

Constitution and Bylaws

2016

Constitution

of

The Manitoba Government and General Employees' Union

Approved by:

**The 64th Convention
October 2016**



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2016 MGEU CONSTITUTION

Name

1:1 The Union’s name is “The Manitoba Government and General Employees’ Union.” In this document, it will be called “the Union.” (2000)

Jurisdiction

Jurisdiction
the area that
someone has
authority over

2:1 Only union members have the power to make bylaws, rules and regulations to manage the Union and control its members.

Badge, Emblems

3:1 The Union Board of Directors may adopt or change its badge, emblems, or similar symbols.

Location

4:1 The Union headquarters are in Winnipeg, Manitoba.

Objectives

**Collective
Bargaining**
to negotiate and
work together to
improve wages
and working
conditions

5:1 The Union will provide a means to take united action on any issue between you and your employer.

5:2 Obtain through *collective bargaining*, the best possible pay, benefits, and working conditions for you, and to protect your rights and interests in matters concerning you and your employer. The Union will provide this for:

- employees of the Government of Manitoba
- employees of boards, agencies, and commissions established under provincial legislation
- public employees in related employment

Non-partisan
not tied or bound
to a particular
political party

Non-sectarian
not tied or bound
to a particular
religious group

Autonomous
stand on its own

- Crown Corporations
- and other groups whose employees may apply to join the Union

- 5:3 To act as a *non-partisan, non-sectarian* organization. It will be free of verbal, mental and sexual harassment and discrimination. This includes discrimination as defined in the Manitoba Human Rights Code. (2008)
- 5:4 Represent you in discussions with employers and their representatives about your general welfare and your working conditions.
- 5:5 Encourage participation in approved provincial and national labour organizations.
- 5:6 Function independently and be *autonomous* and subject only to the authority of the will and decisions of its membership.

Membership

- 6:1 You are considered a rand member if you belong to any group in Article 5:2 and pay membership dues to the Union and your union application card has not been signed. (See Article 6:2 for more details or exceptions.) (2010)
- 6:2 You become an official union member when your union application card is co-signed by an authorized representative of the Board of Directors (this could include a Steward or Local Table Officer).
- 6:2:1 Ongoing union membership, with all its rights and privileges, can be granted to you, or taken from you, on the approval of the Board of Directors. If you are currently not working, you can keep your membership active by arranging to pay your dues directly to the Central Office. (See Articles 9:1 through 9:6:2 for more details and exceptions.) (2010)
- 6:3 Associate Membership
- a) Associate members:
- are not required to pay dues

- will have their rights and privileges protected by the Union
- cannot vote
- cannot hold office

If you are on:

- sick leave without pay or
- leave of absence without pay or
- a temporary lay off or
- the re-employment list

you can apply to the Board of Directors for Associate membership. (1999)

- b) A union staff person can apply to the Board of Directors for Associate membership. No dues will be collected.

Ratified
approved

- 6:4 New groups meeting requirements found in Articles 5:2 and 6:2 may apply to the Union President for membership. Their membership must then be *ratified* by a majority vote of the Board of Directors.
- 6:5 The Board of Directors may set an initiation fee for a group asking for union membership.
- 6:6 If you hold a position not included under the terms of any agreement for which the Union is the bargaining agent, you will not be eligible for official membership. (1999)
- 6:7 The granting of Honourary Life memberships and the rights of Honourary Life members is governed by the Bylaws.
- 6:8 The granting of Solidarity Awards and the rights of the members receiving these awards is governed by the Bylaws. (1993)
- 6:9 The granting of Life membership and the rights of Life members is governed by the Bylaws. (1984)
- 6:10 The granting of Affiliate membership and the rights of Affiliate members is governed by the Bylaws.

- 6:11 The Board of Directors has the power to enter into a special service contract with groups not eligible for official membership in the Union.
- 6:12 You can cancel your official Union membership at any time by notifying the Union President in writing, unless your collective agreement does not allow you to.

Division of Membership

7:1 Union membership is divided into Locals set up by the Board of Directors. Locals are under the authority of the Board. (1999)

7:2 The jurisdiction and location of the Locals are governed by the Bylaws. (1999)

Membership Dues

8:1 Membership dues or special assessment are set every two years at Convention or at a Special Convention. Two-thirds of the elected delegates present during the voting must approve the proposed amount. Dues will be paid by payroll deduction or by cash instalments. (2010)

8:2 The Board of Directors may increase your current dues by up to 25% with a two-thirds vote, if:

- the *Defence Fund* drops below 50% of what it was before the strike started or
- it drops to less than \$1,000,000 at any time and
- the increase is used only for the Defence Fund (1996)

8:3 You will pay extra dues if you work when your own bargaining unit is on a *lockout* or *strike*. These dues will be deducted from your paycheque. This includes when you are required by law to provide essential or emergency services, as well as when you choose to keep working during a strike or lockout. In these cases, you will pay dues of 30% of your basic pay (before deductions). These dues will be in addition to your regular dues and will be put into the Defence Fund. (1996)

Defence Fund

an account set up to financially support strike action

Lockout

when an employer locks workers out of their workplace during a labour dispute

Strike

stopping work or refusing to work to try to influence an employer to agree to better job conditions. It is usually only used when the collective bargaining process has failed

8:4 You will pay extra dues if you work during an alternate job action. This could include escalating strikes, when increasing numbers of members go out on strike. This could also include rotating strikes, when different Locals go out at different times. The Board of Directors and bargaining committee may decide together if you will be assessed these dues. In these situations, you may pay dues of 30% of your basic pay (before deductions). These dues will be deducted from your paycheque. These dues will be in addition to your regular dues and will be put into the Defence Fund. (1996)

Discipline

9:1 Disciplinary Committee Structure

9:1:1 All phases of the disciplinary process will be conducted in good faith, with fairness, and without bias.

9:1:2 After each biennial Convention, the Provincial Officers will establish a Disciplinary Committee, who will serve for a two (2) year term.

9:1:3 The Committee will be composed of six (6) members in good standing who are not members of the Board of Directors.

9:1:4 In order to promote continuity, up to three (3) members from the previous Disciplinary Committee may be appointed for one (1) additional two (2) year term.

9:1:5 During the establishment of the Committee, the Provincial Officers will designate three (3) members to deal with complaints that may happen during their appointment with the other three (3) serving as alternates.

9:1:6 The Provincial Officers will appoint one of these members as the Chairperson of the Disciplinary Committee.

9:1:7 After each biennial Convention, the MGEU Staff Directors will identify external professional investigators who will be engaged to conduct investigations, on a rotational basis, in collaboration with the appointed Disciplinary Committee.

9:1:8 The appointment of the Disciplinary Committee and the external professional investigators will be finalized within ninety (90) days of the MGEU biennial Convention.

9:1:9 The Committee members' names and Components and the list of external professional investigators will be provided for information to the Board of Directors at the next meeting after their appointment to the position.

9:1:10 Should a position on the Disciplinary Committee become vacant, the Provincial Officers may choose to fill that position for the remainder of the term.

9:1:11 Being from the same Component, whether it's the complainant or the respondent, puts a Disciplinary Committee member in a conflict of interest situation. Therefore the Disciplinary Committee member should recuse themselves.

9:1:12 The Disciplinary Committee will investigate and rule on any written complaint for alleged offences against the MGEU Constitution and Bylaws. The written complaint must be received within ninety (90) days of the complainant being made aware of the alleged offence or the Disciplinary Committee will not proceed.

9:2 Complaints

9:2:1 A member, or a group of members, may be charged and disciplined for an offence against the Union if they:

- a) Knowingly do not follow the MGEU Constitution or Bylaws;
- b) Misuse or steal Union money or property;
- c) Encourage, or knowingly help others to encourage, members to leave the Union;
- d) Use the name of the Union or their position in the Union for raising money, advertising, or for personal gain;
- e) Do not support a legal strike called by the Union;
- f) Disrupt or keep any Union meeting or Convention from being able to do its business fairly and reasonably;
- g) Coerce, intimidate or interfere with a member, officer or representative of the Union from carrying out their obligations or duties or exercising their rights under the Constitution and Bylaws;

- h) Knowingly do not carry out the duties of their elected position;
- i) Conducts themselves in a manner that damages the good order and discipline of the Union;
- j) Submit charges that a member has committed an offence under this Article, which is frivolous, vexatious or made in bad faith;
- k) Communicate or reveal confidential information, without proper authorization, about the business, membership, proceedings or other affairs of the Union to someone not entitled to such information;
- l) Provide membership or personal information about a member or members and provide it to anyone not entitled to such information.

