a) above nevertheless may reinstate such member upon receipt of an application accompanied by the amount of the outstanding indebtedness, plus any such reasons as they may consider satisfactory for such failure to pay.

## **SUSPENSION OR EXPULSION OF MEMBERS**

11. (a) The Active Members described in 2.(a) above shall have the power to suspend or expel by motion at any regular meeting any member who may in their opinion be guilty of conduct detrimental to the interests of the Society, or who may have transgressed any of the rules, policy statements, resolutions or by-laws of the Society.  
  
(b) A 75% majority of the members present at any regular meeting is required to carry the motion.

## **BORROWING POWERS**

12. The borrowing power rests entirely with a majority vote of the Active and Associate Members described in 2.(a) and 2.(b) above and must be approved by motion at any regular meeting of the Society.

## **MEETINGS OF MEMBERS**

13. A General Meeting of the Society shall be held once in every year and shall take the place of the November monthly meeting.
14. The above-mentioned General Meeting shall be called the Annual General Meeting.
15. The regular monthly meetings will be held on the 2<sup>nd</sup> Thursday of every month. The Executive Committee however, has the power under extenuating circumstances to alter this meeting date as required.

## **NOTICE OF MEETINGS AND MEETING FEES**

16. (a) A fee will be charged for attending each regular monthly meeting to cover the costs of accommodations, refreshments, and meal. The amount of the fee will be set by the Active and Associate Members described under 2.(a) and 2.(b) above as necessary. Each member or member representative, under 2.(a), 2.(b) and 2.(c) above shall be responsible for remitting said fee at the beginning of each regular meeting. Each member under 2.(a), 2.(b) and 2.(c) above shall be responsible for remitting any fee resulting from an accompanying invited guest. If a member under 2.(a), 2.(b) and 2.(c) above has more than one representative attending, that member shall be responsible for remitting a fee for each individual in attendance. Invited guest speakers or guests invited by the Society shall have their fee paid by the Association.

(b) Notice in writing will be sent seven days at the least prior to the regular meeting, specifying the place, the day and the hour of any regular meeting. The same shall be deemed to have been received by a member two days following receiving advice in writing of the regular meetings to advise the originator of the letter two days prior to the meeting in order that cancellation of the provision for the individual at the meeting can take place. If cancellation is not received the member will be responsible for remitting the meeting fee.

## **PROCEDURE AT REGULAR MEETINGS**

17. No business shall be transacted at any regular meeting unless a quorum is present when the meeting proceeds to business. The quorum shall consist of five Active members described under 2.(a) above if, within one half hour from the time appointed for the meeting a quorum is not present the meeting shall be dissolved and it shall stand adjourned to be reconvened at the discretion of the Executive at such time or place as they shall deem convenient.
18. The President, and in their absence the Vice-President, shall preside as chair at every regular meeting of the Society. If the President and the Vice-President are not present within fifteen minutes after the time for holding the meeting, the members present shall choose someone of their own number to be chair of the meeting. The chair, with the consent of the meeting may adjourn the meeting upon a motion.

## **VOTING AT REGULAR MEETINGS**

19. Every Active member, Company, and or Subsidiaries described under 2.(a) above shall have one vote.
20. At all regular meetings of the Association any issues or motions shall be tabled until the next regular meeting so that the issue or motion can be communicated to the members in advance and to allow for proxy voting. At the subsequent regular meeting, the issue or motion shall be decided by a majority of the votes. All voting shall be open and by a show of hands except where a vote by ballot is demanded. At any regular meeting a ballot may be demanded on any question by the chair of the meeting or by any five members present at the meeting and entitled to vote. In the case of an equality of votes at any regular meeting, the chair shall be entitled to a casting or deciding vote.

21. Proxy voting - Issues or motions requiring a vote will be mentioned on the dinner meeting invite and a proxy form will be provided. If a company representative cannot attend the meeting, they can submit their proxy form to a member that will be present to cast a vote on their behalf.

## **EXECUTIVE OFFICERS**

22. (a) The management and administration of the affairs of the Society shall be vested in the Executive Officers consisting of the President, First Vice-President, Director at Large, Secretary, Treasurer, Past President, Safety Chair, Social Events Chair and Representative to the Calgary Construction Association.

(b) The Executive Officers shall be elected at the Annual General Meeting as hereinafter provided and shall form the “Executive Committee”.

(c) Every Active and Associate member, Company, described under 2.(a) and 2.(b)above, shall be limited to two Executive Officers of the “Executive Committee”, unless, at the time of elections at the Annual General Meeting, an Executive Officer position has zero nominations and all means to attract a nomination from another Active or Associate member, Company, described under 2.(a) and 2.(b) above (which currently hold zero or one Executive Officer positions) has been exhausted.

