

# Policy and Procedures Manual

Revised February 2021

# Policy and Procedures Manual

This edition of the Policy and Procedures Manual reflects MGEU policies as of February 5, 2021.

Policies are amended on a regular basis by the MGEU Board of Directors and by the Biennial MGEU Convention. Members should consult the online Policy and Procedures Manual at [www.mgeu.ca](http://www.mgeu.ca) to confirm the most current policies.



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# **1 SOLIDARITY**

## **1.1 MISSION STATEMENT**

The Manitoba Government and General Employees' Union is a progressive, democratic Union committed to improving the working conditions and lives of all of its diverse members and all Manitobans.

We accomplish this through an active, informed membership and professional expertise in bargaining solid collective agreements, serving member's needs, bringing new unorganized members into the Union and influencing government policy.

MGEU is leading the way in "putting people first" by promoting good jobs for Manitobans, stressing the importance of quality public services, and helping to build stronger communities. (Board of Directors 2014)

## **1.2 RESPECTFUL WORKPLACE POLICY**

The MGEU is committed to its responsibility to create and maintain a positive, safe, and healthy work environment that supports the physical and psychological well-being of employees and members through respecting diversity and managing conflict.

The MGEU is committed to providing all employees and members with a workplace that is free from unlawful discrimination, harassment, disrespectful behaviour, disruptive workplace conflict, and workplace violence.

The MGEU believes that every worker is entitled to work free of harassment, and will ensure, so far as reasonably practicable, that no worker is subjected to harassment in their workplace.

The MGEU is committed to respecting both the Manitoba Human Rights Code and The Workplace Safety and Health Act. Harassment and/or discrimination based on the protected characteristics set out in the Manitoba Human Rights Code is prohibited. Additionally, conduct that adversely affects a workers' psychological or physical well-being is also prohibited.

The MGEU recognizes its responsibility to build and maintain a diverse respectful workplace, where all employees and members enjoy an environment in which the dignity and self-respect of every person is valued and which is free of offensive remarks, material, or behaviour.

We recognize that workplace conflicts and disrespectful behaviour can jeopardize an individual's dignity, self-esteem, and well-being and possibly undermine work relationships, friendships and productivity.

A truly respectful workplace requires the cooperation and support from each and every individual in the organization. Everyone has a responsibility to set a positive example and behave in a manner, which will not offend, embarrass or humiliate others, whether deliberate or unintentional.

The MGEU promotes the principle that all persons employed as well as members, Provincial Officers, Board of Directors members, activists, clients, and members of the public are entitled to a work and

service environment that is free from any form of disrespectful behaviour, and for clarity of this Policy applies to each of these groups.

Conduct that contravenes these principles will not be tolerated and appropriate remedial and other action will be taken as means of enforcement. The MGEU will take corrective action respecting any person under its direction who subjects a worker to harassment.

The principle of fair and respectful treatment is a fundamental one that the MGEU commits to uphold for its employees and members. This same commitment must come from our employees and members, who are personally responsible at all times for their behaviour and conduct. Together we can ensure that every individual is treated respectfully and courteously.

### **1.2.1 SCOPE OF DIRECTIVE**

- To set out the types of behaviours that may be considered inappropriate, offensive, and/or harmful.
- To provide a process for reporting and addressing complaints.
- To alert employees and members about the need to maintain a respectful workplace, the remedies available for resolution and the consequences for violating this directive.

### **1.2.2 MANAGEMENT WILL**

- Develop and maintain the MGEU Respectful Workplace Procedure associated with this Policy.
- Ensure that this directive and its procedures are communicated to and adhered to by all individuals within their area of control.
- Ensure ongoing monitoring and review of procedures and regular reporting of respectful workplace issues.
- Follow the MGEU Respectful Workplace Procedure regarding any circumstance involving or concerning employees and other persons within their area of control.
- Ensure all employees and other persons within their area of control enjoy an environment free of unlawful discrimination, harassment, disrespectful behaviour, disruptive workplace conflict, and workplace violence.
- Model respectful behaviour.
- Ensure education and training of all employees and other persons within their area of control regarding a respectful workplace.
- Endeavour to have complaints resolved effectively through remedial actions such as informal discussion, education, and mediation, and to use discipline or sanctions only where necessary to achieve the objectives of this Policy.
- Ensure immediate and appropriate corrective action for contravention/violation of this directive to restore the workplace to a respectful environment.
- Appropriately inform the complainant and alleged harasser/respondent of the results of any investigation in a timely manner.
- Not disclose the name of a complainant or an alleged harasser/respondent or the circumstances related to the complaint to any person except where the disclosure is:
  - Necessary to investigate the complaint or take corrective action with respect to the complaint; or
  - Required by law.

### **1.2.3 MEMBERS AND EMPLOYEES WILL**

- Maintain a respectful workplace by treating others with respect.
- Respect the dignity and human rights of all employees and the public.
- Maintain a reasonable and professional level of communication that ensures effective and efficient dealings with colleagues.
- Participate in the maintenance of a respectful workplace by speaking up if they or others are subjected to harassment, disrespectful behaviour, or workplace violence.
- Follow the MGEU Respectful Workplace Procedure.
- Participate in the resolution process to restore the workplace to a respectful environment.

### **1.2.4 INDEPENDENT INVESTIGATOR MAY**

- Lead and/or assist in reviewing, investigating, documenting, and resolving workplace issues in an impartial and objective manner.
- Monitor compliance with this directive by tracking incidents and providing MGEU with information and recommendations to assist in the prevention of harassment, disrespectful behaviour, and workplace violence.
- Develop and provide training and education regarding a respectful workplace.
- Monitor and review procedures and recommend revision if necessary.

### **1.2.5 STAFF UNIONS WILL**

- Help employees understand this Policy, the Respectful Workplace Procedure, and their collective bargaining agreement.
- Help employees understand their rights as workers.
- Raise employee awareness of EFAP services.
- Represent employees.

### **1.2.6 WORKER RIGHTS PRESERVED**

Notwithstanding this directive, a worker has the right to file a complaint with the Manitoba Human Rights Commission. This Policy is not intended to discourage or prevent a complainant from exercising any other legal rights pursuant to any other law, including filing a grievance under their applicable collective agreement.

### **1.2.7 COMPLAINT AND INVESTIGATION PROCESS**

The following informal steps should be followed in an attempt to resolve the problem:

- Be proactive. Try to resolve the problem on your own. Do not wait until a recurrence or assume the problem will go away. Approach the person who made you feel uncomfortable, explain how it affected you and ask them to stop. Do this calmly, respectfully, and in private. Often, a person may not be aware that their behaviour is offensive, and most will change the behaviour once they are aware of the problem. If another person approaches you regarding an issue of respect, careful listening, respectful discussion, and honesty will often lead to a resolution.
- If you have attempted to resolve the problem without success or if you are not comfortable addressing the problem on your own, discuss the problem and possible solutions with your immediate supervisor or the person in charge of the event. Confidentiality considerations should be discussed and agreed upon.

- If for any reason you are unable to discuss the problem with your immediate supervisor or person in charge of the event, other avenues are available to help you resolve the problem, you may contact a Staff Director. The importance of confidentiality will be addressed.

Whether a formal or informal process is used, you are encouraged to take notes which reflect, as much as possible, the dates, times, nature of the behaviour, any witnesses, and what was done. These notes will be useful for anyone assisting in resolving the problem. In addition, you may be asked to file a formal written report or complaint with a person in authority.

Although most complaints can be resolved informally between the parties involved, some situations may require a formal process where an investigation may be required. A Staff Director or their designate will conduct the investigation, and in some cases it may be appropriate to bring in an outside investigator.

All complaints of harassment will be investigated expeditiously and in a confidential manner. If it is deemed necessary to protect the health and safety of an individual during an investigation, the alleged harasser's access to persons, events, or locations under the control of the MGEU may be restricted.

A Staff Director or their designate shall maintain a record of all investigations, in accordance with the MGEU Respectful Workplace Procedure.

More information on how issues are to be handled informally and formally, and how and why investigations are to be conducted, is found in the MGEU Respectful Workplace Procedure.

### **1.2.8 CONSEQUENCES**

Any individual under the direction of the MGEU, regardless of position, who violates this Policy, will be subject to appropriate corrective action which may include discipline, up to and including dismissal. Corrective action may include denying or restricting the harasser's access to persons, events, or locations under the control of the MGEU.

In addition to corrective actions noted above, where a member as defined in Section 6:2 of the Constitution and Bylaws has been found to have violated this Policy the Union President may determine further disciplinary action as may be necessary in accordance with Article 9 of the MGEU Constitution.

Anyone who retaliates in any way against a person who has made a complaint under this Policy, given evidence in an investigation under this Policy, or been found to have violated this Policy, will be considered to have committed harassment and will be subject to corrective action.

If it is determined that a complaint was deliberately made for frivolous or vindictive reasons, the person making the allegation may be subject to corrective action, including discipline and/or other sanctions. This does not apply to complaints made in good faith but which are not proven.

### **1.2.9 DEFINITIONS**

#### **1.2.9.1 Disrespectful Behaviour**

Consists of objectionable and unwelcome comments or conduct directed at a person that serves no legitimate business purpose, and which has the effect of interfering with their work performance or the performance of their Union responsibilities; or which otherwise creates an intimidating,

humiliating, or hostile environment. It is behaviour that a reasonable person knows or ought to know would be unwelcome or offensive. It can happen once or continue over time. Disrespectful behaviour may include, but is not limited to:

- Conduct, comment or display of behaviour that would embarrass, humiliate, demean and/or belittle a person.
- Offensive or inappropriate remarks or gestures.
- Offensive or inappropriate jokes, including practical jokes.
- Swearing.
- Actions that invade privacy or which damage or threaten to damage personal property.
- Rude comments including sarcasm and swearing.
- Posters, calendars, or cartoons that cause offense.
- Spreading rumours and gossip that could damage a person's reputation.
- Display or distribution of printed or electronic material that would offend.
- Verbal abuse including yelling and name-calling.
- Shunning, ignoring or isolating an individual.
- Abuses of power such as threats, coercion, or bullying.
- Unwelcome remarks, jokes, taunting, or innuendo.
- Unnecessary physical contact such as touching, pushing, patting, or pinching.
- Unwelcome sexual advances or requests for sexual favour.
- Verbal, written, or physical conduct of a sexual nature.

Other types of behaviour that are considered disrespectful and therefore a violation of this Policy include the following:

#### **1.2.9.1.1 Bullying**

Bullying is behaviour that is threatening or intimidating. It can be verbal or physical, and is generally one sided. Individuals or groups may be responsible for it. It can take different forms such as:

- Physical attacks and other forms of violence such as hitting or kicking.
- Verbal taunting or threats, name calling, and put-downs.
- Refusing to speak to someone, or excluding someone from a group of friends (perhaps by spreading a nasty rumour).
- Sending embarrassing, hurtful, or threatening messages using technology such as the internet or cell phones (also known as cyberbullying, online bullying, or cyber harassment).

#### **1.2.9.1.2 Harassment Under The Workplace Safety and Health Act (The Act)**

The Act defines harassment in the following way:

- Objectionable conduct that creates a risk to the health of a worker; or
- Severe conduct that adversely affects a worker's psychological or physical well-being.

Conduct is considered to be objectionable if it is based on race, creed, religion, colour, sex, sexual orientation, gender-determined characteristics, marital status, family status, source of income, political belief, political association, political activity, disability, physical size or weight, age, nationality, ancestry, or place of origin.

Conduct is considered to be severe if it could reasonably cause a worker to be humiliated or intimidated and is repeated, or in the case of a single occurrence, has a lasting, harmful effect on a worker.

The objectionable or severe conduct, as noted above, includes a written or verbal comment, a physical act, gesture or display, or any combination of these.

Reasonable, day to day conduct of an employer or supervisor in managing, guiding, or directing workers or the workplace is not harassment. Appropriate employee performance reviews, counseling, or discipline by a supervisor or manager is also not harassment.

#### **1.2.9.1.3 Harassment Under the Manitoba Human Rights Code (The Code)**

The Code defines harassment as a course of abusive or unwelcome conduct or comment undertaken or made on the basis of ancestry; nationality or national origin; ethnic background or origin; religion or creed, or religious belief; religious association or religious activity; age; sex, including sex-determined characteristics, such as pregnancy; gender identity; sexual orientation, marital or family status; source of income; political belief, political association, or political activity; physical or mental disability or social disadvantage. Harassment is also considered to be a form of discrimination where an individual, or group, is subjected to differential treatment on the basis of actual or presumed membership or association with some class or group of persons, or of any characteristic related to the prohibited grounds.

#### **1.2.9.1.4 Sexual Harassment**

Any sexual comments, gestures, or physical contact that is known or ought reasonably to be known to be unwelcome, objectionable, or offensive, either on a one-time basis or on an ongoing basis. Sexual harassment is behaviour that is deliberate, unsolicited and unwanted. It is coercive and one-sided and anyone can be victims of it.

Sexual harassment includes but is not limited to the following:

- Unnecessary physical contact such as touching and patting.
- Suggestive remarks and other verbal abuse or threats.
- Leering at a person's body.
- Demanding sexual favours.
- Compromising invitations.
- Unwelcome remarks, jokes, innuendoes, or taunting.
- Displaying of pornographic, suggestive, offensive, or other derogatory pictures.
- Condescension or paternalism which undermines self-respect.
- Physical assault.
- Sexual solicitation or advance made by a person in a position to confer, grant, deny or influence a benefit or advancement to the person.
- Reprisal or threat of reprisal for rejection of a sexual solicitation or advance, where reprisal is made or threatened by a person in a position to confer, grant, deny or influence a benefit or advancement to the person.

#### **1.2.9.1.5 Workplace Violence**

As defined in The Workplace Safety and Health Act, violence is "the attempted or actual exercise of physical force against a person and any threatening statement or behaviour that gives a person

reasonable cause to believe that physical force will be used against the person". Canada's Criminal Code also prohibits violence and threats of violence.

#### **1.2.9.1.6 Things That Aren't Considered Disrespectful Behaviour**

Disrespectful behaviour does not include consensual banter (unless objectionable to a third party in relation to this Policy) or consensual romantic relationships; performance reviews, performance management, managerial functions or activities, counseling, and/or discipline imposed by the employer. As noted above, it also does not include reasonable, day to day conduct of an employer or supervisor in managing, guiding or directing workers, appropriate employee performance reviews, counseling, or discipline by a supervisor or manager.

#### **1.2.9.2 Management/Supervisor**

For the purpose of this directive, is defined as the individual who oversees the day to day duties of the individual(s) with concern to the complaint.

#### **1.2.9.3 Individual Under the Direction of the MGEU**

For the purpose of this directive, is defined as an employee of MGEU, a member or rand member of the Union, or any other person whose actions can be mitigated by management in order to meet the objectives of this Policy.

#### **1.2.10 POLICY REVIEW**

The Policy and its Procedure will be reviewed in consultation with the Joint Health and Safety Committee every three (3) years, or more often if circumstances at the workplace change in a way that pose a risk to the safety or health of workers at the workplace.

### **1.3 MGEU RESPECTFUL WORKPLACE PROCEDURE**

#### **1.3.1 PROCEDURE**

Every individual can expect to be treated respectfully in the workplace. Every individual has the responsibility to refrain from participating in behaviour that is, or could be, perceived to be disrespectful in nature. This Procedure is intended to assist people in understanding the processes available to them in addressing a respectful workplace concern.

#### **1.3.2 CHARACTERISTICS OF A RESPECTFUL WORKPLACE**

A respectful workplace is one that values:

- Diversity and the human rights of others related to their race, national or ethnic origin, colour, religion, age, sex, marital status, family status, any physical or mental disability, and sexual orientation.
- The dignity of a person.
- Courteous conduct.
- Mutual respect, fairness, and equality.
- Positive communication between people.
- Collaborative working relationships.

### **1.3.3 APPLICATION OF THIS PROCEDURE**

The MGEU Respectful Workplace Policy applies to all MGEU members (which includes rand members and inactive members), Provincial Officers, Board of Directors members, activists, employees including management of the MGEU, clients, and members of the public. It applies to the workplace itself as well as to activities connected with the workplace including such things as travel, meetings, conferences, and work related social gatherings.

This Procedure applies to all MGEU employees, to working relationships between colleagues, between Staff Directors/Supervisors and employees, between members, and between employees and members. Members are included in the scope of this directive because they may bring forward concerns or complaints regarding interactions with MGEU staff and each other. In addition, staff may also raise concerns regarding the conduct of members. It applies in any circumstance that is a result of employment responsibilities or employment relationships, including, but not limited to:

- The workplace.
- Outside the workplace.
- Work related social functions.
- Work assignments outside the office.
- Work related conferences or training sessions.
- Work related travel.
- Over the phone.
- Electronic communication.

### **1.3.4 DEFINITION OF DISRESPECTFUL BEHAVIOUR**

For the purposes of this Procedure, disrespectful behaviour is defined in the MGEU Respectful Workplace Policy.

### **1.3.5 WORKPLACE VIOLENCE**

Workplace violence includes:

- Attempted or actual exercise of physical force against a person.
- Any threatening statement or behaviour that gives a person reasonable cause to believe that physical force will be used against a person.

**If you experience violence, the overriding objective is Safety First.**

Individual members faced with a potentially violent situation or threat should exercise extreme caution and do the following:

- Remain calm and, if applicable, try to distance yourself as quickly and safely as possible from the situation.
- Employ safety techniques identified through your training. Call for help as per procedure.
- Call the police (911).
- If the aggressor is a client who attempts to leave the room/building, do not attempt to physically prevent this departure; rather, call the appropriate emergency service to intervene appropriately.
- Advise a Staff Director.

### **1.3.6 MGEU'S RESPONSIBILITIES IN ENSURING A RESPECTFUL WORKPLACE**

- Model respectful behaviour.
- Recognize and value diversity in the workplace and Union.
- Create an environment that supports the resolution of respectful workplace issues.
- Inform employees and members that the work environment is one based on respect.
- Orient all employees and members to the MGEU's Respectful Workplace Policy and Procedure.
- Educate and train all Staff Directors/Supervisors, employees, and members regarding a respectful workplace.
- Monitor the workplace to ensure respectful behaviour is practiced.

### **1.3.7 EMPLOYEES/MEMBERS' RESPONSIBILITIES IN ENSURING A RESPECTFUL WORKPLACE**

- Treat others with respect.
- Set an example by respecting the dignity and human rights of all employees, members, and the public.
- Recognize and refrain from actions that offend, embarrass, or humiliate others, whether deliberate or unintentional.
- Raise disrespectful conduct with the person displaying it or with a person in authority as soon as possible. If you witness disrespectful behaviour you may wish to approach the individuals involved.
- Do not make allegations of disrespectful behaviour that are frivolous or vindictive.
- Make every effort to resolve respectful workplace issues, where possible in an informal manner.

### **1.3.8 ACTIONS THAT WILL BE TAKEN BY THE MGEU IF A RESPECTFUL WORKPLACE ISSUE ARISES**

The MGEU is responsible for immediately acting upon any situation involving disrespectful behaviour. The MGEU will:

- Recognize and address actions that offend, embarrass, or humiliate others, whether deliberate or unintentional.
- Treat each situation as a serious matter.
- Manage the situation towards a resolution between the parties if possible, with a view to correcting behaviour and preserving long term working relationships.
- Safeguard against further incidents.
- Ensure there are no reprisals against persons making a complaint or participating in an investigation.
- Provide support to persons who are experiencing the effects of disrespectful behaviour, and to those who are responding to an allegation.
- Consult with an independent advisor if the situation cannot be resolved between the parties with the assistance of internal resources.

### **1.3.9 ROLES OF THE EMPLOYEE AND FAMILY ASSISTANCE PROGRAM (EFAP) AND STAFF UNIONS**

The Employee and Family Assistance Program (EFAP) has the following responsibilities:

- Provide consultation services, advice, and education to employees and workplaces on appropriate responses/options to address disrespectful behaviour.
- Assist employees in deciding on and pursuing an appropriate course of action in response to disrespectful behaviour.
- Where an employee chooses to approach the person who made them feel uncomfortable provide appropriate coaching and counselling to the parties.
- Provide counselling for those affected by disrespectful behaviour, and to those who are responding to an allegation.
- Provide restorative clinical services including mediation, group work, and post investigation debriefings.

Staff Unions have the following responsibilities when representing employees of their bargaining unit:

- Help employees understand the Policy, Procedure, and the collective agreement.
- Help employees understand their rights as workers.
- Raise employee awareness of EFAP services.
- Represent employees.

### **1.3.10 ACTIONS YOU MAY TAKE IF YOU ARE ACCUSED OF DISRESPECTFUL BEHAVIOUR**

- Attempt to resolve the situation by listening and trying to understand the concern.
- Be open to the other person's perspective. For example, something which you consider to be humorous might be offensive to someone else.
- Consider the impact of your actions on the other person.
- Be willing to make reasonable changes that could make a difference. Often a sincere apology and a commitment to refrain from disrespectful behaviour is sufficient to resolve the situation in an informal manner.
- If a formal investigation is underway, cooperate with the person(s) conducting the review. Remember that the same care and consideration would be given to you if you had reported an issue.
- If necessary, seek support or assistance from your Supervisor/Manager, Union Representative, or the EFAP.
- Keep your involvement and nature of the complaint confidential.

### **1.3.11 ACTIONS YOU CAN TAKE IF YOU ARE TREATED IN A DISRESPECTFUL MANNER**

Every situation is unique, but whenever possible, informal resolution of an issue as soon as possible is preferable. Employees are encouraged to follow the process as outlined in this section to try to resolve a problem under the Respectful Workplace Policy. (Note that EFAP or your Union may also be helpful in facilitating resolution of the problem at any stage of this process.)

Whether a formal or informal process is used, you are encouraged to take notes which reflect, as much as possible, the dates, times, nature of the behaviour, any witnesses, and what was done.

These notes will be useful for anyone assisting in resolving the problem. In addition, you may be asked to file a formal written report or complaint with a person in authority.

### **1.3.11.1 Informal Process**

#### **1.3.11.1.1 Step One**

Be proactive. Try to resolve the problem on your own. Do not wait until a recurrence or assume the problem will go away. Approach the person who made you feel uncomfortable, explain how it affected you and ask them to stop. Do this calmly, respectfully, and in confidence. Often, a person may not be aware that their behaviour is offensive, and most will change the behaviour once they are aware of the problem. If another person approaches you regarding an issue of respect, careful listening, respectful discussion, and honesty will often lead to a resolution.

#### **1.3.11.1.2 Step Two**

If you have attempted to resolve the problem without success or if you are not comfortable addressing the problem on your own, discuss the problem and possible informal solutions with your immediate supervisor. Confidentiality considerations should be discussed and agreed upon.

#### **1.3.11.1.3 Step Three**

If for any reason you are unable to discuss the problem with your immediate supervisor, other avenues are available to help you resolve the problem. You may contact a Staff Director for assistance in informally resolving your issue. Confidentiality considerations should be discussed and agreed upon.

### **1.3.11.2 Formal Process**

If you are unable to resolve a problem informally, you may initiate a formal process in the following ways:

In cases of **complaints from members about staff**, these shall be forwarded to a Staff Director (regardless of source, e.g.: Resource Centre, Local President, etc.), and if received by the MGEU President, any elected activist, Provincial Officer, or Board of Directors member they shall also be forwarded to a Staff Director without delay. The Staff Director receiving the complaint shall then either deal with the complaint or delegate it to the appropriate Supervisor/Manager who shall then become the investigator.

In cases of **complaints from staff about members**, these shall be forwarded to a Staff Director, who shall delegate it to the appropriate Supervisor/Manager. The Supervisor/Manager shall then become the investigator. In recommending an appropriate response to the Employer or President, they may include recommendations for sanctions under Section 9 of the MGEU Constitution and Bylaws.

In cases of **inter member conflict** while performing Union business that results in a complaint, these shall be presented to the Staff Director, Member Services, who will assess the conflict and intervene as appropriate. The intervention could include the use of outside resources such as EFAP or mediation services. The Staff Director, Member Services may delegate investigation of the matter to another Staff Director, and may also enlist the assistance of a Provincial Officer. In recommending an appropriate response to the matter, they may include recommendations for sanctions under Section 9 of the MGEU Constitution and Bylaws.

In cases of **complaints from staff about another staff**, these shall be forwarded to a Staff Director who shall then either deal with the complaint or delegate it to the appropriate Supervisor/Manager who shall then become the investigator, or to an external investigator if deemed appropriate.

A formal complaint must be made in writing, and include the following particulars:

- Identification of the individuals involved.
- A clear description of the incident of concern, including dates, times and places.
- Names of witnesses (if any).

#### **1.3.11.2.1 Steps That May be Taken When a Formal Complaint is Made for Disrespectful Behaviour**

The Respectful Workplace Policy is not intended to discourage or prevent the complainant from exercising any other legal right pursuant to any law, including filing a complaint with the Human Rights Commission. Not every complaint of disrespectful behaviour warrants a formal investigation. In fact, it is hoped that most complaints can be resolved between the parties involved, with subsequent monitoring by management to ensure that there is no recurrence. However, in situations where allegations are denied or discipline is likely, an investigation may be required. A Staff Director or their designate will conduct the investigation. In some exceptional cases it may be appropriate to bring in an outside investigator.

An investigation generally includes the following:

- Interviewing the person who has raised the concern (they may be accompanied by a support person).
- Interviewing witnesses.
- Meeting with the person alleged to have acted disrespectfully along with their representative to present the complaint and hear the response.
- Determining the facts, based on a balance of probabilities.
- Maintaining confidentiality amongst the individuals involved and within management.
- Providing findings to senior management.
- Recommending an appropriate response to the employing authority, which may include disciplinary action.
- At any point in an investigation the person having conduct may take any interim measures they deem necessary and reasonable to stop ongoing disrespectful behaviour, or prevent possible recurrence of disrespectful behaviour, until such time as the matter has been finally determined.
- The person having conduct of an investigation may meet with any internal or external resources or persons (i.e.: legal, IT, law enforcement) to assist in determining and implementing any interim measures, and to assist in the determination of their final recommendations to senior management on the matter.

#### **1.3.11.2.2 Investigator Communication With the Individual Raising the Concern and the Person Alleged to Have Committed the Disrespectful Behaviour**

The investigator will communicate with the individual raising the concern by:

- Listening and taking the issue seriously.
- Discussing the process to be followed.

- Directing the individual to keep the matter confidential.
- Informing and supporting the individual throughout the process.
- Informing the individual of any interim measures that may be taken prior to the conclusion of the investigation.
- Informing the individual of the investigative findings and actions taken by management, the content of which will be determined by a Staff Director (Note: specific details may be kept private due to legislation or other considerations).
- Ensuring the situation is documented appropriately.

The investigator communicates with the person alleged to have committed the disrespectful behaviour by:

- Informing the person of the complaint.
- Advising the person of the right to representation.
- Giving the person an opportunity to respond to the allegations.
- Discussing the process to be followed.
- Directing the person to keep the matter confidential.
- Informing and supporting the person throughout the process.
- Informing the person of any interim measures that may be taken prior to the conclusion of the investigation.
- Informing the person of the outcome of the investigation.

### **1.3.12 CONFIDENTIALITY AND RECORDS OF INVESTIGATION**

Staff Directors and investigators keep the details of a complaint confidential to the best of their ability. However, confidentiality does not mean anonymity because witnesses may be involved.

If the matter involves discipline, employees covered by a collective agreement have a right to grieve through their union. This grievance process may lead to a formal hearing which could involve testimony from the complainant, witnesses, the accused individual and management.

These limitations on confidentiality should not discourage employees from making a complaint. Many complaints are resolved without a formal complaint and/or investigation. Issues should be raised at an early stage to facilitate a mutual resolution.

The Human Resource Manager is responsible for establishing and maintaining a record of all investigations that occur. When an investigation finds that a violation of the MGEU Respectful Workplace Policy has occurred, only then will the incident and the corrective action be recorded in the respondent's file (personnel or member). If the investigation does not find evidence to support the complaint, a confidential record of the investigation and findings will be retained by the Human Resource Manager.

### **1.3.13 VEXATIOUS AND BAD FAITH COMPLAINTS**

If the investigation proves that the complaint was deliberately made for frivolous or vindictive reasons, the person making the false allegation may be subject to discipline. This does not apply to complaints made in good faith but which are not proven.

## **1.4 MGEU PRIVACY POLICY**

### **1.4.1 PURPOSE AND PRINCIPLES**

The purpose of this Privacy Policy is to establish, in an era in which technology increasingly facilitates the circulation and exchange of information, rules to govern the collection, use, and disclosure of personal information in a manner that recognizes the right of privacy of individuals with respect to their personal information and the need of organizations to collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances.

The Manitoba Government and General Employees' Union (MGEU) is committed to protecting the privacy of individuals in the collection, use and distribution of personal information. This Policy outlines how and why we collect personal information and the way in which it is used.

### **1.4.2 WHAT IS PERSONAL INFORMATION?**

Personal Information is information about an identifiable individual but does not include the name, title or business address or telephone number of an employee of an organization. Therefore, information about an employee's home address and telephone number and so forth is considered personal information.

MGEU is responsible for protecting your personal information in its custody, including personal information that has been transferred to, or received from a third party in the course of commercial activities for processing or other purposes for which you have consented.

### **1.4.3 PURPOSE OF COLLECTION OF PERSONAL INFORMATION**

MGEU collects, uses and discloses personal information for one (1) reason: to serve you better. Personal information is used to identify our membership, collect dues, provide benefits to you and communicate about the activities of the Union.

The MGEU collects, uses and discloses your personal information to:

- Verify your identity;
- Collect Union dues;
- Investigate, process, and arbitrate grievances;
- Comply with the law.

Personal information may be collected, used or disclosed for any of these identified purposes set out above. If your personal information is not needed for one of the identified purposes, we will not disclose it without obtaining additional consent from you.

The information gathered from you may be received from:

- Your membership application;
- Information you provide us through investigation, processing or arbitrating your grievance(s);
- From your employer.

### **1.4.4 CONSENT**

MGEU requires your knowledge and consent before we may collect, use or disclose your personal information, except in special circumstances.

#### **1.4.4.1 No Consent Required**

No consent is required for MGEU to:

- Collect Information
  - If the personal information is publicly available (for example, in a phone book);
  - If knowledge and consent will compromise the availability and accuracy of the personal information and it is necessary to investigate a breach of an agreement or contravention of a law (for example, in a fraud investigation, an investigation by the police, or in situations otherwise permitted by the law);
  - Information pertaining to your occupation or department is not considered “personal information” and therefore, no consent is required.
- Use Information
  - In the same circumstances as in collection, and;
  - In an emergency situation respecting that person.
- Disclose Information
  - To your lawyer;
  - To collect a debt owed by the person the personal information is disclosed about;
  - To comply with a law, subpoena, warrant or rules of court;
  - To the authorities;
  - In an emergency involving that person;
  - 100 years after its gathered, 20 years after death;
  - Publicly available personal information.

#### **1.4.4.2 Consent Required**

There may be certain cases where your consent will be explicit. For example, where a grievance is filed, you must consent to your representative(s) having access to your personnel file to properly investigate your grievance. That is, by signing a grievance form, you are consenting to the reasonable collection, use and disclosure of your personal information by MGEU for the purpose of resolving your grievance.

If any of the personal information that we collect is sensitive, such as health information, we will obtain additional written or oral consent from you before collecting, using or disclosing the information.

#### **1.4.5 LIMITATIONS ON USE, DISCLOSURE AND RETENTION OF PERSONAL INFORMATION**

MGEU does not disclose sensitive information for a new purpose beyond that to which you have consented. You may withdraw your consent at any time upon reasonable notice, subject to legal or contractual restrictions. However, by withdrawing your consent, it may affect MGEU's ability to continue to represent you or provide certain services.

Should you wish to withdraw your consent, please contact our Privacy Officer.

Depending upon the nature of your personal information, MGEU may retain it for an indefinite period of time. Once MGEU determines that the information is no longer required, it will be destroyed or personal identifiers will be removed.

## **1.4.6 SECURITY OF INFORMATION**

### **1.4.6.1 Filing Systems**

MGEU ensures that all files are stored in cabinets or offices that are not accessible to members or local officers who are at the office. Access to the internal office past the reception area is restricted.

