

**REPORT OF THE
CONSTITUTION, BYLAW, AND STRUCTURE COMMITTEE
TO THE MGEU 66TH CONVENTION 2021**

COMMITTEE MEMBERS

Area 1 Umberto Willner

Area 2 Cora Meyer

Area 3 Barbara Stambuski

Area 4 Brent Curry / Beverley Gibbs

Area 5 Jessie McNeill / VACANT

Area 6 Stephanie Swain

Area 7 JP Lapointe

Area 8 Amy Warnar-Brown / VACANT

Chair Charlotte McWilliams

Staff Wesley Whiteside, Staff Representative

Sara Mason, Legal Assistant

Bonny Neal, Office and Event Manager (retired)

Lorraine Clark, Legal Assistant (retired)

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

- 2018: December 14.
- 2019: January 28, April 12, June 7, July 8, August 12, and September 30 (Brandon).
- 2020: January 31 and July 17.
- 2021: May 6, June 2, and July 8.

At our first meeting, the Committee met with MGEU President Michelle Gawronsky and Director of Member Services Janet Kehler regarding committee responsibilities. JP Lapointe was elected as our Vice-chair. We began a discussion on what our term would entail and what we wished to accomplish. These are the following initiatives and outcomes our Committee elected to work on.

MASTER INDEX

We determined that the Master Index, a project that was completed by the previous Committee members (2016-2018), needed to be updated to reflect 2018 constitutional changes, and implemented. It is our understanding that the Master Index, ideally, was to be a stand-alone document; however any changes to the MGEU Policy and Procedures Manual will cause the Master Index document to be out of date and its links severed.

The outcome was to have the Master Index to be included with the MGEU Constitution and Bylaws. We finished updating the Master Index to reflect Convention 2018 Constitution and Bylaw changes, including any policy changes that took place during the 2018-2020 term. The Master Index will be printed with the Constitution and Bylaws document and on a go forward basis, will need to be updated each Convention year.

CONVENTION RESOLUTION EDUCATION

In our discussion of constitutional changes that occurred at the 2018 Convention, based on our observation, it appeared that delegates were frustrated with the resolution process. Although delegates get an educational piece typically the night prior to Convention, we determined as a Committee we could work on a comprehensive educational piece (power point presentation) to guide membership on resolutions from beginning to end, which included how to write effective resolutions and what happens to them when voted on or referred.

This project would have us work collaboratively with the Membership Education Committee, MGEU Educators, and Communications staff. Our Committee created a presentation “Convention Resolutions” and it was ready to be implemented for the 2020 spring meetings. Initially our goal was to have each Constitutional, Bylaw, and Structure Committee member present “Convention Resolutions” at their Area Council meeting and be available, as requested, to assist presidents with their Local meetings and be available for Component Directors at their Component meetings. With the tightening of public health measures impacting Local meetings, we adapted the “Convention Resolution” presentation to include a voice-over. However, due to the changes to the Convention date, agenda, and format as a result of the COVID-19 pandemic, Locals were not able to introduce new resolutions. The presentation (stand-alone or voice-over) is ready to roll out at future Local meetings.

CONSTITUTIONAL RESOLUTIONS

Two constitutional resolutions that were referred back the Constitution, Bylaw, and Structure Committee at Convention 2018 were CR-2 (review of the members-at-large), CR-14 (re-evaluate non-political affiliation). Convention 2018 also referred back to the Board, CR-26 (3-year Convention review) which called for an ad-hoc committee to complete a report for the following Convention.

o CR-2

The MGEU will review the member-at-large numbers and determine if there is a more representative process that can be used to determine number of members-at-large. Upon completion of the review, any recommendations forthcoming will be presented at the next Convention.

Because looking into methods for more fair and diverse ways of handling our policies is something we should constantly strive for. The members-at-large policies and procedures are something that have drawn lots of contention and can leave members feeling like they are improperly represented. The members-at-large policies offer us a unique opportunity to bring more voices to the table, and it would be better if there was a way to ensure diversity throughout these spots or to offer more spots of a similar role, either way overhauling the process is something we should thrive to look into.

