



Manitoba  
Government  
and General  
Employees'  
Union

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**REPORT OF THE  
CONSTITUTION, BYLAW & STRUCTURE COMMITTEE  
TO THE MGEU 65<sup>TH</sup> CONVENTION 2018**

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**COMMITTEE MEMBERS**

**Area 1** Umberto Willner

**Area 2** Elaine Madill / Cora Meyer

**Area 3** Barbara Stambuski

**Area 4** Diana Schultz

**Area 5** Jessie McNeill

**Area 6** Melissa Dvorak

**Area 7** Grady Hunt

**Area 8** Jackie Fitzpatrick

**Chair** Wayne Chacun

**Staff** Wesley Whiteside, Staff Representative

Andrew MacIsaac, Staff Representative

Lorraine Clark, Legal Assistant

Your Constitution, Bylaw and Structure Committee met on the following dates:

January 16, 2017, February 13, 2017, April 28, 2017, June 20, 2017, September 29, 2017, February 2, 2018, March 16, 2018, May 7, 2018, June 11, 2018, August 29 and 30, 2018 and September 10, 2018.

At our first meeting following the 2016 Convention, the Committee reviewed all Constitutional recommendations that had been passed from the Committee's report to Convention.

At subsequent meetings the Committee worked on a new Master Index, which will be displayed at the Standing Committee expo.

The Board of Directors was unable to consider Resolutions from Convention 2016 which change the Constitution as amendments to the Constitution can only be dealt with by Convention. Resolutions that affect Bylaws and/or policy and were not dealt with by Convention 2016 were referred to the Board of Directors.

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From Convention 2016, CR-8 was referred to the incoming Board of Directors.

**CR-8**

**Area Council: 06**

**The MGEU will** establish a collaborative process for Locals to join or leave a Component.

**Because** members have to have a clear understanding of the process and some Local's requests have not been dealt with in a transparent and timely manner.

**Note:** The Constitution, Bylaw and Structure Committee direct the incoming Board of Directors to compile all current practices, policies, and procedures in regard to a Local joining or leaving a Component. The Board of Directors, in consultation with the incoming Constitution, Bylaw and Structure Committee, will develop a clear and concise documented process.

*The Board of Directors reviewed the Resolution. New wording was added to Policy 2.5.5.1 to clarify the process of a component changing its composition.*

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From Convention 2016, CR-14 was referred to the incoming Board of Directors.

#### **CR-14**

##### **Area Council: 07**

**The MGEU will** add Bylaw B6:3 to recognize the Risk and Strategy Committee of the Board of Directors. Committee meetings to coincide with regularly scheduled Board of Directors meetings as per the Terms of Reference.

**Because** we recognize that this Committee will have increasing impact on direction and planning and needs to be more formal.

*The Board of Directors reviewed the resolution. Their recommendation was to add Bylaw B6:3 as follows:*

***B6:3           The Risk and Strategy Committee:***

***B6:3:1        Is comprised of six Board members selected by the Provincial Officers and in addition, will include the Union President to serve as Chair.***

***B6:3:2        Has a Staff Director assigned to support the Committee, as designated by the Union President.***

***B6:3:3        Will meet at least six times per year, prior to regularly scheduled Board of Directors meetings.***

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From Convention 2016, CR-21 was referred to the incoming Board of Directors.

#### **CR-21**

##### **Component Executive: Post-Secondary Education**

**The MGEU will** add to B:12:1 f) under Director's duties to bring it in line with other executives duties by adding:

- Serve on Area Council, attend their meeting, bring Component issues;

**Because** there are Component Directors that are not attending their Area Council meetings, questions arise and to be a Board member, you must sit on your executive. This is part of their duties as a President, or Chief Steward or Vice-President.

*The Board of Directors reviewed the resolution. Their recommendation was to add Bylaw B:12:1 f) as follows:*

***B:12:1 f) Serve on their Area Council, attend their meetings and bring forward their Component issues.***

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From Convention 2016, CR-25 was referred to the incoming Board of Directors.

### **CR-25**

#### **Component Executive: Post-Secondary Education**

**The MGEU will** revise the Bylaws to include the following to be added as B16:3 b) that the Vice-Chairperson takes the minutes.

*The Board of Directors reviewed the resolution. Their recommendation was to add Bylaw B16:3 b) as follows:*

***B:16:3 b) That the Vice-Chairperson take the minutes.***

*The Committee recommends a friendly amendment for clarity as follows:*

***B:16:3 b) Take the minutes of the Area Council meeting and ensure they are filed for distribution. (see Article 35:1)***

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From Convention 2016, CR-26 was referred to the incoming Board of Directors.

### **CR-26**

#### **Component Executive: Post-Secondary Education**

**The MGEU will** revise the Bylaws to include the following to be added as B7:1:1 – At their first meeting following biennial Convention each Standing Committee will elect a Vice-Chairperson. The Vice-Chairperson will chair meetings in the absence of the Chairperson and take the minutes of the Standing Committee meeting, when not acting as Chairperson.

*The Board of Directors reviewed the resolution. Their recommendation was to add Bylaw B7:1:1 as follows:*

***B7:1:1 At their first meeting following biennial Convention each Standing Committee will elect a Vice-Chairperson. The Vice-Chairperson will chair meetings in the absence of the Chairperson and take the minutes of the Standing Committee meeting, when not acting as Chairperson.***

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From Convention 2016, CR-37 was referred to the incoming Board of Directors.