### **1.4.6.2 Access to Electronic Personal Information**

In order to protect your electronic personal information, a login and password is required to access this information. Electronic personal information is protected through the use of firewalls to prevent third party access.

### **1.4.6.3 Destruction of Personal Information**

MGEU shall take care when storing or destroying your personal information in order to prevent unauthorized access, or disclosure.

## **1.4.7 ACCESS TO INFORMATION**

A member may access their personal information by contacting the Privacy Officer in writing. The Privacy Officer will provide access to the worker's personal information within thirty (30) days. There may be a nominal cost for access, plus a reasonable photocopying or postal charge imposed.

Access will not be provided or may be restricted if access would reveal information that:

- Discloses a third party, unless it can be severed or it is an emergency
- Is the subject of litigation;
- Solicitor - Client Privilege;
- May harm another person's life or security; or
- Could harm the Union's competitive position.

If information is inaccurate or incomplete, you have the right to have MGEU amend the information. If MGEU refuses to amend the information as requested, you may attach a notation to their file.

## **1.4.8 THIRD PARTY ACCESS**

MGEU does not sell personal information to third parties. However, there may be instances where third parties receive certain personal information. For example, when newsletters are distributed, address labels are provided to third parties for the sole purpose of distribution.

From time to time, MGEU may ask a third party to conduct a survey of its members. Participation is optional but information gathered may be of a personal nature. However, MGEU does not share any of this personal information and you are not identified in the results of the survey.

Where personal information is provided to third parties, MGEU ensures that agreements are in place with our third parties that they undertake to protect and secure that personal information from unauthorized or unintended use.

### **1.4.9 COMPLAINTS PROCEDURE**

If you have a complaint related to this Policy or any of our procedures, please contact our Privacy Officer. If your complaint is justified, we will take the steps necessary to resolve the issue, including amending our Policy and practices, if necessary.

If we are unable to resolve your concern, you may contact the Office of the Privacy Commissioner of Canada, or if applicable, the provincial Privacy Commissioner.

You may contact the Privacy Commission at:

Address:	112 Kent St, Ottawa ON K1A 1H3	Telephone No:	(613) 995-8210 or
Email Address:	<a href="mailto:www.info@privcom.gc.ca">www.info@privcom.gc.ca</a>	Toll Free:	1-800-282-1376
Internet:	<a href="http://www.privcom.gc.ca">http://www.privcom.gc.ca</a>	Fax No:	(613) 947-6850

### **1.4.10 PRIVACY OFFICER**

If you have any questions about this Policy, you can direct your inquiries to our Privacy Officer at the telephone, e-mail address, or mailing address listed below.

For more information, to file a complaint, to make enquiries, or to opt out of all or parts of this Policy, please contact MGEU's Privacy Officer:

Privacy Officer:	Controller	Telephone No:	204-982-6438
Address:	601 - 275 Broadway	Fax No:	204-942-2146
	Winnipeg MB R3C 4M6	Email Address:	<a href="mailto:resource.centre@mgeu.ca">resource.centre@mgeu.ca</a>

This Policy may be updated from time to time as policies, procedures or technologies change.  
(Last updated August 23, 2016)

## **1.5 MEMBERSHIP CONCERNS/COMPLAINTS REGARDING MGEU STAFF**

### **1.5.1 COMPLAINTS PROCESS**

The policy is not intended nor does it prevent a member from calling or discussing a concern/complaint regarding MGEU staff, through the informal process by contacting either the appropriate Staff Director or the President. The stated intent of the policy, however, provides a formal process for members who have concerns/complaints regarding MGEU staff and outlines the steps that should be followed to have these heard and responded to in a formal manner.

- 1) Concerns/complaints about staff will not be a subject for debate and/or motion at membership meetings, but rather will be dealt with in the appropriate manner as stated in this policy.
- 2) Membership concerns/complaints regarding staff of the MGEU must be submitted in writing to the President of the MGEU or the appropriate Staff Director.
- 3) Upon receipt of a written concern/complaint, to the MGEU President and/or appropriate Staff Director, the President or appropriate Staff Director will:
  - a) Discuss the issue(s) with the staff person concerned and the appropriate Staff Director of the MGEU.
  - b) If necessary, initiate an investigation.

- c) Respond to the member and staff person in an appropriate manner.
- 4) The appropriate Staff Director of the MGEU is authorized to deal with all matters pertaining to staff of the MGEU.

### **1.5.2 INTER MEMBER CONFLICT**

When there is an inter member conflict while performing Union business, the conflict will be presented to the appropriate Staff Director. The appropriate Staff Director will assess the conflict and intervene as appropriate. The intervention could include the use of outside resources such as Employee and Family Assistance Program or mediation services and will be conducted in accordance with the Respectful Workplace Policy and Procedures. (Board of Directors March 2009)

### **1.6 EMPLOYEE AND FAMILY ASSISTANCE PROGRAM**

One Provincial Officer in the government EFAP plan and one Board of Directors member in the government EFAP plan are appointed by the Board of Directors. Gender parity is considered in these appointments. (Board of Directors March 2018)

### **1.7 ACCESSIBILITY POLICY**

#### **1.7.1 STATEMENT OF COMMITMENT**

The Manitoba Government and General Employees' Union (MGEU) is committed to improving the lives of its diverse membership and all Manitobans, including persons with disabilities. The MGEU is leading the way in "putting people first" by forming an ad hoc Working Group to ensure equal access and participation for people with disabilities. We are committed to treating people with disabilities in ways that allow them to maintain their dignity and independence. We believe in inclusion. We are committed to meeting the needs of people who face barriers to accessibility. We will do this by identifying, removing, and preventing barriers and by meeting the requirements of The Accessibility for Manitobans Act (AMA).

#### **1.7.2 GENERAL POLICIES FOR PROVIDING ACCESSIBLE SERVICES AND FACILITIES**

The MGEU is committed to the Accessibility for Manitobans Act and complying with its accessibility standards, including the Customer Service Standard.

For a person who has a physical, mental, intellectual, or sensory disability, a barrier is anything that prevents or makes things more challenging for people with disabilities to participate and engage fully as a member of the MGEU. At the MGEU, our members are our customers. We are committed to excellence in serving all members, including persons disabled by barriers.

Our accessibility policies are consistent with the principles of independence, dignity, and equality of opportunity for persons disabled by barriers. Any policies of the MGEU that do not respect and promote the principles of dignity, independence, inclusion, and equal opportunity for persons disabled by barriers will be modified or removed.

##### **1.7.2.1 Communication**

We will communicate with members disabled by barriers in ways that take into account the nature of the barrier. This may include the following:

- Documents use easy to read fonts and plain language.

- Paper and pen available at reception/whiteboard.
- Staff speak at a normal pace and ensure there is a clear view of face and mouth.
- All publications will include the active offer: Available in alternate formats upon request.
- Use language that is considerate and respectful of persons disabled by barriers.

We will work with the member to determine the barrier and what method of communication works best for them.

#### **1.7.2.2 Assistive Devices**

Members disabled by barriers may use their personal assistive devices when accessing our services or facilities.

In cases where the assistive device presents significant and unavoidable health or safety concerns, other measures will be used to ensure the member can access our services or facilities.

#### **1.7.2.3 Support Persons**

We welcome persons disabled by barriers and their accompanying support person. Members with disabilities may participate in union activities accompanied by a support person and may have access to that support person at all times.

A support person is someone who accompanies a member disabled by a barrier to assist the member in removing barriers to union activities.

Consent from the member with a disability is required when communicating private issues related to the member with a disability, in the presence of a support person. The support person must agree to keep information obtained at member-only meetings confidential.

If not already covered by a third-party, reasonable expenses for the support person will be covered, as outlined with the terms provided for in the MGEU Policy and Procedures Manual.

#### **1.7.2.4 Service Animals**

We welcome persons disabled by barriers and their service animals. Service animals are allowed while visiting our offices and/or taking part in union activities. It is the responsibility of the member with a service animal to keep the animal with them and in control at all times.

When it is not easy to identify that an animal is a service animal, if appropriate, staff may ask the member:

- 1) Is the animal assisting you?
- 2) What assistance has the animal been trained to provide related to your disability?

If service animals are prohibited by another law, we will explain why the animal is excluded and discuss with the member another way of accessing our services.

#### **1.7.2.5 Maintain Barrier-free Access**

We will maintain barrier-free access by ensuring areas accessible to members are free of obstacles and barriers that may impede access.

### **1.7.2.6 Notice of Temporary Disruption**

In the event of a planned or unexpected disruption of services or facilities for members disabled by barriers, the MGEU will take reasonable steps to promptly post notices and, when possible, staff will explain the disruption. A clearly posted notice will include information about the reason for the disruption, its anticipated length of time, and a description of alternative facilities or services, if available. We may not be able to give advance notice in an emergency disruption.

The notice will be made publicly available in the following ways:

- Posted on the website and social media.
- Posted at entrances.
- Immediately explained by staff, including the Resource Centre.

### **1.7.2.7 Feedback Process**

We welcome feedback on how we provide accessible services to our members. Member feedback will help us identify barriers and respond to concerns. Members can provide feedback by contacting the Resource Centre.

All feedback, including complaints, will be directed to the Accessibility Coordinator.

We will investigate, document, and respond to all complaints relating to such services in a timely, thorough and objective manner. Members can expect to hear back within three (3) business days.

We will make sure our feedback process is accessible to members disabled by barriers by providing accessible formats and communication supports, on request.

### **1.7.2.8 Training**

MGEU will make accessible member service training available to:

- All staff.
- The Board of Directors.
- Our Activists.

All staff will be trained on accessible member service within a reasonable timeframe after being hired. Re-training will occur as policies are updated.

Training will include:

- Background and purpose of The Accessibility for Manitobans Act and The Human Rights Code (Manitoba).
- Requirements of the Accessible Customer Service Standard and explanation of all policies relating to the Accessible Customer Service Standard.
- How to interact and communicate with members disabled by barriers.
- How to interact with members with disabilities who use an assistive device or require the assistance of a service animal or support person.
- How to help a member disabled by barriers if they are having difficulty accessing our services or facilities.

### **1.7.2.9 Events**

We are committed to ensuring members disabled by barriers are able to participate fully in union activities.

Organizers of all MGEU meetings, conferences, schools, and conventions will make arrangements based on members' requests to ensure these events are accessible to all members and provide necessary services to accommodate members disabled by barriers.

MGEU will make events accessible by:

- Announcing events in a manner that is accessible, including active offer.
- Holding events in accessible meeting places.
- Inviting requests for reasonable disability accommodations in advance.

### **1.7.2.10 Documentation**

MGEU will document all required policies, practices, and procedures for providing accessible service to members in the MGEU Policy and Procedures Manual. MGEU will inform members that these documents are available on the website or by request through the Resource Centre. (Board of Directors June 2018)

## **1.8 POLITICAL RIGHTS**

### **1.8.1 INDIVIDUAL POLITICAL RIGHTS**

#### **BACKGROUND FACTORS**

The MGEU is a non-partisan Union.

The MGEU has supported individual political fights.

The MGEU supported the 1973 amendment to The Civil Service Act to include individual political rights.

The Manitoba Elections Act provides for individual political rights.

### **1.8.2 PRESIDENT/STAFF DIRECTOR POLITICAL RIGHTS**

- 1) The MGEU President or Staff Director considering running for Federal or Provincial political office will notify the MGEU Board of Directors prior to a public declaration.
- 2) The MGEU President or Staff Director seeking such political office will apply to the Board of Directors for a leave of absence for the nomination/election period. Such leave of absence will be considered by the Board of Directors on the basis of the operational realities facing the Union.
- 3) If a leave of absence is granted by the Board of Directors, such leave will be unpaid, or may be vacation credits or a combination of both. If vacation credits are unavailable, the person seeking unpaid leave will compensate the MGEU for any benefit continued during the unpaid leave of absence.

## **1.9 TREATY LAND ACKNOWLEDGEMENT**

In order to demonstrate MGEU's leadership in advancing Canada's Truth and Reconciliation Commission's (TRC's) Calls to Action, the MGEU will open all MGEU Conventions, MGEU conferences and educationals, MGEU Board of Directors meetings, and MGEU All-Staff meetings by reading the appropriate Treaty Land Acknowledgement:

### **Area 1**

We'd like to begin by acknowledging that we are in Treaty 5 territory and the land on which we gather is the traditional territory of the Ojibwa (*oh-JIB-way*), Cree, and the Métis nation.

### **Area 2**

We'd like to begin by acknowledging that we are in Treaty 2 and Treaty 4 territories and the land on which we gather is the traditional territory of the Anishinaabe (*a-NISH-ah-nah-bay*), and Cree, as well as the homeland of the Métis nation.

### **Area 3**

We'd like to begin by acknowledging that we are in Treaties 1, 2 and 4 territories and the land on which we gather is the traditional territory of the Anishinaabe (*a-NISH-ah-nah-bay*), Cree, Oji-Cree, Assiniboine, Dakota, and Dene Peoples, as well as the homeland of the Métis nation.

### **Area 4**

We'd like to begin by acknowledging that we are in Treaty 1 territory and the land on which we gather is the traditional territory of the Anishinaabe (*a-NISH-ah-nah-bay*), Cree, Oji-Cree, Assiniboine, Dakota, and Dene Peoples, as well as the homeland of the Métis nation.

### **Area 5**

We'd like to begin by acknowledging that we are in Treaties 1, 2, and 5 territories and the land on which we gather is the traditional territory of the Anishinaabe (*a-NISH-ah-nah-bay*), Cree, Oji-Cree, Assiniboine, Dakota, and Dene Peoples, as well as the homeland of the Métis nation.

### **Area 6 and 7**

We'd like to begin by acknowledging that we are in Treaty 1 territory and the land on which we gather is the traditional territory of the Anishinaabe (*a-NISH-ah-nah-bay*), Cree, Oji-Cree, Dakota, and Dene Peoples as well as the homeland of the Métis nation.

### **Area 8**

We'd like to begin by acknowledging that we are in Treaty 5 territory and the land on which we gather is the traditional territory of the Anishinaabe (*a-NISH-ah-nah-bay*), Cree, and Métis nation. (Board of Directors January 2019)

## **1.10 INCLUSIVE LANGUAGE POLICY**

Language is a key part of inclusion. When inclusive language is used, it can validate and acknowledge people's self-identity; it contributes to creating safer spaces and helps combat stereotyping and assumptions. Inclusive language seeks to treat all people with respect, dignity, and impartiality. MGEU will use inclusive language in all meetings, events, documents, forms, policies, website pages, and written materials on a go-forward basis.

For introductions at convention and other union meetings, inclusive language should also be encouraged. Inclusive language includes the following terms: delegates, participants, members, and activists.

When “Brothers and Sisters” would be used as a greeting at union events and meetings, the greeting should be adapted to “Brothers, Sisters, Friends”.

The MGEU Membership Applications will now include “Male, Female, Non-binary, Self-disclose: \_\_\_\_\_, Prefer not to say”.

When addressing members and staff, MGEU will use pronouns that are non-binary or that reflect a person’s disclosed gender identity (as disclosed on the membership application form).

The Inclusive Language Policy will be reviewed periodically by the Equality and Human Rights Committee to present recommendations for updates to the Board of Directors. (Board of Directors June 2020)

## **2 GOVERNANCE**

### **2.1 BOARD OF DIRECTORS MANDATE**

The Board of Directors will provide high-level oversight to the management of the MGEU, to ensure that the objectives of the organization related to the needs and priorities of its members are met.

The Board of Directors will demonstrate leadership to its members through authentic engagement and the creation, support and communication of new strategies to ensure that the MGEU remains as relevant in the future as it is today.

The Board of Directors will invest in their own foundations related to their structure, processes, development and evaluation to ensure that they have the opportunity and capacity to govern effectively and to lead by example.

### **2.2 BOARD OF DIRECTORS OATH OF OFFICE**

The following Oath of Office will be taken by the Provincial Officers upon completion of all elections at the MGEU Convention, by the Board of Directors at the first meeting following MGEU Convention, and as needed for any interim election(s) to the Board of Directors between Conventions:

I \_\_\_\_\_ do solemnly swear (or affirm) that I will support the Constitution, Bylaws, and policies and procedures of the Manitoba Government and General Employees’ Union (MGEU). During my term, I will faithfully and impartially discharge the responsibilities of this position to the best of my ability. (Board of Directors March 2018)

### **2.3 BOARD OF DIRECTORS BEHAVIOUR GUIDELINES**

Behaviour guidelines provide clear interpretations of how the Board of Directors agrees that members should demonstrate their commitment to shared group values.

Integrity

- Be trustworthy, loyal, transparent, and honest

- Ensure that your words equal your actions
- Be accountable to yourself and others
- Follow the Constitution, Bylaws and Board of Directors Policies
- Act morally and ethically
- Model integrity for those around you

#### Respect

- Debate issues presented and the outcomes respectfully
- Be conscious of body language (nonverbal communications)
- Come prepared and act with professionalism
- Be open to diversity and listen with an open mind
- Respect the process and demonstrate due diligence
- Model respect for those around you

#### Courage

- Make responsible decisions even if they are unpopular
- Be willing to challenge traditions if they are ineffective
- Vocalize minority views and stand up against injustice
- Speak your mind and allow others to do so as well
- Act honestly, truthfully, and openly
- Model courage for those around you

#### Adaptability

- Think big picture and long-term
- Be informed about trends, and anticipate change
- Demonstrate flexibility and be receptive to change
- Engage in creative and innovative thinking
- Combine action and communication to support change
- Model adaptability for those around you

#### Solidarity

- Act as a unit even if all are not in agreement
- Show a strong united front and keep deliberations internal
- Be a part of the collective in a cohesive way
- Recognize the greater good (the interest of all members)
- Champion unity and teamwork
- Model solidarity for those around you

## **2.4 MGEU BOARD OF DIRECTORS PRACTICE POLICY**

The purpose of this document is to help clarify the roles of the President, Provincial Officers and the Board of Directors as defined in the MGEU Constitution and Bylaws. It will help guide the

participation of individual Board of Directors members in fulfilling their leadership roles on behalf of the MGEU Membership.

- MGEU's Biennial Convention is the supreme governing body of the Union and sets policies, goals, and determines the Constitution for the MGEU. During the time between Biennial Conventions, MGEU's Board of Directors recognizes its authority to act as the governing body of the Union.
- The Provincial Officers represent the Board of Directors between Board of Directors meetings.
- The President represents the Provincial Officers and therefore the Board of Directors between meetings of the Provincial Officers.
- The role of the Board of Directors shall be to develop strategic plans for MGEU's overall objectives and to set the direction for the Union in terms of its bargaining, servicing and public policy and other objectives. The Board of Directors shall ensure such plans and actions are carried out.
- Board of Directors members represent the entire membership of the Union. Members bring forward issues from their electorate, but in decision making processes, Board of Directors members shall always put the interests of the membership ahead of any personal or group specific interests.
- The Board of Directors is responsible for directing the Union. While the Board of Directors has the power to carry on the Union's day to day business, this responsibility is delegated to the appropriate Staff Director.
- The Board of Directors has a duty and obligation to the membership to conduct the business of MGEU in a way that ensures democratic, responsible and effective administration of the Union.
- Informed individual input in the decision making process is critical. Board of Directors members have an obligation to express their views. If they oppose a recommendation to the Board of Directors, they have an obligation to provide constructive criticism and reasonable alternatives.
- A decision of the Board of Directors is a decision of the Board of Directors. Once a decision has been reached, individual members have an obligation to stand by that decision in any group or individual communication with members.
- The MGEU President is responsible for the Union's public relations. Individual Board of Directors members or groups of Board of Directors members, who are interacting with the public, press, or other entities, shall emphasize that they do not speak for the Board of Directors, unless specifically designated to do so by the Board of Directors.
- Board of Directors members shall not divulge confidential matters brought before the Board of Directors, keeping in mind that any unauthorized statement could adversely affect the interest of the MGEU.
- The Board of Director's ultimate responsibility shall be to create and foster solidarity within the Union - within the Board of Directors, the membership, the MGEU staff and the labour movement.

## **2.5 ORGANIZATION**

### **2.5.1 DUTIES OF THE PRESIDENT**

- The President of the MGEU is the Chief Executive Officer of the MGEU and is accountable to the Biennial Convention;

- The President will work on a full-time basis for the Union and will be on leave of absence from the employer during their term of office;
- The President chairs Convention and all Board of Director meetings;
- The President signs all official documents and may sign or countersign all cheques and vouchers;
- The President is an ex officio member on all committees;
- The President chairs the Civil Service Bargaining Committee and Joint Council Committee;
- The President has the ultimate financial responsibility for the finances of the Union and is responsible for the approval of all expenditures;
- The President is responsible for membership travel out of province and is accountable to the Board of Directors;
- The President is empowered to travel on Union business as necessary and is accountable to the Board of Directors;
- The President will endeavour to have the participation of the Local Executive when MGEU partakes in workplace tours of any form and to inform the Local Executive before any tour takes place.
- Assigns a member of the Board of Directors to meet with and liaise with any Component that does not meet the requirement for Board representation. (MGEU Convention October 2016)

#### **2.5.1.1 Salary and Benefits of the President**

- The President's anniversary date will be the last Monday in October.
- Severance pay will be calculated as follows:
  - 1) Six weeks after one (1) year plus two (2) weeks for each subsequent year to a fifty-two (52) week maximum.
  - 2) All other benefits will be the same as the Staff Directors.

#### **2.5.1.2 Accommodation for President Residing outside Winnipeg**

- The MGEU will provide an apartment in the Winnipeg area for the term of the presidency if the following conditions are met:
  - 1) The President would have a commute greater than 120 kilometres per round trip;
  - 2) The President maintains their normal residence outside Winnipeg.
    - a) A normal residence is maintained where the President's spouse (and dependent persons where applicable) live in the residence occupied by the President prior to the election or where the elected person retains it to live in when returning to their local areas. A residence rented out shall not qualify as a normal residence being maintained.
  - 3) Full-time officers in receipt of an apartment will not be considered as being in travel status while working in Winnipeg or while at their primary residence.
  - 4) Rent, parking and basic utilities (electricity, internet, water, if applicable) will be covered as well as initial start-up costs up to but not exceeding \$3,500. (Board of Directors January 2013)

## **2.5.2 PROVINCIAL OFFICERS**

Provincial Officers will:

- Be advised and receive minutes of all Union meetings;
- Receive Honorariums as determined by Convention;
- Chair a Standing Committee as set out in the Constitution;
  - In the case of the 4<sup>th</sup> Vice-President may choose a committee to chair;
- Be ex officio members of all committees other than the ones assigned under the Bylaws.

## **2.5.3 MGEU STAFF**

The MGEU expects that at all times its staff will conduct themselves in a manner that is in the best interests of the Union. The MGEU further expects its staff not to become involved in the internal politics of the Union. Members of staff will have access to the Union's legal counsel following approval of the appropriate Staff Director, or in their absence, the President.

## **2.5.4 AREAS**

### **TERMS OF REFERENCE**

#### **2.5.4.1 Composition of Area Councils**

- All the Local Table Officers (President, Chief Steward and Vice-President) of each Local within their Area are voting members;
- All active members of an Area can attend Area Council have voice but no vote.

#### **2.5.4.2 Responsibilities**

Area Councils are responsible for:

- Members' concerns in their Area;
- Locals within their Area, especially those with common concerns;
- Reporting to the Board of Directors.

#### **2.5.4.3 Meetings**

- At least six (6) must be held every year;
- Often pre-set (i.e.: monthly, same week, same day of week);
- Location of meetings is either constant or intentionally moved to encourage participation from Locals across the entire Area;
- Called by the Chairperson in discussion with Area Director and Vice-Chairperson;
- Chaired by the Chairperson of Area Council or, Vice-Chairperson or Area Director, in that order;
- In the absence of the Area Council Vice-Chairperson, the Chairperson asks a member of Area Council to take minutes and to ensure minutes are sent out to elected Area Council members, and members elected to Standing Committees;
- The Area Director will provide a report from the Board of Directors and then report from the Area Council meeting back to the Board of Directors;
- The representatives to all Standing Committees will provide a report;

- Local Presidents will bring Local issues to Area Council that need to be raised at the Board of Directors.

#### **2.5.4.4 Meeting Expenses**

- Eligible expenses related to Area Council meetings (see Financial Guidelines).
- Area Councils are entitled to spend up to five-hundred dollars (\$500) annually on a parade(s) in their Area. (Board of Directors 2014)
- Area Councils are entitled to spend two-hundred fifty dollars (\$250) per calendar year to purchase food, non-alcoholic drinks, and supplies to host an orientation to the MGEU for members prior to an Area Council meeting. These funds are provided to encourage member understanding and involvement with the MGEU and their Area Council. The President of the MGEU or designate should be invited to each event.

#### **2.5.4.5 Elections - First Meeting**

In their first meeting to be held within three (3) weeks following Convention, each Area Council must elect in the order below the following positions for a two (2) year term:

- Area Director;
- Area Chairperson;
- Area Vice-Chairperson;
- Representatives to all MGEU Standing Committees.

A vacancy in any of these positions during the term will be filled by a majority vote of Area Council at the next Area Council meeting. All elections must appear on the meeting notice.

#### **2.5.4.6 Planning - Second Meeting**

In their second meeting, after MGEU Convention the Chairperson, Vice-Chairperson and Area Director will meet and bring forward for discussion to the Area:

- Opportunities for community involvement: Union-sponsored charity events, community-wide charity or other social events such as seasonal fairs, parades, and career fairs;
- Educational presentations or videos at Area Council meetings;
- Orientation sessions for rank and file members in the Area;
- Schedule meeting dates for the next two (2) years, if possible.

#### **2.5.4.7 Area Directors**

- Will be advised of Local meetings in their Area;
- Will receive copies of the minutes of all Locals in their Area;
- Be a member of the Board of Directors and report to the Board of Directors the Area's concerns and report back to the Area Council;
- Chair the meeting if the Chairperson and Vice-Chairperson cannot attend;
- Attend Area Council meetings to give the Board of Directors report;
- 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; (MGEU Convention October 2016)
- Help the Area Council in coordinating Union projects and activities within their Area;

- A breakdown of Components/Locals within each Area will be provided to each Area Director. Notification will be provided to all Component/Locals to inform them who their Area Director will be. (Board of Directors March 1985)

## **2.5.5 COMPONENTS**

### **TERMS OF REFERENCE**

#### **2.5.5.1 Composition of a Component**

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

- Two (2) or more Locals that share a common collective agreement;
- Two (2) or more Locals that share a common employer;
- Two (2) or more Locals that share employment related interests.

A Component of five-hundred (500) members or more has a seat on the Board of Directors. When a Component has less than five-hundred (500) members a Board of Directors member will be assigned to liaise between the Component and the Board of Directors.

When a request is made to change the composition of a Component(s) the following process is to be followed:

- 1) A motion must be passed by the requestor of the change at a Local or Component meeting, as appropriate, stating the outcome requested.
- 2) This motion is then submitted to the Union President, who in consultation with the Director, Member Services, will review the request and determine the next step(s) in the process.
- 3) The Union President will consult with the Local(s) and/or Component(s) affected by the request who shall then pass a motion at a Component Executive meeting stating whether or not the Component(s) agrees with the request.
- 4) The Union President will report on the consultations and any related Local and/or Component motions, and make a recommendation on any proposed change to the composition of a Component to the Board of Directors, which may approve or reject the recommendation.
- 5) The Union President will provide written notice to the Local(s) and/or Component(s) and to relevant staff detailing the decision made on whether to allow the request. (Board of Directors June 2018)

#### **2.5.5.2 Responsibilities**

The Component Executive Committee is responsible for:

- Decisions or matters that concern those members within its Components jurisdiction across the province. (see Constitution and Bylaws Section 27)

#### **2.5.5.3 Meetings**

The Component Executive Committee must hold its first meeting within three (3) weeks following the biennial Convention. (MGEU Convention October 2016)

The Component Executive elects for a two (2) year term from its own Component Executive membership (see Section 27:1:3 of the Constitution and Bylaws for the Component Executive formula):

- Component Director;
- Component Chairperson;
- Component Vice-Chairperson.

A vacancy for any of these positions during the two (2) year term will be filled by eligible members of the Component Executive at their next meeting.

The Component Executive must hold a minimum of one (1) meeting per calendar year.

#### **2.5.5.3.1 Quorum**

A quorum for Component Executive meetings is a majority of their elected members, one (1) of which must be the Component Director, Chairperson, or Vice-Chairperson of the Component Executive.

#### **2.5.5.3.2 Variance to Quorum**

Where a pattern can be shown that a Component Executive has been unable to meet quorum on a recurring basis, a request can be made to the Board of Directors for a variance to quorum. The request must include a recommendation from the Component Executive as to what quorum should be. (MGEU Convention October 2016)

#### **2.5.5.4 Planning**

The Chairperson, Vice-Chairperson and Component Director will meet and bring forward to the Component for discussion:

- Local concerns;
- Health and safety issues;
- Make every effort to ensure that there are active Stewards in each Local;
- Responsible for Component updates and other communication to the Component as a whole;
- Schedule meeting dates for the next two (2) years.

#### **2.5.5.5 Component Directors**

- Will be advised of all their Component Local meetings;
- Will receive copies of the minutes of all Locals in their Component;
- The Component Director will provide a report from the Board of Directors and then report from the Component Executive meetings back to the Board of Directors;
- Serve on a negotiating committee where applicable;
- Liaise with the Local Presidents of their Component;
- Chair the meeting if the Chairperson and Vice-Chairperson cannot attend;
- Report in writing on the Board of Directors meeting to the Component Executive if unable to attend their meeting, as well as give regrets to the Component Chairperson before the meeting. (MGEU Convention October 2016)

### **2.5.6 NON-VOTING ACTE MEMBER**

The MGEU Board of Directors will have a non-voting ACTE Representative.

## **2.6 EMERGENCY BOARD OF DIRECTORS MEETING**

When necessary an Emergency Board of Directors meeting will take place to discuss and sanction any strike action by Components/Locals prior to such action taking place. (Board of Directors January 1988)

## **2.7 RISK AND STRATEGY SPECIAL COMMITTEE OF THE BOARD OF DIRECTORS**

### **2.7.1 COMPOSITION OF COMMITTEE**

- 1) The committee will be comprised of six (6) members of the Board of Directors as selected by the Provincial Officers.
- 2) The committee will also include the President of the MGEU, who will serve as Chair.
- 3) The President will designate a Staff Director to support the committee.

### **2.7.2 OTHER MATTERS**

- 1) The committee will report regularly to the Board of Directors and Provincial Officers on its work.
- 2) The committee's mandate is to recommend tools and processes to support the Board of Directors role in providing high-level leadership of the Union. These tools and processes will focus on:
  - a) Risk awareness and management; and
  - b) Strategic planning.
- 3) The committee is responsible for recommending a process for the Board of Directors development of a multi-year strategic plan. This includes recommending an ongoing strategic planning cycle for the Board of Directors.
- 4) The committee is responsible for recommending a process to monitor and evaluate the MGEU's progress on realizing the Board of Directors' strategic objectives.
- 5) The committee is responsible for ongoing identification and assessment of short and long term risks and opportunities facing the MGEU.
- 6) The committee will make recommendations to ensure leadership activities remain a priority within the Board of Directors' agenda and calendar.
- 7) The committee will engage internal and external support and expertise as required.
- 8) Any committee expenditures must be approved by the Provincial Officers.
- 9) The committee will liaise and coordinate with relevant Standing Committees as required.
- 10) The committee will recommend and support strategies to communicate the Board of Directors strategic planning work to members and related interests.