(d) The “Executive Committee” shall meet monthly on the 1<sup>st</sup> Thursday of every month. The “Executive Committee” however, has the power under extenuating circumstances to alter this meeting date as required.

## **POWERS OF EXECUTIVE COMMITTEE**

23. The Executive Committee may do all acts and exercise all the powers conferred on or held by the Society except such as are required by these by-laws or by statute to be exercised or done by the Society in regular monthly meetings.

## **DUTIES OF OFFICERS**

24. (a) **President:** (1 year term)

The President shall serve as Chair of both Executive meetings should they be held as well as the Chair of regular meetings. They shall serve also as a member, ex officio, with the right to vote on all committees except the Nominating Committee. They shall make all required appointments of standing and special committees and trustees with the approval of the Active Members under 2.(a) above. At the Annual General Meeting of the Society and at such times as they shall deem proper, the President shall communicate to the members such matters and make such suggestions as may in their opinion tend to promote the welfare and increase the usefulness of the Association. They shall perform such other duties as are necessary incident to the office of President or as may be prescribed by the Active Members described under 2.(a) above.

(b) **First Vice-President:** (1 year term)

The first Vice-President shall act as Chair on any occasion where a Chair is required and the President unable to present himself. The First Vice-President shall perform the duties of the President in the event of their inability to serve. The First Vice-President shall serve on the Executive Committee and assist in any duties as required. The First Vice-President shall be elected annually at the Annual General Meeting as provided hereafter under “elections of officers”.

(c) **Director at Large:** (1 year term)

The Director at Large duties and portfolio shall be at the discretion of the Executive committee and shall be elected annually at the Annual General Meeting as provided for hereafter under “Election of Officers”.

(d) **Past President:**

The Past President shall provide continuity remaining as a member of the Executive Committee for 1 year.

(e) **Treasurer:** (2 year term)

The Treasurer shall collect all membership fees and/or assessments; shall have established proper accounting procedures for the handling of the Society’s funds and shall be responsible for keeping of such funds in such banks, trust companies and/or investments as are approved by the Active Members in 2.(a) and 2.(b) above. They shall report on the financial condition of the Society at all regular meetings and at all other times when called upon by the President. At the end of each fiscal year, as Treasurer, they shall prepare an Annual Report, which shall be audited by any two Members described as Active Members in 2.(a) above. The report shall be called the Annual Financial Report and shall be presented at each Annual General Meeting of the Society. At the expiration of their term of office, they shall deliver over to their successor all books, money and other property in their charge, or, in the absence of a successor, they shall deliver such properties to the President. The Treasurer shall see that accurate records are kept of all members and their payment of annual membership fees.

(f) **Secretary:** (1 year term)

The Secretary shall be responsible for recording the minutes of each meeting, as well as the Annual General Meeting of the Society. They shall be responsible for the proper and legal mailing of any notices to members and shall perform such duties as may be specified by the members. The Secretary shall ensure that copies of minutes from all meetings are mailed to all members. The Secretary shall be responsible for the retention and filing of all permanent records and correspondence and documents. This includes the filing of the Annual Information Return to the Government, which is mandatory after every Annual General Meeting.

**Calgary Construction Association Representative:** (2 year term)

- (i) The Representative or their Deputy shall represent the Society to the Calgary Construction Association and will be responsible for bringing all pertinent matters related to the Calgary Construction Association or its affiliates to the attention of the Society.
- (ii) As Society representative he will act as chair for any committee formed to represent the Society at the Calgary Construction Association.
- (iii) The representative shall act in accordance with policies and guidelines determined as and when required by the Active Members of the Society.
- (iv) The representative or his deputy shall report monthly at the Society meetings.

**Safety Chair** (1 year term)

- (v) The Chair or their deputy will represent the Society to the Alberta Construction Safety Association and will be responsible for bringing all pertinent matter related to Alberta Construction Safety Association or its affiliates to the attention of the Society.
- (vi) As Society representative, they will act as chair for any committee formed to represent the Society at the Alberta Construction Safety Association or it’s affiliates



- (vii) The representative shall act in accordance with the policies and guidelines determined as and when required by the Active member of the Society.
- (iv) The representative or their deputy shall report monthly at the regular monthly meetings.
- (v) The representative or their deputy will bring new and pertinent matters to the Society with respect to Occupational Health and Safety and/or The Workers Compensation Board, from time to time.