As part of our review, the Committee researched several affiliates and non-affiliate unions’ constitution, bylaws, and policy language for Local representation including Area/Board representation. We charted the unions for comparisons and a breakdown on the formulas used for Local representation. We found unions with the similar structure to the MGEU; the MGEU is comparable with other unions with the ratio aspect of Local representation.

Other considerations were the balance of representation between Locals with smaller and larger membership numbers that could create a disproportionate representation at Area Council as well, the current formula ensures a balance between rural representation and urban representation. A look back into the history from 1999, included the introduction of the Members-at-Large and other numerous changes to the Constitution and Bylaws.

As such, our Committee did not make any recommendations to either increase or decrease the Member-at-Large ratio or formula, to bring forward for Convention, but to remain as is.

o CR-14

The MGEU will re-evaluate its non-political affiliation.

Because government politics continue to have a detrimental effect on our lives.

Our Committee reviewed partisan unions and had robust discussion regarding the MGEU involvement in candidate or political parties. The consensus is that MGEU continue its focus on campaigns on specific labours issues and to advocate on behalf of its membership without regard to political affiliation.

The Committee’s recommendation is to maintain the status quo of a non-partisan affiliation.

o **CR-26**

Called for an ad-hoc committee to review the proposed 3-year Convention resolution; the ad-hoc committee completed the report, and a copy of the report was provided to the Constitution, Bylaw, and Structure Committee in the spring of 2020 after the Board of Directors' review.

This resolution will be debated at the 2021 Convention, a video presentation was shown (time permitting) at the 2021 spring meetings, and the final report is available on the MGEU website.

Our Committee's recommendation is included in the Resolution book.

EVENTS

Several events were held during 2019, recognizing the 100-year anniversary of the 1919 Winnipeg General Strike, and our Committee volunteered at the Rise Up 100: Songs for the Next Century, a MGEU sponsored concert on June 8 - and yes, it rained.

In addition, in the summer of 2019 our Committee met a few times as we were tasked to review various possible outcomes due to the Health Care intermingling vote that could result in starting the process of structural change. Regrettably, this did not come into play.

The COVID-19 global pandemic had significant impact on our membership, not only on a personal level but on the operations of our Union. Public health restrictions imposed by the Manitoba government prevented MGEU from holding Local delegate selection and resolution meetings in the spring of 2020, and the constantly changing public health situation frustrated planning for September Local election meetings and the October Convention.

Like most other unions, our constitution and bylaws are silent on the possibility that circumstances beyond the Union's control prevent us from conducting the meetings, elections, and Convention as prescribed in the Constitution and Bylaws. Legal advice provided to assist the Board in negotiating this unprecedented situation was shared with the Committee to keep its members current with what was happening.

Over a year later, we are still in a global pandemic, and we are on a path to conduct our Convention and elections process following the usual process as closely as possible under the evolving public health conditions. Our Committee recognized that emergency language for our Constitution going forward would need to be considered for Convention to deal with this very issue, and the Committee was pleased to participate in the development of emergency provisions for the consideration of Convention delegates.

I wish to send thanks to our current and previous Committee members. We were able to draw on our work and personal experiences to debate and work together completing what we set out to do. I wish to send thanks to the MGEU staff that worked with us to reach our goals. Your work and dedication, Committee members and staff members, to the labour movement is appreciated. Thank you!

In Solidarity,

MGEU Constitution, Bylaw, and Structure Standing Committee

HOUSEKEEPING

o **Article 13:5**

The Constitution, Bylaw, and Structure Committee may recommend editing, numbering, and wording changes to the Constitution in a manner that does not change the intent of the article. Proposed changes must be submitted to the Board of Directors for acceptance by a two-thirds majority vote no later than the September Board of Directors meeting in a Convention year.

As per Article 13:5 of the Constitution the Constitution, Bylaw, and Structure Committee put forward some housekeeping changes for Board review and approval in May 2021. The following changes were submitted and unanimously approved:

o **Article 17:3:2**

The Union President ensures that all resolution 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:

EDIT: insert a space in second sentence: "are made"...