## **2.8 LOCAL TABLE OFFICER AND DELEGATE ELECTION**

### **2.8.1 LOCAL TABLE OFFICER CONTACT INFORMATION**

In accepting a position as a Local Table Officer the member has a responsibility to provide up-to-date contact information to the MGEU via the Resource Centre. It is an expectation that contact information changes will be provided in a timely manner throughout their term of office. (Board of Directors September 2018)

### **2.8.2 SUCCESSOR CLAUSE**

All elected officials hold office for a two (2) year term and are elected in a biennial Convention year. Elections at the Local level are to be held in the month of September (except as noted under 30:3 b i) of the Constitution). Where quorum has not been reached for the meeting or a tie occurs for an elected position, the existing Union official(s) remain in office for up to an additional three (3) months to allow time to schedule another meeting to conduct elections. Any position(s) not filled at the next meeting or if again there is not quorum, would be deemed vacant until such a time as elections are conducted at a future meeting. If the Local, Area Council or Component Executive held a meeting but no member(s) ran for a position, then the position(s) would be vacant. (MGEU Convention October 2014)

### **2.8.3 ELECTION PROCESS - 24 HOUR WORKPLACES**

Where a workplace operates continuously, a Local may choose to vary from the normal election process, using instead one (1) of the following two (2) options:

#### **Option 1**

In a biennial Convention year, a Local will hold two (2) meetings on the same day for the purpose of conducting elections. For the election of MGEU Convention delegates and alternates these meetings will be held between April 1 and June 30. For the election of Table Officers (President, Chief Steward, and Vice-President), Steward, Member-at-Large, Work Location Safety and Health Committee Representative and Labour Council/Labour Coordinating Committee delegate (as applicable) these meetings will be held in the month of September. All nominations will be accepted at the first meeting. If unable to attend the first meeting a member may put their name forward to be nominated for a position by submitting a letter of intent to either the President of the Local or the Staff Representative. Members can let their name stand for more than one (1) position, but can only be elected into the highest ranking position then would be eliminated from any further positions.

A deadline date will be set for returning a letter of intent. When more than two (2) candidates are nominated for one (1) position, all candidate names will be placed on the ballot. Members in attendance at the meeting will be advised to rank each candidate in order of preference. Members are entitled to vote at either meeting. Meeting times will be set to accommodate the optimum shift change times. Ballots will be counted upon completion of the election agenda item at the second meeting. In exceptional circumstances a request may be made to count the ballots on an alternate date which must be within three (3) days of the meeting.

A Local may also choose to hold two (2) meetings over two (2) days. All nominations will be accepted on the first meeting day. Members are entitled to vote on either meeting day. Ballots will be counted upon completion of the election agenda item on the second meeting day. In exceptional circumstances a request may be made to count the ballots on an alternate date which must be within three (3) days of the meeting.

In the case of a Local that has multiple workplace locations, and voting at a single location would result in adversely impacting the participation of a significant number of members in the election process, voting may be conducted at more than one (1) work location with the intent of providing a reasonable opportunity for members to cast a ballot. Scheduling of additional voting locations shall take into account staff resources and the ability of members to reasonably attend a voting opportunity that is not at their usual work location.

## **Option 2**

In a biennial Convention year, for the purpose of conducting elections, a Local will send a letter and declaration form to all official members of the Local outlining the positions available. This information will be sent by March 1 for MGEU Convention delegate and alternate elections and by August 1 for election of Table Officers (President, Chief Steward and Vice-President), Steward, Member-at-Large, Work Location Safety and Health Committee Representative and Labour Council/Labour Coordinating Committee delegate (as applicable). A deadline date will be set for returning signed declarations. Members can let their name stand for more than one (1) position, but can only be elected into the highest ranking position then would be eliminated from any further positions.

The Local will hold two (2) meetings on the same day. Meeting times will be set to accommodate the optimum shift change times. Members are entitled to vote at either meeting. A ballot will be prepared listing all available positions and the names of those members who returned a declaration form seeking election to the position. Members in attendance at the meeting will be advised to rank their choices for each position. Ballots will be counted upon completion of the election agenda item at the second meeting. In exceptional circumstances a request may be made to count the ballots on an alternate date which must be within three (3) days of the meeting.

A Local may also choose to hold two (2) meetings over two (2) days. All nominations will be accepted on the first meeting day. Members are entitled to vote on either meeting day. Ballots will be counted upon completion of the election agenda item on the second meeting day. In exceptional circumstances a request may be made to count the ballots on an alternate date which must be within three (3) days of the meeting.

In the case of a Local that has multiple workplace locations, and voting at a single location would result in adversely impacting the participation of a significant number of members in the election process, voting may be conducted at more than one (1) work location with the intent of providing a reasonable opportunity for members to cast a ballot. Scheduling of additional voting locations shall take into account staff resources and the ability of members to reasonably attend a voting opportunity that is not at their usual work location.

### **2.8.4 REQUEST PROCESS**

A Local that wishes to use one (1) of the alternate election processes noted above shall put forward a motion at a meeting of the Local indicating their wishes no later than sixty (60) days prior to the anticipated election time. If the motion is approved by the Local membership, the Local President shall then submit the request to the Director, Member Services, indicating which option has been chosen and shall include a synopsis of how the Local will conduct their election. The Director, Member Services shall then put the request before the Provincial Officers for approval at the earliest opportunity. The Provincial Officers may approve, vary or deny the request and their decision shall be final. The decision of the Provincial Officers will be communicated to the Local President and assigned Staff Representative as soon as possible. Where a Local has had an alternate election process approved, every effort should be made to hold these Local meetings in the first two (2)

weeks of September to allow sufficient time to have election documents completed by members prior to the end of September. (Board of Directors May 2020)

### **2.8.5 VOTE COUNT - CONVENTION DELEGATE AND ALTERNATE ELECTIONS**

For delegate and alternate elections where more members have been nominated at a meeting (Option 1) or returned a declaration form (Option 2) than the Local's maximum entitlement, the member(s) with the most votes will become the delegate(s) and the remaining members will be listed as alternates based on their ranking.

After the ballots have been counted, should there be a tie; the remaining members with an equal number of votes would have the ballots assigned to the last eliminated candidate recounted and assigned to those of the remaining candidates who rank next in order of preference on the ballot. This process continues until one (1) candidate wins by obtaining more than one-half ( $\frac{1}{2}$ ) of the votes.

### **2.8.6 VOTE COUNT- ALL OTHER LOCAL ELECTIONS**

After the ballots have been counted, if no candidate has a majority of the vote (50% +1), the candidate with the least number of votes is eliminated. Ballots assigned to the eliminated candidate are recounted and assigned to those of the remaining candidates who rank next in order of preference on the ballot. This process continues until one (1) candidate wins by obtaining more than one-half ( $\frac{1}{2}$ ) of the votes. If the process results in a tie, an election for this position would be placed on the agenda of the next Local meeting.

### **2.8.7 CUT-OFF DATES**

The cut-off date for changes to delegates and/or alternates attending MGEU conventions or large conferences shall be two (2) weeks prior to the commencement of the convention. Cut-off dates for affiliate or any other conventions, conferences, or educational shall be assigned by the hosting organization. (MGEU Convention October 2012)

## **2.9 CONVENTIONS**

### **2.9.1 RESOLUTIONS COMMITTEE**

A Resolutions Committee to Convention will be established by the Board of Directors prior to each Biennial Convention. The Committee will meet at least twice prior to Convention.

The Committee will review all resolutions and make the appropriate referral to MGEU Standing Committees, e.g. Finance, Constitution, etc. The Committee will review all general resolutions and report to Convention with a recommendation of accept or reject on the resolution or amended resolution. (MGEU Convention October 2008)

The Resolutions Committee and/or appropriate Standing Committee may make grammatical changes to resolutions for clarity's sake as long as the intent of the resolution remains the same. Both general and constitutional resolutions with a similar intent may also be combined into composite resolutions. (MGEU Convention October 2018)

The Agenda of MGEU Conventions will be designed to permit debate of the resolutions at intervals throughout all days of the Convention. (Board of Directors June 2020)

All resolutions that are passed at Convention are reported on at the next Convention to provide accountability back to Convention. (MGEU Convention October 1996)

### **2.9.2 DISPOSITION OF MGEU CONVENTION RESOLUTIONS**

All MGEU resolutions are reviewed by the President following MGEU Convention.

General resolutions that need action or policy development by Standing Committees will be forwarded to appropriate Standing Committees to develop and bring back to the Board of Directors for approval.

Board of Directors will develop policy as directed by general or constitutional resolutions and an archive of convention resolutions will be maintained for reference by convention year.

If a resolution submitted to Convention is deferred back to the committee or required lobbying, the MGEU will report back to the submitter as to the outcome. (MGEU Convention October 2012)

Resolutions to Affiliate Labour bodies are forwarded for action.

### **2.9.3 UPDATES TO THE CONSTITUTION AND BYLAWS**

The Constitution, Bylaw and Structure Committee may recommend editing, numbering, and wording changes to the Constitution and/or Bylaws 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 for changes to the Constitution and a simple majority vote for changes to the Bylaws, no later than the September Board of Directors meeting in a convention year. Updates to the Constitution and Bylaws of changes approved from the Constitution, Bylaw and Structure Committee and resolutions accepted from convention will be incorporated and printed once following each biennial convention. (MGEU Convention October 2018)

## **2.10 BARGAINING**

### **2.10.1 GENERAL STATEMENT**

- The Civil Service Master Agreement Bargaining Committee and the Negotiating Committees for the Components/Locals not covered by the Civil Service Master Agreement have the authority to consult with legal counsel as required during Civil Service bargaining, on approval of the MGEU Director, Negotiations or the MGEU President.
- Each member of the MGEU has access to all of the Local collective agreements on the MGEU's website ([www.mgeu.ca](http://www.mgeu.ca)). A hard copy of the collective agreement will be provided upon request to the Resource Centre.

### **2.10.2 BARGAINING POLICY**

The Constitution and Bylaws of the MGEU instruct the Union on how Local and Component bargaining committees are to be structured. This structure was set in place to ensure participation of Locals from across the province in the bargaining process.

### **2.10.3 BARGAINING COMMITTEE COMPOSITION**

Members elected to a bargaining committee are entrusted with representing the interests of the membership as a whole, and working to achieve the best possible collective agreement for the entire membership.

During collective bargaining involving Manitoba Public Insurance, Manitoba Liquor and Lotteries Corporation, the Addictions Foundation of Manitoba, or Manitoba Agricultural Services Corporation, exceptional circumstances may arise where the bargaining committee determines that it may be necessary to increase the composition of the committee beyond the scope outlined by the MGEU Constitution and Bylaws.

With the exception of Manitoba Agricultural Services Corporation, the Component Executive may apply, in writing, to the MGEU Provincial Officers for additional member representation at the bargaining table. In the case of Manitoba Agricultural Services Corporation, the bargaining committee may apply, in writing, to the MGEU Provincial Officers. The request will detail the circumstances that have arisen and led to the request, as well as how the additional members will assist in reaching a collective agreement.

The MGEU Provincial Officers will review the request and make their decision taking into account the following factors:

- 1) The current size, makeup, and diversity of the committee;
- 2) Any additional costs (wage recovery, hotel, travel etc.) the MGEU may incur;
- 3) Any restrictions contained within the collective agreement.

The MGEU Provincial Officers will respond, in writing, to the Component Executive, or, in the case of Manitoba Agricultural Services Corporation, to the bargaining committee, as to their decision.

If a new Component is organized which meets the criteria of being province wide, multiple local, and single employer, they would be able to follow the provisions of this policy.

### **2.10.4 SHIFT WORKERS ON BARGAINING COMMITTEES**

There are instances where bargaining committee members who are shift workers are repeatedly required to attend bargaining and/or caucus sessions on their scheduled days off.

In these instances, members/staff negotiators should endeavour to work with employers to switch shifts to avoid this, if at all possible. In the event that these efforts do not yield the desired result, the member may request consideration for a union-paid day off.

The staff negotiator will forward the request to the Director, Negotiations for review and consideration.

## **2.11 CIVIL SERVICE BARGAINING STRUCTURE**

### **2.11.1 CIVIL SERVICE AGREEMENT BARGAINING COMMITTEE**

#### **2.11.1.1 Composition**

Consists of the President of the Union as the Chairperson, or the 1<sup>st</sup> Vice-President of the Union and the Director from each of the Civil Service Components and such staff as are assigned by the Director, Negotiations.

#### **2.11.1.2 Responsibilities**

Responsible for the negotiation of the entire collective agreement, reporting and ratification process.

#### **2.11.1.3 Powers**

The Negotiating Committee will have the power to establish sub-committees to deal with issues and assist the Negotiating Committee.

#### **2.11.1.4 Composition of Sub-Committees**

Could consist of the following (as deemed appropriate by the Negotiating Committee):

- Local Table Officers, Stewards, or;
- Members affected by a given issue, i.e.: remoteness allowance, class adjustments, call out pay, shift premiums, shifts, meals, mileage, etc. In other words, the sub-committees would be issue based, issue specific and issue driven.

### **2.11.2 CIVIL SERVICE BARGAINING COUNCIL**

#### **2.11.2.1 Composition**

Consists of the Civil Service Agreement Bargaining Committee and the Presidents from each Local of the Civil Service Components.

#### **2.11.2.2 Role**

Working with the Communications Department to act as the communication medium to the Civil Service Agreement Bargaining Committee from the Locals and vice versa.

To act as a forum where discussions can take place with regard to issues to be negotiated, trends that are current and/or are anticipated or strategies that may be employed. In other words, act as an advisory body.

To assist the Civil Service Agreement Bargaining Committee as necessary. For example, attending bargaining sessions where specific issues are being discussed.

### **2.11.3 MEMORANDUMS OF AGREEMENT**

There are occasions during the life of Collective Agreements when the MGEU and the Employer enter into Memorandums of Agreement that may alter the terms and conditions of the Collective Agreement.

When such a Memorandum of Agreement may impact the members of a Local, the MGEU staff and the Executive of the Local will work together to ensure the Memorandum of Agreement meets the

needs of the Local, and to ensure that the Local membership are provided notification of, and information about, the intent of the Memorandum of Agreement.

When a policy grievance is filed on behalf of a Local, and this results in a Memorandum of Agreement to resolve the policy grievance, the Local Executive and MGEU staff will work together to ensure the Memorandum of Agreement appropriately resolves the grievance and meets the needs of the Local.

Where a Memorandum of Agreement, that requires further discussions between the Union and the Employer, is signed as part of the settlement of a Collective Agreement, the bargaining committee is responsible for continuing those discussions, and reaching agreement on the matter referred to in the Memorandum of Agreement.

## **2.12 COURT ACTION**

If the MGEU is considering initiating court action, the subject matter of the litigation should be decided by the Board of Directors, excluding litigation arising from grievance and/or Labour Board matters.

## **2.13 COMMUNICATIONS**

The MGEU annual report and calendar will be published once a year by a unionized printing firm. Additionally the MGEU will publish targeted updates to Components and other groups. All additional targeted updates are written and edited by the Communications Department with input from the Staff Representative and Activist(s) involved with each respective Component or group. MGEU news will be posted on the website, printed, mailed and/or emailed from Central Office as necessary.

All publications, where practical, are to be printed on both sides to conserve paper and reduce printing costs.

Where practical, all publications are to be sent out as third class mail and printed in house.

## **2.14 ORGANIZING**

- Pursuant to Article 5, Objectives and Article 6:5 of the Constitution, the Union may carry on organizing activities.
- Contacts by prospective members with staff of the Union must be immediately reported to the Union President and the Director, Member Services.
- The Director, Member Services will determine if the proposed new group meets the appropriate test related to our core business of Civil Service, Health Care, Non Profit, Crown Corporation or Government Funded Organizations to insure we can provide the proper contract negotiation, support and member servicing.
- The Director, Member Services will report to the Provincial Officers on organizing activities of the Union.
- All information will be held in confidence until certification is granted and the formation of the Local/Component is approved under Article 6:5 of the Constitution.
- The Union President will report to the Board of Directors on organizing activities at the appropriate time.

## **2.15 AFFILIATIONS**

### **2.15.1 GENERAL**

The MGEU is affiliated to the following labour organizations:

- National Union of Public and General Employees (NUPGE);
- Canadian Labour Congress (CLC);
- Manitoba Federation of Labour (MFL);
- Labour Councils and Labour Coordinating Committees;
- Manitoba Council of Health Care Unions (MCHCU).

No organization that the MGEU is affiliated to will mail material from any political party to MGEU members unless specifically authorized to do so by the MGEU's Board of Directors or the Provincial Officers. (Board of Directors January 1987)

The MGEU will formally endorse and participate in the NUPGE Defence Fund and will commit to contributing to the NUPGE Defence Fund on an interest free loan basis, should it be required. (Board of Directors October 1988)

For delegate status to the Manitoba Federation of Labour Convention the Federations constitution will dictate the number of elected delegates per Local.

NUPGE Convention delegates are based on a formula prescribed by NUPGE's constitution. The MGEU Board of Directors will decide on the process for filling these delegate spots.

NUPGE determines the makeup of their ad-hoc working groups. The MGEU President appoints appropriate Board of Directors members and/or members of Component Executives and/or Table Officers and Stewards of Locals that fit in NUPGE's criteria for these working groups.

CLC Convention delegates are based on a formula prescribed by CLC's constitution. The MGEU Board of Directors will decide on the process for filling these delegate spots.

The MGEU will abide by the CLC Raiding and Justification policy. All staff and MGEU Board of Directors members will inform the Union President immediately if contacted by any members of other Unions that are affiliated to the MFL or CLC.

The MGEU encourages all Locals to affiliate with and participate in their area Labour Council/Labour Coordinating Committee. Labour Council and Labour Coordinating Committee delegates will be elected by the affiliated Local. Expenses will be covered as per the financial guidelines. (MGEU Convention October 2018)

### **2.15.2 CONVENTIONS**

All MGEU Board of Directors members and Staff Directors will automatically be sent as delegates to all Canadian Labour Congress (CLC), National Union of Public and General Employees Union (NUPGE), and Manitoba Federation of Labour (MFL) conventions.

All MGEU members appointed to an MFL Standing Committee, who run as delegates to the MFL Convention but are not elected, will become automatic delegates if there are any available unused delegate positions.

### **3 GOVERNANCE PROCESS**

In order to facilitate remote (virtual) election meetings and Convention as a result of the COVID-19 pandemic, amended versions of sections 3.1, 3.2, and 3.3 have been adopted for the 2021 election cycle. The amended sections applicable until the closing of the 2021 Convention are included as [Appendix 1](#). At the closing of the 2021 Convention, Appendix 1 will be deleted from this manual, and the former sections will be in force.

#### **3.1 CONVENTION AND CONFERENCE DELEGATE SELECTION DEADLINE**

Credentials/registrations will be closed two (2) weeks prior to the commencement of a convention or conference. (Board of Directors January 2016)

#### **3.2 PROCESS FOR SEEKING ELECTION TO A PROVINCIAL OFFICER POSITION**

- 1) The Director, Member Services will serve as the Elections Chairperson. If the Director, Member Services is unable to serve as Elections Chairperson, the MGEU President will designate another Staff Director to serve as Elections Chairperson.
- 2) Candidates will complete a Letter of Intent which will constitute their intention to run for a Provincial Officer position. Once the form has been completed it is to be submitted to the Elections Chairperson.
- 3) The period during which candidates may attend Local or Area Council meetings as candidates and seek reimbursement for eligible expenses for such attendance will be April 1 to June 30 and September 1 to September 30.
- 4) If a declared candidate wishes to attend a Local or Area Council meeting (other than their own or in their role as Area, or Component Director, if applicable) they must notify the Local President/Area Council Chairperson. If the Local President/Area Council Chairperson has a concern about the candidate's attendance, the matter should be referred to the Elections Chairperson for determination and resolution. Candidates may be introduced at such Local or Area Council meetings, but cannot participate in the business of the meeting.
- 5) The MGEU will pay reasonable expenses for declared candidates during the campaign period for campaigning at Local or Area Council meetings. Participation by conference call will be arranged, if possible. The Elections Chairperson is responsible for determining which candidate expenses are reimbursable to ensure an efficient and responsible use of MGEU resources.

The process will be as follows:

- a) Scheduled Local and Area Council meetings will be posted on the MGEU website.
- b) The candidate will notify the Local President/Area Council Chairperson if they wish to attend a meeting of that Local or Area Council. If the Local President/Area Council Chairperson has a concern about the candidate's attendance, the matter should be referred to the Elections Chairperson for determination and resolution.
- c) The candidate will provide a plan of all meetings that expenses will be submitted for to the Elections Chairperson for approval.
  - i) The plan will include the meeting schedule, applicable time off that will be required and an estimate of expenses that will be claimed.
  - ii) A time off letter will be provided for approved Union leave.

- iii) Expenses claimed for meetings that have not had prior approval will not be paid.
- 6) Information on this process will be included in a letter to all Local Presidents and Area Council Chairpersons before the campaign period begins.
  - 7) Delegates will be elected between April 1 and June 30 of a biennial Convention year. When completing the delegate election form, delegates will be asked to sign a private information authorization indicating whether or not they are willing to share home contact information with candidates seeking election to a Provincial Officer position.
  - 8) All candidates who have completed a Letter of Intent will be provided with two (2) lists of delegate information. One (1) list will contain delegates who have agreed to share their home contact information and the second list will contain only delegate names and their Local name and number where consent was not given to provide additional information. Updated lists with any delegate changes will be provided on a biweekly basis commencing the third week of April. After September 1 the delegate lists will be provided on a weekly basis.
  - 9) In order for a candidate to receive delegate information they must sign a Confidentiality Agreement agreeing at all times during the candidacy period and at all times thereafter to keep delegate information in strictest confidence. Campaign volunteers may only have access to delegate list information in the presence and under the close supervision of the candidate. At the end of the candidacy period, the candidate shall immediately return all delegate lists to the MGEU and delete any email distribution lists.
  - 10) The MGEU will produce a publication introducing candidates to members. Candidates wishing to be included in this publication must submit, to the MGEU, a photograph and an article articulating their platform by July 31. The publication will be mailed to Convention delegates and Local Presidents in early September. The information will also be on the MGEU Convention website.
  - 11) Candidates will not request or receive assistance of any kind from MGEU staff in organizing their campaign, including the preparation and distribution of promotional material.
  - 12) A meeting of all candidates, one (1) member of their campaign committee and the Elections Chairperson will be held prior to the commencement of Convention to review the election process and receive clarification on any questions.
  - 13) An All Candidate Reception will be organized by the MGEU. The Reception will be held on the first evening of Convention. Participating candidates will share the cost of the reception and each Candidate will provide volunteers to assist with service at the Reception.
  - 14) Campaign posters may only be placed around the room at the All Candidate Reception, in accordance with the rules established by the facility and the Elections Chairperson.
  - 15) Candidates wanting campaign material distributed to delegates within the Convention Hall shall provide this material to the Elections Chairperson or their designate. Material to be distributed must be submitted by 9:00am the day preceding the first day of Convention and be labeled as to when it is to be placed before the delegates. Each candidate is allowed a maximum of two (2) am or pm campaign material distribution opportunities that do not include the period of time for initial delegate registration. The MGEU logo is not to be used on any promotional or election material.

- 16) Campaigning must not interfere with Convention proceedings. This includes Convention-related meetings and activities such as new delegate school, the committee expo, the Women's luncheon, delegate registration, etc.
- 17) A Nomination Form must be completed by the candidate and their nominator (who must be a Convention delegate) and submitted to the Elections Chairperson on the approved nomination form by 12:00pm on the first full day of Convention.
- 18) A member can be nominated for one (1) position only.
- 19) An All Candidates Forum will be held upon adjournment of the first full day of Convention. Delegates will be able to submit questions for the candidates until 3:00pm on the first full day of Convention.
- 20) Elections will be held the morning of the second full day of Convention. Each position will be voted on separately. Should a paper ballot be required each candidate may select one (1) scrutineer to oversee the counting of ballots for their position. A Fair Vote Certificate will be signed by each scrutineer to verify the count. The count shall be announced to delegates following each ballot. To be declared elected a candidate must receive a majority vote (50% +1 of the total number of votes cast).
- 21) Upon completion of all Provincial Officer elections, the duly elected Provincial Officer for each position will be required to take an Oath of Office.
- 22) The successful candidate for each Provincial Officer position will take office the day following adjournment of Convention.

### **3.3 MGEU PROVINCIAL OFFICERS ELECTION PROCEDURES POLICY**

The Provincial Officer positions are as follows:

- President
- 1<sup>st</sup> Vice-President
- 2<sup>nd</sup> Vice-President
- 3<sup>rd</sup> Vice-President
- 4<sup>th</sup> Vice-President

Candidates seeking to run for one (1) of the Provincial Officer positions shall:

#### **3.3.1 NOMINATION PROCESS**

- 1) Complete a nomination form which includes:
  - a) The nominee's name and signature.
  - b) The position they are seeking.
  - c) Their nominator's name and signature.
- 2) The nominator must be a delegate to Convention and the nominee must be a member in good standing.
- 3) A member can only be nominated for one (1) position.

- 4) All nominations for Provincial Officer positions must be completed and submitted to the Elections Chairperson, on the approved nomination form, by 12:00pm on the first full day of Convention.
- 5) In addition, the nominator shall place the name of the nominee before the Convention delegates in the afternoon of the first full day of Convention.
- 6) Where there is only one (1) candidate nominated for an elected position, they shall be declared duly elected by acclamation.

### **3.3.2 ELECTION PROCEDURES**

- 1) Election of Provincial Officers shall be held the morning of the second full day of Convention.
- 2) Speeches by candidates shall be made separately for each position.
- 3) The order of speeches, for each position, will be decided by draw. The Elections Chairperson shall make the draw.
- 4) The nominator for any Provincial Officer position shall be entitled to make a speech of up to three (3) minutes. The nominee, if present, for any Provincial Officer position shall be entitled to make a speech of up to five (5) minutes. No electronic media shall be used by the nominee or nominator. (Board of Directors January 2020)
- 5) The election for each position will follow after a speech by the candidate(s) for that position.
- 6) Each delegate will be assigned an electronic voting device. Paper ballots will only be distributed to delegates as a backup if electronic voting is not available. (Board of Directors January 2020)
- 7) The doors will be tiled before balloting commences and only those delegates present in the Convention hall will be eligible to cast their ballot.
- 8) To be declared elected, a candidate must receive a majority vote (50% +1 of the total number of votes cast). Where after the first ballot no one (1) candidate has received a majority vote, the candidate with the least number of votes will be dropped and another ballot held until a candidate can be declared elected.

### **3.3.3 SCRUTINEERS**

Each candidate up for election as a Provincial Officer is permitted to select one (1) scrutineer in the event that a paper ballot is required. (Board of Directors January 2020)

### **3.3.4 BALLOTING COMMITTEE**

- 1) Should a paper ballot be required the Balloting Committee shall be selected by the Elections Chairperson from among MGEU staff, Honourary Life members, and Solidarity guests and shall include a Chairperson. (Board of Directors January 2020)
- 2) The Balloting Chairperson shall oversee the electronic voting process. (Board of Directors January 2020)
- 3) The Balloting Chairperson shall report the results of the election to the Elections Chairperson.

### **3.3.5 ALL CANDIDATES FORUM**

- 1) An All Candidates Forum will be held upon adjournment on the first full day of Convention. One (1) hour will be allocated for the forum.
- 2) Only delegates may ask questions and the questions must be submitted in writing in advance. All Candidates Forum question forms will be available at the registration desk. All question forms must be deposited in the question box located at the registration desk by 3:00pm on the first full day of Convention.
- 3) The moderator may edit questions to ensure they are suitable for each position. (Board of Directors January 2020)
- 4) The moderator of the forum will draw the questions.
- 5) Questions will be directed to all candidates running for that position.
- 6) Questions will be answered by the candidates in the order determined by the moderator.
- 7) Answers will be limited to one (1) minute.
- 8) A timekeeper will flash a signal indicating thirty (30) seconds.
- 9) At the conclusion of the forum each candidate may make concluding remarks to a maximum of two (2) minutes.

### **3.3.6 ELECTION PROTOCOL**

- 1) Campaign posters may be placed around the room at the All Candidate Reception only as per restrictions of the venue and the Elections Chairperson or their designate.
- 2) Posters or election material may not be posted inside the elevators or in the main lobby of the hotel where delegate accommodations are booked.
- 3) Handouts and pamphlets may be placed at the delegates seating prior to the beginning of Convention proceedings or during official breaks. Any material to be distributed in the Convention hall must be submitted to the Elections Chairperson or their designate by 9:00am the day preceding the commencement of Convention.
- 4) The MGEU logo is not to be used in any promotional or election material.

## **3.4 BOARD OF DIRECTORS**

### **3.4.1 BOARD OF DIRECTORS ORIENTATION**

All new Board of Directors members will, at their first meeting following Convention, receive a Board of Directors orientation. This will include Board of Directors Governance, Board of Directors Portal application, electronic communication device(s), Constitution and Bylaws review and Policy and Procedures manual review. Any need for training will be identified by an individual survey of the Board of Directors members.

If a Board of Directors member leaves, for any reason, all electronic equipment will be returned to the MGEU immediately.

If not returned by the Board of Directors member they will reimburse the Union for all replacement costs.

### **3.4.2 ATTENDANCE**

Board of Directors members' attendance will be noted in the minutes.

### **3.4.3 STANDING COMMITTEES**

Reports to the Board of Directors will not be read. Only items requiring Board of Directors approval will be discussed. Reports will be entered into the Board of Directors portal ten (10) days prior to each Board of Directors meeting.

### **3.4.4 WORKPLACE REP ENEWS**

The Workplace Rep eNews is a weekly email consisting of Standing Committee minutes, Board of Directors minutes, Area Council minutes, Component updates and blogs done by the Communications Department as well as the weekly updates processed by the Resource Centre. The Workplace Rep eNews is emailed to Local Table Officers, Stewards, Area Directors, Component Directors, Standing Committee members, Health and Safety Representatives and MGEU Staff.

### **3.4.5 REPORTS**

Board of Directors members may each give a verbal report at the Board of Directors meetings. Reports will be submitted to central office, so they can be entered into the Board of Directors Portal ten (10) days prior to each Board of Directors meeting. Board of Directors members must indicate at the time of giving their verbal report, which items are to be included in the Board of Directors minutes.

## **3.5 INFORMATION SYSTEMS AND ELECTRONIC COMMUNICATIONS POLICY**

The purpose of this policy is to provide users of the MGEU's information systems and electronic communications systems with guidelines for the acceptable use and security of those systems.

### **Scope**

The policy applies to all MGEU computer equipment, mobile devices, office systems, networking accounts, email, internet access, and electronic information.

### **General Expectations of Users**

- Users of the MGEU's information systems and electronic communications systems are expected to use those systems in a manner that benefits the Union and its members. MGEU electronic information, devices, and facilities that store or transmit this information are the property of the MGEU and are intended to facilitate and enhance communications and access information.
- Users are responsible for maintaining the passwords and security of the accounts they have been assigned as well as the security of all devices assigned to them. This includes ensuring those devices are turned off or locked when stepping away, protecting the physical safety of the device from damage, theft or loss and maintaining the confidentiality of passwords.
- If you are authorized by the Information Technology Unit to connect your personal mobile device to the MGEU email system, the MGEU has the right to enforce password protection on the device and to wipe the device entirely if there is a concern that MGEU policy has been breached or the device has been compromised.

- MGEU has the right to wipe any personal information that is stored on any MGEU device or system.

### **Appropriate Use**

Users are to use these systems for the conduct of MGEU business. The types of activities that are deemed appropriate include:

- Communicating with fellow employees, MGEU members, other unions, business partners and other contacts within the context of an individual's assigned responsibilities.
- Acquiring, sharing, or processing information necessary or related to the performance of assigned responsibilities.
- Participating in educational or professional development activities.
- Limited personal use of the MGEU internet and email is permitted provided it is consistent with this policy and does not interfere with the performance of your duties, or MGEU business.

### **Inappropriate Use**

MGEU's information systems are to be used in a way that complies with all applicable laws, MGEU policies and contracts, and are not to be used in such a way that causes excessive strain on our systems. Except where approved by a Staff Director and in consultation with the Coordinator, Information Systems, MGEU members or staff will not use MGEU equipment, services or devices to transmit, store or view material that is:

- Obscene or X-rated.
- Discriminating or harassing.
- Illegal.
- Abusive, derogatory, offensive or inflammatory.
- SPAM (junk mail, chain letters, jokes, executables).
- Malware (malicious software).

Also, except where approved by a Staff Director, or immediate supervisor and in consultation with the Coordinator, Information Systems, MGEU members or staff will not use MGEU equipment, services or devices:

- To transmit or provide personal information of which the recipient is not authorized to view.
- To conduct personal business for the purpose of financial gain.
- To install non-authorized programs or services.
- To allow the use by non-authorized individuals.
- For any purpose that is in violation of any MGEU policy.

### **Monitoring and Confidentiality**

The systems and services are owned by the MGEU, and are therefore its property. This gives the MGEU the right to monitor any and all activity on its systems, including the activity of any personal device that may be connected to those systems.