**Social Events Chair (1 year term)**

- (i) The representative or their deputy shall be responsible for organizing the accommodations and meal selection for the regular monthly meetings.
- (ii) The Chair and/or their deputy(ies) shall be responsible for organizing the Society's Annual Golf Tournament, The Society's Christmas Social Gathering and/or other "Special Events" as determined by the Active and Associate members as described under 2.(a) and 2.(b) above.
- (iii) The Chair or their deputy shall be responsible for running the 50/50 draw at the regular monthly meeting and appropriating the funds to the winner and to the Treasurer.
- (iv) The representative or their deputy shall report monthly at the regular monthly meetings.

**ELECTION OF OFFICERS**

- 24. (a) The President shall appoint a Nominating Committee of not less than (3) Active Members as described under 2.(a) above. This appointment shall be made not less than one month prior to the annual General Meeting.
- (b) The Nominating Committee will select one of its members Chair who will preside over the Election of Officers at the Annual General Meeting.
- (c) Coincident with the appointment in 24.(b) above nominations will be declared open and will remain so until closed by motion at the Annual General Meeting.
- (d) The election of Executive Officers shall take place at the Annual General Meeting and shall be accomplished by a secret ballot of those members present.

**COMMITTEES OF THE ASSOCIATION**

- 25. (i) Committees shall be formed as required by motion at any regular Meeting of the Society.
- (ii) The motion must contain the name of the Committee Chair and Committee Members.
- (iii) The Committee Chair or their deputy shall attend the monthly "Executive Committee" meetings.
- (iv) The Committee Chair shall report at the regular monthly meetings.

## **EXECUTION OF DOCUMENTS**

26. The execution of all documents and the signing of all cheques in connection with the administration of the Society shall be done by such persons and in such manner as the Active Members under 2.(a) above may from time to time determine. Until otherwise determined, all cheques shall be signed by any two of the following: President, Treasurer, or Vice-President.

## **RESIGNATION AND REMOVAL OF EXECUTIVE OFFICERS**

27. If any officer during the course of their term of office is unable to attend to their duties, or resigns, or is otherwise removed from office, any Active Member as designated 2.(a) above in good standing may be appointed by motion at any regular monthly meeting to fill the vacancy until the next Annual General Meeting.
28. Any Executive Officer shall ipso facto vacate office:
- (a) if they or the firm of corporation in which they are an Executive Officer or partner becomes bankrupt or insolvent or assigns for the benefits of or compounds with their creditors;
  - (b) If they becomes lunatic or have unsound mind;
  - (c) If by note in writing they resigns office;
  - (d) If they are removed from office by an Extra-ordinary resolution of the Society.

## **ARBITRATION**

29. Business matters in dispute between any members of the Society and others who are not members, or between themselves, may be referred in writing to the Executive Officers with a request for arbitration. The Executive Officers shall consider the matter and endeavor to bring about arbitration of the matter in dispute in the following manner: Each party of the dispute shall select one member of a Board of Arbitration and the Executive Officers shall select a third, such third arbitrator to have a practical knowledge of the trade or subject affected by the question in dispute and will act as Chair. The parties to the application shall sign an undertaking to abide by the finding of the Board of Arbitration and the matter shall be heard and dealt with in the usual legal manner by the Board of Arbitrators whose decision shall be final and binding upon all parties to the reference.

## **AUDITORS**

30. The Auditors may be appointed by the Society at the Annual General Meeting and may hold office until the next Annual General Meeting. The Auditors shall make a report to the Society to be made available at the Annual General Meeting by the Treasurer. The Auditors report shall substantiate the accuracy of the books and accounts and the general state of the Society finances.

## **RECORDS**

31. The books and accounts of the Society shall always be open to inspection by any Executive Officer and by motion by any Active Member under 2.(a) above at any regular monthly meeting.

## **SEAL**

32. The Seal shall not be attached to any documents unless with the sanction of a resolution of the Executive Officers, and in presence of the President, and at least one other Executive Officer.

## **AMENDMENTS OF BY-LAWS**

33. These By-Laws may be rescinded, altered or added to by Extra-ordinary Resolution passed by a majority of not less than three-fourths of such Active Members under 2.(a) above entitled to vote as are present in person at the Annual General Meeting of which notice specifying the intention to propose the resolution as an Extra-ordinary Resolution has been duly given at least fifteen (15) days prior to said meeting.

# OHS eNews

## October 2019

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### OHS information for employers and workers

Visit the [Online Resource Portal](#) for resources to help guide you through OHS legislative requirements. The portal website allows you to provide feedback on your portal experience and on specific publications. Look for the '[Feedback](#)' link on the left-hand menu.