The Union President ensures that all resolution 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:

o **Article 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)

EDIT: amend 11:2 by adding the word "full" after "first" in the second bullet...

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 **full** day of Convention. (2010)

o **B25 Elections**

Change numbering format of article for consistency, i.e.: change B25 to B25:1 and renumber remainder of article accordingly.

o **To amend B25:7 and B26:6 by adding the words "and Procedures" between the words "Policy" and "Manual".**

From Convention 2018, the following constitutional resolutions were referred to the Board of Directors; the results are as follows:

o **CR3**

Component Executive - Administration

The MGEU will allow the President of the Union to have the authority to appoint a member in agreement with the Component (if exists) or Area (if no Component exists) to be President of a given Local.

Because many Locals cannot get quorum to have the ability to conduct election to fill vacant positions. Currently when no Local exists, MGEU Staff Representatives have been acting as Local Presidents to try and call Local meetings.

Committee recommendation (2018): Reject

Board of Directors decision: Accept the Committee recommendation

o **CR4**

University College of the North (UCN), Area 8

The MGEU will amend the Constitution to allow the MGEU President to directly appoint a Local President when attempts have been made to hold a Local meeting and the Local can't achieve quorum. The Union would have to implement an application process for this to occur.

Because sometimes a member is interested in a Local executive position, but despite efforts, can't achieve quorum for an election.

Committee recommendation (2018): Reject
Board of Directors decision: Accept the Committee recommendation

o **CR7**

Prairie Mountain HCSS, Area 3

The MGEU will create the Local executive position of Area Representative, allowing Locals who have over 500 members and cover a wide geographical area or apply for in writing to the Board for consideration to have up to two (2) Area Representatives on their local executive. (Could adapt current language used for Workplace Representative.)

An Area Representative will be already a Steward. The Local executive would decide the geographical boundary that an Area Representative would represent (i.e.: North of Brandon for one, South of Brandon for another). Stewards of that geographical area would vote amongst that pool an Area Representative.

Because this could and would allow for better decision making within Local executives.

Because this will help executives understand the impact their decision could have throughout the Local.

Committee recommendation (2018): Reject
Board of Directors decision: Accept the Committee recommendation

o **CR9**

Corrections, Area 7

The MGEU will change 24:5:7 of the Constitution and Bylaws to remove Women's Correctional Centre and Headingley Correctional Centre from within Area 7, thus return both Correctional Centres to Area 4.

Committee recommendation (2018): Reject
Board of Directors decision: Accept the Committee recommendation

o **CR40**

Trades, Area 7

The MGEU will consider moving middle management to their own Local.

Because it is very difficult to have open discussions at Union meetings when both parties are at odds with each other.

Committee recommendation: Reject
Board of Directors decision: Accept the Committee recommendation

- **CR41**

- Corrections, Area 1**

- The MGEU will** place Supervisors in a separate Local.

- Because** it puts those Union members in a precarious situation and makes for awkward situations at Local meetings.

Committee recommendation: Reject

Board of Directors decision: Accept the Committee recommendation

RECOMMENDATION FOR NEXT CONVENTION

Our Committee reviewed the following recommended changes for the next Convention:

- **B13:1**

- The Component Chairperson is elected according to Article 27:4 of the Constitution and will:

- d) ask a member of the Component Executive to take minutes and ensure the minutes are sent out to the committee members.

- AMEND:** add the following at the beginning of sentence...

- d) **In the absence of the Component Vice-Chairperson,** ask a member of the Component Executive to take minutes and ensure the minutes are sent out to the committee members.

- **B14:1**

- The Vice-Chairperson is elected according to Article 27:4 of the Constitution and will:

- ADD New...**

- b) Take the minutes of the Area Council meeting and ensure they are filed for distribution.**

- **B7:3:3**

- Prepares monthly financial statements for the Board of Directors.

- EDIT:** change to read "quarterly" instead of "monthly"...

- On October 18, 2019, a motion was passed to change Policy and Procedures by the Board of Directors. This would absolve a conflict between policy and bylaws.

- B7:3:3 Prepares **quarterly** financial statements for the Board of Directors.