While the MGEU does not actively monitor individual accounts, correspondence, or activity, it does log and monitor for activity that may be indicative of threats to the MGEU's electronic systems and information, or may be in breach of MGEU policies. If the MGEU discovers, or has reason to suspect,

activities that do not comply with applicable laws or this policy, electronic records may be monitored, retrieved, and used to investigate the activity. During the course of the investigations, personal information residing on MGEU systems or equipment may be viewed, accessed, or monitored.

Users must exercise extreme caution when communicating confidential or sensitive information via electronic means. All electronic communications sent outside of the MGEU become the property of the receiver.

### **Violations of this Policy**

Any allegations of misuse or breach of this policy should be reported immediately to a Staff Director. If you receive electronic communications pertaining to the alleged allegations do not forward, delete, or reply to it.

Violations of this policy will be treated like all other allegations of wrongdoing at the MGEU. Allegations of misconduct will be investigated and adjudicated according to established procedures. (Board of Directors November 2016)

## **3.6 MGEU BOARD OF DIRECTORS MOBILE PHONE AND PORTABLE DEVICE POLICY AND PROCEDURES**

In order to provide MGEU Board of Directors members with the tools to perform their duties, and to communicate with MGEU members effectively, the MGEU will provide the following:

- A basic mobile phone for use during their term. The mobile phone will be equipped with a voice and data package, voice mail, and call display.
- A portable device (laptop or tablet) for use during their term. The portable device will have the necessary hardware and software capabilities to permit the Board of Directors member to carry out the duties of their MGEU Board of Directors position.
- An @mgeu.ca email address associated with their position on the Board of Directors and accessible on their MGEU provided mobile phone and portable device.

### **3.6.1 GENERAL TERMS**

- MGEU provided equipment, software and services remain the property of the MGEU and are subject to the MGEU Information Systems and Electronic Communications Policy.
- Notwithstanding the MGEU Information Systems and Electronic Communications Policy, MGEU email accounts tied directly to a position are only to be used for MGEU business.
- This policy will be reviewed prior to each Convention to ensure that the adequacy of the technological options and costs remain relevant.
- Twenty-five percent (25%) of the Board of Directors members' monthly internet charges will be reimbursed upon receipt of an invoice from an internet provider, preferably unionized.
- The MGEU will provide the Board of Directors members with training on the use of the MGEU provided mobile phones and portable devices.
- Users are responsible for maintaining the security of the accounts and devices they have been assigned. This includes ensuring those devices are turned off or locked when stepping away, protecting the physical safety of the device from damage, theft, or loss, and maintaining the confidentiality of passwords.

- Service issues pertaining to MGEU provided equipment or services should be reported directly to the attention of the MGEU Information Technology Department, which will be responsible for follow-up action.
- If your MGEU provided phone/device is lost/stolen/damaged or malfunctioning contact the MGEU Information Technology Department as soon as possible to ensure the protection and confidentiality of the MGEU information stored on it. The Information Technology Department will determine if your device will be repaired or replaced.
- If a Board of Director member's relationship with the MGEU ends, all MGEU provided devices must be returned to the MGEU as soon as possible.
- If a Board of Director member is suspended from their Board of Directors position, the member must return all MGEU provided devices to the Information Technology Department for the duration of the suspension.
- If a Board of Director member takes formal leave from their Board of Directors position, the member must return all MGEU provided devices to the Information Technology Department for the duration of the leave.

### **3.6.2 MOBILE PHONES**

- At the beginning of every two (2) year term, each Board of Directors member will be issued a new mobile phone. Members elected to the Board of Directors mid-term may be provided with a used phone from the MGEU inventory.
- The MGEU will cover up to one hundred fifteen dollars (\$115) towards the purchase of a hands-free device. The invoice must be submitted with the Board of Directors Members expense account. Returning Board of Directors members are expected to continue using previously purchased hands-free devices. Replacement devices will only be covered if the Information Technology Department determines a device cannot be repaired.
- All personal roaming, long distance, or other charges for additional features\services will be charged back to the Board of Directors member and recovered through the Board of Directors member expense claim. The Board of Directors member will be notified before any such charges are charged back.
- Board of Directors members must seek approval from the MGEU Controller prior to using an MGEU mobile phone outside of Canada or in regions where cross-border roaming charges may be incurred.
- At the end of their two (2) year term, Board of Directors members must return their phone to the MGEU Information Technology Department.
- At the beginning of their term, Board of Directors members may request that their personal mobile phone number be transferred to their MGEU issued phone. The Information Technology Department will determine if such a transfer is feasible. All additional costs associated with such a transfer will be the responsibility of the Board of Directors member making the transfer request.
- When a Board of Directors member leaves the Board, they may request that the mobile phone number on their MGEU issued phone be transferred to a personal mobile phone. The Information Technology Department will determine if such a transfer is feasible. All additional costs associated with such a transfer will be the responsibility of the Board of Directors member making the transfer request.

### **3.6.3 PORTABLE DEVICES (LAPTOP OR TABLET)**

- MGEU issued portable devices will be used for two (2) terms (four [4] years) after which the MGEU will refresh the device to current standards and requirements.
- Portable devices being refreshed will be offered for sale to the Board of Director member in possession of the device, at its fair market value.
- The MGEU will provide a choice of carrying case/bag to be used. If the Board of Directors member wishes to choose another case/bag, an amount of up to one hundred dollars (\$100) will be provided towards the purchase. The invoice must be submitted with the Board of Directors members' expense claim. (Board of Directors September 2016)

### **3.7 MINUTES**

It is the responsibility of the Area Chairperson, Component Chairperson, Standing Committee Chairperson and Local Presidents to ensure that minutes of the meeting are submitted to central office within ten (10) working days following the meeting.

### **3.8 BARGAINING PROPOSALS**

The Negotiating Committee would propose its recommendations to the Locals for their consideration, through the Local Presidents.

Members who are desirous of making bargaining proposals could, as is the present system, attend a meeting of their Local called for the purpose of receiving bargaining proposals. Proposals will be presented for consideration by members of their Local.

Bargaining proposals that are passed by a simple majority at Local meetings would then be forwarded to the Negotiating Committee. The Committee will then determine, from all the proposals that are submitted, which contract proposals will be tabled with the employer for negotiation. A copy of the initial contract proposals would be provided to each President and to the Negotiating Committee. Thereby each Local, through their Presidents, will have access to what was proposed to the employer. A copy of the employer's initial proposals may be provided to each of the Presidents for information purposes to the Locals.

### **3.9 RATIFICATION/BALLOT PROCESS**

Assuming a tentative agreement is arrived at with the employer, each member would be entitled to cast a ballot indicating acceptance or rejection. If the majority of the members casting a ballot accept the tentative agreement, then a collective agreement would be entered into with the employer as is the requirement under The Labour Relations Act.

The Negotiating Committee will determine the method for the ratification process. For example, they may decide that voting would take place at meetings where only the members who are able to or choose to attend would receive a ballot or they may decide that each member will be mailed out a ballot and ballots are to be returned by mail.

### **3.10 MGEU STAFF VACANCIES**

All MGEU Staff vacancies are posted in accordance with the ACTE 1725 and UNIFOR 191 collective agreements. If there are no successful internal applicants then the job(s) will be bulletined externally.

### **3.11 SECONDMENT POLICY**

If the Union becomes aware of a member who is seconded; in an acting position; or temporarily moved from one Component to another Component during their employment, they will remain a member of their original Component for purposes of attending Component meetings, elections or collective bargaining for a twelve (12) month period. In exceptional circumstances, a member may apply to the Board of Directors for an extension of up to a maximum of twelve (12) months. For members who hold an elected office in the Union, this period including any extension granted by the Board of Directors cannot be longer than their current elected term. These members would then be eligible to run for election in the Component/Local the member is seconded to.

#### **Example 1**

If a Clerical Component member is acting in an AO position for six (6) months, and returned to their Clerical position, the member would have remained in the Clerical Component during the time they were in acting status. In this example, the member's rights and privileges would have remained in the Clerical Component.

#### **Example 2**

If a Clerical Component member is elected as a Steward for a two (2) year term, and is seconded to a position in another Component after a year in this position, they, can remain as a Steward in the Clerical Component for the duration of this term, but would not be eligible to run as a Steward in the Clerical Component in a subsequent election if they are still in a seconded position.

### **3.12 INFORMATION AND COMMUNICATION TECHNOLOGY**

Any Local, Component Executive, or Area Council that seeks to use technology to facilitate remote meetings must seek approval from a Member Services Manager. Approval shall not be unreasonably withheld. The Director, Member Services will provide approval for Standing Committee meetings. (MGEU Convention October 2016)

### **3.13 IN CAMERA MEETINGS**

There are times when discussions within MGEU Board of Directors, Board of Directors Special Committees or the Standing Committee on Finance meetings must be kept confidential. Such discussions are considered to be "in camera" meetings.

In camera meetings have a legitimate purpose but their use should be limited. Because in camera meetings restrict the normal information reported to the membership, their use should be limited to those occasions when they are absolutely necessary.

All participants are required to keep discussions during in camera meetings in confidence.

### **3.13.1 FACTORS SUPPORTING IN CAMERA MEETINGS**

In camera meetings should be considered where the following subject matter is to be discussed (the following list is not intended to be an exhaustive list, and other factors may be considered):

- 1) Personnel matters about any identifiable individual, including employees, Directors, participants, or members of the MGEU;
- 2) Commercially sensitive business matters, including matters subject to confidentiality agreements with third parties;
- 3) Litigation or potential litigation;
- 4) The receiving of advice that is subject to privilege, including communications necessary for that purpose;
- 5) Relations with external organizations where strategic considerations require strict confidentiality;
- 6) In the case of internal and external auditors, to safeguard the independence of those officers by providing direct access to the Board of Directors without members of the administration in attendance.

### **3.13.2 MINUTES OF IN CAMERA MEETINGS**

Minutes of an in camera meeting should include, at a minimum, the following:

- 1) Location, date, and start time of the meeting;
- 2) Persons present, who served as Chair, and Recording Secretary;
- 3) Topics of discussion;
- 4) Time of adjournment.

Discussions held in an in camera meeting (including any in camera discussion within a broader meeting) and, when appropriate, the factors considered in determining to hold a discussion in camera, should be recorded in separate minutes. The Recording Secretary should be part of the in camera meeting to keep the minutes unless the circumstances require that they also be absent. In their absence, the Chair is responsible for ensuring that an appropriate record of the discussion is kept. No motions can be put forward on the issue(s) being discussed while still in an in camera meeting. Any motions required out of these discussions must take place at the broader meeting and be recorded in the broader meeting minutes.

Minutes of an in camera meeting should be approved by the Chair and after their approval, should be kept confidential and separately along with any materials considered as part of the in camera meeting. The MGEU's Provincial Officers shall keep or cause to be kept a record of in camera minutes.

Any access to in camera minutes is limited to the participants of the in camera meeting. Any requests for access to in camera minutes by any other individual should be directed to the MGEU President who will consult with the Chair of the meeting within which the in camera discussion occurred (if other than the President), or the Chair of the in camera portion of the meeting, prior to granting access to in camera minutes.

All in camera minutes from Board of Directors Special Committees or the Standing Committee on Finance must be forwarded to the Provincial Officers who will determine if the minutes should remain in camera or if the minutes should be redacted or expanded. Such minutes will be stored with the Provincial Officers minutes.

### **3.13.3 ROLE OF THE CHAIR**

Care must be exercised by the Chair to ensure that in camera sessions remain focused on appropriate items and do not digress into areas that should be discussed in a regular session. The Chair must exercise their authority as Chair to determine the appropriateness and relevance of issues raised in camera and to provide opportunities for all Board of Directors members or the Committee to contribute meaningfully to the discussion.

## **4 STANDING COMMITTEES**

### **4.1 CONSTITUTION, BYLAW AND STRUCTURE COMMITTEE**

#### **4.1.1 TERMS OF REFERENCE**

All Standing Committees are responsible to MGEU Convention and are directly responsible to the Board of Directors between Conventions.

The 1<sup>st</sup> Vice-President will be the Chairperson of the Committee.

The Chairperson of the Committee will provide a report to each Board of Directors meeting outlining the activities of the Committee since the last meeting, ten (10) days prior to each Board of Directors meeting.

All Constitution, Bylaw and Structure Committee members will attend Convention, but will not have a vote unless they are at Convention in a role which allows them a vote (i.e. as a delegate).

The Committee will provide a written report on their previous activities and an oral presentation to the MGEU Biennial Convention.

#### **4.1.2 COMPOSITION OF THE COMMITTEE**

- Each Area Council elects its Standing Committee members for a two (2) year term at their first meeting to be held within three weeks following Convention;
- Elected members will report their Committee activities to their Area Council;
- In the event that a Standing Committee member is absent without notice on three (3) occasions (Standing Committee and Area Council meetings combined), the member will be required to resign from the Standing Committee position. A letter will be sent to the member from the Committee Chairperson after two (2) absences without notice. The letter will be prepared by the Standing Committee Staff Liaison for the Committee Chairperson's signature; (MGEU Convention October 2016)
- Where a Standing Committee member is unable to attend a meeting they will send regrets to either the Standing Committee Chairperson or the Area Council Chairperson as applicable; (MGEU Convention October 2016)

- Where a Standing Committee member needs to temporarily step away from their elected position on the Committee for a period of three (3) months or longer, the member will notify the Standing Committee and Area Council Chairpersons. The affected Area Council may hold an election to temporarily fill the position until the return of the incumbent. (MGEU Convention October 2018)
- Each Standing Committee has a Chairperson elected by and from the Board of Directors for a two (2) year term in a Convention year;
- Each Standing Committee elects a Vice-Chairperson for a two (2) year term from its committee members. In the temporary absence of the Chairperson, the Vice-Chairperson carries out the Chairperson's duties. If the position is vacated during the term an election will be held at the next scheduled meeting. Elections for a new Vice-Chairperson must be included on the agenda of the next meeting notice.

Each Standing Committee will hold at least four (4) meetings per year and will develop an annual work plan responsive to the Committee's responsibilities. If they want to meet less often, they need the Union President's approval.

Each Standing Committee must have at least one (1) meeting per term outside of Winnipeg. This meeting must be included as part of the Committee's annual budgeting process. (MGEU Convention October 2016)

A quorum will be constituted when a majority of the committee's elected or appointed members, one of which must be the Chairperson or Vice-Chairperson of the Standing Committee are present. (MGEU Convention October 2014)

Each member (except for ex officio members) will be entitled to one (1) vote on any matter placed before the Committee. All matters to be decided by the Committee will be decided by a simple majority of members voting thereon. In the event that the votes cast for and against a motion are equal in number, the Chairperson may cast the deciding vote or alternatively refer the matter to the Board of Directors for resolution.

A copy of the minutes of each meeting of the Committee will be provided to each member of the Committee and to the Board of Directors in a timely fashion.

#### **4.1.3 OTHER MATTERS**

In fully discharging its responsibilities:

- The Committee will be responsible for all matters related to the MGEU Constitution and Bylaws;
- The Chairperson will attend a meeting set by the Director, Member Services with all Committee Chairs and staff support person to set long and short term goals for the Committee;
- The Committee will review, discuss and assess its own performance and effectiveness annually;
- The Committee will review periodically its Terms of Reference and, if required, recommend any changes considered necessary for adoption by the Board of Directors;
- The Committee will consult regularly with other Committees of the Board of Directors in carrying out its work;

- The Committee will perform such other duties and responsibilities as may be assigned to the Committee by the Board of Directors.

## **4.2 EQUALITY AND HUMAN RIGHTS COMMITTEE**

### **4.2.1 TERMS OF REFERENCE**

All Standing Committees are responsible to MGEU Convention and are directly responsible to the Board of Directors between Conventions.

The Chairperson of the Committee will provide a report to each Board of Directors meeting outlining the activities of the Committee since the last meeting, ten (10) days prior to each Board of Directors meeting.

The Committee will provide a written report on their previous activities and an oral presentation to the MGEU Biennial Convention.

### **4.2.2 COMPOSITION OF THE COMMITTEE**

- Each Area Council elects its Standing Committee members for a two (2) year term at their first meeting to be held within three (3) weeks following Convention;
- Elected members will report their committee activities to their Area Council;
- In the event that a Standing Committee member is absent without notice on three (3) occasions (Standing Committee and Area Council meetings combined), the member will be required to resign from the Standing Committee position. A letter will be sent to the member from the Committee Chairperson after two (2) absences without notice. The letter will be prepared by the Standing Committee Staff Liaison for the Committee Chairperson's signature; (MGEU Convention October 2016)
- Where a Standing Committee member is unable to attend a meeting they will send regrets to either the Standing Committee Chairperson or the Area Council Chairperson as applicable; (MGEU Convention October 2016)
- Where a Standing Committee member needs to temporarily step away from their elected position on the Committee for a period of three (3) months or longer, the member will notify the Standing Committee and Area Council Chairpersons. The affected Area Council may hold an election to temporarily fill the position until the return of the incumbent. (MGEU Convention October 2018)
- Each Standing Committee has a Chairperson elected by and from the Board of Directors for a two (2) year term in a Convention year;
- Each Standing Committee elects a Vice-Chairperson for a two (2) year term from its Committee members. In the temporary absence of the Chairperson, the Vice-Chairperson carries out the Chairperson's duties. If the position is vacated during the term an election will be held at the next scheduled meeting. Elections for a new Vice-Chairperson must be included on the agenda of the next meeting notice.

Each Standing Committee will hold at least four (4) meetings per year and will develop an annual work plan responsive to the Committee's responsibilities. If they want to meet less often, they need the Union President's approval.

Each Standing Committee must have at least one (1) meeting per term outside of Winnipeg. This meeting must be included as part of the Committee's annual budgeting process. (MGEU Convention October 2016)

A quorum will be constituted when a majority of the committee's elected or appointed members, one of which must be the Chairperson or Vice-Chairperson of the Standing Committee are present. (MGEU Convention October 2014)

Each member (except for ex officio members) will be entitled to one (1) vote on any matter placed before the committee. All matters to be decided by the Committee will be decided by a simple majority of members voting thereon. In the event that the votes cast for and against a motion are equal in number, the Chairperson may cast the deciding vote or alternatively refer the matter to the Board of Directors for resolution.

A copy of the minutes of each meeting of the Committee will be provided to each member of the Committee and to the Board of Directors in a timely fashion.

#### **4.2.3 OTHER MATTERS**

In fully discharging its responsibilities:

- The Committee will advise the Board of Directors on issues concerning members from the following four (4) equity-seeking groups:
  - 1) Aboriginal Peoples;
  - 2) Visible Minorities;
  - 3) Persons with Disabilities;
  - 4) Lesbian, Gay, Bi-sexual, Transgendered Two-spirit, Queer and \*(Allies).
- The Committee will assist the Board of Directors in identifying social justice issues affecting the equity-seeking groups;
- The Committee will promote a barrier free workplace according to provincial and federal laws designed to protect workers from discrimination;
- The Committee will provide 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;
- The Committee will work with other provincial, federal and international equity and human rights committees to promote equality and solidarity among all equity seeking groups;
- The Committee will help the Union to develop contract language that stops discrimination faced by all equity seeking groups;
- The Committee will encourage all equity-seeking groups to participate in the Union;
- The Committee will conduct a biennial review to assess the equity policy and recommend changes as necessary;
- The Chairperson will attend a meeting set by the Director, Member Services with all Committee Chairs and staff support person to set long and short term goals for the Committee;
- The Committee will review, discuss and assess its own performance and effectiveness annually;

- The Committee will review periodically its Terms of Reference and, if required, recommend any changes considered necessary for adoption by the Board of Directors;
- The Committee will consult regularly with other committees of the Board of Directors in carrying out its work;
- The Committee will perform such other duties and responsibilities as may be assigned to the Committee by the Board of Directors.
- The Committee will periodically review and make recommendations to update the Inclusive Language Policy. (Board of Directors June 2020)

### **4.3 FINANCE COMMITTEE**

#### **4.3.1 TERMS OF REFERENCE**

All Standing Committees are responsible to MGEU Convention and are directly responsible to the Board of Directors between Conventions.

The Chairperson of the Committee will provide a report to each Board of Directors meeting outlining the activities of the Committee since the last meeting, ten (10) days prior to each Board of Directors meeting.

The Committee will provide a written report on their previous activities and an oral presentation to the MGEU Biennial Convention.

- Reports on the committee's activities since the last Convention;
- Presents the Audited Financial Statements for the past fiscal year to Convention delegates;
- Recommends the annual budget to the delegates;
- Recommends the dues structure to Convention delegates.

#### **4.3.2 COMPOSITION OF THE COMMITTEE**

- The 2<sup>nd</sup> Vice-President will be the Chairperson of the Finance Committee;
- Each Area Council elects its Standing Committee members for a two (2) year term at their first meeting to be held within three (3) weeks following Convention;
- Elected members will report their committee activities to their Area Council;
- In the event that a Standing Committee member is absent without notice on three (3) occasions (Standing Committee and Area Council meetings combined), the member will be required to resign from the Standing Committee position. A letter will be sent to the member from the Committee Chairperson after two (2) absences without notice. The letter will be prepared by the Standing Committee Staff Liaison for the Committee Chairperson's signature; (MGEU Convention October 2016)
- Where a Standing Committee member is unable to attend a meeting they will send regrets to either the Standing Committee Chairperson or the Area Council Chairperson as applicable; (MGEU Convention October 2016)
- Where a Standing Committee member needs to temporarily step away from their elected position on the Committee for a period of three (3) months or longer, the member will notify the Standing Committee and Area Council Chairpersons. The affected Area Council may hold an election to temporarily fill the position until the return of the incumbent. (MGEU Convention October 2018)

- Each Standing Committee elects a Vice-Chairperson for a two (2) year term from its committee members. In the temporary absence of the Chairperson, the Vice-Chairperson will chair Finance Committee meetings, but will not assume other duties that have been assigned to the Chairperson. If the position is vacated during the term an election will be held at the next scheduled meeting. Elections for a new Vice-Chairperson must be included on the agenda of the next meeting notice.

The Committee will hold at least four (4) meetings per year and will develop an annual work plan responsive to the Committee's responsibilities. If they want to meet less often, they need the Union President's approval.

Each Standing Committee must have at least one (1) meeting per term outside of Winnipeg. This meeting must be included as part of the Committee's annual budgeting process. (MGEU Convention October 2016)

A quorum will be constituted when a majority of the committee's elected or appointed members, one of which must be the Chairperson or Vice-Chairperson of the Standing Committee are present. (MGEU Convention October 2014)

Each member (except for ex officio members) will be entitled to one (1) vote on any matter placed before the Committee. All matters to be decided by the Committee will be decided by a simple majority of members voting thereon. In the event that the votes cast for and against a motion are equal in number, the Chairperson may cast the deciding vote or alternatively refer the matter to the Board of Directors for resolution.

A copy of the minutes of each meeting of the Committee will be provided to each member of the Committee and to the Board of Directors in a timely fashion.

The Finance Committee:

- Has general supervision over all Union financial transactions;
- Will review and recommend the annual budget to the Board of Directors;
- Will review the MGEU dues annually and make recommendations to the Board of Directors on the fairness and adequacy of those dues;
- Chairperson will present quarterly financial statements to the MGEU Board of Directors. (Board of Directors January 2020)

#### **4.3.3 OTHER MATTERS**

In fully discharging its responsibilities:

- The Chairperson will attend a meeting set by the Director, Member Services with all Committee Chairs and staff support person to set long and short term goals for the Committee.
- The Committee will review, discuss and assess its own performance and effectiveness annually;
- The Committee will review periodically its Terms of Reference and, if required, recommend any changes considered necessary for adoption by the Board of Directors ;
- The Committee will consult regularly with other committees of the Board of Directors in carrying out its work;

- The Committee will perform such other duties and responsibilities as may be assigned to the Committee by the Board of Directors.

#### **4.3.4 FINANCIAL GUIDELINES**

##### **4.3.4.1 Membership Dues**

Membership dues as set by the MGEU Convention October 25 and 26, 2002:

At October 2010, the rate will be 1.25% on all income.

The dues rate for a member on extended sick leave, WCB, LTD or maternity leave who wishes to remain active is five dollars (\$5) biweekly.

The dues rate for a laid-off member who wishes to remain active is five dollars (\$5) biweekly. (Board of Directors August 1998)

Members can continue to pay dues while on extended leave or layoff for a period of one (1) year by contacting the Membership Department and completing an application to pay the five dollars (\$5) biweekly rate.

At the end of the one (1) year period, the Membership Department will contact the member and have a second application completed. If no return to work date is available and the member wishes to continue to pay dues, the application will be forwarded to the MGEU Board of Directors for approval.

##### **4.3.4.2 Dues Rebate Policy**

- 1) Requests for a full or partial rebate of membership dues will be made in writing to the attention of the Membership Department of the Union.
- 2) All requests will be investigated to determine:
  - a) The authenticity of the request;
  - b) The validity of the exclusions;
  - c) In the case of an exclusion or reclassification, the specific date the reclassification was approved/or began working in the excluded position;
  - d) In the case of full-time term employees, the biweekly rate of pay and the number of pay periods worked.
- 3) Requests for rebates will be made within a reasonable period of time following:
  - a) In the case of exclusions, the change of the status of the employee;
  - b) The receipt of the members T4 slip.
- 4) In all cases, the Union will only be responsible for the reimbursement of dues for a maximum period of one (1) year.
- 5) In no case will the Union reimburse dues collected for any period of time between the approval of a reclassification to an excluded position and a retroactive effective date of such reclassification. (Until the fact of the reclassification took place the employee was within the bargaining unit and had both the right and the benefit of Union representation and services.)

- 6) The Union will not seek to recover any underpayment of dues where dues are collected by an employer at an insufficient rate.
- 7) The Union will advise the individual that the amount must be included on their income tax return.
- 8) No payment will be issued if the amount is less than ten dollars (\$10).
- 9) Where a member requesting a rebate is of the view that their request has not been dealt with in accordance with this policy, they may appeal the decision of the Membership Department, in writing, to the Chairperson of the Finance Committee within thirty (30) calendar days of receipt of notice of such decision.
- 10) An appeal will set out the reasons for such appeal and the Finance Committee will consider all facts applicable under the circumstances. The decision of the Finance Committee will be final. (October 1991)
- 11) Dues issues will be dealt with as a separate resolution from the Finance Committee Report to Convention. (MGEU Convention October 1993)

#### **4.3.4.3 Payment of Dues During Strike**

- 1) Persons who receive strike pay from the Union will be deemed to be continuing to pay Union dues, which have been deducted at source from their strike pay.
- 2) Persons who are not receiving strike pay must continue to pay Union dues on a regular basis in order to maintain membership in the Union.
- 3) Any person not paying dues during the time of a strike will have their continuing membership along with all rights and privileges withdrawn.
- 4) Any person whose continuing membership is thus withdrawn may reinstate their membership by paying all retroactive dues owing.

#### **4.3.4.4 Strike Pay and Benefits While on Strike**

- 1) Strike pay will be three hundred dollars (\$300) per week and will be paid weekly if the weekly picketing requirement of hours is met. Picket requirements are twenty (20) hours per week. (Board of Directors June 2018)
- 2) If the Defence Fund falls below \$10,000,000, the Provincial Officers have to conduct a review of the level of strike pay. Report to be provided to the Board of Directors on the sustainability of strike pay rates and the Provincial Officers recommendations with respect to strike pay rates. (Board of Directors June 2018)
- 3) The MGEU will commit to negotiate the continuation of essential benefits for striking MGEU members and make every effort to ensure that essential benefits are continued during the period of the strike. (Board of Directors September 2007)

#### **4.3.4.5 Statutory/Religious Holidays**

##### **Statutory Holidays**

New Year's Day  
 Louis Riel Day  
 Good Friday

Victoria Day  
 Canada Day  
 Terry Fox Day

Thanksgiving Day  
 Remembrance Day  
 Christmas Day

Easter Monday

Labour Day

Boxing Day

### **Religious Holidays**

Please see Member Meetings, Schools and Events (in Province).

#### **4.3.4.6 Member Meetings, Schools and Events (In Province)**

- 1) Local meetings are to be coordinated by the Local President in conjunction with the Staff Representative and the Area Director.
  - a) In an effort to be sensitive to our membership's growing diversity, as it applies to religious holidays, every effort will be made to hold meetings at times, dates and places which allow members to participate in the democratic process of our Union. This policy would apply to meetings where voting or balloting takes place to hold elections for Local Table Officers, Component or Area Directors, Convention or Board of Directors meetings where elections are held and voting to ratify and/or reject a contract offer or a strike vote.
- 2) Notices of meetings will be sent to all members of the Local.
- 3) Notices of meetings and correspondence will be coordinated through Central Office with three (3) weeks' notice whenever possible.

#### **4.3.4.7 Expenses - Union Meetings, Schools and Events**

- 1) Whenever possible, all meetings should be held in the most economical location and MGEU facilities should be utilized whenever they are available.
- 2) Where use of commercial facilities is required to conduct Union business, unionized facilities, if feasible, will be used.
- 3) Any variation must receive the approval of the Chairperson of the Finance Committee or the President.
- 4) When a member registers for a MGEU sanctioned event and fails to attend the entire business proceedings of the event without a legitimate reason and notice to the MGEU, no reimbursement will be made for wage recovery, kilometres, meals or hotel. The MGEU Director, Internal Operations will send a letter to the member advising that the member may be ineligible to attend any school or event during the following twelve (12) months. (Board of Directors January 2019)
- 5) Infractions will remain on the member's record for three (3) years. (Board of Directors January 2016)
- 6) All claims for expenses will be submitted within three (3) months of being incurred for payment. (Board of Directors January 2016)
- 7) After being in travel status for more than three (3) days, Union members will be entitled to claim reasonable valet or laundry expense upon submission of proper receipts.
- 8) Appeals to the above policies will be dealt with by the Finance Committee.

#### **4.3.4.8 Expenses - Extenuating Circumstances**

If a member believes there are extenuating circumstances that would justify payment of an expense claim that would otherwise be ineligible for reimbursement, that member may submit those extenuating circumstances to the Chairperson of the Finance Committee, who will review the circumstances to determine if the claim will be accepted for reimbursement. (Board of Directors January 2016)

#### **4.3.4.9 Wage Recovery**

- 1) Time off letters should be submitted to employers and members a minimum of twenty-one (21) days prior to Union meetings or activities whenever possible in order to give employers the opportunity to accommodate time off for Union activists. (Board of Directors January 2001)
- 2) Coordinators of meetings held on behalf of the MGEU are to submit an attendance record to the MGEU Finance Unit. Attendance records will indicate the type of meeting, whether wage recovery is to be paid or not, the day(s) and shift(s) impacted, and the number of hours of wage recovery for each day. (Board of Directors January 2018)
- 3) Wages covered will be regular, scheduled hours.
- 4) There are instances where part-time members, as a result of union business, miss out on hours they would otherwise have worked. In these instances, the member may request consideration for compensatory union leave. The request shall be submitted to the Director, Member Services who may request additional supporting information and documentation before making the final decision on whether or not to explore the feasibility of granting such leave. (Board of Directors June 2020)

#### **4.3.4.10 Travel**

- 1) Kilometre rates for members on Union business in the province will be reimbursed based on actual clocked kilometres subject to the following:
  - a) For regularly scheduled meetings, kilometres will be paid based on incurred travel from principal residence to meeting location.
  - b) For meetings not regularly scheduled, mileage will be paid as incurred for Manitoba based travel from the members' location to the meeting location. Pre-approval from MGEU (e.g.: Staff Representative, Staff Director) to be provided for eligibility.
  - c) Effective September 1, 2018, supper allowance will be provided if members are travelling and unable to be home before 6:00pm. (Board of Directors June 2018)
  - d) Overnight accommodation costs and an overnight per diem to be provided if the member is unable to return to their principle residence by 9:00pm on the day of their Union business. Exceptions allowed if concerns noted over unsafe driving conditions or circumstances outside the members' control. (Board of Directors September 2016)
  - e) Any members who must travel five hundred kilometres (500kms) or more one (1) way when driving for Union business for a one (1) day meeting will be eligible for an additional day of wage recovery (maximum of two [2] days). Approval for additional wage recovery, should circumstances require, to be approved by the Chairperson of the Finance Committee or authorized designate. (Board of Directors March 2017)

- 2) Recognizing that fuel prices are a significant part of the cost of travel, a scale to address the fluctuation in gas prices will be used. Using a base rate of forty-three cents (43¢) a kilometre (46¢ North of 53) based on a cost of one dollar and fifteen cents (\$1.15) per litre, for every five cents (5¢) that gasoline rises or declines in price, the per kilometre reimbursement will go up or down one (1) cent. The allowance will not be lower than forty-three cents (43¢) south and forty-six cents (46¢) north. (Board of Directors May 2000)
- 3) Kilometre rates will be reviewed and calculated on a monthly basis as of June 1, 2008. (Board of Directors June 2008)
- 4) Members living north of the fifty-third (53<sup>rd</sup>) parallel will be reimbursed at the northern rate for all kilometres driven.
- 5) Members living south of the fifty-third (53<sup>rd</sup>) parallel will be reimbursed the southern rate for all kilometres driven. (Board of Directors, January 2016)
- 6) The Union will pay bus fare to members while on Union business.
- 7) MGEU members who travel by vehicle versus air travel will be paid the applicable kilometre rate as per the Financial Guidelines. (Board of Directors September 2014)
- 8) Where charters have been arranged no kilometres will be paid with the exception of extraordinary circumstances that have been preauthorized by the Chairperson of the Finance Committee. The member will be reimbursed the negotiated charter rate on a pro-rated basis (not to exceed excursion rate).
- 9) Where a member drives rather than flies, the total expense claim should be comparable to the total cost of flying (kilometre reimbursement, meals, wage recovery, and hotel expenses). (Board of Directors January 2016)

#### **4.3.4.11 Parking and Taxi Fares**

- 1) All members will be reimbursed for parking when attending authorized MGEU business or meetings. (Board of Directors January 2018)
- 2) All claims for parking must be accompanied by receipts.
- 3) All claims for taxi fares must be accompanied by receipts (should only be used when flying in or out of province, or for extenuating circumstances).