### CR-37

#### **Standing Committee: Equality & Human Rights**

The MGEU will add Bylaw B7:9:10 new participates in community events in the equity seeking groups. (see Policy Manual)

**Because** important to show visible consistent and meaningful support to members and all Manitobans.

*The Board of Directors reviewed the resolution. Their recommendation was to add Bylaw B7:9:10 as follows:*

***B7:9:10 Participates In community events in the equity seeking groups.***

*The Committee recommends a friendly amendment for clarity as follows:*

***B7:9:10 Participates in community events as related to the identified equity-seeking groups.***

### **Re-Numbering and Clarification**

It is the Committee's opinion that the following changes do not affect the intent of the Article but are being recommended to provide clarification and to ensure consistency throughout the Constitution and Bylaws. The Committee recommends the following changes:

The Committee recommends that Article 6 be amended by deleting Article 6:9 as there are no longer "Life" memberships.

~~6.9 — The granting of Life membership and the rights of Life members is governed by the Bylaws.~~

The Committee recommends that the title to Article 11 be amended by removing the words "or Appointment"

**New Article name:**

**Election ~~or Appointment~~ of Provincial Officers**

The Committee recommends that Article 12:1 be amended by replacing the words "his or her" with the word "their".

**New 12:1 to replace current 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~~ **their** own.

The Committee recommends that Article 12:3 be amended as follows:

**New 12:3 to replace current 12:3**

~~If you~~ **When a member of the Board** takes office under Articles 12:1 and 12:2, ~~you~~ **they** will hold office until the next *biennial* Convention.

The Committee recommends that Article 15:1 be amended by replacing the words "Central Office" with the words "Union headquarters".

**New 15:1 to replace current 15:1**

Unless otherwise stated, "Bourinot's Rules of Order" will be followed. These are on file in the ~~Central Office~~ **Union headquarters**. Under no circumstances will the Union President or a committee Chairperson cast more than one vote on any one question.

The Committee recommends that Article 16:2 be amended by inserting the word "Union" before the word "President".

**New 16:2 to replace current 16:2**

The **Union** 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.

The Committee recommends that Article 16:4:2b) be amended by replacing the words "for example" with the words "as follows".

**New 16:4:2b) to replace current 16:4:2b)**

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:~~ **as follows:**

- 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.

The Committee recommends that the title to Article 17 be amended by removing the words "and Appointment".

**New Article name:**

**Election ~~and Appointment~~ of Delegates**

The Committee recommends that the definition of "*poll vote*" be inserted in the left hand margin at Article 19:4.

**poll vote** - *a formal count of voting delegates*

The Committee recommends that Article 24:1:1 be amended by replacing the word "thru" with the word "through".

**New 24:1:1 to replace current 24:1:1**

Areas 1 ~~thru~~ **through** 5 and 8 have geographical boundaries.

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**The following recommendations are being put forth by the Committee:**

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The Committee recommends that the first bullet in Article 26:4 be amended as follows:  
a Component Director **(with 500 members or more)**

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In order to allow for electronic voting during Convention elections, the Committee recommends the following:

That the definition of Ballot in Article 11 be amended as follows:

~~Ballot the piece of paper you write on to cast your vote~~ **a device used to cast votes (electronic or paper)**

That the second bullet in Article 11:1 be amended as follows:

- by ~~secret~~ **electronic** ballot and

That Article 19:3 be amended as follows:

19:3 Elections will be voted on by ~~secret ballot~~ **electronic means with paper ballots used if electronic voting is not available.**

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The Committee recommends that a new Article 15 be added to the Constitution and that all subsequent Articles including the former Article 15 "Rules of Procedure" be renumbered.

### **Amendments to the Policy and Procedures Manual**

**15:1 All changes to the Policy and Procedures Manual shall be approved by the Board of Directors by motion and majority vote.**

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To allow for all Resolutions to be voted on electronically during Convention, the Committee recommends that Article 19:5 be amended as follows:

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

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To ensure component representation on the Civil Service Agreement Bargaining Committee even if there is no Component Director, the Committee recommends adding Article B6:1:5 as follows:

**B6:1:5 If a Component does not qualify for a Component Director, the Component Executive shall elect a member from the Component Executive to represent the Component on the Civil Service Agreement Bargaining Committee.**

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The current position of Workplace Representative is not used by Locals in MGEU. A position of Workplace Liaison would be for communication purposes at work locations where there is not a steward in place. To accomplish this the Committee recommends the following changes:

That the current Article 31:1 be replaced with the following:

### **Workplace Liaison**

- 31:1** Locals are allowed one Workplace Liaison at each work location where it does not have a steward in place. The Workplace Liaison is a member of the Local. The Workplace Liaison will be elected for a 2 year term by the members at the work location after the September election in a convention year.
- 31:2** A Workplace Liaison may be appointed by the Local Executive if members in a work location do not elect a Workplace Liaison as allowed for in Article 31:1 of the Constitution.

That Article 32:1:1 be amended as follows:

32:1:1 Local Executive Committees are made up of:

- a President
- a Chief Steward and/or
- a Vice-President **and**
- Members-at-Large **and**
- ~~Workplace Representatives~~

That Article B19:2 be amended by adding a new B19:2(c) and renumbering the subsequent Articles in B19:2:

**B19:2 c) coordinate activities of the Workplace Liaison(s) within the Local;**

That Article B22:2 g) be amended as follows:

B22:2 g) inform the Chief Steward of the Local and Union Headquarters when elections have taken place (see Articles **30 and 31** of the Constitution);

That a new Article B23 be added and the subsequent Bylaws be renumbered:

### **Duties of Workplace Liaison**

**B23:1** Workplace Liaisons will:

- a) **distribute information from the Union Headquarters and the Local to the affected workplace members;**
- b) **inform the Chief Steward about workplace matters that may affect members' rights or welfare.**

We extend a special thank-you to Andrew MacIsaac, Wesley Whiteside, Lorraine Clark and Andrea Martin for their patience, guidance and assistance over the past two years.

The Committee will now deal with Constitutional Resolutions.