9:2:2 Allegations of the violations listed above must be submitted to a MGEU Staff Director in writing, within ninety (90) calendar days of the date when the complainant became aware of the alleged offence.

Complaints must contain the following information:

- name, address, telephone number and signature of member or members making the complaint;
- member or members named in the complaint;
- facts which form the basis of the complaint;
- the portion of the MGEU Constitution and/or Bylaws which is alleged to have been violated.

9:2:3 The MGEU Staff Director will provide the written complaint to the Chairperson of the Disciplinary Committee, who will then convene the Committee.

9:2:4 The MGEU Staff Director will provide written notice to the Provincial Officers as to the articles allegedly violated.

- 9:2:5 The Disciplinary Committee will notify the Respondent(s) in writing that a complaint has been received and include the name of the member or members who made the complaint. A copy of the complaint and the articles allegedly violated will be attached.
- 9:3 Investigation Process
- 9:3:1 The Disciplinary Committee shall conduct a preliminary review of the complaint to determine if:
- a) Further investigation is warranted;
 - b) Alternative dispute resolution process should be utilized.
- 9:3:2 Should 9:3:1(a) or 9:3:1(b) be utilized the MGEU Staff Directors, the Provincial Officers, the Complainant and the Respondent shall be notified in writing within fourteen (14) days.
- 9:3:3 The Disciplinary Committee may conduct their investigations with the advice and guidance of the external professional investigator.
- 9:3:4 The Disciplinary Committee will investigate the allegation(s) by holding hearings, reviewing relevant documents, and interviewing witnesses as determined by the Committee.
- 9:3:5 If during the investigative process, any additional information is disclosed that is illegal or criminal in nature, the Committee will be obligated to report the information to a MGEU Staff Director who will notify the proper authorities. The Committee will cease their investigation until such time as the proper authorities have completed their investigation.
- 9:3:6 If during the investigative process, any additional information is disclosed that may jeopardize the integrity of the Union, the Committee will be obligated, upon discovery, to report the information to the MGEU Staff Director(s) who will proceed accordingly, as will the Committee.
- 9:3:7 The Respondent will be given an opportunity to appear before the Disciplinary Committee to defend themselves prior to the final decision by the Committee.
- 9:3:8 Failure to appear as a witness will not preclude the Disciplinary Committee from making a decision.

- 9:3:9 All members called to appear before the Committee will be allowed to bring another member to assist them in their presentation.
- 9:3:10 Should the Respondent(s) fail to appear before the Disciplinary Committee, without giving a satisfactory explanation, the Committee may proceed to hear evidence and reach a decision in the absence of the Respondent(s).
- 9:3:11 Should the Complainant(s) fail to appear before the Disciplinary Committee, without giving satisfactory explanation, the Committee may choose to dismiss the complaint(s).
- 9:3:12 In the event that the Disciplinary Committee determines there has been no violation, this decision shall be final.
- 9:3:13 The Disciplinary Committee will forward its findings in writing to the Respondent, the Complainant and the Provincial Officers within fourteen (14) days of completing the process.
- 9:4 Sanctions
- 9:4:1 If discipline is necessary, the Disciplinary Committee may impose any combination of the following sanctions:
- a) Be reprimanded;
 - b) Be fined, based on their hourly pay rate;
 - c) Have their membership rights and privileges temporarily suspended for a defined period of time;
 - d) Be removed from their elected position;
 - e) Have their membership rights and privileges permanently suspended.
- 9:5 Appeal Process
- 9:5:1 If a member is subject to sanctions they may appeal using the following steps:

9:5:2 Step 1:

- a) Within thirty (30) days of receiving the written decision of the Disciplinary Committee, the Respondent may appeal to a MGEU Staff Director who will inform the Board of Directors;
- b) The Respondent, and a member of their choosing, will present the appeal to the Board of Directors. The Disciplinary Committee will also present their rationale for their decision to the Board of Directors;
- c) The Board of Directors will make a decision within sixty (60) days from the date of receipt of the appeal;
- d) The Board of Directors, by a majority vote, may uphold or dismiss the decision of the Disciplinary Committee and/or vary the disciplinary sanction(s);
- e) The Board of Directors will provide the Respondent and Complainant with their decision in writing.

9:5:3 Step 2:

- a) Appeal to a MGEU Staff Director who will inform the President of the National Union of Public and General Employees (NUPGE) or their designate within thirty (30) days following the decision of the Board of Directors.
- b) The NUPGE President or their designate will make a decision within ninety (90) days from the date of receipt of the appeal and may uphold or dismiss the appeal or vary the decision.
- c) The NUPGE President or their designate will provide the Respondent, the Complainant, and the Board of Directors with their decision in writing. (2016)

Provincial Officers

10:1 The Provincial Officers of the Union are:

10:1:1 President

10:1:2 First Vice-President

- 10:1:3 Second Vice-President
- 10:1:4 Third Vice-President
- 10:1:5 Fourth Vice-President
- 10:2 Duties and responsibilities of the Provincial Officers are listed in the Bylaws.

Election or Appointment of Provincial Officers

- 11:1 All Provincial Officers are elected:
- for a two-year term and
 - by secret *ballot* and
 - by majority vote and
 - at Convention (conducted by Elections Chairperson – see Policy Manual). (2016)
- 11:2 To run for a Provincial Officer position, you must:
- file a letter of intent and
 - be nominated by a delegate by noon on the first day of Convention. (2010)
- 11:3 Elections are to be conducted separately for each individual office and the count will be announced after each ballot. If two or more ballots are needed to get a majority, the candidate(s) with the lowest number of votes will be taken off the ballot. A new vote will be taken. The process will be repeated until a candidate has been elected. (2010)
- 11:4 If you nominate someone, you can make a speech of up to three minutes listing the nominated person's qualifications and service. If you are nominated for a Provincial Officer position, you can make a speech of up to five minutes. (2006)
- 11:5 You can only be nominated as a Provincial Officer if you are an official member in good standing. (2006)

Ballot

the piece of paper
you write on to
cast your vote

Vacancies in Office

- 12:1 If the office of Union President becomes vacant, the First Vice-President will take over the Union President's duties and responsibilities while keeping his or her own.
- 12:2 If a Provincial Officer (other than the Union President) leaves a position during their term, the position will be filled by and from the Board of Directors by a majority vote of the Board. The voting will be held as outlined in Article 11:3. (1984)
- 12:3 If you take office under Articles 12:1 and 12:2, you will hold the office until the next *biennial* Convention. (1994)

Biennial

occurring every two years

Constitutional Amendments

- 13:1 All *resolutions* for constitutional *amendments* that come from members who are not part of the Constitution, Bylaw and Structure Committee, must be given to the Union President in writing by July 15th before Convention. (2010)
- 13:2 When the Union President gets a resolution to change the Constitution, the President will provide a copy of the resolution to each member of the Constitution, Bylaw and Structure Committee. (2016)
- 13:3 A resolution to change the Constitution requires a two-thirds majority vote of those delegates present and voting. (2010)
- 13:4 The Constitution can be changed only by Convention or by a Special Convention called for this purpose. (1993)
- 13:5 Changes made to the Constitution become official the day after Convention.

Resolution

written motion expressing opinion, will or intent, voted by an official body

Amendments

changes

Amendments to the Bylaws

- 14:1 The Bylaws may be changed by Convention or by the Board of Directors. The Board requires notice of these changes at two meetings in a row with the suggested changes to be dealt with at the following, third meeting.

Motion

a proposal that is presented in a formal way

- 14:2 A *motion* to change the Bylaws needs a majority vote.
- 14:3 All Bylaw changes passed by the Board of Directors need approval at the next Convention to remain in force.
- 14:4 Any suggested Bylaw changes that fail to pass at Convention will not be reintroduced at a Board of Directors meeting before the next Convention.
- 14:5 If a Component, Local, Area Council, or Component Executive decides that any rules or regulations are needed to help them do their job well, they will suggest their ideas to the Board of Directors. These suggestions should be considered after reviewing past decisions and past practices of the Board of Directors and provide such to the Board of Directors. If these suggestions are then approved, they will be included in the Bylaws following the process listed in Article 14:1 of the Constitution.

Rules of Procedure

- 15:1 Unless otherwise stated, “Bourinot’s Rules of Order” will be followed. These are on file in the Central Office. Under no circumstances will the Union President or a committee Chairperson cast more than one vote on any one question.