#### **4.3.4.12 Meals and Incidentals**

MGEU meal allowances and overnight per diem rates (to cover miscellaneous incidental expenses such as newspaper, snacks and phone calls) are as follows:

##### **Effective February 2016**

Breakfast	\$12.00
Lunch	\$16.00
Supper	\$24.00
Overnight per diem	\$18.00

If a meal is provided at the event, no allowance may be claimed.

#### **4.3.4.13 Hotels**

- 1) Only eligible members traveling one hundred twenty kilometres (120kms) round trip or more to attend a meeting are eligible to claim expenses for lodging unless extenuating circumstances are established. (Board of Directors May 1995)
- 2) Members should stay at hotels booked by the Union on their behalf when the Union is covering the cost.
- 3) In the event a member does not accept accommodations booked on their behalf and they book other Union accommodations on their own, they must notify the Union in advance and pay any difference which exceeds the rate of the accommodation that the Union has booked.
- 4) A member who elects to book accommodations, will pay for their accommodations on checkout and submit a hotel receipt with an expense account to the Union. They will be reimbursed at the Union negotiated rate as booked.
- 5) All Union members are encouraged to book at unionized hotels if available when on Union business. (Board of Directors January 2016)
- 6) The Union, when providing accommodation, will pay for room, taxes and parking only.
- 7) Unless otherwise approved, extra charges for family members and/or others will be paid for by the member when checking out.
- 8) Union correspondence will clearly outline procedures for hotel bookings, cancellations, reimbursement and members' responsibilities.
- 9) Members who have been notified and who fail to attend a Union event for which accommodation has been booked for them and do not cancel their booking, will be billed for the appropriate costs. Appeals to this policy will be dealt with by the Finance Committee. (Board of Directors January 1994)
- 10) An individual staying with friends or relatives while on Union business will be reimbursed by up to one-half (½) the cost of reasonable hotel rates as determined by the MGEU.
- 11) Room sharing and travel pools (car) will be on a voluntary basis. (Board of Directors May 1995).

#### **4.3.4.14 Out of Province Travel**

- 1) The MGEU will not reimburse vehicle rental fees for members without prior written approval from the Chairperson of the Finance Committee, the appropriate Staff Director or a Provincial Officer. (Board of Directors January 2016)
- 2) Extended Health Coverage premiums will be paid by the Union for members who obtain coverage for travel on MGEU Business outside of Manitoba. Members will be responsible for arranging coverage and will submit a receipt with their expense claim for payment. (Board of Directors August 1990)
- 3) Where meals are provided, the member may claim for non-provided meals on the basis of:

Breakfast	\$15
Lunch	\$25
Supper	\$45

- 4) In addition to the above amounts, the member will be eligible to claim the overnight per diem amount as well.

#### **4.3.4.15 MGEU Convention**

- 1) As required, delegates attending MGEU Convention will have their accommodation, travel and meals paid for by the Union. (If the delegate's spouse is attending Convention, the Union will pay the cost of the spouse's shared accommodation.)
- 2) The MGEU will pay taxi fares or clocked kilometres and parking for all delegates who live inside the perimeter highway who wish to attend MGEU sponsored social events at the MGEU Special and Regular Biennial Conventions.
- 3) All delegates who live outside of the perimeter highway will have the option of staying at the hotel for such Conventions. For members who do not wish to stay at the hotel, kilometre and parking rates will apply. For outside Winnipeg Conventions, MGEU kilometre policy will apply. (Finance Committee Meeting Minutes June 1999)
- 4) The MGEU will cover wage recovery and expenses for Standing Committee members who are not delegates to the MGEU Convention to attend the Convention for the time of the Committee report providing:
  - a) The Standing Committee member was unsuccessful in an attempt to be elected as a Convention delegate; and
  - b) The Chairperson of the Standing Committee requests and receives approval from the 2<sup>nd</sup> Vice-President of the MGEU who will decide on a case by case basis. (MGEU Convention October 2008)

#### **4.3.4.16 Child Care/Elder Care Expenses**

- 1) No costs will be reimbursed to any member for child care/elder care expenses that would have been incurred had that member been performing their normal work on that day.
- 2) The MGEU will reimburse child care/elder care expenses at the rate of fifteen dollars (\$15) per hour to a maximum of one hundred fifty dollars (\$150) for a twenty-four (24) hour period. (MGEU Convention October 2018)
- 3) Child care/elder care costs will only be reimbursed when a signed MGEU child care/elder care expense form from the member and the care provider is submitted to the MGEU along with a normal expense account form. Receipts are required.
- 4) No reimbursement will be paid to a relative or any other person living at the same residence as the member.
- 5) Reimbursement will be for costs related to children thirteen (13) years of age and under.
- 6) Where exceptional circumstances dictate, exceptions can be approved by the Chairperson of the Finance Committee.
- 7) The MGEU will not be responsible for any transportation costs for the care provider.

#### **4.3.4.17 Honorariums**

No honorariums will be paid to Local Table Officers.

#### **4.3.4.18 Long Distance Telephone Calls**

- 1) Collect telephone calls are not accepted. Members are asked to use the toll free, MGEU Resource Centre number:  
All Areas: 1-866-982-6438
- 2) Long distance telephone charges for calls made by members from telephones other than MGEU office telephones are not to be billed to MGEU office telephones. They should be paid for by the member and charged to the MGEU as an expense account item.
- 3) Union members in travel status on Union business for a consecutive period of four (4) days or more will be entitled to claim long distance telephone expenses not exceeding six dollars (\$6) per four (4) days of travel status.

#### **4.3.4.19 Screening Committee, Grievance and Appeals Committee, Attendance and Expense Policy**

- 1) The Screening Committee is responsible for the initial assessment of appeals and grievances.
- 2) Members may appeal this committee's decisions to the Grievance and Appeals Committee.
- 3) Members may be represented by a Staff Representative of the MGEU, a Shop Steward or Local Union Officer or any other member of the Union.
- 4) Conference calls will be the preferred method of handling most appeals and grievances. The Union will be responsible for such expenses as are deemed appropriate.
- 5) Due to the unusual circumstances of a particular case, the Screening Committee may request the attendance of an appellant and/or grievor. The Union will pay appropriate expenses and wage recovery for such cases.
- 6) Appellants and/or grievors appearing before the Screening Committee and/or the Grievance and Appeals Committee will be paid appropriate expenses and wage recovery on the recommendation of the Committee or the staff assigned to that Committee. (Board of Directors March 2003)
- 7) The Grievance and Appeals Committee is the final body of appeal for any member who wishes to contest the decision of the Screening Committee. The same policies on attendance and expenses for the Screening Committee are applicable to the Grievance and Appeals Committee. (Board of Directors October 1997)

#### **4.3.4.20 Committee Budgeting Process**

##### **PURPOSE AND OBJECTIVES**

- 1) The purpose of this policy is to assist both Standing Committees in the planning of Union activities and the Finance Committee in the preparation and monitoring of the annual budget.
- 2) Each Standing Committee must have at least one (1) meeting per term outside of Winnipeg. This meeting must be included as part of the Committee's annual budgeting process. (MGEU Convention October 2016)

- 3) For expenditures over five hundred dollars (\$500) a proposal must be submitted to the Finance Committee prior to May 31 of the fiscal year preceding the expenditure. (Board of Directors January 2018)
- 4) Submissions received late will be considered for the next fiscal year unless the project was unforeseen.
- 5) Sample expenditures would be projects such as pins, posters, educational and other Committee work.
- 6) Committees are encouraged to plan their activities at their spring meetings.
- 7) All submissions will be reviewed by the Finance Committee and reported to the Board of Directors.
- 8) Special campaigns of a significant nature must get approval from the Union's Provincial Officers and the Board of Directors.

#### **4.3.4.21 Defence and Contingency Fund**

- 1) A Contingency Fund will be established and will be used to fight privatization, layoffs or other threats to members' jobs, or to manage unanticipated contingencies. Funds from the Contingency Fund may only be spent with approval from the Board of Directors. (Board of Directors September 2019)
- 2) The purpose of the Defence Fund, which represents the accumulated capital and reserves of the MGEU, is to provide resources to MGEU members during strike action, loans to NUPGE Components during strike action and special initiatives in defence of member jobs.
- 3) On a biweekly basis, fifty cents (50¢) per member will be contributed to the Defence Fund and fifty cents (50¢) to a Contingency Fund. Transfers to the Contingency Fund are suspended when the Contingency Fund reaches \$1,000,000. If expenditure from the Contingency Fund occurs then the fifty cents (50¢) would return to that fund until the \$1,000,000 is reached again. The Contingency Fund would not exceed \$1,000,000. (Board of Directors September 2019)
- 4) When possible, all or part of an Operating surplus can be used to improve or replenish the Defence and Contingency Fund. (Board of Directors January 2016)
- 5) For the fiscal years 2019/20, 2020/21, and 2021/22 all transfers to the Defence and Contingency Funds will be at the discretion of the Board of Directors. (Board of Directors September 2019)

#### **4.3.4.22 Humanitarian Fund**

- 1) The MGEU Humanitarian Fund will support in a meaningful way international and domestic projects in the support of anti-poverty initiatives and disaster relief. The fund will provide support for:
  - Domestic and international emergency humanitarian relief;
  - Canadian anti-poverty and development initiatives.
- 2) The fund will be funded from ten percent (10%) of the interest earned by the MGEU Defence Fund.

- 3) To cap the Humanitarian Fund at \$100,000 and no further contributions to be transferred into the fund until it drops below \$100,000. (Board of Directors 2014)
- 4) Preference will be given to requests delineating specific projects, priority being given to Manitoba projects. The individual or organization making the request is required to provide an outline of the project including its goals and purposes and an accounting of the project budget.
- 5) The MGEU Provincial Officers and President will review and decide upon requests for funding on a case-by-case basis. Any total Humanitarian Fund commitment to a single recipient over \$25,000 also requires approval by the Board of Directors. (Board of Directors September 2016)
- 6) A donation request is contingent on meeting at least one (1) of the following criteria:
  - Elimination of poverty;
  - Promotion and protection of a healthy environment;
  - Elimination of inequalities in society and the workplace;
  - Improving the basic necessities of life in developing communities.
- 7) Donation requests will be assessed on the basis of the following criteria, with the goal of maintaining meaningful contributions:
  - Size of the request;
  - Focus on the project or group working for the cause outlined;
  - Scope and diversity of requests received by the Committee.
- 8) An accounting and update on requests to the fund will be presented to the MGEU Board of Directors on an ongoing basis.

#### **4.3.4.23 Union Made**

The MGEU shall support the purchasing of Union made goods and services, balanced with supporting pro-labour social enterprises and small community businesses, wherever possible. (Board of Directors January 2016)

#### **4.3.4.24 Public Relations**

- 1) The MGEU will designate a special committee to assist in public relations efforts and administer the budget.
- 2) The Committee will be known as the Public Relations Committee and will be comprised of the Chairperson of the Finance Committee, a designated Staff Director, and the Membership Outreach staff person, and any one or more Board of Directors, members/Provincial Officers/President.
- 3) The Public Relations Committee will be responsible for the practice of public relations and budget annually an amount to assist charitable, non-profit groups and various endeavours with any disbursements subject to the policy of the Committee as outlined.
- 4) Public Relations Committee Guidelines: Donations will be considered to any MGEU or labour group, or any non-profit, non-partisan community group. The proposed initiative/organization will have:
  - A community-wide impact; or

- Fulfill a social support/justice needs within the community; or
  - Have active involvement by MGEU members.
- 5) The MGEU should receive appropriate recognition for their involvement. This recognition will not be the determining factor to make any contributions.
  - 6) Requests for donations must be submitted in writing to the MGEU Finance Department indicating the organization's name, address, telephone number and date of the event, if applicable.
  - 7) The Committee Chairperson will be responsible for administering all requests and donations.
  - 8) Requests for donations from organizations outside of the Public Relations Committee guidelines will be referred to the Provincial Officers for further consideration.
  - 9) The MGEU will not give cash donations for activities such as golf tournaments, bonspiels, hockey teams or tournaments or other similar activities. The Committee may donate MGEU merchandise or program advertising for these events providing they are MGEU member organized or sponsored.
  - 10) Initiatives/events that are of a personal nature, such as wedding socials or other similar events, will not be supported. Events or socials that are community based and/or in response to emergency help - disasters/fire/flood and other losses may be supported.
  - 11) The Committee will maintain equity among the Areas/Components/Locals, and a balance of support among sport, cultural, labour, and community initiatives.
  - 12) Community requests for monetary donations and sponsorship of any events are subject to the approval of the Union President, an appropriate Staff Director, and the Finance Committee Chairperson.
  - 13) The Committee will work cooperatively with the Government/Employer to ensure that the All Charities Campaigns are carried out as effectively as possible.
  - 14) Reports will be made to the Board of Directors and the Finance Committee on a regular basis.
  - 15) The Public Relations Committee will publish a complete list of individual monetary donation(s) above five hundred dollars (\$500) each year to be accessible via the MGEU website. (MGEU Convention October 2016)
  - 16) The Public Relations Committee reserves the right to revise this criterion subject to the Board of Directors approval. (Board of Directors March 2002)

#### **4.3.4.25 MGEU Investment Policy**

- 1) The purpose of this Investment Policy Statement (IPS) is to guide the Union in its investment choices to maximize return on invested assets, within an acceptable level of risk. The investment policy will apply to the investment of all MGEU funds. Investments should allow for sufficient liquidity within the portfolio to ensure MGEU can access funds as needed, as required by the Fund.
- 2) The Investment Committee will be comprised of a Finance Committee member, elected at the first Finance meeting after the MGEU Biennial Convention, the Chairperson of the Finance Committee, Controller, and the appropriate Staff Director.

- 3) The Investment Committee is responsible for all MGEU invested assets in their role as the Fund administrator (the "Administrator"). The Administrator must:
  - Meet at least once annually to discuss investment strategy and review the appropriateness of asset mix targets, sector diversification and investment concentrations considering MGEU's investment profile;
  - Select investments from investment options offered by the Investment Providers, considering MGEU's IPS, when investment is required;
  - Monitor investment expenses and returns of the Investment Providers. A detailed annual review to be performed of each Investment Provider to confirm if performance meets MGEU's needs;
  - Meet with each Investment Provider at least once during the committee's two year term to discuss the Investment Providers portfolio in depth;
  - Review the IPS annually and propose modifications to be considered by the Board of Directors, if any;
  - The Administrator will report to the Finance Committee throughout the term as part of the report on the financial statements;
  - The Administrator will report annually to the MGEU Board of Directors using the results of the fiscal year. Reporting will include:
    - Compliance reporting;
    - Report on strategic investment plan;
    - Conflict of interest disclosures, if any;
    - Financial results reporting; and,
    - Report on committee activities for the year.
- 4) The Administrator must always act in the best interest of the MGEU. MGEU funds will be invested with a degree of care, diligence, skill and prudence that a reasonable person would exercise in the administration of their personal financial affairs.
- 5) The Administrator may delegate its power and duties in whole or in part.
- 6) Members of the investment committee, and any assigned delegate(s), may not exercise their powers in their own interest or in the interest of a related party. If there is a real or a perceived conflict of interest in the investment of MGEU assets, such conflict will need to be disclosed by the conflicted party in writing to both the Administrator and the Provincial Officers disclosing the full extent and nature thereof.
 

The Administrator, and Provincial Officers if required, will take such action as is necessary to resolve the conflict.
- 7) The Administrator of the portfolio, prior to fixed income purchases, will consider the investments maturity date in relation to the fixed income portfolio and MGEU's needs. In general, the Administrator will attempt to stagger fixed income maturities approximately evenly ("laddering") over a ten (10) year timeline.
- 8) Consideration will be given to investments in Manitoba.
- 9) The MGEU is committed to encouraging companies and organizations to adopt policies and practices that enhance their long-term financial performance, including responsible corporate and organizational behavior with respect to environmental, social and governance ("ESG") factors, including progressive labour practices.

- 10) ESG and labour factors may be considered by the Administrator when selecting investment funds. However, incorporating these factors in the investment funds selection process must not interfere with the guidance found in the IPS.
- 11) MGEU will not knowingly invest in securities issued by companies with significant involvement in:
  - For-profit education;
  - For-profit health care; and,
  - Public - private partnerships
- 12) When able, and if deemed beneficial, the Administrator will exercise their investment voting rights in a manner that is consistent with the MGEU's values and beliefs.
- 13) Investments may be placed in any or all of the following asset categories:
  - Publicly traded common shares;
  - Preferred equity deemed to be investment grade;
  - Bonds, debentures, mortgages, notes or other debt instruments of government agencies or corporations that are investment grade;
  - Guaranteed investment certificates, term deposits or equivalent of government agencies or corporations that are investment grade.
  - Money market securities issued by governments or corporations;
  - Mutual, exchange traded, or pooled funds which may invest in any or all of the above instruments or assets.

The following restrictions are placed on the above:

- Investments may not be made in futures, forward contracts, derivatives or options;
  - Investments within the Severance and Operating Funds cannot include mutual funds, exchange traded funds, pooled funds or publicly traded common shares.
  - Guaranteed investment certificate purchases should always consider the current Canadian Deposit Insurance Corporations guarantee limits in addition to credit quality of the investment. As of time of writing, CDIC reimburses insured deposits up to \$100,000 (including interest).
- 14) The asset mix of the Defence Fund will at all times be such that the percentage of invested assets in the asset classes below, determined using the monthly market values from the Fund's investment statements, will be within the following ranges:

Asset Class	Long Term Asset Mix	Range
Cash and Equivalents	10	0-30%
Fixed Income	70	40-90%
Equities	20	10-30%

- 15) For the Defence Fund, investments in any one company or entity will be limited to the greater of 5% of the total Defence Fund or \$500,000. Investment concentration limits will not apply to Federal or Provincial fixed income investments; however the Administrator must discuss investment concentrations in those assets at least once annually if they exceed this limit.

- 16) If any aspect of the IPS falls outside of compliance (e.g. asset mixes out of set ranges, investments downgraded by rating agency below investment grade), the Administrator can implement any of the following options to restore compliance:
  - Divest of investment(s) orderly and responsibly, in a manner minimizing financial impact to the MGEU;
  - Make additional investments to restore compliance within designated ranges; or,
  - Request an exception from the Provincial Officers, if the Administrator believes restoring compliance would have a negative impact to the MGEU. Any exceptions approved, along with the rationale for approval, to be reported on to the Board of Directors by the Chair of the Finance Committee.
- 17) The Administrator will request and review tenders from Investment Providers on a periodic basis to ensure that the investment returns and the management fee schedule remain competitive.
- 18) This policy is subject to review and amendment by the Board of Directors at any time, but it must be reviewed by the Investment Committee annually. (Board of Directors May 31 / June 1, 1991)

#### **4.3.4.26 Conventions and Conferences Fund**

- 1) The Convention and Conferences Fund was created to fund major MGEU, MFL, NUPGE, and CLC conventions and conferences.
- 2) The level of annual contributions to the Fund will be determined by the Board of Directors on recommendations from the Finance Committee through the annual budgeting process. (Board of Directors October 2020)

4.3.4.27 Financial Matrix

MEMBER EXPENSE REQUIREMENTS																
✓ Can be claimed x Authorization required * Taxi can only be used when flying in or out of province, or for extenuating circumstances.		President	Chief Steward	Vice President	Member-at-Large	Steward	Workplace Rep.	H&S Rep.	Member (no position)	Committee Member	Delegate	Grievor	Advocate	Witness	Appointee	
		EXPENSE	MEETING													
Wage Recovery	Local Meeting	✓	✓	✓	✓	✓										
	Area Council	✓	✓	✓					✓							
	Component Executive	✓	✓	✓	✓											
	Standing Committee								✓							
	Educationals	✓	✓	✓	✓	✓		✓	✓							
	MGEU Convention										✓					
	Affiliate Committee										✓				✓	
	Affiliate Convention/Conference										✓					
	Affiliate Educational (Upon approval of a Staff Director)										✓					
	Labour Council/Labour Coordinating Committee															✓
	Screening Committee as Appellant											x	x			
	Grievance & Appeals Committee as Appellant											x	x			
	Meeting for Pre-Arb/Arbitration/Interviews, etc.											x	x	x		
Travel Air/Taxi*/Bus/Kms	Local Meeting	✓	✓	✓	✓	✓	✓									
	Area Council	✓	✓	✓	✓	✓			✓							
	Component Executive	✓	✓	✓	✓											
	Standing Committee								✓							
	Educationals	✓	✓	✓	✓	✓		✓	✓							
	MGEU Convention										✓					
	Affiliate Committee										✓				✓	
	Affiliate Convention/Conference										✓					
	Affiliate Educational (Upon approval of a Staff Director)										✓					
	Labour Council/Labour Coordinating Committee															✓
	Screening Committee as Appellant											x	x			
	Grievance & Appeals Committee as Appellant											X	x			

MEMBER EXPENSE REQUIREMENTS															
	✓ Can be claimed x Authorization required * Taxi can only be used when flying in or out of province, or for extenuating circumstances.	President	Chief Steward	Vice President	Member-at-Large	Steward	Workplace Rep.	H&S Rep.	Member (no position)	Committee Member	Delegate	Grievor	Advocate	Witness	Appointee
<b>EXPENSE</b>	<b>MEETING</b>														
<b>Accommodations</b>	See Policy Manual for Information														
<b>Parking</b>	<b>All</b> members shall be reimbursed for parking when coming to MGEU Offices for any meetings. (Policy) <b>RECEIPTS MUST BE SUBMITTED</b>														
<b>Meals</b>	Component Executive	✓	✓	✓	✓										
	Standing Committee								✓						
	Educationals	✓	✓	✓	✓	✓	✓		✓						
	MGEU Convention									✓					
	Affiliate Committee									✓					✓
	Affiliate Convention/Conference									✓					
	Affiliate Educational (Upon approval of a Staff Director)									✓					
	Labour Council/Labour Coordinating Committee														✓
	Screening Committee as Appellant										x	x			
	Grievance & Appeals Committee as Appellant										x	x			

Meal allowance for members while on MGEU business out of the Province of Manitoba will be eighty-five dollars (\$85.00) per day. However, where meals are provided, the member may claim only for non-provided meals on the basis of:

- Breakfast: \$15.00
- Lunch: \$25.00
- Supper: \$45.00

The regular overnight per diem of \$18.00 is also claimed in addition to the out-of-province meal allowance.

MEMBER EXPENSE REQUIREMENTS																
	✓ Can be claimed x Authorization required * Taxi can only be used when flying in or out of province, or for extenuating circumstances.	President	Chief Steward	Vice President	Member-at-Large	Steward	Workplace Rep.	H&S Rep.	Member (no position)	Committee Member	Delegate	Grievor	Advocate	Witness	Appointee	
EXPENSE	MEETING															
Child Care	Local Meeting	✓	✓	✓												
	Area Council	✓	✓	✓	✓	✓			✓							
	Component Executive	✓	✓	✓	✓											
	Standing Committee								✓							
	Educationals	✓	✓	✓	✓	✓		✓	✓							
	MGEU Convention									✓						
	Affiliate Committee									✓					✓	
	Affiliate Convention/Conference									✓						
	Affiliate Educational (Upon approval of a Staff Director)									✓						
	Labour Council/Labour Coordinating Committee														✓	
	Screening Committee as Appellant										x	x				
	Grievance & Appeals Committee as Appellant										x	x				

## **4.4 GRIEVANCE AND APPEALS COMMITTEE**

### **4.4.1 TERMS OF REFERENCE**

All Standing Committees are responsible to MGEU Convention and are directly responsible to the Board of Directors between Conventions.

The Chairperson of the Committee will provide a report to each Board of Directors meeting outlining the activities of the Committee since the last meeting, ten (10) days prior to each Board of Directors meeting.

The Committee will provide a written report on their previous activities and an oral presentation to the MGEU Biennial Convention.

### **4.4.2 COMPOSITION OF THE COMMITTEE**

- Each Area Council elects its Standing Committee members for a two (2) year term at their first meeting to be held within three (3) weeks following Convention;
- Elected members will report their committee activities to their Area Council;
- In the event that a Standing Committee member is absent without notice on three (3) occasions (Standing Committee and Area Council meetings combined), the member will be required to resign from the Standing Committee position. A letter will be sent to the member from the Committee Chairperson after two (2) absences without notice. The letter will be prepared by the Standing Committee Staff Liaison for the Committee Chairperson's signature; (MGEU Convention October 2016)
- Where a Standing Committee member is unable to attend a meeting they will send regrets to either the Standing Committee Chairperson or the Area Council Chairperson as applicable; (MGEU Convention October 2016)
- Where a Standing Committee member needs to temporarily step away from their elected position on the Committee for a period of three (3) months or longer, the member will notify the Standing Committee and Area Council Chairpersons. The affected Area Council may hold an election to temporarily fill the position until the return of the incumbent. (MGEU Convention October 2018)
- Each Standing Committee has a Chairperson elected by and from the Board of Directors for a two (2) year term in a Convention year;
- Each Standing Committee elects a Vice-Chairperson for a two (2) year term from its Committee members. In the temporary absence of the Chairperson, the Vice-Chairperson carries out the Chairperson's duties. If the position is vacated during the term an election will be held at the next scheduled meeting. Elections for a new Vice-Chairperson must be included on the agenda of the next meeting notice.

Each Standing Committee will hold at least four (4) meetings per year and will develop an annual work plan responsive to the Committee's responsibilities. If they want to meet less often, they need the Union President's approval.

Each Standing Committee must have at least one (1) meeting per term outside of Winnipeg. This meeting must be included as part of the Committee's annual budgeting process. (MGEU Convention October 2016)

A quorum will be constituted when a majority of the committee's elected or appointed members, one of which must be the Chairperson or Vice-Chairperson of the Standing Committee are present. (MGEU Convention October 2014)

Each member (except for ex officio members) will be entitled to one vote on any matter placed before the Committee. All matters to be decided by the Committee will be decided by a simple majority of members voting thereon. In the event that the votes cast for and against a motion are equal in number, the Chairperson may cast the deciding vote or alternatively refer the matter to the Board of Directors for resolution.

A copy of the minutes of each meeting of the Committee will be provided to each member of the Committee and to the Board of Directors in a timely fashion.

#### **4.4.3 OTHER MATTERS**

In fully discharging its responsibilities:

- The Committee will review arbitration awards;
- The Committee will review forms and procedures and suggest changes as needed;
- The Committee will act as an appeal board for MGEU members who are not satisfied with the handling of a grievance;
- The Committee will provide support to the Membership Education Committee and its programming regarding grievance and related issues;
- The Chairperson will attend a meeting set by the Director, Member Services, with all Committee Chairs and staff support person to set long and short term goals for the Committee;
- The Committee will review and discuss and assess its own performance and effectiveness annually;
- The Committee will review periodically its Terms of Reference and, if required, recommend any changes considered necessary for adoption by the Board of Directors;
- The Committee will consult regularly with other Committees of the Board of Directors in carrying out its work;
- The Committee will perform such other duties and responsibilities as may be assigned to the Committee by the Board of Directors.

#### **4.4.4 GENERAL POLICY**

At the first Committee meeting following the elections, the Chairperson and staff resource will give a short presentation on the Constitution of the MGEU, the role of the Grievance and Appeals Committee and the functions of the screening process.

As soon as possible following elections, the Committee will also receive a presentation on the duty of fair representation and the arbitration process.

Each member of the Committee will also have the opportunity to attend a one (1) day Screening Committee session.

Members of the Committee will also have the opportunity to attend an actual arbitration with one of the Union's Representatives.

#### **4.4.5 GRIEVANCES**

##### **4.4.5.1 Grievance Filing System**

The grievance filing system is maintained in the database and uses a numeric file number; i.e. 202-100-2007. This numbering system is comprised of the file number (sequential number generated by the database), followed by the Local number and the year the file was opened. This numbering system is used for all references to avoid identifying the individual grievor. The filing system also tracks other numerous pieces of information such as category, Staff Representative, grievance progress and awards. This additional information is tracked for statistical purposes and to facilitate research on current case files.

##### **4.4.5.2 Old Files**

All MGEU files from 1975 and on have been catalogued in the same manner of subject matter, Local and year. The numbers run from RI-103/75 to R1306-1908/80.

##### **4.4.5.3 Grievance Handling - Statement of Policy**

Grievances and appeals which arise under the Collective Agreement and pursuant to The Civil Service Act and Regulations are an important matter to the Union and to its individual members, as it is through these processes that individual members' rights under the Collective Agreement and under The Act and Regulations are determined. While any grievance or appeal obviously affects the rights or privileges of the individual member filing the grievance, in many circumstances the rights and interests of the Union as a whole, and those of other members of the Union, are also affected by a grievance or an appeal. While the Union is committed to providing representation and supporting the legitimate grievances and appeals of individual members, the Union is also concerned that grievances and appeals which are supported by the Union are in the interests of the Union and its general membership as well. In deciding whether or not to pursue grievances and appeals to arbitration or The Civil Service Commission, and in determining the way in which those matters will be processed, the Union must consider and balance the interests of the individual member with the membership as a whole.

The most important issue concerns whether or not the grievance ought to be pursued to arbitration or appeal. It is the policy of the Union that the prime consideration in this decision will be the merit of the grievance and the effect of the position being asserted by the grievor upon the Union as a whole and its members. Generally, grievances with merit will be pursued to arbitration or appeal; however, the Union may decide not to present to arbitration or appeal cases where the position asserted in the grievance may be injurious to the Union or its other members or may establish a bad precedent. In some other cases where the matter in dispute is relatively minor, it may be determined that the issue does not warrant the expense of arbitration or appeal. It should be noted that the Union will also assess the merits of a grievance where a member has quit, retired, or passed away. In those circumstances, the same factors discussed in this policy shall apply. Another issue that may occasionally arise is to determine whether or not a particular grievance or appeal ought to be presented at the final stage by legal counsel or by an Arbitration Representative.

It is the express policy of the Union that, whenever possible, the presentation of arbitrations and appeals ought to be done by an Arbitration Representative. The Union attempts, whenever possible to foster a climate to resolve appeals and arbitrations that is comparatively free from technical disputes and concentrates on the merits of the process. It is the policy of the Union to seek to maintain this approach to grievance arbitration and appeals in cases where this approach benefits the membership.

The policy of the Union is that normally grievances and appeals rather than arbitrations will be handled by Staff Representatives. It is expected that Staff Representatives will have the ability and experience to deal with most grievances and appeals and that only in unusual or exceptional circumstances will legal counsel be retained for the presentation of a case.