New and updated information includes:

- [Developing a first aid plan](#)
- [Medication in first aid kits](#)
- [Occupational health and safety and the internal responsibility system](#)
- [Oil and gas worksites defined](#) (new)
- [Participation in health and safety for small business owners and workers](#)
- [Workplace first aid records](#)

New OHS/ES poster series:

- [Know the rules](#)
- [Know your rights](#)
- [Working?](#)

### Translations in French

Find French translations for many of our OHS resources on the [Online Resource Portal](#). Select 'By Language' from the category options.

### OHS approved training

Workers with jobs in certain areas are required by law to have government-approved health and safety training. Read [here](#) for a list of training information.

### Contact OHS

1-866-415-8690 (toll-free)  
780-415 -8690 (Edmonton)  
TTY: 1-800-232-7215  
TTY: 780-427-9999 (Edmonton)

[Report an Incident](#)

[PSI Online Reporting](#)

Call the OHS Contact Centre to ask a question about occupational health and safety, or report injuries, incidents and unsafe work.

### OHS proactive inspections

Each year, OHS undertakes a proactive inspection program that focuses on specific industry sectors, employers or types of work. [Read](#) about this program.

### Revised Alberta Asbestos Abatement Manual

This [best practices guide](#) describes procedures for the safe removal or abatement of asbestos-containing material. [Read](#) a summary of changes to the 2019 manual.

## Incidents recently reported to the OHS Contact Centre

Below are summaries of selected work-related incidents reported to Alberta OHS. Use these incidents as a way to start health and safety conversations in your workplace. As these incidents are still under investigation, no additional information can be shared.

### Lacerated finger

A worker was removing stainless steel cladding from piping when their hand slipped and the cladding sliced through the glove lacerating the index finger. The worker was admitted to hospital. *Mining and petroleum development*

### Fall from height

A worker was working on a residential roof when they stepped onto the walking plank installed with roof brackets. The plank gave away and the worker slid off the roof approximately 6 metres to the ground below. The worker was admitted to hospital. *Construction and construction trades*

### Struck by equipment

A worker was using a backhoe to move a geofabric g-ring when the g-ring fell out of the backhoe bucket, striking two workers. The workers were admitted to hospital. *Transportation, communications and utilities*

### Fall from height

A worker was on top of an off road vacuum truck doing a pre-check inspection. The worker fell approximately 2.0 meters when attempting to get up after checking the top of the vacuum tank. The worker was admitted to hospital. *Transportation, communications and utilities*

### Stuck by object

A worker was attempting to pound a piece of ceramic tile into place on a wall. A piece of tile flew off and struck the worker in the eye. The worker was admitted to hospital. *Construction and construction trades*

## Quick Links

- [Alberta OHS Legislation](#)
- [Infographics](#)
- [Motor vehicle incidents](#)
- [Occupational diseases](#)
- [Partnerships in Injury Reduction](#)
- [Workplace incidents](#)
- [Alberta Queen's Printer](#)

Detailed information for 2018 fatalities will be posted to [Alberta.ca](http://Alberta.ca) when the data is available.

Name	Company Name
RAY TURNER	Lend Lease
RUSSELL MACDONALD	BROCK WHITE
David Marshall	Brockwhite
Matt Czynski	Tremco.

Name	Company Name
Natasha Hillestad	Griffin Glass
Rand Brock	METROGLASS
Mei Whyte	Metro Glass
JIM BRADY	CAL-TECH GLASS
Taylor Wight	Layton Consulting.

Name	Company Name
BRENT HARPER	FERGUSON
JESSICA GEREM	Ferguson
DON MARTINEZ	FERGUSON
Dale Hagel	Metro Aluminum
John Murphy	Custom Metal



Name	Company Name
RAY GREENLAND	3E GLASS CALGARY LTD
Christine Jaynes	C Jay Supply
Brian Allan	3E GLASS
GURMEET SINGH	EMW STAINLESS
WARREN CLUNIE	OLDCASTLE BUILDING ENVELOPE
Darin King	Stanley Access

Name	Company Name
Gwen Phillips	Vitro
Larry Phillips	HERITAGE GLASS
Justin TRUDEAU	* - you know!

Name	Company Name
Jonathan Greenland	Alumicor
Mitch Huston	ALBERTA GLASS
Brad Simpson	Beacon Glass
TREVOR WAYTE	GRIFFIN GLASS
WHITNEY WILSON	GRIFFIN GLASS

Name	Company Name
Todd Hunchak	Grant Metal.
Sean Philipiew	Grant Metal
Roger Xu	RDIH
Tim NOOLAND	NABCO CANADA
TYLER KING	Wescor Glass

Name	Company Name
SUNNY CANTRELL	GLASS GUILD
RON WARDER	GLASS GUILD
BRIAN RISSBY	SAIT.
GENE AQUILINI	SAIT.