Convention

- 16:1 The Union meets:
- every second year in October at the biennial Convention and
 - at a set time and place decided on by the Board of Directors
- With a two-thirds majority vote, the Board of Directors can call a Special Convention if the Board thinks there are major issues to be dealt with. (1993)
- 16:2 **Notice of Meeting**
- The President must give a minimum of 30 days’ notice of the time and place of any Convention to all Provincial Officers, elected delegates, and Honourary Life members. (1993)

16:3 **Notice of Business**

16:3:1 You can present any subject of general interest to the Union if:

- it has been approved by a Local or Area Council, Component Executive or Standing Committee and
- it is in writing to the Union President and received by July 15th in a Convention year (2006)

16:3:2 The Union President ensures that all resolutions or other notices that have been received by July 15th are made available on the MGEU website (or by mail upon request) no later than three (3) weeks prior to the date of the Biennial Convention, to:

- all Convention delegates
- Honourary Life members and Local Executive Committee members. (2014)

16:3:3 Resolutions received after July 15th in a Convention year, are called emergency resolutions. The Board of Directors and Provincial Officers will decide whether to introduce them on the floor of the Convention. Constitutional resolutions received after July 15th will not be accepted. (2000)

16:3:4 Other business (except for Constitutional changes) may be considered at the Convention, if approved by a majority vote. (1993)

16:4 **Representation**

16:4:1 Board of Director members are automatically considered Convention delegates.

16:4:2 a) Each Local can have at least one delegate to Convention. (2010)

In this section only, members mean the average number of official union members of the Local who have paid dues for twelve months before the Convention *call*. If a Local was *chartered* after that twelve month period began, then they can send delegates according to the average number of members who have paid dues.

b) Each Local can send one delegate for its first 100 members. It can send one more delegate for each additional 100 members, or a major portion thereof. For example:

Call
to provide official
notice of

Chartered
established

Alternates
substitute delegates
to Convention

- 1 – 150 members = 1 delegate
- 151 – 250 members = 2 delegates
- 251 – 350 members = 3 delegates
- 351 – 450 members = 4 delegates
- 451 – 550 members = 5 delegates, etc. (2014)

16:4:3 A Local will nominate and elect one or more *alternates* to replace a delegate who cannot attend.

16:4:4 The Union will pay for reasonable expenses submitted by a delegate attending Convention.

Election and Appointment of Delegates

17:1 Each Local will hold a meeting before Convention to elect its delegates. (See Article 29:3(b) for details.) These delegates will serve for a two-year term. (2010)

17:2 A Convention delegate:

- must be an official union member
- may also be an officer of the Local (2010)

Visiting Members

18:1 You may be present at any Convention as a union member if there is enough seating for you.

18:2 You may address the Convention as a visitor if you have permission from the Chairperson.

Voting, Entitlement, Method and Poll Vote

19:1 Each elected delegate has one vote.

19:2 a) Motions will be voted on by electronic means

- manual voting will be used as a back-up if electronic voting is not available;

- the results of the vote count will be announced.

b) The Chairperson may vote when necessary to break a tie vote.

19:3 Elections will be voted on by secret ballot.

19:4 *Poll vote* will be made if demanded by a motion approved and passed by a two-thirds majority vote.

19:5 At MGEU Convention, voting on all Constitutional Resolutions shall follow the same format as 19:2 a).
(2016)

Biennial Convention Business

20:1 Call to Order.

20:2 Report of Committee on Credentials.

20:3 Minutes of the Last Convention. (1993)

20:4 Communications.

20:5 Appointment of Committees.

20:6 Reports. (1993)

20:6:1 Board of Directors Report.

20:6:2 Union President's Report.

20:6:3 Financial Statement and Auditor's Report.

20:6:4 Standing Committee Reports and Standing Committee Resolutions.

20:6:5 Honourariums.

20:6:6 General Resolutions Committee Report (2014)

20:7 Amendments to the Constitution.

***Biennial
convention
business***
business to be
addressed prior to
or during the
MGEU
Convention

- 20:8 Candidate Forum. (1990)
- 20:9 Election of Provincial Officers.
- 20:10 Appointment of Auditors.
- 20:11 New Business.
- 20:12 Good and Welfare.
- 20:13 Adjournment.

Powers of Convention

- 21:1 Any decision the Board of Directors makes can be reversed by Convention with a majority vote, only if that reversal does not affect or threaten the legal status of any past decisions and contracts. (1993)
- 21:2 Convention establishes and sets the levels of honourariums. (1993)

Board of Directors

- 22:1 The Board of Directors includes:
 - 22:1:1 Union President;
 - 22:1:2 First Vice-President;
 - 22:1:3 Second Vice-President;
 - 22:1:4 Third Vice-President;
 - 22:1:5 Fourth Vice-President;
 - 22:1:6 One Director elected by each Component (see Articles 25:3:1 and 25:4); (1999)
 - 22:1:7 One Director elected by each Local that qualifies (see Article 29:1:2); (1999)

- 22:1:8 One Director elected by each Area Council (see Article 28:1:3); (1999)
- 22:1:9 All members are elected for a two-year term. (1999)
- 22:1:10 Area, Component, or Local Directors are elected in a Convention year for a two-year term. (1999)
- 22:1:11 A member can only hold one position on the Board of Directors. Board members may run for a vacant position without first resigning from their existing position.
- 22:2 The Board of Directors meets at least six times a year at a time and place chosen by the Union President. Its first meeting following Convention must be held within five weeks. The Union President can call special meetings. If the Union President refuses to call a meeting, any two Provincial Officers or any five members of the Board of Directors can call one. (1993)
- 22:3 The Board of Directors has the power to carry on the Union's day-to-day business. The Board will report to the biennial Convention. (1993)
- 22:4 The Board of Directors is responsible for making sure proper negotiations are carried out throughout the province. The Board consults with the proper negotiating committees. They will tell them about any major action that would affect negotiations before that action is taken. (1999)
- 22:5 Members within a *classification* can object to their assignment to a particular Component if:
- at least one-quarter of these members agree with the objection and
 - they send their objections in writing to the Board of Directors
- The Board of Directors will immediately have a vote within the classification. If two-thirds of the membership objects to the assignment, the Board will rule on the issue by a two-thirds majority vote.
- 22:6 The Board of Directors will not consider transfer requests from one Local or Component to another during a bargaining process. (1999)
- 22:7 The Board of Directors has the authority to decide on what expenses will be paid to union members on union business.

Classification
job category

Standing Committees

- 23:1 All Standing Committees are directly responsible to the Board of Directors between Conventions. They report to:
- the Board of Directors
 - Convention
- 23:2 The structure, duties and responsibilities of Standing Committees are outlined in the Bylaws.
- 23:3 Each Area Council elects its Standing Committee members for a two-year term in each Convention year. The elected members will report their committee activities to their Area Council. (1999)
- 23:4 Every Standing Committee has a Chairperson elected by and from the Board of Directors for a two-year term in a Convention year. (See Bylaw 7 for more details.) (1999)
- 23:5 Every Standing Committee elects a Vice-Chairperson for a two-year term from its committee members. In the temporary absence of the Chairperson, the Vice-Chairperson carries out the Chairperson's duties. (1999)

Area Boundaries

- 24:1 The Province of Manitoba is divided into eight Areas. (1999)
- 24:1:1 Areas 1 thru 5 and 8 have geographical boundaries. (2014)
- 24:1:2 Areas 6 and 7 are defined in Articles 24:5:6 and 24:5:7. (2014)
- 24:2 Members' work locations will normally determine which geographic Area they belong to.
- 24:3 A staff representative is assigned to each Area. The Board of Directors will decide on the representative's office location.
- 24:4 The Board of Directors may sometimes allow minor changes in the Area boundaries.

24:5 These Areas are:

24:5:1 Area 1

This area includes all employees whose work headquarters lie between these boundaries:

Northern Boundary: 55th parallel of latitude

Southern Boundary: 53rd parallel of latitude

Eastern Boundary: 99th line of longitude

Western Boundary: Saskatchewan border

This area includes the communities of Fay Lake and Sherridon. (2008)

See Map

24:5:2 Area 2

This area includes all employees whose work headquarters lie between these boundaries:

Northern Boundary: 53rd parallel of latitude

Southern Boundary: From the Saskatchewan border, east along Highway #549 to Highway #482.

(Note: Shellmouth is north of the boundary and therefore in Area 2). West on Highway #482 to Highway #83 to Highway #264. East on Highway #264 to the southwest corner of the Riding Mountain National Park and east all along the southern boundary of the Park. From the southeast corner of the Park, east to Highway #5. South on Highway #5 to Highway #265. East on Highway #265 to Langruth and on to Lake Manitoba.