The decision as to which type of representation to appoint in any particular case will be made by the Screening Committee, after consideration of the factors and criteria set out in this policy.

#### **4.4.5.4 Factors and Criteria**

Presently the MGEU legal department employs two (2) full-time labour lawyers. The expectation is that the majority of cases will be handled in house. In determining whether or not to assign an Arbitration Representative or legal counsel to the presentation of a grievance or appeal, the Union will consider the following factors and criteria. The objective in considering these criteria is, wherever possible, to assign an Arbitration Representative to the presentation of a case.

##### **Factor 1 - Type of Grievance - Dismissal or Not**

In applying this factor, it is the policy of the Union to take particular care in examining and in conducting a grievance or appeal related to the dismissal of an employee. This does not mean that it is expected that legal counsel will present any case involving a dismissal. In fact, many dismissal or discharge cases are comparatively simple and straightforward and it is expected that Arbitration Representatives will be capable of presenting most dismissal cases. However, it will be the policy of the Union to carefully examine each dismissal case to make sure that all relevant issues are considered in the presentation of a case.

##### **Factor 2 - Consequences for the Grievor**

In considering this factor, the Union will examine the long-range consequences upon the grievor in connection with the grievance or appeal. As noted in Factor 1, grievances relating to dismissal will be considered more closely. In addition, grievances which relate to an individual's seniority ranking, lay off or separation from employment, or in other respects materially affecting a person's long term attachment to the employment force or to a particular job, will be considered to be most serious. Grievances related to isolated incidents, minor disciplinary infractions and isolated pay issues will be considered of lower significance and are more likely to be routinely handled by Arbitration Representatives.

##### **Factor 3 - Precedent Value**

In this factor, the Union will consider the effect of the grievance or appeal on the Union as a whole or upon other members of the Union. The Union will also consider the novelty of the grievance or appeal (in other words is it a matter which has previously been determined or considered through the arbitration or appeal process). Cases which are of individual rather than general application, and/or which have been previously considered or determined through the arbitration or appeal process are more likely to be handled in a routine fashion by Staff Representatives. Cases involving the consideration of new issues, which have not been the subject of any previous decisions or of significant precedent value to the Union or other members, are more likely to be considered for the attention of legal counsel.

##### **Factor 4 - The Nature of the Process**

The Union will consider the type of grievance process being followed and the type of representation, which is likely to be or is customarily provided by the employer in connection with the process. Where the matter relates to an appeal to the Civil Service Commission, for example, at which the

employer almost invariably uses Human Resources Consultants and not legal counsel, it is the Union's policy, normally, to assign Staff Representatives on behalf of the Union and the grievor. The Union is more likely to depart from this policy in the case of a grievance or procedure on which the employer is represented by legal counsel.

#### **Factor 5 - Factual Complexity of the Case**

The Union will consider the complexity of the factual basis for the grievance or appeal and the nature and type of facts to be proved. Again, it is the expectation that Arbitration Representatives are capable of handling most nominal grievances and appeals. However, where the facts are extremely complex and where a number of important factual issues are in dispute and where credibility of a significant number of witnesses is in dispute, the Union will give more favourable consideration to employing the services of legal counsel.

#### **Factor 6 - Complexity of Legal Issues**

The Union will consider the number and complexity of the legal issues involved in the grievance or appeal. Again it is expected that Staff Representatives will have the experience and familiarity to handle most grievances and appeals. However, where there are a large number of complex legal issues involved and particularly where the legal issues involved are those with which Arbitration Representatives have not had previous experience, the Union will more favourably consider the appointment of legal counsel to the case.

#### **Factor 7 - The Arbitration Representative Available**

In each case, the Union will consider the availability of Arbitration Representatives to deal with the grievance or appeal. Where Arbitration Representatives with the appropriate experience and ability are available, the Union would prefer to assign cases to such Arbitration Representatives. Where the Arbitration Representative's workload or availability may be inordinately delayed, external legal counsel may be sought to expedite the arbitration or appeal process.

#### **Factor 8 - Cost**

The Union will consider the cost of the grievance and arbitration process in making its decision regarding the presentation of any particular grievance or appeal. Cost is not the primary consideration to be reflected upon, especially in arbitration or appeals cases of merit. However, the Union wishes to pursue the policy of using Arbitration Representatives wherever possible, because it is the policy of the Union to avoid expenditures on legal services in connection with arbitration and grievance procedures where possible and to devote those resources to other areas. Consequently, this will be a consideration in the application of the overall policy and in individual cases.

#### **4.4.5.5 Application of the Factors**

The factors are not ranked in any necessary order of priority. The general assessment which will be made by the Union in the consideration of the factors and criteria is that most normal grievances and appeals will be presented by Arbitration Representatives. The fundamental question to be addressed will be whether, in view of all of the circumstances relating to the particular grievance which has been decided to be presented to arbitration, the available Staff Representatives have the experience and ability to present the case in a reasonably competent manner. Legal counsel will be selected to present the case where consideration of the factors is determined by the Screening Committee to warrant that appointment.

#### **4.4.5.6 Procedure**

- 1) The overall responsibility with respect to the representation assigned to any particular case or the decision as to whether or not the case will proceed to appeal or arbitration rest with the Screening Committee.
- 2) This Screening Committee will be assigned to the assessment of all grievances and appeals filed. The Screening Committee will make initial decisions as to the assignment of representation in a particular case.
- 3) Prior to making a decision as to the appeal or arbitration will hold a hearing at which the member is represented by their Staff Representative. The Committee will have the responsibility for assessing the case in light of the factors and criteria referred to above and to make the initial determination concerning the assignment of representation to the case and to make an initial determination as to whether or not the case should proceed to arbitration/appeal.
- 4) In cases which appear to be of unusual complexity, the Screening Committee may consult with legal counsel of the Union to assist in the assessment of the case for purposes of assignment or recommendation of whether or not to proceed to arbitration/appeal.
- 5) In all cases which result in the dismissal of a member, the Union will seek the advice of legal counsel pertaining to the merits of a particular grievance or appeal prior to making any determination not to proceed to arbitration/appeal.
- 6) The member will be informed of the decision and determination of the Staff Screening Committee, in writing by registered mail, to the last address registered by the grievor with the Union. If a member wishes to contest or appeal the decision of the Staff Screening Committee, the member may do so, in writing, to the Grievance and Appeals Committee within seven (7) days of receipt of the determination of the Staff Screening Committee.
- 7) In the presentation of any appeal to the Grievance and Appeals Committee, the member is entitled to appear in person or to be assisted by any other member of the Union. The grievor may make any such reasonable representations that they wish. However, the grievor is not entitled to be assisted by a person who is not a member of the Union.
- 8) The decision of the Grievance and Appeals Committee will be final. (Board of Directors 1989)

#### **4.4.6 REPRESENTATION BEFORE PROFESSIONAL BODIES AND ASSOCIATIONS**

Some members are required, as a condition of their employment, to hold professional qualifications and licensing. In certain cases where these employees have been accused of some misconduct, their employers have, in respect of those allegations, taken disciplinary action against the member and/or pursued a complaint before the appropriate professional licensing body. The MGEU recognizes that in these circumstances the decision of the professional body may seriously affect the member's employment and, in effect, determine an issue which might otherwise have been determined by an arbitrator. It is, therefore, the policy of this Union that the Union may decide to offer representation to certain members in the hearing of disciplinary charges before their professional licensing bodies. Normally, the affected member has been independently responsible for such a hearing. Members, of course, have the right to appear before such bodies on their own and to retain and instruct counsel of their choice. In those situations, as in the past, members will be individually responsible for the cost of their defence and the Union will not make financial contributions to such defence. However, in appropriate circumstances, where the member wishes the Union to provide representation at the

professional disciplinary hearing, the Union may decide to grant representation and to assume some or all of the costs.

In any such case, it will be a matter of discretion of the Union to decide whether or not to offer representation. The member is not entitled to representation before a professional body as a matter of right. The decision to grant representation may take place in the following circumstances and upon the following conditions:

- Where the allegations against the member concern work misconduct and not simply personal misconduct.
- Where the case involves actual or potentially serious disciplinary action against or the discharge of the member.
- Where the decision of the professional body could place the member's professional license in jeopardy and, as a consequence, could seriously affect the member's rights at arbitration.

Where, after review of the facts and circumstances of the case, it is the view of the Union that there is merit to the defence of the member before the professional body:

- The type of representation offered to the member at the discretion of the Union could be either Staff Representation or legal counsel, depending upon the circumstances of the case.
- It would be a condition of any offered representation that the representative would take instructions from and be responsible for the Union and not directly to the member. In the event that a dispute arose concerning the handling of the case between the Union and the member, the representation would be withdrawn by the Union and the member would be free to proceed on their own, at their own expense.
- Any decision concerning whether or not to offer representation would be made in a manner similar to that concerning references to arbitration by the Staff Screening Committee subject to appeal to the Grievance and Appeals Committee. (Board of Directors August 1993)

## **4.5 MEMBERSHIP EDUCATION COMMITTEE**

### **4.5.1 TERMS OF REFERENCE**

All Standing Committees are responsible to MGEU Convention and are directly responsible to the Board of Directors between Conventions.

The 3<sup>rd</sup> Vice-President will be the Chairperson of the Committee.

The Chairperson of the Committee will provide a report to each Board of Directors meeting outlining the activities of the Committee since the last meeting, ten (10) days prior to each Board of Directors meeting.

The Committee will provide a written report on their previous activities and an oral presentation to the MGEU Biennial Convention.

### **4.5.2 COMPOSITION OF THE COMMITTEE**

- Each Area Council elects its Standing Committee members for a two (2) year term at their first meeting to be held within three (3) weeks following Convention;
- Elected members will report their Committee activities to their Area Council;

- In the event that a Standing Committee member is absent without notice on three (3) occasions (Standing Committee and Area Council meetings combined), the member will be required to resign from the Standing Committee position. A letter will be sent to the member from the Committee Chairperson after two (2) absences without notice. The letter will be prepared by the Standing Committee Staff Liaison for the Committee Chairperson's signature; (MGEU Convention October 2016)
- Where a Standing Committee member is unable to attend a meeting they will send regrets to either the Standing Committee Chairperson or the Area Council Chairperson as applicable; (MGEU Convention October 2016)
- Where a Standing Committee member needs to temporarily step away from their elected position on the Committee for a period of three (3) months or longer, the member will notify the Standing Committee and Area Council Chairpersons. The affected Area Council may hold an election to temporarily fill the position until the return of the incumbent. (MGEU Convention October 2018)
- Each Standing Committee has a Chairperson elected by and from the Board of Directors for a two (2) year term in a Convention year;
- Each Standing Committee elects a Vice-Chairperson for a two (2) year term from its Committee members. In the temporary absence of the Chairperson, the Vice-Chairperson carries out the Chairperson's duties. If the position is vacated during the term an election will be held at the next scheduled meeting. Elections for a new Vice-Chairperson must be included on the agenda of the next meeting notice.

Each Standing Committee will hold at least four (4) meetings per year and will develop an annual work plan responsive to the Committee's responsibilities. If they want to meet less often, they need the Union President's approval.

Each Standing Committee must have at least one (1) meeting per term outside of Winnipeg. This meeting must be included as part of the Committee's annual budgeting process. (MGEU Convention October 2016)

A quorum will be constituted when a majority of the committee's elected or appointed members, one of which must be the Chairperson or Vice-Chairperson of the Standing Committee are present. (MGEU Convention October 2014)

Each member (except for ex officio members) will be entitled to one vote on any matter placed before the Committee. All matters to be decided by the Committee will be decided by a simple majority of members voting thereon. In the event that the votes cast for and against a motion are equal in number, the Chairperson may cast the deciding vote or alternatively refer the matter to the Board of Directors for resolution.

A copy of the minutes of each meeting of the Committee will be provided to each member of the Committee and to the Board of Directors in a timely fashion.

#### **4.5.3 OTHER MATTERS**

In fully discharging its responsibilities:

- The Committee must ensure that an education and skills training program for member activists is developed and delivered;

- The Committee has the primary responsibility to consider suggestions for new courses and adjustments to current courses that come to the Member Education Department or the Membership Education Committee Chairperson. (Board of Directors September 2018)
- The Chairperson will attend a meeting set by the Director, Member Services, with all Committee Chairs and staff support person to set long and short term goals for the Committee;
- The Committee will review, discuss and assess its own performance and effectiveness annually;
- The Committee will review periodically its Terms of Reference and, if required, recommend any changes considered necessary for adoption by the Board of Directors;
- The Committee will consult regularly with other committees of the Board of Directors in carrying out its work;
- The Committee will perform such other duties and responsibilities as may be assigned to the Committee by the Board of Directors.

#### **4.5.4 GENERAL POLICY**

- 1) The MGEU Membership Education Committee will oversee a progressive system of Union education for elected MGEU activists in two (2) main education streams:
  - a) Local Table Officer/Steward training;
  - b) Safety and Health representatives.
- 2) The Membership Education Committee will continue to develop materials and explore delivery models for providing Union orientation sessions to new or current members who do not hold any elected position.
- 3) The MGEU program year will be from August 1 to July 31.
- 4) Applications for all MGEU courses will be accepted for registration on a first come, first serve basis. Pre-registration will not be accepted.
- 5) Members who are fulfilling responsibilities as Local Table Officers or Stewards may attend up to four (4) Union School Days of education in any one (1) program year.
  - a) In addition, Local Table Officers may also attend the annual one-day Local Table Officer discussion held in their Area. This will not be counted as a Union School Day.
  - b) If a Local Table Officer or Steward also has Collective Bargaining starting up, they may also attend a one (1) day Bargaining Collectively course. Due to the importance of taking this course in a timely manner, this will not be counted as a Union School Day.
- 6) Members who are fulfilling responsibilities as Workplace Safety and Health Joint Committee Members, Workplace Safety and Health Representatives or Chief Stewards with union constitutional responsibilities to communicate with both of the above, can attend up to four (4) MGEU Workplace Safety and Health training days in any one (1) education program year.
- 7) Members who would like to advocate on Health and Safety issues in workplaces that do not require by law elected representatives, may also request to attend Health and Safety courses and will be considered on a case-by-case basis.

- 8) Stewards and Local Table Officers may attend Health and Safety Schools held in Areas 1 and 8, where these schools have vacancies.
- 9) MGEU activists who work on a seasonal basis and who maintain their active status will be given the opportunity to attend courses and will be reimbursed accordingly.
- 10) Any Component/Local wishing to explore customized education should initiate a discussion with their Staff Representative and the Member Education Department, guided by the Department's documents: Guidelines for Custom Education and Custom Education Planning Discussion. (Board of Directors September 2018)
- 11) The evening prior to the start of the MGEU Convention, a New Delegate Orientation session will be held for all first time and other interested delegates to provide an overview of Convention including agenda, rules of order and special events.
- 12) Where possible, all MGEU courses will be co-facilitated by a staff person and a member activist, preferably gender balanced.
- 13) At Local election meetings, members who are elected to positions including President, Vice-President, Chief Steward, Steward, or Member-at-Large, will be informed that they will shortly receive a communication from the Member Education Department regarding registration for upcoming courses.
- 14) The current MGEU Membership Education Calendar will be mailed out to all MGEU Local Table Officers, Stewards, and Workplace Safety and Health Committee Members or Representatives. Those that are newly elected in this position will also receive a copy of the current Steward Handbook. Those that have not registered for The Source will also receive instructions for how to do so and how to then register for courses.
- 15) All education records of MGEU Local Table Officers, Stewards and Health and Safety Committee members or representatives will be updated following every MGEU course that they take.
- 16) In certain circumstances, with special permission, a request to attend a course more than once will be considered for refresher purposes. Please contact the Member Education Department. (Board of Directors June 2018)

#### **4.5.5 BURSARIES**

##### **4.5.5.1 General**

- 1) All information pertaining to MGEU Bursaries will be published in the Membership Education Calendar and updated annually on the MGEU web site and with the MGEU Resource Centre.
- 2) To be eligible for any MGEU Bursary, the applicant must be an active member (dues paying, in good standing with a signed membership application as of May 15 of the current year) or a spouse/common-law partner, child under the care, of an active member.
- 3) Bursary application forms are available from all MGEU offices and the MGEU web site on the third Monday in January.
- 4) All applications must be completed and returned to the MGEU Central office in Winnipeg (or postmarked) no later than May 15 of the current year.

- 5) All completed Bursary applications must include a letter (minimum 500 words) discussing ways that unions improve the lives of their members and working people in general. Feel free to include relevant personal stories.
- 6) MGEU Bursary letters can be written either in French or English.
- 7) All Bursaries will be awarded on the basis of greatest financial need.
- 8) No Bursary can be awarded to the same recipient in two (2) successive years.
- 9) No recipient can receive more than one Financial Award in any one (1) year.
- 10) All Bursaries will be paid out in two (2) installments: one upon confirmation of enrolment into an education/training program and the second upon confirmation of enrolment into a second term.
- 11) Individuals who are part of a bursary or scholarship selection committee must declare any conflict of interest and withdraw from the selection committee. Where necessary, the President will consult with the remaining selection members to determine a replacement member.
- 12) To qualify for a bursary, recipients must be planning on attending a recognized education institution.
- 13) Applicants with more than one (1) parent who is an MGEU member can only submit a single bursary application.

#### **4.5.5.2 Joseph Grenier Bursary**

The Joseph Grenier Bursary is available to an MGEU member of the Health Care Support Services (HCSS) Component or their spouse/common-law partner, child under the care, of an active member (dues paying, in good standing with a signed membership application as of May 15 of the current year). Eligible applicants must be entering a healthcare-related post-secondary program. Selection is based on financial need.

- 1) The Joseph Grenier Bursary will be awarded in the amount of \$1,500 commencing in 2019. (Board of Directors June 2018)
- 2) To be eligible for the Bursary, applicants must be an active HCSS member or spouse/common-law partner, child under the care, of an active HCSS member.
- 3) The Bursary Selection Committee will be the Director, Chairperson and Vice-Chairperson of the HCSS Component.
- 4) The Bursary recipient will be selected and their name forwarded to the MGEU Membership Education Committee no later than the end of June to allow for a timely notification of the recipient.
- 5) Any applicant for the Joseph Grenier Bursary will be automatically considered for an Area Bursary - they need not complete a second, separate application.
- 6) Individuals who are part of a bursary or scholarship selection committee must declare any conflict of interest and withdraw from the selection committee. Where necessary, the President will consult with the remaining selection members to determine a replacement member.

### **4.5.5.3 Area Bursaries**

The MGEU will award sixteen (16) bursaries annually based on financial need. Two (2) bursaries will be available in each of the MGEU's eight (8) geographically defined Areas. (Board of Directors 2011)

The Area Bursaries will be awarded to MGEU members in the amount of \$1,500 commencing in 2019. Area Bursaries awarded to the spouse/common-law partner, child under the care, of an active member will be awarded in the amount of \$1,500. (Board of Directors June 2018)

The Membership Education Committee will be the Bursary Selection Committee.

In recognition of the following members lasting contributions to the MGEU, member bursaries in the following Areas will be named as follows:

Area 1 - Sister Kathy Ducharme Memorial Bursary

Area 3 - Brother Doc Courtice Memorial Bursary

Area 6 - Sister Gail Sexsmith Memorial Bursary

Criteria:

- 1) Recipients will be selected in the first Membership Education Committee meeting following the application deadline and no later than the end of June to allow for a timely notification of recipients.
- 2) A member or a spouse/common-law partner, child under the care, of an active member will apply for the bursary in the Area in which the member works. (Board of Directors March 1991)
- 3) Applicants for Area Bursaries who are also eligible for the Joseph Grenier Bursary will be automatically considered - they need not complete a second application.

### **4.5.6 SCHOLARSHIPS**

#### **4.5.6.1 General**

- 1) All information pertaining to MGEU Scholarships will be published in the Membership Education Calendar and updated annually on the MGEU web site and with the MGEU Resource Centre.
- 2) To be eligible for any MGEU Scholarship, the applicant must be an active member (dues paying, in good standing with a signed membership application as of May 15 of the current year) or a spouse/common-law partner, child under the care, of an active member.
- 3) Scholarship application forms are available from all MGEU offices and the MGEU web site on the third Monday in January.
- 4) All applications must be completed and returned to the MGEU Central office in Winnipeg (or postmarked) no later than May 15 of the current year.
- 5) No recipient can receive more than one (1) Financial Award in any one (1) year.

#### **4.5.6.2 Peter Olfert Scholarship - \$2,000**

The Manitoba Government and General Employees' Union (MGEU) has established a scholarship in the amount of \$2,000 in honour of Peter Olfert, former MGEU President (1986-2010). A guiding principle of Peter's leadership was his belief that government can improve the quality of people's

lives, particularly through a vibrant, dedicated public sector including the civil service, crown corporations, community social agencies and the health care sector.

The Peter Olfert Scholarship will be awarded annually to an individual studying in areas that potentially impact public policy (i.e. legislation, programs and services) in fields including but not restricted to, workplace safety and health, the environment, human rights, community economic development, and the role of government and the public sector.

Applicants must meet the following criteria:

- 1) Must be an active MGEU member or a spouse/common-law partner, child under the care, of an active member;
- 2) Must be planning to attend, on a full-time basis, one of the following Manitoba public post-secondary institutions:
  - a) Assiniboine Community College;
  - b) Red River College;
  - c) University College of the North;
  - d) St. Boniface University;
  - e) Brandon University;
  - f) University of Manitoba;
  - g) University of Winnipeg.

Applicants must write a letter to the Selection Committee of no less than 1,000 words outlining the following:

- 1) Program of study and its importance for public policy in Manitoba;
- 2) Long-term goals after completing their course of study;
- 3) Volunteer activities in the community;
- 4) Explain why they are a deserving recipient of this scholarship.
- 5) The most recent transcript of high school or post-secondary marks must be included with the above letter.
- 6) The Selection Committee, as appointed by the MGEU President, will include:
  - a) Chairperson of the MGEU Membership Education Committee;
  - b) MGEU Member Education Manager;
  - c) MGEU Director, Internal Operations.

The Scholarship will be awarded in two (2) separate installments (i.e. fall and winter terms).

No recipient may be awarded this scholarship more than once.

#### **4.5.6.3 Ken Hildahl Memorial Award - \$2,000**

The MGEU has established an award of up to \$2,000 in honour of Ken Hildahl. The Ken Hildahl Memorial Award will be awarded annually to an active member to attend a seminar, course or conference in order to further their knowledge in worker pension governance issues. Selections can be made from, but are not limited to the following:

- 1) International Foundation of Employee Benefits;
  - a) Advanced Trust Management Standards;
  - b) Foundations of Trust Management Standards;
  - c) Canadian Investment Institute.
- 2) Certified Employee Benefits Specialist Designation;
  - a) Distance education program consisting of nine courses focusing on retirement plans, group benefits and compensation management.
- 3) Harrison Pension Investment and Governance Course
- 4) Canadian Pension and Benefits Institute;
  - a) Pension Fundamentals or other events.

Applicants must submit a letter of no less than 1,000 words outlining the following:

- 1) The importance of worker/union participation in pension plan governance.
- 2) Their interest in worker/union participation in pension plan governance.
- 3) Explain why they are a deserving recipient of this award.
- 4) The seminar, course or conference they wish to attend and reasons why.
- 5) Any other information they would like the Selection Committee to consider.

The Selection Committee will include:

- 1) MGEU President;
- 2) Chairperson of the MGEU Pension and Benefits Committee;
- 3) MGEU Director, Negotiations.

#### **4.5.7 AFFILIATE SCHOLARSHIPS- \$1,500 & \$500**

The MGEU will publicize and distribute applications for affiliate bursaries, scholarships and awards as it does for MGEU bursaries, scholarships. Affiliate scholarships include:

- 1) National Union of Public and General Employees - \$1,500
- 2) Manitoba Federation of Labour Al Cerilli Scholarship - \$500

#### **4.5.8 POST-SECONDARY LABOUR STUDIES PROGRAMS AND COURSES (UNIVERSITY OF MANITOBA/BRANDON UNIVERSITY/ATHABASCA UNIVERSITY)**

- 1) Elected activists, who have been approved by the MGEU Membership Education Committee to participate in the above noted Labour Studies Programs/Courses, will be reimbursed annually for their tuition fees and required books after successful completion of each course.
- 2) In approving the applications the Membership Education Committee considers the following:
  - a) Union courses completed;
  - b) Union positions held within the MGEU over the past five (5) years;
  - c) Length of membership and future potential within the MGEU.

#### **4.5.9 LABOUR COUNCILS AND LABOUR COORDINATING COMMITTEES**

- 1) Where reasonably possible, the Union will support educational functions of Labour Councils and Coordinating Committees.
- 2) Only members from Locals that are affiliated to a Labour Council/Coordinating Committee that is holding an educational may apply to attend. They must apply by forwarding their application to the MGEU Central Office.
- 3) The Membership Education Chairperson and the Member Education Manager, in consultation with the Finance Committee will determine the number of activists that can be sponsored.
- 4) In approving the particular activists to be sponsored, the Membership Education Chairperson and the Member Education Manager will consider the following:
  - a) Number of Membership Education Courses completed;
  - b) MGEU positions held within the last five (5) years;
  - c) Length of membership and future potential within the MGEU.
- 5) The Union will cover the registration, wage recovery and reasonable travel and accommodation costs as per MGEU expense guidelines.

Activists who have been approved to attend the United Way/Labour Union Counseling Program will be reimbursed their course and materials fees.

#### **4.5.10 CANADIAN LABOUR CONGRESS AND MANITOBA FEDERATION OF LABOUR EDUCATION**

- 1) When the President of the MGEU is officially notified in writing that the CLC or the MFL is offering a course which MGEU members are eligible to attend, they will notify the Chairperson of the Membership Education Committee and the Member Education Manager.
- 2) The Chairperson and the Member Education Manager will then clarify with the Chairperson of the Finance Committee and the Director, Negotiations any guidelines as to the number of MGEU members that can be sponsored to attend that particular educational.
- 3) The Chairperson and the Member Education Manager will then ensure that the educational is appropriately and effectively publicized to MGEU activists, including applications and deadlines, using avenues such as the Board of Directors, MGEU Standing Committees, Union web site and the Weekly Workplace Rep E-news.

- 4) The Chairperson and the Member Education Manager will be expected to provide recommendations for attendance based on need for training and should include considerations such as:
  - a) Union courses completed;
  - b) Union positions held or activity in the Union;
  - c) Length of membership;
  - d) Potential contributions to the Union and members.

#### **4.5.11 NEW MEMBERS**

New members will receive a letter and membership card welcoming them to the MGEU.

#### **4.5.12 MEMBERSHIP TRAINING AND APPRENTICESHIP PROGRAM (MTAP)**

##### **4.5.12.1 Goal**

To develop an individuals' knowledge, skills and abilities in a variety of Staff Representative tasks and functions as required by the Union.

##### **4.5.12.2 Selection**

Selection of individuals will be done by a committee of one Provincial Officer, the Director, Member Services, and Member Services Managers.

##### **4.5.12.3 Criteria**

Factors such as needs of the Union, membership in the Union, activity interest, skills and abilities, community involvement and commitment to social principles in accordance with labour philosophy, may be considerations in the selection of suitable candidates.

It must be understood that, upon successful completion, there is no guarantee of employment.

##### **4.5.12.4 Duration**

MTAP assignments will be up to six (6) months in duration.

##### **4.5.12.5 Training Frequency**

The Union will attempt to have at least one (1) MTAP assignment per year.

##### **4.5.12.6 Training Status**

Training status will be that of a term employee with all the rights and privileges as accorded under the current ACTE Collective Agreement specific to that status.

##### **4.5.12.7 Leave of Absence**

The MGEU will endeavour to negotiate a leave of absence for successful candidates. (Board of Directors March 2002)

#### **Note: Union Membership**

MTAP participants remain members of the MGEU throughout their training opportunity. They are paid and work in accordance with the wage rates and working conditions set out in the ACTE

Collective Agreement. After being selected as a participant in the program, members should discuss options in terms of salary payment, benefits, pension, vacation entitlement and other benefits with the Human Resource Manager of the MGEU so that arrangements can be made with the member's employer for the course of the program.

#### **4.5.12.8 MTAP Policy RE: Political Activities**

##### **MGEU EDUCATION POLICY STATEMENT**

Successful candidates will not engage in political activities of the Union during the term of training.

Examples of political activities to abstain from:

##### **Home Local**

MTAP participants must remove themselves (does not mean they have to resign) from all elected roles during their MTAP employment. As all members can attend Local meetings, they can still attend as a non-speaking observer. However, they need to be careful that they are not drawn into political discussions.

Prior to starting their MTAP placement, they should brief their Staff Representative on the current status of any complaints or grievances they are working on. Where they can safely hand off grievances to another Steward they should do so, however, they should complete the processing of any grievances, if there is any possibility of jeopardizing a case, and/or compromising the Union's duty of fair representation. No new complaints or grievances in the home Local should be taken on.

In an election year MTAP candidates can run for elected positions, including Convention delegate positions, subject to the provisions of 1) to 6) below:

##### 1) Area Council/Component Executive

If the MTAP participant holds an elected position to these bodies, they cannot attend.

##### 2) Board of Directors

The MTAP participant cannot attend Board of Directors meetings.

##### 3) Conventions

The MTAP participant cannot attend as a delegate to MGEU, NUPGE, MFL or CLC Conventions while they are on leave and participating in the program. They can attend MGEU Convention in a Staff Representative role, if they are assigned to work at the Convention, or as an observer.

##### 4) Standing Committees

MTAP participants should only participate as part of the normal work of a Staff Representative assigned to a Committee. They are not to engage in debate.

##### 5) Campaign Activities

MTAP participants may participate, as a Staff Representative might, in the coordination of campaign events, but should not be playing any roles that active members normally would i.e. asking questions to Finance Minister in pre-budget consultation meeting.

#### 6) Membership Education Schools

MTAP participants can attend workshops as they will gain information and skills that will also be important in their role as a Staff Representative.

#### **4.5.13 MGEU WOMEN'S CONFERENCE**

The MGEU, through the Women's Committee, in liaison with the Membership Education and Finance Committees, will sponsor a Women's Conference which will generally be held in even numbered years. (Board of Directors 1991)

The number of participants for the 2020 MGEU Women's Conference will not exceed one hundred (100). The Board of Directors will review the number of participants for future MGEU Women's Conferences in the year following the 2020 MGEU Women's Conference. (Board of Directors September 2019)

All Conference participants will be asked to complete an evaluation of the Conference, a summary of which will be provided to both the Women's Committee and the Membership Education Committee.

MGEU participants will include:

- 1) The Women's Committee;
- 2) Representation based on a set equal number for each Area as determined by the Committee. The remaining allotted spots are determined by the number of Active members in each Area.

#### **4.5.14 MANITOBA FEDERATION OF LABOUR WOMEN'S CONFERENCE**

MGEU will participate in the MFL Women's Conference which is generally held in odd numbered years.

MGEU participants will include:

- 1) The Women's Committee;
- 2) Additional participants as elected by Area Councils.

#### **4.5.15 NATIONAL UNION OF PUBLIC AND GENERAL EMPLOYEES WOMEN'S CONFERENCE**

MGEU participants will include:

- 1) The Women's Committee;
- 2) Any interested Provincial Officer who identifies as a woman

#### **4.5.16 PRAIRIE SCHOOL FOR UNION WOMEN**

The MGEU will send one (1) participant annually to the Prairie School for Union Women held in Saskatchewan. The participant will be elected by and from the MGEU Women's Committee. One (1) alternate will also be elected by and from the MGEU Women's Committee. Participants must not have previously attended this school. (Board of Directors September 2019)

#### **4.5.17 CANADIAN LABOUR CONGRESS SOLIDARITY KIDS' CAMPOF MANITOBA**

The MGEU will fund the registration fee for a minimum of ten (10) children of MGEU members to attend the CLC Solidarity Kid's Camp of Manitoba on an annual basis.

#### **4.5.18 MANITOBA FEDERATION OF LABOUR HEALTH AND SAFETY CONFERENCE**

MGEU participants will include:

- 1) All members of the MGEU Safety, Health and Environment Committee; and
- 2) Up to two (2) Safety and Health representatives elected by each Area Council.

#### **4.6 PENSION AND BENEFITS COMMITTEE**

##### **4.6.1 TERMS OF REFERENCE**

All Standing Committees are responsible to MGEU Convention and are directly responsible to the Board of Directors between Conventions.

The Chairperson of the Committee will provide a report to each Board of Directors meeting outlining the activities of the Committee since the last meeting, ten (10) days prior to each Board of Directors meeting.

The Committee will provide a written report on their previous activities and an oral presentation to the MGEU Biennial Convention.

##### **4.6.2 COMPOSITION OF THE COMMITTEE**

- Each Area Council elects its Standing Committee members for a two (2) year term at their first meeting to be held within three (3) weeks following Convention;
- Elected members will report their Committee activities to their Area Council;
- In the event that a Standing Committee member is absent without notice on three (3) occasions (Standing Committee and Area Council meetings combined), the member will be required to resign from the Standing Committee position. A letter will be sent to the member from the Committee Chairperson after two (2) absences without notice. The letter will be prepared by the Standing Committee Staff Liaison for the Committee Chairperson's signature; (MGEU Convention October 2016)
- Where a Standing Committee member is unable to attend a meeting they will send regrets to either the Standing Committee Chairperson or the Area Council Chairperson as applicable; (MGEU Convention October 2016)
- Where a Standing Committee member needs to temporarily step away from their elected position on the Committee for a period of three (3) months or longer, the member will notify the Standing Committee and Area Council Chairpersons. The affected Area Council may hold an election to temporarily fill the position until the return of the incumbent. (MGEU Convention October 2018)
- If, through the election process, the Pension and Benefits Committee does not have representation from members belonging to:
  - Civil Service Superannuation Fund;
  - Healthcare Employees' Pension Fund;
  - Manitoba Home Care Pension Plan;
  - An additional member either belonging to another pension plan or who is not a pension plan member;
  - The MGEU President, on the recommendation of the Chairperson, may appoint additional members to ensure representation.

- Each Standing Committee has a Chairperson elected by and from the Board of Directors for a two (2) year term in a Convention year;
- Each Standing Committee elects a Vice-Chairperson for a two (2) year term from its Committee members. In the temporary absence of the Chairperson, the Vice-Chairperson carries out the Chairperson's duties. If the position is vacated during the term an election will be held at the next scheduled meeting. Elections for a new Vice-Chairperson must be included on the agenda of the next meeting notice.

Each Standing Committee will hold at least four (4) meetings per year and will develop an annual work plan responsive to the Committee's responsibilities. If they want to meet less often, they need the Union President's approval.

Each Standing Committee must have at least one (1) meeting per term outside of Winnipeg. This meeting must be included as part of the Committee's annual budgeting process. (MGEU Convention October 2016)

A quorum will be constituted when a majority of the committee's elected or appointed members, one of which must be the Chairperson or Vice-Chairperson of the Standing Committee are present. (MGEU Convention October 2014)

Each member (except for ex officio members) will be entitled to one vote on any matter placed before the Committee. All matters to be decided by the Committee will be decided by a simple majority of members voting thereon. In the event that the votes cast for and against a motion are equal in number, the Chairperson may cast the deciding vote or alternatively refer the matter to the Board of Directors for resolution.

A copy of the minutes of each meeting of the Committee will be provided to each member of the Committee and to the Board of Directors in a timely fashion.

#### **4.6.3 OTHER MATTERS**

In fully discharging its responsibilities:

- The Committee will investigate all matters concerning pensions and benefits and make recommendations to the Board of Directors as necessary;
- The Chairperson will attend a meeting set by the Director, Member Services with all Committee Chairs and staff support person to set long and short term goals for the Committee;
- The Committee will review, discuss and assess its own performance and effectiveness annually;
- The Committee will review periodically its Terms of Reference and, if required, recommend any changes considered necessary for adoption by the Board of Directors;
- The Committee will consult regularly with other Committees of the Board of Directors in carrying out its work;
- The Committee will perform such other duties and responsibilities as may be assigned to the Committee by the Board of Directors;
- The Committee will support and promote the continuation of the Superannuation and Insurance Liaison Committee;
- The Committee will provide support to the Membership Education Committee and its programming regarding pensions and benefits;

- The Committee will appoint those Committee member(s) who are also contributors to the Civil Service Superannuation Plan to the Superannuation and Insurance Liaison Committee for a two (2) year term;
- The Committee will through its Chairperson recommend to the Provincial Officers, other members to be appointed to the Superannuation and Insurance Liaison Committee. Gender balance must be considered when making these appointments.

## **4.7 SAFETY, HEALTH AND ENVIRONMENT COMMITTEE**

### **4.7.1 TERMS OF REFERENCE**

All Standing Committees are responsible to MGEU Convention and are directly responsible to the Board of Directors between Conventions.

The Chairperson of the Committee will provide a report to each Board of Directors meeting outlining the activities of the Committee since the last meeting, ten (10) days prior to each Board of Directors meeting.

The Committee will provide a written report on their previous activities and an oral presentation to the MGEU Biennial Convention.

### **4.7.2 COMPOSITION OF THE COMMITTEE**

- Each Area Council elects its Standing Committee members for a two (2) year term at their first meeting to be held within three (3) weeks following Convention;
- Elected members will report their Committee activities to their Area Council;
- In the event that a Standing Committee member is absent without notice on three (3) occasions (Standing Committee and Area Council meetings combined), the member will be required to resign from the Standing Committee position. A letter will be sent to the member from the Committee Chairperson after two (2) absences without notice. The letter will be prepared by the Standing Committee Staff Liaison for the Committee Chairperson's signature; (MGEU Convention October 2016)
- Where a Standing Committee member is unable to attend a meeting they will send regrets to either the Standing Committee Chairperson or the Area Council Chairperson as applicable; (MGEU Convention October 2016)
- Where a Standing Committee member needs to temporarily step away from their elected position on the Committee for a period of three (3) months or longer, the member will notify the Standing Committee and Area Council Chairpersons. The affected Area Council may hold an election to temporarily fill the position until the return of the incumbent. (MGEU Convention October 2018)
- Each Standing Committee has a Chairperson elected by and from the Board of Directors for a two (2) year term in a Convention year;
- Each Standing Committee elects a Vice-Chairperson for a two (2) year term from its Committee members. In the temporary absence of the Chairperson, the Vice-Chairperson carries out the Chairperson's duties. If the position is vacated during the term an election will be held at the next scheduled meeting. Elections for a new Vice-Chairperson must be included on the agenda of the next meeting notice.

Each Standing Committee will hold at least four (4) meetings per year and will develop an annual work plan responsive to the Committee's responsibilities. If they want to meet less often, they need the Union President's approval.

Each Standing Committee must have at least one (1) meeting per term outside of Winnipeg. This meeting must be included as part of the Committee's annual budgeting process. (MGEU Convention October 2016)

A quorum will be constituted when a majority of the committee's elected or appointed members, one of which must be the Chairperson or Vice-Chairperson of the Standing Committee are present. (MGEU Convention October 2014)

Each member (except for ex officio members) will be entitled to one vote on any matter placed before the Committee. All matters to be decided by the Committee will be decided by a simple majority of members voting thereon. In the event that the votes cast for and against a motion are equal in number, the Chairperson may cast the deciding vote or alternatively refer the matter to the Board of Directors for resolution.

A copy of the minutes of each meeting of the Committee will be provided to each member of the Committee and to the Board of Directors in a timely fashion.

#### **4.7.3 OTHER MATTERS**

In fully discharging its responsibilities:

- The Chairperson will attend a meeting set by the Director, Member Services with all Committee Chairs and staff support person to set long and short term goals for the Committee;
- The Committee will review, discuss and assess its own performance and effectiveness annually;
- The Committee will review periodically its Terms of Reference and, if required, recommend any changes considered necessary for adoption by the Board of Directors;
- The Committee will consult regularly with other Committees of the Board of Directors in carrying out its work;
- The Committee will perform such other duties and responsibilities as may be assigned to the Committee by the Board of Directors;
- The Committee will promote 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;
- The Committee will promote environmentally responsible practices within the Union, amongst its members, at members workplaces and within the community such as, the Adopt-A-Highway program, reduce/reuse/recycle, community gardens, and energy savings, in all areas of the province on a voluntary basis; (MGEU Convention October 2016)
- The Committee will provide support to the Membership Education Committee and its programming regarding safety, health and environmental issues;
- The Committee will help the Union to develop an ongoing negotiating strategy to include environmental language in its contracts;
- The Committee will elect from its membership a representative(s) to the Manitoba Federation of Labour Workplace Safety and Health and Environment Committee.

## **4.8 TECHNOLOGICAL CHANGE COMMITTEE**

### **4.8.1 TERMS OF REFERENCE**

All Standing Committees are responsible to MGEU Convention and are directly responsible to the Board of Directors between Conventions.

The Chairperson of the Committee will provide a report to each Board of Directors meeting outlining the activities of the Committee since the last meeting, ten (10) days prior to each Board of Directors meeting.

The Committee will provide a written report on their previous activities and an oral presentation to the MGEU Biennial Convention.

### **4.8.2 COMPOSITION OF THE COMMITTEE**

- Each Area Council elects its Standing Committee members for a two (2) year term at their first meeting to be held within three (3) weeks following Convention;
- Elected members will report their Committee activities to their Area Council;
- In the event that a Standing Committee member is absent without notice on three (3) occasions (Standing Committee and Area Council meetings combined), the member will be required to resign from the Standing Committee position. A letter will be sent to the member from the Committee Chairperson after two (2) absences without notice. The letter will be prepared by the Standing Committee Staff Liaison for the Committee Chairperson's signature; (MGEU Convention October 2016)
- Where a Standing Committee member is unable to attend a meeting they will send regrets to either the Standing Committee Chairperson or the Area Council Chairperson as applicable; (MGEU Convention October 2016)
- Where a Standing Committee member needs to temporarily step away from their elected position on the Committee for a period of three (3) months or longer, the member will notify the Standing Committee and Area Council Chairpersons. The affected Area Council may hold an election to temporarily fill the position until the return of the incumbent. (MGEU Convention October 2018)
- Each Standing Committee has a Chairperson elected by and from the Board of Directors for a two (2) year term in a Convention year;
- Each Standing Committee elects a Vice-Chairperson for a two (2) year term from its Committee members. In the temporary absence of the Chairperson, the Vice-Chairperson carries out the Chairperson's duties. If the position is vacated during the term an election will be held at the next scheduled meeting. Elections for a new Vice-Chairperson must be included on the agenda of the next meeting notice.

Each Standing Committee will hold at least four (4) meetings per year and will develop an annual work plan responsive to the Committee's responsibilities. If they want to meet less often, they need the Union President's approval.

A quorum will be constituted when a majority of the committee's elected or appointed members, one of which must be the Chairperson or Vice-Chairperson of the Standing Committee are present. (MGEU Convention October 2014)

Each Standing Committee must have at least one (1) meeting per term outside of Winnipeg. This meeting must be included as part of the Committee's annual budgeting process. (MGEU Convention October 2016)

Each member (except for ex officio members) will be entitled to one vote on any matter placed before the Committee. All matters to be decided by the Committee will be decided by a simple majority of members voting thereon. In the event that the votes cast for and against a motion are equal in number, the Chairperson may cast the deciding vote or alternatively refer the matter to the Board of Directors for resolution.

A copy of the minutes of each meeting of the Committee will be provided to each member of the Committee and to the Board of Directors in a timely fashion.

### **4.8.3 OTHER MATTERS**

In fully discharging its responsibilities:

- The Committee will monitor legislative and workplace changes and make recommendations to the Board of Directors on how to protect Union members from changes in technology;
- The Committee will assist with development of contract language to protect against job loss because of technological changes;
- The Committee will provide support to the Membership Education Committee regarding technological change issues;
- The Chairperson will attend a meeting set by the Director, Member Services with all Committee Chairs and staff support person to set long and short term goals for the Committee;
- The Committee will review, discuss and assess its own performance and effectiveness annually;
- The Committee will review periodically its Terms of Reference and, if required, recommend any changes considered necessary for adoption by the Board of Directors;
- The Committee will consult regularly with other Committees of the Board of Directors in carrying out its work;
- The Committee will perform such other duties and responsibilities as may be assigned to the Committee by the Board of Directors.

## **4.9 WOMEN'S COMMITTEE**

### **4.9.1 TERMS OF REFERENCE**

All Standing Committees are responsible to MGEU Convention and are directly responsible to the Board of Directors between Conventions.

The Chairperson of the Committee will provide a report to each Board of Directors meeting outlining the activities of the Committee since the last meeting, ten (10) days prior to each Board of Directors meeting.

The Committee will provide a written report on their previous activities and an oral presentation to the MGEU Biennial Convention.

#### 4.9.2 COMPOSITION OF THE COMMITTEE

- Each Area Council elects its Standing Committee members for a two (2) year term at their first meeting to be held within three (3) weeks following Convention;
- Elected members will report their Committee activities to their Area Council;
- In the event that a Standing Committee member is absent without notice on three (3) occasions (Standing Committee and Area Council meetings combined), the member will be required to resign from the Standing Committee position. A letter will be sent to the member from the Committee Chairperson after two (2) absences without notice. The letter will be prepared by the Standing Committee Staff Liaison for the Committee Chairperson's signature; (MGEU Convention October 2016)
- Where a Standing Committee member is unable to attend a meeting they will send regrets to either the Standing Committee Chairperson or the Area Council Chairperson as applicable; (MGEU Convention October 2016)
- Where a Standing Committee member needs to temporarily step away from their elected position on the Committee for a period of three (3) months or longer, the member will notify the Standing Committee and Area Council Chairpersons. The affected Area Council may hold an election to temporarily fill the position until the return of the incumbent. (MGEU Convention October 2018)
- Each Standing Committee has a Chairperson elected by and from the Board of Directors for a two (2) year term in a Convention year;
- Each Standing Committee elects a Vice-Chairperson for a two (2) year term from its Committee members. In the temporary absence of the Chairperson, the Vice-Chairperson carries out the Chairperson's duties. If the position is vacated during the term an election will be held at the next scheduled meeting. Elections for a new Vice-Chairperson must be included on the agenda of the next meeting notice.

Each Standing Committee will hold at least four (4) meetings per year and will develop an annual work plan responsive to the Committee's responsibilities. If they want to meet less often, they need the Union President's approval.

Each Standing Committee must have at least one (1) meeting per term outside of Winnipeg. This meeting must be included as part of the Committee's annual budgeting process. (MGEU Convention October 2016)

A quorum will be constituted when a majority of the committee's elected or appointed members, one of which must be the Chairperson or Vice-Chairperson of the Standing Committee are present. (MGEU Convention October 2014)

Each member (except for ex officio members) will be entitled to one vote on any matter placed before the Committee. All matters to be decided by the Committee will be decided by a simple majority of members voting thereon. In the event that the votes cast for and against a motion are equal in number, the Chairperson may cast the deciding vote or alternatively refer the matter to the Board of Directors for resolution.

A copy of the minutes of each meeting of the Committee will be provided to each member of the Committee and to the Board of Directors in a timely fashion.

### **4.9.3 OTHER MATTERS**

In fully discharging its responsibilities:

- The Committee will support the Union in its goal to advance women's rights in employment and related fields;
- The Committee will work with other provincial and federal women's groups;
- The Committee will develop and distribute information on important issues to people who identify as women;
- The Committee will provide support to the Membership Education Committee regarding women's issues;
- The Committee will encourage the participation of people who identify as women in the Union;
- The Committee will plan a Women's Conference on a biennial basis;
- The Chairperson will attend a meeting set by the Director, Member Services with all Committee Chairs and staff support person to set long and short term goals for the Committee;
- The Committee will review, discuss and assess its own performance and effectiveness annually;
- The Committee will review periodically its Terms of Reference and, if required, recommend any changes considered necessary for adoption by the Board of Directors;
- The Committee will consult regularly with other Committees of the Board of Directors in carrying out its work;
- The Committee will perform such other duties and responsibilities as may be assigned to the Committee by the Board of Directors.

### **4.9.4 GENERAL POLICY**

Union equity can be defined broadly as any action designed to redress past discrimination and to overcome or eliminate present barriers to equality.

Over the past decade, the MGEU has implemented a number of important measures aimed at promoting and enhancing the position of women in the workplace, in trade Unions and in society as a whole. For example, in 1983 the MGEU and the Manitoba Government developed a joint policy on affirmative action for the Manitoba Civil Service. The MGEU established a Women's Committee, a childcare policy and a sexual harassment policy. More recently, at the national level, the MGEU was instrumental in supporting the establishment of three additional positions for women on the National Executive Board.

In spite of the important work done in this area, while women make up approximately sixty-six percent (66%) (2011) of the MGEU membership, they are still seriously under-represented in a number of areas within the Union, including the higher levels of Union leadership.

The MGEU is committed to increasing the participation of people who identify as women in its leadership.

- 1) Only people who identify as women will be elected to the MGEU Women's Committee, wherever possible.
- 2) Any Provincial Officer who identifies as a woman will have the option to become ex officio members of the MGEU's Women's Committee.

- 3) The MGEU will continue to hold biennial Women's Conferences and priority registration will be given to members who identify as women.
  - a) Representation will be based on a set equal number for each Area as determined by the Committee then the remaining allotted spots will be determined by population.
- 4) The MGEU will continue to participate on the MFL's Women's Committee.
- 5) The Chairperson of the Women's Committee and staff person assigned will attend the NUPGE Women's Advisory Committee meeting. In the absence of the Chairperson, the Vice-Chairperson as well as the staff person assigned will attend the NUPGE Women's Advisory Committee meeting.
- 6) Measures will be taken to ensure that MGEU's website includes adequate coverage of issues of concern to people who identify as women and that photographs included on the MGEU's website adequately reflect the existing proportion of all women members.
- 7) Gender parity will be achieved, wherever possible:
  - a) At all MGEU special or ad hoc committees;
  - b) At all MGEU sponsored educationals;
  - c) Where there are two (2) or more delegates to be elected for conferences or conventions.
- 8) The statement "The MGEU is committed to increasing the participation of people who identify as women in its leadership" will be read aloud prior to any elections taking place.

## **4.10 YOUNG MEMBERS COMMITTEE**

### **4.10.1 TERMS OF REFERENCE**

All Standing Committees are responsible to MGEU Convention and are directly responsible to the Board of Directors between Conventions.

The Chairperson of the Committee will provide a report to each Board of Directors meeting outlining the activities of the Committee since the last meeting ten (10) days prior to each Board meeting.

The Committee will provide a written report on their previous activities and an oral presentation to the MGEU Biennial Convention.

### **4.10.2 COMPOSITION OF THE COMMITTEE**

- Each Area Council elects its Standing Committee members for a two (2) year term at their first meeting to be held within three (3) weeks following Convention;
- Elected members will report their Committee activities to their Area Council;
- In the event that a Standing Committee member is absent without notice on three (3) occasions (Standing Committee and Area Council meetings combined), the member will be required to resign from the Standing Committee position. A letter will be sent to the member from the Committee Chairperson after two (2) absences without notice. The letter will be prepared by the Standing Committee Staff Liaison for the Committee Chairperson's signature; (MGEU Convention October 2016)

- Where a Standing Committee member is unable to attend a meeting they will send regrets to either the Standing Committee Chairperson or the Area Council Chairperson as applicable; (MGEU Convention October 2016)
- Where a Standing Committee member needs to temporarily step away from their elected position on the Committee for a period of three (3) months or longer, the member will notify the Standing Committee and Area Council Chairpersons. The affected Area Council may hold an election to temporarily fill the position until the return of the incumbent. (MGEU Convention October 2018)
- Each Standing Committee has a Chairperson elected by and from the Board of Directors for a two (2) year term in a Convention year;
- When no member of the Board of Directors meets the criteria of being age thirty-five (35) years or younger and is willing to serve as the Chairperson, the Chairperson will be elected from within the Committee. In addition, a member of the Board of Directors will be elected to act as a liaison between this Committee and the Board of Directors. (MGEU Convention October 2018)
- Each Standing Committee elects a Vice-Chairperson for a two (2) year term from its Committee members. In the temporary absence of the Chairperson, the Vice-Chairperson carries out the Chairperson's duties. If the position is vacated during the term an election will be held at the next scheduled meeting. Elections for a new Vice-Chairperson must be included on the agenda of the next meeting notice.

Each Standing Committee will hold at least four (4) meetings per year and will develop an annual work plan responsive to the Committee's responsibilities. If they want to meet less often, they need the Union President's approval.

Each Standing Committee must have at least one (1) meeting per term outside of Winnipeg. This meeting must be included as part of the Committee's annual budgeting process. (MGEU Convention October 2016)

A quorum will be constituted when a majority of the committee's elected or appointed members, one of which must be the Chairperson or Vice-Chairperson of the Standing Committee are present. (MGEU Convention October 2014)

Each member (except for ex officio members) will be entitled to one (1) vote on any matter placed before the Committee. All matters to be decided by the Committee will be decided by a simple majority of members voting thereon. In the event that the votes cast for and against a motion are equal in number, the Chairperson may cast the deciding vote or alternatively refer the matter to the Board of Directors for resolution.

A copy of the minutes of each meeting of the Committee will be provided to each member of the Committee and to the Board of Directors in a timely fashion.

#### **4.10.3 OTHER MATTERS**

In fully discharging its responsibilities:

- The Committee will provide support to the Membership Education Committee regarding young member issues;
- The Committee will encourage young member's participation in the Union;

- The Chairperson will attend a meeting set by the Director, Member Services with all Committee Chairs and staff support person to set long and short term goals for the Committee.
- The Committee will review, discuss and assess its own performance and effectiveness annually;
- The committee will review periodically its Terms of Reference and, if required, recommend any changes considered necessary for adoption by the Board of Directors;
- The Committee will consult regularly with other Committees of the Board of Directors in carrying out its work;
- The Committee will perform such other duties and responsibilities as may be assigned to the Committee by the Board of Directors.

## **5 AWARDS**

### **5.1 HONOURARY LIFE**

#### **5.1.1 CRITERIA**

A Honourary Life Membership Award is proposed as the ultimate recognition by the Union and, therefore, should be considered as being somewhat restrictive. This award will be granted only to those people who are current or past MGEU members and have contributed outstanding or meritorious service to the Union or to the labour movement in general on behalf of the Union.

Nominees for Honourary Life Membership must have served on the Board of Directors for at least two (2) full terms, and must have demonstrated strong leadership over a decade or more in helping to build and strengthen the Union.

A nomination form outlining the reasons for recommending the granting of this award would need to be presented at the Local, Component, or Area level, as deemed most appropriate, and then forwarded to the President of the Union with a covering Motion prior to July 15 of each Convention year. The President will choose a screening committee as per Bylaw B3.1 of the Constitution. They will deal with the recommendation and convey their decision to the Board of Directors for final approval. If the Board of Directors approves the award, a recommendation of acceptance will be presented to Convention. A suitably inscribed plaque will be presented to the person concerned.

This award could be presented to a person either on retirement or at the point in time that the person was withdrawing from active participation because of promotion, personal considerations or other reasonable circumstances.

This award would not carry any residual rights and privileges unless such rights and privileges are provided for in the Bylaws of the Union.

The Board of Directors may, on its own volition, make recommendations to Convention to grant this award.

Applications are available from MGEU head office.

## 5.2 SOLIDARITY

### 5.2.1 CRITERIA

A Solidarity Award is proposed for active members or staff who has contributed to the advancement of the Union through their participation at the Local, Component or Area level and would include those who have held elected positions, been members of Standing Committees, Component Executives or served in other activities of the Union.

It is expected that members or staff proposed for this award have exhibited leadership in the Union for at least ten (10) years and have made a significant contribution to the Union and have encouraged members' participation in the Union.

A nomination form outlining the reasons for recommending the granting of this award would need to be presented at the Local, Component, or Area level, as deemed most appropriate, and then forwarded to the President of the Union with a covering Motion. The President will choose a screening committee as per Bylaw B2:1 of the Constitution. They will deal with the recommendation and convey their decision to the Board of Directors for final approval.

This award could be presented to a member or staff at the point in time that they were withdrawing from active participation in the Union because of promotion, personal considerations or other circumstances.

This award would not carry any residual rights and privileges unless such rights and privileges are provided for in the Bylaws of the Union.

The Board of Directors may, on its own initiative, grant this award.

Applications are available from MGEU head office.

## 5.3 MEMBER RECOGNITION

Upon a member's retirement, a request can be made to recognize their contributions to the Union as a member in good standing or an activist with a gift as follows:

1)	Member in good standing	a gift up to a value of	\$15
2)	1 - 5 year activist	a gift up to a value of	\$25
3)	6 - 10 year activist	a gift up to a value of	\$40
4)	11 - 19 year activist	a gift up to a value of	\$60
5)	20+ year activist	a gift up to a value of	\$125

## 5.4 HUMANITARIAN

This award, which is presented at the biennial MGEU Convention honours past and present MGEU members whose actions and voluntary contributions have been significant toward the betterment of humanity in Manitoba. Their contribution as an everyday humanitarian may encompass a single event or span many years.

Applications may be obtained through the Resource Centre beginning in January of Convention year and deadline for submissions is May 31 of Convention year.

Nominators should include sufficient information to give the selection committee an understanding of the contributions made by the nominee, including letters of support, information about projects and biographical information.

## **6 POLICY PAPERS**

All policy papers have been archived. Some policies and general resolutions have been acted on and may have been changed over time.

### **6.1 AFFIRMATIVE ACTION**

#### **6.1.1 BACKGROUND**

In 1983, the MGEU and the Manitoba Government issued a joint policy statement on affirmative action. In this statement, both declared their commitment to “the concept of affirmative action, to redress existing discriminatory barriers and to enhance promotion and equality of treatment within the provincial government for women, physically disabled persons, natives and visible minorities”.

In 1990 the MGEU, through its affiliation with NUPGE, endorsed Negotiating Employment Equity, a position paper on affirmative action which was developed for the 1990 NUPGE Convention.

It is understood by the MGEU that affirmative action programs can be undertaken only within the parameters of relevant collective agreements.

It is also understood that affirmative action cannot be effectively implemented in an atmosphere of layoffs, cutbacks, privatization and contracting out. Strategies of full employment and legislation supporting the rights of employees to Unionize are essential to the success of affirmative action.

#### **6.1.2 RECRUITMENT AND SELECTION**

All positions within the Civil Service are to be filled internally, with the exception of entry-level positions.

All non-entry level positions must be advertised internally. Departments may seek approval from the Civil Service Commission to advertise non-entry level positions externally only after they demonstrate that no internal candidates are qualified for the position.

Entry-level positions are defined as the first level of the series for all classifications. Exceptions to this will be identified and reviewed by the Central Affirmative Action Committee.

Entry level positions will be bulletined externally and filled through competition.\* Self-declared target group members will be accorded a 10% weighting in relation to the interview scoring system.\*\* Self-declared target group members must be interviewed provided they meet the minimum job-related selection criteria.

In those instances where a vacant entry-level position represents a lateral transfer for an employee and/or a career development opportunity as well, preference in hiring will be given to this employee.

For all non-entry level positions, no weighting will be assigned to affirmative action except in those instances where candidates are rated equally in all aspects including seniority.

\*For all entry-level positions, outreach strategies must be developed and implemented. e.g.: All bulletins should be routinely sent to organizations representing target group members; advertisements should be placed in community newspapers; and so on.

\*\*This assumes that pre-screening and selection criteria are consistently developed and applied across departments and that departments use a point rating system in scoring candidates during interviews.

### **6.1.3 CAREER DEVELOPMENT/TRAINING**

#### 1) Resources

Resources at the department and central level are to be designated specifically for career development and training for the four (4) target groups. The Civil Service Commission is to develop a government-wide program for this training (e.g.: program that was undertaken using Manitoba Jobs Funds dollars in previous years).

#### 2) Mechanisms

##### **a) Term/Acting Status**

Where a temporary vacancy at a non-entry level occurs due to a leave of absence of some kind, every effort should be made to fill that vacancy internally on an acting status basis; any vacancies created thereby that are also at a non-entry level should be filled in the same manner. Only the term position created at the entry level can be filled by an external candidate.

Priority for these temporary vacancies should be given to target group members within the Civil Service.

##### **b) Waivers**

Waivers should be eliminated.

##### **c) Secondments**

Lateral secondments should be used as career development opportunities for members of the four (4) affirmative action target groups.

#### 3) Women

The focus on career development and training opportunities for people who identify as women in the Civil Service should be on moving them out of the lower paying female-dominated sector into more senior-level positions and non-traditional occupations.

#### 4) Miscellaneous/Other

The MGEU acknowledges that there are a number of elements in the employment process which impede the progress of target group members. The following are some examples of areas in which change should be made:

- a) Child Care;
- b) Flex Time;

- c) Job Share;
- d) Recognition of Volunteer Work;
- e) Seniority - Re: Maternity Leave;
- f) Job Bulletins - Wording/Requirements.

(Board of Directors October 1991 and MGEU Convention October 1991)

## **6.2 ESSENTIAL SERVICES**

### **6.2.1 GENERAL POLICY**

1) The MGEU recognizes that Essential Services do exist and must be maintained during a labour dispute.

2) Definition of an Essential Service

An Essential Service is an emergency work function performed by one or more employees during a labour dispute which otherwise, if not performed, would endanger or threaten life or limb.

3) Since determining the essentiality of a work function varies greatly from one work area to another and since employees in respective work areas are the best qualified to determine essentiality under a given set of human circumstances, it is reasonable to expect that the employees in a given work area should determine whether or not a work function is essential. Therefore, prior to any withholding of services and during a strike, the question of who would perform what service would be determined by the employees and their elected representatives in the respective work areas.

4) All Essential Services to be carried out would be determined on the basis of work functions and not on the basis of designating employees or designating job classifications. As such, certain work functions would be categorized as essential and no employee or job class would be designated as essential.

5) In scope employees who crossed picket lines performing essential service work functions would be required to carry identification cards issued by the Union.

6) There would be no charge or earned wages paid by the employer for any essential work functions performed by Union members during the course of a work stoppage.

### **6.2.2 ESSENTIAL SERVICES ACT**

The MGEU will, through the MFL, lobby the provincial government to amend The Essential Services Act to ensure that workers continue to have the right to strike. (MGEU Convention October 2000)

The MGEU will lobby the provincial government to re-visit The Essential Services Act and re-assess which classifications are true essential services and not just partial or almost essential services. (MGEU Convention October 2002)

## **6.3 JOB SHARING**

### **6.3.1 GENERAL**

The concept of “in special circumstances” reflects a need for the continuing enhancement of the quality of working life. Despite the need for job-sharing in special circumstances, the protection and need for the maintenance and continuation of full-time regular employment is of paramount importance to the vast majority of MGEU members. Only in special cases, voluntarily entered into by the MGEU members, should job-sharing be considered as a legitimate form of employment.

For job-sharing to be successful and mutually advantageous to both the employee and the services provided to the public, it is essential that the policy, the working conditions and the administrative guidelines under which job-sharing is to take place be uniform and explicitly established as well as clearly understood. Success or failure in any approach to job-sharing would, more than anything else, depend on centrally formulated guidelines and working conditions within an employer’s establishment.

### **6.3.2 POLICY GUIDELINES**

- 1) Overall public sector staff planning needs should be primarily directed at achieving full-time regular employment status for public service employees.
- 2) The feasibility of sharing one regular full-time position should only be considered on the voluntarily initiated request of two (2) MGEU members. Before job-sharing of a position is contemplated, a joint letter of request signed by two (2) eligible employees would be forwarded to the employer with a copy to the MGEU. Such a letter of request would require reasons for the request, as well as how the full-time permanent position would be filled if the request is to be authorized by the employer and the Union. In other words, job-sharing arrangements of a permanent position would require mutual consent of the employer and the Union.
- 3) Job-sharing will refer to the filling of a regular full-time permanent position by two (2) full-time employees on a 50/50 work time sharing basis. However, the regular full-time permanent position would not be split into two (2) levels of responsibilities for the purpose of work time-sharing.
- 4) A job-sharing request will only be considered where the MGEU members making the request are in receipt of all benefits provided by the employer under the collective agreement and the two (2) employees making a joint request would be required to be in the same pay range having coinciding minimum and maximum pay points. Any exceptions would be by mutual agreement between the parties to the collective agreement.
- 5) All employees appointed to regular full-time permanent positions on a job-sharing basis would be designated and categorized as having permanent part-time status and employee benefits would be shared on a pro rata basis subject to the collective agreement.
  - a) Example: Entitlement for one-half ( $\frac{1}{2}$ ) day statutory holiday pay would be determined on the same basis as if the job shared position were filled by one employee. That is, the two (2) employees would jointly be required to satisfy eligibility requirements.
- 6) Employees in a job-sharing position will retain the full rights under the collective agreement (other than benefits of a pecuniary nature) as though the employees were in full-time status.