Eastern Boundary: 99th line of longitude through the centre of Lake Manitoba, to Highway #5

Western Boundary: Saskatchewan border (2010)

See Map

24:5:3 Area 3

This area includes all employees whose work headquarters lie between these boundaries:

Northern Boundary: From the Saskatchewan Border, the southern boundary of Area 2 to Plumas.

Southern Boundary: U.S. border

Eastern Boundary: Highway #260 (the western side, including the town of Plumas), to Highway #16, to Highway #34 (not including the town of Gladstone), to the U.S. border

Western Boundary: Saskatchewan border (2010)

See Map

24:5:4 Area 4

This area includes all employees whose work headquarters lie between these boundaries:

Northern Boundary: Area #2 boundary, east to Highway #6

Southern Boundary: U.S. border

Eastern Boundary: Highway #6, south to the Winnipeg city limits, then to Highway #75, south to the U.S. border (including Morris)

Western Boundary: Area 2 and Area 3 boundaries (2010)

See Map

24:5:5 Area 5

This area includes all employees whose work headquarters lie between these boundaries:

Northern Boundary: 53rd parallel of latitude

Southern Boundary: U.S. border (not including Morris)

Eastern Boundary: Ontario border

Western Boundary: 99th line of longitude, south to and through the centre of Lake Manitoba to Area 2 boundary, east to Highway #6, south to the Winnipeg city limits to Highway #75, south to the U.S. border (1990)

See Map

24:5:6 Area 6/7 – Winnipeg Area

Includes all employees whose work headquarters lie within the City of Winnipeg proper. (1999)

See Map

24:5:7 Area 6/7 – Winnipeg Area

The Winnipeg Area will be made up of two Area Councils. The Locals will be assigned to an area by the Board of Directors. Area 6 Council will be comprised of, but not limited to, health and social service related locals. Area 7 Council will be comprised of, but not limited to, Civil Service, Government Agencies, Crown Corporations, Colleges and Universities. The two Area Directors will be elected from only those locals in their respective areas. This Area includes the Women’s Correctional Centre and the Headingley Correctional Centre within Area 7. (2012)

24:5:8 Area 8

Includes all employees whose work headquarters lie north of the 53rd parallel of latitude, not including the members in Area 1.

See Map

Components

25:1 A Component is made up of one or more of the following:

- a) two or more Locals that share a common collective agreement;
- b) two or more Locals that share a common employer;
- c) two or more Locals that share employment-related interests. (1999)

Liaison

a person who connects one group to another

25:2:1 Two or more Locals may apply in writing to the Board of Directors for approval to form a Component. (1999)

25:2:2 After receiving an application under Article 25:2:1, the Board of Directors may form a Component from two or more Locals if the affected Locals have been consulted and have given their approval.

The Board of Directors may also form a Component from two or more Locals by its own motion if the affected Locals have been consulted and given their approval. (1999)

25:3:1 A Component of 500 members or more has one seat on the Board of Directors. (1999)

25:3:2 When a Component has less than 500 members and therefore no seat on the Board of Directors, a Board member will be assigned to be a *liaison* between that Component and the Board.

Component Executive Committee

26:1:1 The Component Executive Committee is made up of:

- the Local President
- the Chief Steward
- the Local Vice-President, and
- the Members-at-Large

These members represent Locals from each of the Areas where a Local exists. (See Article 26:1:3 for more details.) (1999)

26:1:2 The Local Representatives to Component Executive are:

- the Local President
- the Chief Steward
- the Local Vice-President, and

- the Members-at-Large (with a maximum of three)

(See Article 26:1:3 for more details.) (1999)

26:1:3 Each Local of a Component is allowed to elect one member or more to the Component Executive Committee following this formula:

1–150 members	Local President
151–250 members	Local President, Chief Steward
251–350 members	Local President, Chief Steward, Local Vice-President
351–450 members	Local President, Chief Steward, Local Vice-President, one Member-at-Large
451–550 members	Local President, Chief Steward, Local Vice-President, two Members-at-Large
551 +	Local President, Chief Steward, Local Vice-President, three Members-at-Large

(1999)

Each Local of a Component can send representatives to Component Executive based on the average number of official union members of the Local who have paid dues during the preceding twelve months before Biennial Convention. (See Articles 6:1 and 6:2.) (2010)

26:1:4 If there is a Local that is allowed to send only one member to a Component Executive Committee meeting, that Local may send the Chief Steward as the alternate if the Local President is not able to attend. (1999)

26:2 The Component Executive Committee is responsible for Component members' concerns across the province.

26:3 The Component Executive Committee is responsible for decisions or matters that concern only those members within its own Component jurisdiction.

26:4 The Component Executive Committee elects, for a two-year term, from its own Component Executive membership:

- a Component Director

- a Chairperson and
- a Vice-Chairperson

It must do this:

- at its first meeting following the biennial Convention and
- according to Article 25:3:1. (1999)

- 26:5 If a vacancy occurs for either the Component Director, Chairperson, or Vice-Chairperson, the position will be filled by and from the Component Executive Committee by majority vote. (1999)
- 26:6 The Component Executive Committee must hold its first meeting within three weeks following the biennial Convention. (2016)
- 26:7 The Component Executive Committee must hold at least one meeting in a calendar year. (2002)

Negotiating Committee

- 27:1 A staff representative will be assigned to each negotiating committee. (1999)
- 27:2 The negotiating committee chooses the method of contract *ratification*. (1993)
- 27:3 The Chairperson of the Civil Service Agreement Bargaining Committee is responsible for calling Bargaining Council meetings. (1993)

Area Councils

- 28:1:1 Area Councils are made up of all official union members within the Area according to Article 24. Voice and voting entitlement is afforded to *Local Table Officers* in attendance at Area Council. (2014)
- 28:1:2 If a Local is spread over two or more geographic areas, a member elected as Local Table Officer in an area outside the geographic area of their own Local may apply to the Board of Directors to have membership in

Ratification
accept or
approve changes

**Local Table
Officers**
the President,
Chief Steward
and Vice-
President of a
Local

the Area Council where the member's work is located. As described in Articles 24:2:6 and 24:2:7, there will be two separate Councils in the Winnipeg Area. (1999)

28:1:3 Area Councils elect from their own voting membership at their first meeting to be held within three weeks following the Biennial Convention for a two-year term:

- an Area Director
- a Chairperson and
- a Vice-Chairperson

(2014)

28:1:4 Area Councils must hold at least six meetings a year. (2004)

28:1:5 Area Councils are responsible for:

- members' concerns in their Area
- Locals assigned in their Area, especially those with common concerns
- all duties described in the Bylaws (1999)

28:1:6 Area Councils must report to the Board of Directors.

28:2 If the positions of Area Director, Chairperson, or Vice-Chairperson become vacant, the positions must be filled by and from the Area Council by majority vote. (1999)

28:3:1 Each Area Council must elect Standing Committee representatives from Area membership for a two-year term. This is done at their first meeting following the biennial Convention. (See Article 23:3.) (1999)

28:3:2 If there is a vacancy on a Standing Committee, the position will be filled from the Area membership by a majority vote of the Area Council.

Locals

- 29:1:1 A Local is made up of one of the following:
- a) members within a certified bargaining unit;
 - b) members within two or more certified bargaining units who have merged to form a single Local;
 - c) members in an Area who are covered by a collective agreement that applies to members in more than one area. (2010)
- 29:1:2 A Local that is not part of a Component and has 500 members or more, has a seat on the Board of Directors. (1999)
- 29:2:1 Two or more Locals may apply in writing to the Board of Directors to join into one Local if one-quarter of the affected members support the application. (2010)
- 29:2:2 After receiving an application under Article 29:2:1, or by its own motion, the Board of Directors may join two or more Locals after:
- a) appropriate consultation with the members affected, and
 - b) two-thirds of these members (of each Local) approve it by vote, and
 - c) two-thirds of the Board of Directors approves it. (2008)
- 29:2:3 If vacancies occur in the positions of a Local representative on the Board of Directors, Local President, Chief Steward, Local Vice-President or Member-at-Large, these vacancies will be filled by and from the Local by majority vote. (1999)
- 29:3 Locals must hold meetings as follows:
- a) in September of each biennial Convention year to elect, for two-year terms, Table Officers, Stewards and Members-at-Large, and to deal with other business as necessary;

- b) between April 1st and June 30th in a biennial Convention year to make constitutional and general resolutions for Convention, to elect Convention delegates and alternates, and to deal with other business as necessary;
 - i) upon written request to the President and the four (4) Provincial Officers and approval of the Board of Directors, Locals have the option of electing their Table Officers, Stewards and Members-at-Large during this time frame; (see Article 32:2) (2014)
 - c) to get proposals for collective bargaining, and to deal with other business as necessary;
 - d) at least once in each non-Convention year;
 - e) as called by the Local President. (2010)
- 29:4 If a Local President refuses to or does not call a meeting, one Local Table Officer plus any five members can call one.
- 29:5 All Locals can elect the following as their Local Table Officers:
- a) President
 - b) Chief Steward
 - c) Vice-President (optional) (1999)
- 29:6 Each Local can elect a Local President who will serve on the Local Executive and the Local Executive Committee. The Local President will be elected according to Article 29 of the Constitution. For Locals who meet the requirements under 29:1:2, the Local President will be the representative on the Board of Directors. The Local President's duties are outlined in the Bylaws. (1999)
- 29:7 Each Local can elect a Chief Steward who will serve on the Local Executive and the Local Executive Committee. The Chief Steward will be elected according to Article 29 of the Constitution. The Chief Steward's duties are outlined in the Bylaws. (1999)

- 29:8 Each Local can elect a Local Vice-President who will serve on the Local Executive and the Local Executive Committee. The Local Vice-President will be elected according to Article 29 of the Constitution. The Local Vice-President's duties are outlined in the Bylaws. (1999)
- 29:9 Subject to Article 26, Locals may elect up to a maximum of three Members-at-Large. Members-at-Large form part of the Component Executive and the Local Executive Committee. Members-at-large shall have full voice and vote at the Component Executive. The duties of a Member-at-Large are defined in the Bylaws. (2008)

Stewards

- 30:1 The Union has a province-wide Steward system.
- 30:2 Every Local elects one Steward for each 50 members (or any part of a group of 50 members) in a work location or *designated* headquarters. These Stewards serve a two-year term. (1999)
- 30:3 Stewards are elected for a two-year term at a Local meeting or in their work location or designated headquarters. This happens during September in a Convention year. (1999)
- 30:4 Stewards may be appointed by the Local Executive if members in a work location or designated headquarters do not elect Stewards as allowed for in Article 30:3 of the Constitution. (1999)

Designated
assigned

Workplace Representative

- 31:1 Locals with more than one work location in an Area are allowed one Workplace Representative at each work location. The Workplace Representative is part of the Local Executive Committee. Workplace Representatives will be Stewards and will be elected or appointed by the group of Stewards at a work location after the September elections in a Convention year. Where there is only one Steward at a work location, that Steward will be the Workplace Representative. (1999)

Local Executive Committee

- 32:1:1 Local Executive Committees are made up of:
- a President
 - a Chief Steward and/or
 - a Vice-President
 - Members-at-Large and
 - Workplace Representatives (1999)
- 32:1:2 The Local President, Chief Steward, Local Vice-President and Members-at-Large each serve for a two-year term and are elected at a Local meeting according to Article 29:3(a) of the Constitution. (1999)
- 32:2 The Local Executive Committee takes office immediately following the biennial Convention. (1999)
- 32:3 If a Local vacancy occurs in the offices of the Local President, Chief Steward, Local Vice-President, or Members-at-Large, the position(s) will be filled by a member of the Local by majority vote of the Local members. (1999)
- 32:4 The Local Executive Committee works in close cooperation with the Local Staff Representative.

Structural Change

- 33:1 A structural change is a major change in Area, Local, or Component membership. (1999)
- 33:2 Proposed structural changes must be approved by Convention Resolutions for study by the Constitution, Bylaw and Structure Committee.
- 33:3 The Constitution, Bylaw and Structure Committee studies the proposed changes and polls the affected membership.

- 33:4 Results of the Constitution, Bylaw and Structure Committee’s study and poll must be presented to the next Biennial Convention for final decision. This vote needs a two-thirds majority of elected delegates present during the voting. (2010)

Financial Structure

- 34:1 The financial structure of the Union is established through a budget system. This system will be handled and controlled by the Board of Directors.
- 34:2 The Union’s fiscal year is from August 1st to July 31st.

Minutes

- 35:1 All Locals, Area Councils, Component Executives, and Committees file their meeting minutes with the Union President, or designate, for distribution. This must be done within 14 days following their meeting.

By-elections

- 36:1 If an office becomes vacant, by-elections will be held as soon as possible. The successful candidate holds the office for the rest of the original term.

Successor Clause

- 37:1 All elected union officials hold office until a new person is elected into their position. (See Articles 6 and 29 of the Constitution and the Policy Manual for more details.) (2014)

Information and Communication Technology

- 38:1 Any MGEU meeting may be held by electronic methods when appropriate. Meetings may only be held by electronic methods when the principles of the Constitution and Bylaws are upheld. (2016)

Labour Councils

Affiliate

to become part
of a group

39:1 Each Local may *affiliate* with Labour Councils or Labour Coordinating Committees in their area. (1999)

39:2:1 Locals may put a motion forward for *affiliation* to Labour Councils and Coordinating Committees and pass that motion by a simple majority of voting members present at that meeting. (1999)

Affiliation

being part of a
group

39:2:2 A notice of affiliation must be presented in writing to the Union President.

39:3:1 *Disaffiliation* of Locals to Labour Councils or Labour Coordinating Committees are made by a motion and vote with a simple majority of voting members at a Local meeting. (1999)

Disaffiliation

to stop being part
of a group

39:3:2 A notice of disaffiliation must be presented in writing to the Union President.

39:4 The number of elected delegates from the Local is set according to the Constitution and Bylaws of the Labour Councils or the Labour Coordinating Committees in the specific area. (1999)

39:5 After a majority vote to affiliate with the Labour Council or Labour Coordinating Committee, the Local elects delegates at a Local meeting. These delegates will begin their service immediately. Henceforth delegate elections, for a two year term, will be held in September of each biennial Convention year. (1999)

Workplace Safety and Health Committee

40:1 A Local Executive Committee may elect or appoint Workplace Safety and Health Committee member(s) or a Workplace Safety and Health representative. These members will be elected or appointed from the Local membership. (1999)

40:2 The duties of the Workplace Safety and Health Committee member(s) or representatives are limited to workplace safety and health issues. (1999)

40:3 Members are elected for a term that complies with the Workplace Safety and Health Act and Regulations. (2002)

Bylaws

of

The Manitoba Government and General Employees' Union

Approved by:

**The 64th Convention
October 2016**



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2016 MGEU BYLAWS

Membership Recognition

B1:1 Upon retirement, official Union members in good standing will be recognized by the MGEU according to policy. (2016)

Solidarity Award

B2:1 A Solidarity Award can be given to official members or staff who have contributed to the advancement of the Union through their participation at the Local, Component or Area levels, and would include those who have held elected positions, been Union members of provincial Standing Committees, Component Executives or served in other activities of the Union. The Union President will appoint a special committee to make recommendations to the Board of Directors. (2010)

B2:2 The Solidarity Award would be presented to a member or staff at the point in time that he/she was withdrawing from active participation in the Union because of promotion, personal consideration, or other circumstances. (2010)

B2:3 The Solidarity Award will be given according to policy. (2010)

Honourary Life Membership

B3:1 An Honourary Life Membership Award may be given for outstanding or meritorious service to the Union and/or labour movement. This Award will be granted to only those people who are current or past official MGEU members. The following groups can nominate people for the Honourary Life Membership Award:

- Locals
- Area Councils
- Component Executives

- The Board of Directors

The nominations must be filed with the Union President on or before the 15th of July in a biennial Convention year. After receiving nominations from Locals, Area Councils, Component Executives, and the Board of Directors, the Union President will appoint a special committee to make recommendations to the Board of Directors. (2010)

B3:2 The Honourary Life Membership Awards will be given according to policy. (1991)

Affiliate Membership

B4:1 If you work for an employer where a collective agreement is in place with the Union, but you are not covered by that agreement, you are eligible to apply for affiliate membership. (1985)

B4:2 New groups who qualify under Article 5:2 of the Constitution may apply to the Board of Directors for affiliate membership.

B4:3 If you have been an active member but are no longer active because of resigning or having been permanently laid off, you can apply for affiliate membership. You can renew this membership each year by paying the fee set by the Board of Directors. (1987)

B4:4 Affiliate members are not allowed to vote or hold union offices. (1985)

Associate Membership

B5:1 The Board of Directors grants Associate membership to applicants who qualify under Article 6:3 of the Constitution. Associate members have all the privileges of membership except for voting and holding office.

Committees

B6:1 The Civil Service Agreement Bargaining Committee:

- B6:1:1 Has the Union President as its Chairperson, or the First Vice-President, and the Director from each of the work related Components covered by the Civil Service Agreement. (1994)
- B6:1:2 Is responsible for negotiating the Civil Service Agreement, reporting on negotiations and deciding the ratification process to be followed by the work-related Components. (1993)
- B6:1:3 Has staff assigned to it as decided by the Director of Negotiations.
- B6:1:4 Has a Bargaining Council made up of all the Presidents of the Locals who are part of the Civil Service Agreement. (1999)

B6:2 The Joint Council Committee:

- B6:2:1 Has the Union President as Chairperson, First Vice-President and one Director affected by the Civil Service Agreement and one designated staff person.

Standing Committees

- B7:1 Each Standing Committee will hold at least four meetings a year. If they want to meet less often, they need the Union President's approval. (2004)
- B7:2 In exceptional circumstances, the Board of Directors can approve the Union President re-assigning committee Chairpersons.
- B7:3 **The Finance Committee:**
 - B7:3:1 Has the Second Vice-President as Chairperson plus one member elected by each Area Council.
 - B7:3:2 Has general supervision over all union financial transactions.
 - B7:3:3 Prepares monthly financial statements for the Board of Directors.

B7:3:4

- Prepares a budget
- Makes recommendations regarding yearly dues
- Presents both of the above, first to the Board of Directors, and next to the biennial Convention. (1993)

B7:4 **The Constitution, Bylaw and Structure Committee:**

B7:4:1 Has the First Vice-President as Chairperson, plus one member elected by each Area Council.

B7:4:2 Is responsible for all matters related to the Constitution and Bylaws.

B7:4:3 Has all its members attend Convention. These committee members will not vote unless they are at Convention in another role that allows them to vote. (1993)

B7:5 **The Grievance and Appeals Committee:**

B7:5:1 Has a Chairperson elected by and from the Board of Directors plus one member elected by each Area Council.

B7:5:2 Reviews grievances in an overall manner.

B7:5:3 Reviews grievance forms and procedures and suggest changes as needed.

B7:5:4 Acts as an appeal board for a member who feels that a grievance has not been handled correctly.

B7:5:5 Provides support to the Membership Education Committee and its programming regarding grievance issues.

B7:6 **The Pension and Benefits Committee:**

B7:6:1 Has a Chairperson elected by and from the Board of Directors plus one member elected by each Area Council.

If, through this election process, the Committee does not have representation from members belonging to:

1. Civil Service Superannuation Fund

2. Healthcare Employees' Pension Plan
 3. Manitoba Home Care Pension Plan and
 4. An additional member either belonging to another pension plan or who is not a pension plan member
- the Union President, on the recommendation of the Chairperson, may appoint additional members to ensure representation. (2008)

- B7:6:2 Investigates all matters concerning pensions and benefits and makes recommendations to the Board of Directors as necessary. (1996)
- B7:6:3 Supports and promotes the continuation of the Superannuation and Insurance Liaison Committee. (1993)
- B7:6:4 Provides support to the Membership Education Committee and its programming regarding pensions and benefits. (1996)
- B7:6:5 Appoints those committee member(s) who are also contributors to the Civil Service Superannuation Plan, to the Superannuation and Insurance Liaison Committee. (1996)
- B7:6:6 When an Area's elected representative to the Pension and Benefits Committee is not a contributor to the Civil Service Superannuation Plan, the Pension and Benefits Committee must hold an Area Council election to fill the representative position to the Superannuation and Insurance Liaison Committee. (See B7:6:5) (1996)
- B7:6:7 Recommends to the Chairperson other members to be appointed to the Superannuation and Insurance Liaison Committee. The Chairperson then passes on this recommendation to the Provincial Officers and Board of Directors. Age and gender balance must be considered when making these appointments. (2010)
- B7:6:8 Appoints members to the Superannuation and Insurance Liaison Committee for a two-year term. (See B7:6:7) (1996)
- B7:7 **The Membership Education Committee:**
- B7:7:1 Has the Third Vice-President as its Chairperson plus one member elected by each Area Council.

- B7:7:2 Ensure that an education and skills training program for member activists is developed and delivered. (2008)
- B7:7:3 Ensure that a Union Orientation program open to rank and file members is developed and delivered. (2008)
- B7:8 **The Safety, Health and Environment Committee:** (1992)
- B7:8:1 Has a Chairperson elected by and from the Board of Directors plus one member elected by each Area Council.
- B7:8:2 Promotes setting up and maintaining the Workplace Safety and Health Committees in all workplaces where members are employed, according to the Provincial Workplace Safety and Health Act, as well as other legislation that regulates and supports good working conditions and practices. (1993)
- B7:8:3 Promotes environmentally responsible practices within the Union, amongst its members, at members' workplaces, and within the community. (1992)
- B7:8:4 Provides support to the Membership Education Committee and its programming regarding safety, health and environmental issues.
- B7:8:5 Elects from its membership a representative(s) to the Manitoba Federation of Labour's Health and Safety/Environment Committee. (2010)
- B7:8:6 Elects from its membership a representative to the Manitoba Federation of Labour's Worker's Compensation Committee. (2012)
- B7:9 **The Equality and Human Rights Committee:**
- B7:9:1 Has a Chairperson elected by and from the Board of Directors plus one member elected by each Area Council. If this selection process does not provide a representative from each of the *equity-seeking* groups, the Union President may, on the recommendation of the Chairperson, appoint additional members to ensure all groups are represented. (2004)
- B7:9:2 Advises the Board of Directors on issues concerning members from the following four equity-seeking groups:
- Aboriginal Peoples

Equity seeking
working for
equality and
justice

- Visible Minorities
- Persons with Disabilities
- Gays, Lesbians, Bisexuals, Transgendered, Two-spirit (2012)

- B7:9:3 Works with the Board of Directors in helping the Union identify social justice issues affecting the equity-seeking groups. (2004)
- B7:9:4 Promotes a discrimination-free workplace according to provincial and federal laws designed to protect workers from discrimination. (2004)
- B7:9:5 Provides support to the Membership Education Committee to ensure its programs appreciate and value the Union's diverse membership and promote an end to discrimination faced by all equity-seeking groups. (2004)
- B7:9:6 Works with other provincial, federal, and international equity and human rights committees to promote equality and solidarity among all equity-seeking groups. (2004)
- B7:9:7 Helps the Union to develop contract language that stops discrimination faced by all equity-seeking groups. (2004)
- B7:9:8 Encourages all equity-seeking groups to participate in the Union. (2004)
- B7:9:9 Conducts a biennial review to see how well the equity policy is working and recommend changes as necessary. (2004)
- B7:10 **The Technological Change Committee:**
- B7:10:1 Has a Chairperson elected by and from the Board of Directors plus one member elected from each Area Council. (1984)
- B7:10:2 Keeps track of legislative and workplace changes and makes recommendations to the Board of Directors on how to protect union members. (1984)
- B7:10:3 Assists with the development of contract language to protect against job loss because of technological changes. (1984)

B7:10:4 Provides support to the Membership Education Committee regarding technological change issues. (1984)

B7:11 The Women's Committee:

B7:11:1 Has a Chairperson elected by and from the Board of Directors plus one member elected by each Area Council. (1985)

B7:11:2 Supports the Union in its goal to advance women's rights in employment and related fields. (2002)

B7:11:3 Works with other provincial and federal women's groups. (1986)

B7:11:4 Develops and distributes information on important issues to women. (2002)

B7:11:5 Provides support to the Membership Education Committee regarding women's issues. (1986)

B7:11:6 Encourages women's participation in the Union. (2002)

B7:11:7 Elects from its membership a representative(s) to the Manitoba Federation of Labour's Women's Committee. (2010)

B7:12 The Young Members' Committee (2014)

B7:12:1 Has a Chairperson elected by and from the Board of Directors plus one member elected by each Area Council. Whenever possible, the Committee Chairperson will adhere to B7:12:2.

B7:12:2 Members of the Committee, when elected, will be aged thirty-five (35) or younger.

B7:12:3 Promotes and encourages young members' participation in all areas of the Union.

B7:12:4 Works with other provincial and federal young member committees and/or activist groups.

B7:12:5 Elects from its membership a representative to the Manitoba Federation of Labour's Young Members Committee.

B7:12:6 Provides support to the Membership Education Committee regarding young members' issues.

Special Committees

B8:1 The Union can set up special committees when needed. These special committees will report on their activities when asked to.

Provincial Officers

B9:1 **President**

The Union President:

B9:1:1 Chairs Convention and all Board of Director meetings. (1993)

B9:1:2 Signs all official documents and may sign or countersign all cheques and vouchers.

B9:1:3 Has the power to:

- examine, or get someone else to examine, all union books and records, and
- take control of any Union, Local, Component, or Area Council assets, books, documents, etc., if the Board of Directors so decides. If these materials are taken over, the Union President must make a full report at the next Convention. (1993)

B9:1:4 Is an *ex officio* member on all committees. (2000)

B9:1:5 Chairs the Board of Directors, Civil Service Agreement Negotiating Committee, and the Joint Council Committee. (1993)

B9:1:6 Performs any other duties that the Board of Directors or Convention decides on. (1993)

B9:1:7 Appoints solidarity guests to attend meetings of other labour organizations. The Union President is accountable to the Board of Directors for these appointments.

B9:1:8 Interprets the Constitution if there is a conflict over its meaning. The Board of Directors must *ratify* the Union President's interpretation to make it final.

B9:1:9 Is responsible for the Union's public relations.

Ex officio

a member who can attend and speak at a meeting but cannot vote

Ratify

approve

B9:1:10 Assigns a member of the Board of Directors to meet with and liaise with any Component that does not meet the requirements for board representation as per Article 25:3:1. (2016)

B9:2 First Vice-President

The First Vice-President:

B9:2:1 Helps the Union President.

B9:2:2 Assumes the Union President's duties and powers when the Union President is absent. This includes the authority to sign or countersign all cheques and vouchers.

B9:2:3 Chairs the Constitution, Bylaw and Structure Committee and carries out its duties. (2000)

B9:2:4 Serves on the Joint Council Committee.

B9:2:5 Serves on the Civil Service Agreement Negotiating Committee. (1993)

B9:2:6 Is an ex officio member of all committees other than the ones assigned under B9:2:3. The Provincial Officers will decide what committees the First Vice-President is assigned to. (2000)

B9:3 Second Vice-President

The Second Vice-President:

B9:3:1 Helps the Union President and the First Vice-President.

B9:3:2 Assumes the duties of the Union President if the Union President and First Vice-President are absent. This includes the authority to sign or countersign all cheques and vouchers.

B9:3:3 Chairs the Finance Committee and carries out its duties. (2000)

B9:3:4 Is an ex officio member on all committees other than the ones assigned under B9:3:3. The Provincial Officers will decide what committees the Second Vice-President is assigned to. (2000)

B9:4 **Third Vice-President**

The Third Vice-President:

B9:4:1 Helps the Union President, First Vice-President, and Second Vice-President.

B9:4:2 Assumes the duties of the Union President, if the Union President, First Vice-President, and the Second Vice-President are absent. This includes the authority to sign or countersign all cheques and vouchers.

B9:4:3 Chairs the Membership Education Committee and carries out its duties. (2000)

B9:4:4 Is an ex officio member on all committees other than the ones assigned under B9:4:3. The Provincial Officers will decide what committees the Third Vice-President is assigned to. (2000)

B9:5 **Fourth Vice-President**

The Fourth Vice-President:

B9:5:1 Helps the other Provincial Officers.

B9:5:2 Assumes the duties of the Union President if the Union President and First, Second, and Third Vice-Presidents are absent. (2010)

B9:5:3 Chairs special committees for coordinating union activities involving the Area Directors as determined by the Board of Directors. (1999)

B9:5:4 Is an ex officio member on all committees other than the ones assigned under B9:5:3. The Provincial Officers will decide what committees the Fourth Vice-President is assigned to. (2000)

Superannuation and Insurance Liaison Committee

B10:1 The Board of Directors appoints to the Superannuation and Insurance Liaison Committee (SILC) the additional number of members the SILC Constitution says that it should have.

Component Jurisdiction

- B11:1 Components are set up according to Article 25 of the Constitution and have province-wide jurisdiction over all the members in that Component.
- B11:2 The Component Executive Committee is set up according to Article 26 of the Constitution and has province-wide jurisdiction. (2004)

Duties of Component Director

- B12:1 The Component Director is elected according to Article 26:4 of the Constitution and will:
- a) be a member of the Board of Directors and report to the Board the Component's concerns and report back to the Component Executive; (2010)
 - b) serve on the Negotiating Committee, where *applicable*;
 - c) talk with Local Presidents within their Components;
 - d) chair the meetings when the Chairperson and Vice-Chairperson are absent;
 - e) report in writing to the Component Executive if unable to attend their meeting, as well as give regrets to the Component Executive Chairperson before the meeting. (2004)

Duties of Component Chairperson

- B13:1 The Component Chairperson is elected according to Article 26:4 of the Constitution and will:
- a) chair the Component Executive meeting;
 - b) call the Component Executive meetings according to Articles 26:4, 26:5, and 26:6 of the Constitution, in discussion with the Component Director and the Component Vice-Chairperson;
 - c) ensure an agenda is sent out with the meeting notice;

Applicable
when or if
necessary

- d) ask a member of the Component Executive to take minutes and ensure the minutes are sent out to the committee members. (see Article 35:1) (2004)
- e) assume the duties of the Component Director in the event of an extended absence and upon written application to the Board of Directors by the Component Executive. (2016)

Duties of Component Vice-Chairperson

B14:1 The Vice-Chairperson is elected according to Article 26:4 of the Constitution and will:

- a) perform the duties of the Component Chairperson if that person is absent. (2004)

Area Council Jurisdiction

B15:1 The Area Council's jurisdiction is set according to Article 28 of the Constitution. (2004)

Duties of Area Director

B16:1 The Area Director is elected according to Article 28:1:3 of the Constitution and will:

- a) be a member of the Board of Directors and report to the Board the Area's concerns and report back to the Area Council;
- b) chair the meeting if the Chairperson and Vice-Chairperson cannot attend;
- c) attend Area Council meetings to give the Board of Directors report;
- d) report in writing on the Board of Directors meeting to the Area Council if unable to attend their meeting, as well as give regrets to the Area Council Chairperson before the meeting;
- e) help the Area Council in coordinating union projects and activities within their area. (2010)

Duties of Area Council Chairperson

- B16:2 The Area Council Chairperson is elected according to Article 28:1:3 of the Constitution and will:
- a) chair the Area Council meeting;
 - b) call Area Council meetings according to Articles 28:1:3 and 28:1:4 of the Constitution in discussion with the Area Director and Vice-Chairperson;
 - c) talk with Local Presidents about attendance and reports to Area Council meetings;
 - d) ensure that Standing Committee reports are given at Area Council meetings;
 - e) ask an Area Council member to take the minutes of the meeting and ensure the minutes are sent out to Area Council members. (see Article 35:1) (2004)
 - f) Ensure Standing Committee member attendance is accurately recorded on the attendance record, including regrets. (2016)
 - g) Assume the duties of the Area Director in the event of an extended absence and upon written application to the Board of Directors by the Area Council. (2016)

Duties of Area Council Vice-Chairperson

- B16:3 The Area Council Vice-Chairperson is elected according to Article 28:1:3 of the Constitution and will:
- a) Perform the duties of the Area Council Chairperson if that person is absent. (2004)

Duties of Standing Committee Members

- B16:4:1 Standing Committee members are elected according to Article 28:3:1 of the Constitution and will:
- a) attend Standing Committee meetings and report back to Area Council;
 - b) send a written report of Standing Committee meetings to the Area Council if they are unable to attend that meeting, as well as give regrets to the Area Council Chairperson before the meeting. (2004)

B16:4:2 If a Standing Committee member is absent without notice on three occasions (Standing Committee and Area Council meetings combined), the member will be required to resign from the Standing Committee position in accordance with the Policy Manual.(2016)

Local Jurisdiction

B17:1 Locals are set up according to Article 29 of the Constitution. They have jurisdiction over all members of the Local in the Area concerned.

Duties of Local President

B18:1 The Local President is elected according to Article 29 of the Constitution. (1999)

B18:2 The Local President will:

- a) call Local meetings following the guidelines set in the Constitution;
- b) chair Local meetings;
- c) serve on the Negotiating Committee or the Bargaining Council, if applicable;
- d) serve on Area Council, attend their meetings, and bring Local issues;
- e) serve on the Component Executive, attend their meetings and bring Local issues;
- f) attend Local Labour Management meetings, when necessary;
- g) perform all the duties of a Steward. (1999)

Duties of Chief Steward

B19:1 The Chief Steward is elected according to Article 29 of the Constitution. (1999)

B19:2 The Chief Steward will:

- a) recruit Stewards from the Local where they are members;

- b) coordinate activities of the Stewards within the Local;
- c) provide information and advice to Stewards within the Local;
- d) chair the Local meeting when the Local President is absent, and take minutes of the Local meeting when the Local Vice-President is absent;
- e) serve on Area Council and attend their meetings on behalf of the Local; (2016)
- f) serve on the Component Executive, attend their meetings, if applicable, or attend as an alternate if the Local's President is unable to do so;
- g) perform all the duties of a Steward;
- h) attend Local Labour Management meetings, as required;
- i) communicate with the Local Workplace Safety and Health Committees;
- j) serve as a member of the Negotiating Committee or Bargaining Council, if applicable, as an alternate for the duration of the negotiations if the Local's President is unable to do so. (1999)

Duties of Local Vice-President

B20:1 The Local Vice-President is elected according to Article 29 of the Constitution. (1999)

B20:2 The Local Vice-President will:

- a) chair the Local meeting if both the Local President and Chief Steward are absent;
- b) help the Local President and Chief Steward with issues within the Local;
- c) serve on Area Council;
- d) serve on the Component Executive, if applicable;
- e) perform all the duties of a Steward;

- f) take minutes of Local meetings and ensure the minutes are sent out to the Local Executive Committee; (see Article 35:1);
- g) attend Local Labour Management meetings, as required;
- h) perform other duties given by the Local President. (2010)

Duties of Members-At-Large

B21:1 Members-At-Large are elected according to Article 29 of the Constitution. (1999)

B21:2 Members-At-Large will:

- a) attend Local meetings
- b) be part of the Local Executive Committee
- c) serve on the Component Executive (see Article 26 of the Constitution)
- d) perform all the duties of a Steward; (2000)

Duties of Stewards

B22:1 A Steward system will follow Article 30 of the Constitution. (1999)

B22:2 Stewards will:

- a) interpret the collective agreement and ensure it is followed;
- b) interpret legislation that applies to members and make sure it is followed;
- c) review and interpret management's policies and directions;
- d) identify, prepare and present Step 1 grievances for fellow workplace members, with the help of a staff representative, if needed;
- e) provide representation of members in matters affecting their workplace conditions;

- f) sign union members' applications;
- g) inform the Chief Steward of the Local and Union Headquarters when elections have taken place (see Article 30 of the Constitution);
- h) distribute information from the Union Headquarters to the affected workplace members;
- i) inform the Chief Steward about workplace matters that may affect members' rights or welfare;
- j) attend Local meetings . (2006)

Nominating Committee

B23:1 A Local may elect a Nominating Committee of up to four people. This committee will be elected at a general meeting and will then report to the Local Annual Meeting, where additional nominations can still be taken from the floor.

Elections

B24 Elections at the Local, Component, and Area Levels will be as follows:

B24:1 All elections will be by secret ballot and by majority vote of the eligible members present and voting at the meeting. (1986)

B24:2 Nominations for election will be from the floor of the meeting. Absent nominees must say in writing that they are willing to be nominated. (1986)

B24:3 Elections will be held separately for each office and the result will be announced after each ballot. If more ballots are required, the candidate or candidates with the lowest count on the previous ballot will be taken off the next ballot. The process will be repeated until a candidate has been elected. (1986)

B24:4 The nominator or nominee for each position can make a speech of up to two minutes outlining the nominee's qualifications and service. (1986)

B24:5 The order of nominations and elections for any of the following positions are:

B24:5:1 At the Local Level:

- a) President
- b) Chief Steward (1999)
- c) Vice-President (1999)
- d) Members-at-Large (2010)
- e) Stewards (2010)
- f) Delegate(s) (1999)
- g) Alternate Delegate(s) (1999)
- h) Labour Council or Labour Coordinating Committee delegates (2014)

B24:5:2 At the Component Level:

- a) Component Director (2010)
- b) Chairperson (1999)
- c) Vice-Chairperson (1999)

B24:5:3 At the Area Council Level:

- a) Area Director (2010)
- b) Chairperson (1999)
- c) Vice-Chairperson (1999)
- d) Standing Committee members (2014)

- B24:6 Notwithstanding B24:1 and B24:3, when delegate elections are held and more members are nominated than the Local's maximum entitlement, a secret ballot will be held, and the member(s) with the most votes (up to the maximum entitlement) will become the delegate(s). The same process would be repeated for the election of the alternate(s). In the case of a tie, the remaining members with an equal number of votes would be placed back on the ballot and another vote held. (2010)
- B24:7 Where a workplace operates continuously, the Local may choose to change the normal election process. All changes are to be in accordance with the Union Policy Manual. (2012)

Quorum

minimum number of participants required for business to be conducted at a meeting

Quorum

- B25:1 A *quorum* for Convention and Board of Directors meetings is a majority of their elected or appointed members, one of which must be a Provincial Officer. (2014)
- B25:2 A quorum for Local meetings is at least one elected Table Officer plus a minimum of two members. (1999)
- B25:3 A quorum for Area Council meetings is as set by the individual Area Council. Quorum must be a minimum of three (3) Local Table Officers, one of which must be the Chairperson, Vice-Chairperson or Area Director and is subject to the approval of the Board of Directors in each case. Quorum shall be set or reviewed as per Article 28:1:3. (2014)
- B25:4 A quorum for Component Executive and Standing Committee meetings is a majority of their elected or appointed members, one of which must be the Chairperson or Vice-Chairperson of the Standing Committee or the Component Director, Chairperson or Vice-Chairperson of the Component Executive. (2014)
- B25:5 Meetings called according to B25:1 thru B25:4 must provide reasonable notice. (1999)
- B25:6 Where a request for a variance to quorum is made, it shall be done in accordance with the Union Policy Manual. (2016)

Labour Councils

B26:1 Labour Council delegates or Labour Coordinating Committee delegates report to and are responsible to the Local. (1999)

Candidate Forum

B27:1 The Candidate Forum will be held the day before Provincial Officers are elected. (2006)

Protection of Directors, Officers, and Others

B28:1 (This is not intended to be legally binding.)

If a Union Director or Officer has followed The Corporations Act and has tried to do their job to the best of their ability, he or she cannot be held responsible for:

- the acts of other Union Directors, Officers, or employees
- any losses to the Union while he or she is in office, including losses relating to property, investments, or poor judgment. (1996)

B28:2 (This is not intended to be legally binding.)

The Union will cover the reasonable legal costs of:

- a current or former Director or Officer,
- a person the Union asked to act as a Director or Officer on its behalf,
- the heirs or representatives of these Directors or Officers,

if these people are sued, charged, or have any other civil claim against them, as long as they:

- acted honestly and in good faith with the Union's best interest in mind

- in the case of criminal charges or other actions that carry financial penalties, if they had a reasonable basis for believing they were acting lawfully.

B28:3 (This is not intended to be legally binding.)

The Board of Directors can choose to carry insurance to protect its Directors and Officers. (1996)

Definitions

(from margins of document)

Definitions

These words are defined as they are used in this document.

affiliate – to become part of a group

affiliation – being part of a group

alternates – substitute delegates to Convention

amendments – changes

appeal – to ask for your case to be reconsidered by another person or group

applicable – when or if necessary

autonomous – stand on its own

ballot – the piece of paper you write on to cast your vote

biennial – occurring every two years

biennial convention business – business to be addressed prior to or during the MGEU Convention

call – to provide official notice of

chartered - established

classification – job category

collective bargaining – to negotiate and work together to improve wages and working conditions

defence fund – an account set up to financially support strike action

designated – assigned

disaffiliation – to stop being part of a group

equity seeking – working for equality and justice

ex officio – a member who can attend and speak at a meeting but cannot vote

jurisdiction – the area that someone has authority over

liaison – a person who connects one group to another

local table officers – the President, Chief Steward and Vice-President of a Local

lockout – when an employer locks workers out of their workplace during a labour dispute

motion – a proposal that is presented in a formal way

non-partisan – not tied or bound to a particular political party

non-sectarian – not tied or bound to a particular religious group

poll vote – a formal count of voting delegates

quorum – minimum number of participants required for business to be conducted at a meeting

ratification – accept or approve changes

ratified – approved

Definitions

ratify – approve

reprimand verbal/written reproach

resolution – written motion expressing opinion, will or intent, voted by an official body

strike – stopping work or refusing to work to try to influence an employer to agree to better job conditions. It is usually only used when the collective bargaining process has failed

**MGEU Areas
and Regional Offices**