- 7) In the event that one of the employees in a permanent part-time job-sharing status no longer assumes their position through resignation or for other reasons, the position will be dealt with as follows:
  - a) The remaining employee in the permanent part-time position would have the option of filling the position without competition.
  - b) The position would be internally posted as full-time with the following wording stated on the job posting:
 

“This full-time position is currently being filled by two (2) employees working permanent part-time on a 50/50 time shared basis. If you wish to apply for this on a permanent part-time basis please apply in the normal manner.”
  - c) If no eligible employee is acceptable and willing to share the full-time position through internal competition, the remaining employee under a) above would be given a final option to fill the position full-time before the position reverts to full-time and the vacancy filled in accordance with the collective agreement.
- 8) Each permanent part-time employee in job-sharing status will be required to work the required number of hours per week to retain EI benefit eligibility. (MGEU Convention October 1981)

## **6.4 COMPULSORY RETIREMENT**

### **6.4.1 POLICY**

While mandatory retirement policies affect very few people at the present time, a complete legislative ban on mandatory retirement could have serious implications for the future. The majority of MGEU members favour the retention of mandatory retirement at age sixty-five (65).

Even though mandatory retirement may be considered discriminatory and illegal according to the letter of the law in Manitoba, we feel that it should not be. It is no more or no less discriminatory to fix an age at which a person must leave employment than it is to decree that a person must reach a certain age before they may acquire employment. We are not of course suggesting the deletion of Section 8 of The Employment Standards Act to legalize child labour. We are, however, pointing out that exceptions to the general principles outlined in Section 6(1) of The Human Rights Act may be desirable and practical. If the argument can be made that the ban on child labour is intended to protect the health, moral fibre and well-being of our youth, (even though there may be many fourteen (14) year-olds physically and mentally mature enough to handle adult work) then a similar argument can be made that mandatory retirement under the proper circumstances allows people to leave the workforce with their pride and, in most cases, health intact.

The MGEU agrees with the position of the Manitoba Federation of Labour that the issue of mandatory retirement should be dealt with in the arena of collective bargaining. This approach is clearly preferable to an inflexible statutory standard for mandatory retirement for several reasons:

- 1) The employees will have a say as to whether there should be a retirement age under their employment circumstances and, if so, what that age should be. The democratic principle of majority rule will apply.
- 2) If, as contemplated under 16(1) of The Civil Service Act, there is reasonable grounds for differing age limits for certain classifications the employees will have input into those decisions instead of having to challenge the restriction after it has been determined by the employer.

- 3) Unions can negotiate pension and other provisions to ensure, to the extent possible, that employees are not suddenly plunged into destitution by a sudden forced retirement. Unions have historically fought for the concept of earlier retirement on decent incomes so that our older people, who have contributed so much to this country, can enjoy some leisure time in dignity. We submit that the solution to inadequate post retirement incomes is not to allow people to continue working until the day they die.

#### **6.4.2 GUIDELINES**

- 1) That Section 54 of The Civil Service Superannuation Act be officially repealed by the Manitoba Legislature.
- 2) The repeal of Section 16(1), 16(2), 20(2), 20(3), 20(4) and 20(5) of The Civil Service Act.
- 3) The MGEU proposes in concept that The Human Rights Act be amended to provide that it is not a discriminatory practice contrary to the Act if a person's employment is terminated because of the terms or conditions of a collective agreement or established employer policy which provide for a mandatory retirement age in conjunction with a bona fide retirement or pension plan. The MGEU would further suggest that employers should be required to provide employees with proper notice of mandatory retirement policy, preferably by way of written notice given to that person at the time employment commences. (MGEU Convention October 1981)

### **6.5 EMPLOYEE REPRESENTATIVES ON GOVERNMENT BOARDS**

#### **6.5.1 POLICY**

- 1) The MGEU supports the concept of employee representatives on government/employer boards.
- 2) Affected Component Executive will elect employee representatives to the available Boards for one (1) year terms.
- 3) The employee representatives will report back to the Component Executive on a regular basis.

### **6.6 EMPLOYEE AND FAMILY ASSISTANCE PROGRAM**

#### **6.6.1 POLICY STATEMENT**

The Employee and Family Assistance Program (EFAP) recognizes that employees may occasionally experience problems of a personal nature. It is also recognized that these problems may have an impact on both the working and social lives of the employees and their families. In response to these particular kinds of difficulties, Labour and Management have initiated an EFAP as a means of support and assistance for employees. It is the position of the parties involved that resolution of problems are in the best interest of the employee and the organization.

EFAP has been designed to enable the employee to take advantage of resources available in a wide variety of areas. Examples include: personalized assistance with problems such as emotional, behavioural or stress-related concerns; alcohol or other drug misuse, physical or health problems, and financial and/or legal worries. Resources are also available that deal with family problems or marital discord. Cases handled under EFAP will be treated in a confidential manner.

This Statement of Policy does not waive the rights to applicable benefits of any employee, including those specified within the various Collective Agreements, nor is it to be interpreted as constituting a waiver of Management's rights to take appropriate disciplinary measures, nor Labour's rights to the grievance or appeal process.

### **6.6.2 PROCEDURE**

Once an individual has sought guidance through EFAP, the Employee Assistance Officer will assist the person in identifying the true nature of the problematic situation and a suggested course of action to be taken to deal with the problematic situation.

### **6.6.3 ASSESSMENT AND REFERRAL**

Assessment involves determining with the individual the nature of the problem as presented. With the person's written consent, this process may require obtaining relevant information from various sources in order to help define the problem and also to help develop an appropriate course of action that should assist in addressing and potentially resolving the individual's personal problem.

### **6.6.4 ROLES AND RESPONSIBILITIES OF PARTIES**

The Employee Assistance Officer will, in consideration of the particular case or identified need:

- Assess the nature of the problem as presented by the client;
- Work with the client to determine possible solutions appropriate to the problem;
- Examine; in conjunction with the client, how these solutions may be achieved and make appropriate referrals;
- Determine whether or not the agreed upon action is being carried out and act as liaison with the helping resources when necessary;
- Where warranted, in accordance with established employer policy and in conjunction with the workplace management, authorize appropriate absence for purposes of treatment;
- With the client's permission and in conjunction with treatment, liaise with workplace management to suggest a modification of the work environment;
- Maintain on-going follow-up with the client for a period of up to one year or as may be required;
- Provide information, training and/or consultation on the EFAP to all involved parties.

#### **6.6.4.1 The Employee/Client Will**

- Assume personal responsibility to seek/accept assistance through EFAP.
- Make every effort to maintain job performance at an acceptable level regardless of circumstances surrounding the situation.

#### **6.6.4.2 The Supervisor/Manager Will**

- Fully understand the purpose of EFAP related policies and referral procedures.
- Make employees aware of assistance available through EFAP and encourage employees to take advantage of these services should there be indications of personal or health-related problems which may be affecting performance.
- Leave diagnosis and treatment to professionals.
- Respect confidentiality.

#### **6.6.4.3 The Department Personnel Representative Will**

- Fully understand the purpose of EFAP, related policies and referral procedures.
- Encourage utilization of the program.
- Provide assistance and advice to employees and/or supervisors and managers regarding the EFAP.
- Assist in coordinating the delivery of Employee Assistance Training Programs.
- Respect confidentiality to ensure the trust of the employee is not violated.
- Leave diagnosis and treatment to professionals.

#### **6.6.4.4 MGEU Employee Representatives Will**

- Fully understand the purpose of the program, related policies and referral procedures.
- Provide assistance and advice to employees regarding EFAP.
- Encourage members to take advantage of EFAP should there be indications of personal or health-related problems.
- Respect confidentiality to ensure the trust and privacy of the member is not violated.
- Leave diagnosis and treatment to professionals. (MGEU Convention October 1985)

#### **6.6.5 GENERAL RESOLUTIONS**

The MGEU, through this Convention, approves the development and implementation of EFAP which would cover all employees working in organizations where the MGEU is a bargaining agent. (MGEU Convention October 1983)

Any plan entered into by the MGEU should be a jointly controlled employee/employer program. (MGEU Convention October 1983)

The Joint Council Employee Assistance Committee should be comprised of equal representation from government and the Manitoba Government and General Employees' Union. The Union representative will be an elected person from the Board of Directors along with members who have displayed interest and commitment. (MGEU Convention October 1984)

The Joint Council Employee Assistance Committee will be responsible for the annual report to Convention and to government. (MGEU Convention October 1984)

The MGEU, as policy, continues to support and participate in the current EFAP program; and the MGEU, as policy, opposes any EFAP program designed that operates on a profit-oriented basis. (MGEU Convention October 1989)

To ensure the future of the program, as well as MGEU's continued involvement in the EFAP program, the MGEU will:

- 1) Work towards setting up a trust account for contributions from Labour Relations Components;
- 2) Work towards a secondment from College Governance;
- 3) Assist with secretarial staff for vacation relief;
- 4) Continue rental provision in rural areas;
- 5) Continue providing pamphlet printing costs;

- 6) Continue to pay for EFAP Convention literature expenses. (MGEU Convention October 1993)

The MGEU will pressure the Province to fund two (2) full time EFAP Counsellor Positions - one (1) in The Pas and one (1) in Thompson - which will provide consistent and effective counselling service to our membership north of the 53<sup>rd</sup> parallel. (MGEU Convention October 1993)

## **6.7 LABORATORY SERVICES**

### **6.7.1 GENERAL**

The MGEU is very involved in the health care system. We represent lab techs, nurses, home care workers, chaplains and social workers among others. These members do an excellent job under what are often very trying circumstances. In a very real sense, we probably understand many aspects of the health care system better than the people who are running it. It is our members who actually deliver the services. It is our members who see the inconsistencies and inefficiencies every working day. This brief is our way of trying to convey some of what concerns them, as the health care reform process moves along.

Diagnostic laboratory services in Manitoba are presently fragmented in terms of delivery, management and ownership. The MGEU fully supports the need for a review. During this period of constrained resources and rapidly changing technology, a consistent and efficient system of laboratory services is essential to the future of Medicare in this province.

### **6.7.2 PROCESS**

The review committee, as structured by the government, is more than a little biased. Rather than a genuinely public review with a representative committee, what we see is a committee largely made up of two (2) interest groups. The Manitoba Medical Association and physicians who own private laboratories are clearly in control of the review. The bias and secrecy of the review is troubling. We have not even been given access to the minutes of the proceedings. This would not be the case if the review were an open one.

Not only are the committees overly influenced by the special interests of private laboratories, there has been no attempt to redress the imbalance by appointing laboratory technologists. Of the more than thirty (30) names of employees put forward by Unions, only two (2) have been appointed. We believe that the people who do the testing should be a part of the review. Who knows better than the front line worker?

The MGEU also questions why private interests are being asked to develop and set public policy. Four (4) out of the five (5) working groups established by the committee are stacked with doctors connected to private laboratory interests and three (3) of the chairs have such a conflict of interest. The committee chairs have been given the authority to appoint the members of the working groups. It is not surprising that many of the appointees also have connections to private laboratories in Manitoba. Regardless of what the final report recommends, the proposals will be tainted by the makeup of the committee and its working groups. The public interest is clearly not being protected by any of this.

We strongly urge the review committee to seek the mandate necessary for an open, broadly based review which will protect the public interest.

### 6.7.3 PROFIT OR SERVICE

The government's health care reform strategy has largely been a process of cuts. Service cuts, increased drug costs, bed closures and layoffs have been the order of the day. The rhetoric about community based care has remained just that - rhetoric. It is against this background that the review of laboratory services is taking place.

Since the present government has devoted so much of its health care reform strategy to cost containment, this area seems a good starting point. A lot has been written about the relative costs of private versus public testing. Some studies claim that private testing facilities are fifteen percent (15%) to thirty percent (30%) more costly than publicly operated ones. Others dispute these claims. What is not in dispute is that doctor owned testing facilities are prone to abuse because of the fee for service method of paying for tests. In all probability, this issue will not be resolved to anyone's satisfaction and it becomes irrelevant in a laboratory system with uniform funding methodologies and strict budget control.

The MGEU recommends that the present fee for service system of laboratory services funding be discontinued. We also believe that laboratory services in doctors' offices should be de-insured. Where basic testing, such as pregnancy testing is considered to be appropriate, the materials should be provided to doctors at no cost. These two (2) changes would go a long way towards eliminating the existing conflict of interest situation which has numerous doctors with an interest in private laboratories. They would also prevent the increasing tendency for the few to enrich themselves at public expense. Our view is that a publicly funded universal health care system is no place for a "for profit" laboratory services system.

We further recommend that laboratory services in Manitoba be publicly owned and operated. Economies of scale would decrease the costs and private laboratories would no longer be able to "high grade" the provision of testing. Off hours testing and many highly technical tests are not left for the publicly funded labs while the private labs do their testing during the more profitable 9 to 5 part of the day. In other words, laboratory services must be service rather than profit driven.

Publicly operated labs in Manitoba have very strict protocol for both staff training and quality control. Unfortunately, the same cannot be said for private labs. The total amount presently being spent on private labs (\$30 million) could be used as transitional funding to affect a publicly operated system. For example, the lab presently operating in the basement of the Medical Arts building in Winnipeg could be purchased to ensure that lab services are convenient for those patients. We also believe that the present fee for service method of remunerating pathologists must cease. In its place, pathologists would work on a contractual basis with a mix of local health boards, hospitals or the Health Department. This would eliminate conflict of interest and double billings. There is no doubt it would also be more cost effective.

There is a precedent for these recommendations. Saskatchewan has already implemented many of these proposals. In the case of one of the newly formed health boards, these changes have resulted in a saving of \$5 million out of a base of \$17 million. This review process has an opportunity to improve the provision of laboratory services in Manitoba and to save upwards of thirty percent (30%) while they are at it. We trust that if this committee has the public interest at heart and that a true reform of laboratory services will include these changes. For profit health care services must not derail the public interest.

## **6.8 CONFLICT OF INTEREST GUIDELINE**

### **6.8.1 GENERAL**

- 1) Conflict of interest is essentially a matter of common sense. Common sense is something that cannot be legislated or guaranteed by written policy.
- 2) The MGEU has not experienced significant problems regarding alleged conflicts of interest among our members. The government's desire to implement a pervasive policy on conflict of interest must therefore stem from perceived problems in this regard with management personnel.
- 3) Specific guidelines re: conflict-of-interest already exists in many departments, agencies, etc. An all-inclusive policy may fail to recognize necessary differences between various departments.
- 4) In addition to specific departmental guidelines, the type of general statement the government is looking for is already enshrined in legislation in the form of the Oath of Office taken by Civil Servants (Section 42 C.S.A.). The Oath provides that:
  - a) Employees have the responsibility to faithfully and honestly fulfill the duties which devolve upon them as employees in the government service of Manitoba;
  - b) An employee will not ask or receive any sum of money, services, recompense, or matter or thing whatsoever, directly or indirectly, in return for anything they have done or may do in the discharge of any of the duties of their office, other than salary, benefits, etc., to which they are lawfully entitled. Employees will not, without due authority in that behalf, disclose or make known any matter or thing which come to their knowledge by reason of their employment in the government service of Manitoba.

The above statements cover a wide range of sins. The issues of pecuniary interest and disclosure of information, (which seem to be the government's big concerns) are clearly dealt with. The MGEU submits that the statements above, when combined with the existing departmental policies and the restrictions in Section 44(l) (b) of the C.S.A. concerning political rights, constitute an adequate policy on conflict of interest. The problems in this area have been few and we see no need to rock the boat with new, omnibus guidelines.

- 5) There is a need for a consistent process whereby employee uncertainties regarding conflict of interest can be clarified. Employees, who feel they may be in a conflict of interest situation, either currently or potentially in future, should be able to seek clarification and/or a ruling from the Deputy Minister or their designate. The department should provide the ruling and/or clarification within a specified time frame. Any employee who disagrees with the departmental position would have the right of appeal to the Civil Service Commission appointed under the authority of Section 4(1) of The Civil Service Act. The employee would of course, be entitled to have representation at the appeal, Union or otherwise. A ruling made unilaterally by the department, without a clarification request by the employee, would also be an appealable matter. A Union member who is actually disciplined for an alleged conflict of interest would have the right of grievance and/or arbitration proceedings.

### **6.8.2 CONCLUSION**

In summary, we see no need to implement a conflict of interest policy which extends beyond what currently exists in legislation and within departments, other than to establish a clarification/appeal

process. Any conflict of interest rules implemented by the employer must meet the tests established by arbitral jurisprudence in that:

- They must not be inconsistent with the collective agreement, they must be reasonable;
- Rules must be clear and unequivocal;
- Any rules must be brought to the attention of the employees before the employer can act on them;
- Employees must be notified that any breach of such rules may result in disciplinary action;
- The rules must be consistently enforced by the employer from the time they are introduced.

### **6.8.3 GENERAL RESOLUTIONS**

The MGEU opposes the implementation of an omnibus conflict of interest policy which extends beyond what currently exists in legislation and within departments other than to establish a clarification/appeal process. (Board of Directors May 1983)

## **6.9 NON-STANDARD SHIFTS**

### **6.9.1 GENERAL**

This policy was developed in response to the 2006 Convention Resolution and was subsequently added to the content of the MGEU Wellness / Stress workshop held three (3) times annually. Many MGEU members find themselves working non-traditional and /or rotating shifts or unpredictable hours. Researchers continue to debate definitions of normalcy with respect to hours of work. No doubt, there is movement away from the traditional 9:00am - 5:00pm, Monday to Friday jobs. A growing portion of our working population now work evenings, weekends and holidays. Shift work is commonly defined as work that has an identified beginning and end and is also associated with unsocial hours, occurring on a rotating pattern. Part-timers and casual workers often work non-regular day shifts, nights, weekends and unpredictable shifts. Shift workers often express concerns about health impacts of work scheduling. This is usually due to the fact that shift workers never eat, sleep or socialize at the same time each day resulting in difficulty maintaining the synchronization of the body's natural cycles.

### **ACUTE AND LONG TERM AILMENTS**

Studies have found that workers who work other than the day shift, whether it be rotational or fixed shifts, frequently experience health impairments, both in the short term and long term. Short term ailments may include fatigue, irritability and stress, ulcers, heartburn, fluctuations in weight or digestive problems.

Shift work upsets biological rhythms (for sleep, alertness, hunger, etc) and takes a toll on the long term health and well-being of workers. Long-term chronic disease examples also include gastrointestinal disease, cardiovascular disease, cancer, metabolism, diabetes and reproductive functions.

### **DIET**

Gastrointestinal ailments are due largely to imbalanced meals, and over-consumption of convenience foods. Continuous mealtime changes also contribute to stomach upset and aggravate digestion.

## **SLEEP**

Lack of sleep is a common concern of shift workers. Irregular sleep patterns and sleep disorders are common. Shift workers often sleep less than seven (7) hours per day. By the end of the week, a shift worker is often with a sleep deficit of ten (10) hours or more. Sleep problems appear to be cumulative. While a lack of sleep over a couple of days may be manageable, further days of reduced sleep can lead to fatigue. A fatigued worker may become vulnerable to illness, demonstrate poor job performance, and experience decreased motivation. Individuals suffering from sleep deprivation exhibit slower response rates and lack of alertness.

Seeking a solution, some may turn to unhealthy practice of utilizing sleep aids or alcohol for relief.

## **SOCIALIZATION**

Shift work affects many aspects of an employee's life outside of the workplace. A work week beginning at 9:00am and ending at 5:00pm daily, from Monday to Friday, once provided a stable pattern for daily routines and social activities. Working irregular shifts disrupts family activities. Employees may suffer from irritability, mood swings and stress, resulting in complications in family and social networks. Shift work also places extra demands on workers as domestic partners and parents.

## **WHY DO WE DO THIS TO OURSELVES?**

Often, when looking at patterns for shift work, we are tempted to work longer hours and/or rotations that allow for greater periods of personal time between scheduled shifts. We also tend to lean toward the belief that every employee has to share equally in the unhealthy shift pattern. There is also an assumption that the monetary premiums received for working non-traditional shifts are enough to compensate for the upset it creates to our personal lives and health.

## **SOLUTIONS**

### **Improve Work Schedules**

Employers should become familiar with schedule features that offer employees the best opportunity for work-life balance while minimizing the health impacts of shift work. There are a number of things to consider: organizational need, worker preference, associated health concerns, and staffing requirements. Having considered these factors, there may still be a need to establish shifts. In the event that shift work is unavoidable, there are a number of strategies to address the perils of work scheduling.

Workers may attempt to shift the internal circadian clock where night alertness and day sleep become the norm because of a fixed pattern. Time resynchronization takes up to one (1) week. However, the circadian clock quickly reverts to daytime clock function on days off if the pattern is not maintained.

A second strategy to minimize health impacts is to maintain the circadian clock. Rapid shift rotations combat circadian misalignment. By changing shifts forward (i.e. 2 days; 2 evenings; 2 nights; off) or limiting night shifts to less than four (4) consecutive nights in a row, sleep deficit is minimized, the circadian clock remains intact and constant. However, workers may still experience night-time drowsiness and daytime alertness.

## **Diet**

There are some things employees can do to address gastrointestinal disorders commonly associated with shift work. Keep eating patterns as regular as possible to help maintain energy levels, improve sleep and assist the body in adjusting to the shift work schedule. Employees should have a diet that includes foods high in fibre (fruits, vegetables, whole grains), and low fat foods such as fish, chicken, yogurt and various types of beans.

## **Sleep**

Workers should try to keep a regular sleep time and emphasize to family the importance of a sleep schedule. There are four (4) stages of sleep and without experiencing all stages it is difficult to function normally.

The use of caffeine, alcohol and sleeping pills should definitely be limited. Many of these substances can be addictive, and can lead to other health problems such as diabetes, epilepsy and heart disease. These combined factors may lead to depression.

There are also a number of pharmaceutical therapies to address both sleep and alertness issues. Reliance upon sedatives/hypnotics may create tolerance, dependency and carry-over sedation at work. These therapies should not be relied upon in the long term or used in place of establishing the best-fit shift pattern.

Alertness at night may be improved by the provision of a safe, cool, and brightly lit work environment. Workers should also take planned naps two (2) hours prior to a night shift. Employers could provide for mid-shift nap (2:00 - 4:00am) for thirty (30) to fifty (50) minutes. Studies have shown that timed light exposure of approximately 1-2,000 Lux during the first half of a night shift improves night-time alertness.

## **Socialization**

Planning for family time and social events requires more effort, it is very important as a way of staying connected to others.

Exercise is also very important. Being physically fit assists the body in maintaining good health and makes the entire system better able to cope with the demands of shift work.

## **WHAT YOU CAN DO?**

With a little knowledge about the effects of shift work, workers can have the power to make positive change. Please take the time to review organizational need, health concerns, and worker preference with regard to shift work. Your well-being is worth the effort!

## **6.10 PREVENTION STRATEGY FOR WORKPLACE VIOLENCE AND ABUSE POLICY**

The MGEU believes that all employers have a responsibility through their Health and Safety Committees to develop workplace violence policies that should include the following components:

### **6.10.1 DEFINITIONS**

An employer should include clear definitions of what constitutes violence, abuse, assault, and threats as well as a classification of the types of people within the workplace, whether these people include worker, client and/or employer. This will assist in the clear establishment of appropriate and inappropriate behaviour on the part of those individuals that make up a given workplace.

### **6.10.2 RISK ASSESSMENT PROCEDURES**

With input from at risk workers, the Workplace Health and Safety Committee should conduct a risk assessment to determine potentially violent and abusive scenarios.

The assessment should include a review of: past injury and incident reports, Workers' Compensation claims, the workplace site, and other workplaces with similar environments and experience. It should also consider: staffing levels, location of workplace (i.e. high or low crime area), workplace security, environmental hazards (i.e. pets, physical impediments etc.) client history (i.e. use of alcohol, drugs, and medications, as well as incidents of violence and mental illness), the experience, skill, and training of workers, the scheduling of shifts and overtime, work procedures that promote worker safety, workplace design and ergonomics, personal protective equipment, and working alone policies.

### **6.10.3 TRAINING PROCEDURES**

Any workplace violence prevention policy should be accompanied by the appropriate training of managers and workers regarding the existence of workplace risk, what workplace policies, measures, and procedures exist to address workplace violence and abuse, how violations are reported, and what appropriate support and intervention programs exist after the occurrence of a violent or abusive incident.

Training should address those areas identified in the risk assessment. Training should consist of a minimum of two (2) sessions annually, and all newly hired and transferred employees should receive this training as part of their orientation.

### **6.10.4 REPORTING AND INVESTIGATION PROCEDURES**

Employers must encourage employees to report all incidents of violence, abuse, and/or threats. Employees are not to feel stigmatized. Preferably, incidents should be recorded using incident report forms. The Health and Safety Committee should then review the matter jointly so that corrective action can be taken. First aid, medical referral, or workplace clean-up may be required.

After a report/incident, it may be necessary to initiate police contact, critical incident stress debriefing, trauma counselling, and the completion of Workers' Compensation Board forms. The employer is responsible for helping to facilitate these activities and ensure that the person(s) who have filed the complaint suffer as little stress and anxiety as possible.

### **6.10.5 A NO DISCRIMINATION STATEMENT/DESCRIPTION OF EMPLOYEES' RIGHTS**

No employer should discipline or discriminate against an employee bringing forward a complaint against any forms of aggression or abuse while in the workplace. Employee groups have the right to be informed, and this right should take precedence over the right of the accused to confidentiality of information. Only workers who will be directly in contact with the violent person, however, should be told of the hazard after one incident has occurred, or when the risk of incident or injury is high, in accordance with the right to know principle.

The employer should recognize the employee's right to refuse if the incidents are repeated. Any form of verbal and physical aggression must be immediately investigated. The Health and Safety Committee should provide input and guidance through the process of assessment and resolution. In all cases where employees or Union representatives identify a risk of violence or abuse to staff, the employer should establish and maintain measures and procedures to reduce the likelihood of

recurrence. It should be understood that these measures are in addition to, and not a replacement for training and prevention.

#### **6.10.6 FOLLOW-UP AND SUPPORT PROCEDURES**

The MGEU recognizes that incidents of violence and abuse may create a great deal of stress for an individual and their co-workers. Thus, incidents of violence and abuse should be followed-up by a review of all responsible actions and an evaluation of their effectiveness.

Depending on the results of this evaluation, follow-up might include: support, if the person decides to press charges; legal assistance; debriefing; assistance with an application to the Workers' Compensation Board; and further training.

Leaves required to attend counselling sessions should be granted without loss of pay. While the Workers' Compensation Board does cover time lost in some cases, extra costs incurred as a result of violence and abuse in the workplace should be covered by the employer.

#### **6.10.7 ANNUAL REVIEW**

An annual review of the program's effectiveness should be established. This should be completed and documented by the workplace Health and Safety Committee.

Review activities might include: joint inspections; speaking directly to workers; and reviewing records and statistics.

The MGEU recognizes that while violence and abuse permeate all aspects of society, measures of planning and prevention can help to create workplaces free of violence and abuse. Therefore, as per the workplace violence resolution (MGEU Convention October 1998), the MGEU is committed to working with its members and their employers as they develop written policies that clearly outline appropriate policies, procedures, and practices when dealing with abuse and violence in the workplace.

## **APPENDIX 1 - TEMPORARY AMENDMENTS TO ACCOMMODATE REMOTE MEETINGS**

In November 2020, the MGEU Board of Directors adopted a plan to conduct the current round of election meetings and Convention using remote technology as a result of COVID-19. Out of necessity, the plan requires adaption of the timelines, procedures and rules ordinarily followed and enumerated in sections 3.1, 3.2, and 3.3 of the MGEU Policy and Procedures Manual.

The temporarily amended rules and procedures listed below expire at the closing of the 2021 MGEU Convention.

### **3.1 CONVENTION AND CONFERENCE DELEGATE SELECTION DEADLINE**

Credentials/registrations will be closed **four (4) weeks** prior to the commencement of the Convention.

### **3.2 PROCESS FOR SEEKING ELECTION TO A PROVINCIAL OFFICER POSITION**

- 1) The Director, Member Services will serve as the Elections Chairperson. If the Director, Member Services is unable to serve as Elections Chairperson, the MGEU President will designate another Staff Director to serve as Elections Chairperson.
- 2) Candidates will complete a Letter of Intent which will constitute their intention to run for a Provincial Officer position. Once the form has been completed it is to be submitted to the Elections Chairperson.
- 3) The period during which candidates may attend Local or Area Council meetings as candidates and seek reimbursement for eligible expenses for such attendance will be April 1 to June 30.
- 4) If a declared candidate wishes to attend a Local or Area Council meeting (other than their own or in their role as Area, or Component Director, if applicable) they must notify the Local President/Area Council Chairperson. If the Local President/Area Council Chairperson has a concern about the candidate's attendance, the matter should be referred to the Elections Chairperson for determination and resolution. Candidates may be introduced at such Local or Area Council meetings, but cannot participate in the business of the meeting.

When candidates attend, they will be provided with a one (1) minute opportunity to introduce themselves after Local elections are completed. The meeting chair will advise all attendees that additional information (biography, platform, photo, contact information) about the candidates is available on the MGEU website, if provided by the candidates.

- 5) The MGEU will pay reasonable expenses for declared candidates during the campaign period for campaigning at Local or Area Council meetings. Participation by conference call will be arranged, if possible. The Elections Chairperson is responsible for determining which candidate expenses are reimbursable to ensure an efficient and responsible use of MGEU resources.

The process will be as follows:

- a) Scheduled Local and Area Council meetings will be posted on the MGEU website.
- b) The candidate will notify the Local President/Area Council Chairperson if they wish to attend a meeting of that Local or Area Council. If the Local President/Area Council Chairperson has a concern about the candidate's attendance, the matter should be referred to the Elections Chairperson for determination and resolution.

- c) The candidate will provide a plan of all meetings that expenses will be submitted for to the Elections Chairperson for approval.
  - i) The plan will include the meeting schedule, applicable time off that will be required and an estimate of expenses that will be claimed.
  - ii) A time off letter will be provided for approved Union leave.
  - iii) Expenses claimed for meetings that have not had prior approval will not be paid.
- 6) Information on this process will be included in a letter to all Local Presidents and Area Council Chairpersons before the campaign period begins.
- 7) Delegates will be elected between April 1 and June 30 of a biennial Convention year. When completing the delegate election form, delegates will be asked to sign a private information authorization indicating whether or not they are willing to share home contact information with candidates seeking election to a Provincial Officer position.
- 8) All candidates who have completed a Letter of Intent will be provided with two (2) lists of delegate information. One (1) list will contain delegates who have agreed to share their home contact information and the second list will contain only delegate names and their Local name and number where consent was not given to provide additional information. Updated lists with any delegate changes will be provided on a biweekly basis commencing the third week of April. After September 1 the delegate lists will be provided on a weekly basis.
- 9) In order for a candidate to receive delegate information they must sign a Confidentiality Agreement agreeing at all times during the candidacy period and at all times thereafter to keep delegate information in strictest confidence. Campaign volunteers may only have access to delegate list information in the presence and under the close supervision of the candidate. At the end of the candidacy period, the candidate shall immediately return all delegate lists to the MGEU and delete any email distribution lists.
- 10) The MGEU will produce a publication introducing candidates to members. Candidates wishing to be included in this publication must submit, to the MGEU, a photograph and an article articulating their platform by July 31. The publication will be mailed to Convention delegates and Local Presidents in early September. The information will also be on the MGEU Convention website.
- 11) Candidates will not request or receive assistance of any kind from MGEU staff in organizing their campaign, including the preparation and distribution of promotional material.
- 12) A meeting of all candidates, one (1) member of their campaign committee and the Elections Chairperson will be held prior to the commencement of Convention to review the election process and receive clarification on any questions.
- 13) The MGEU logo is not to be used on any candidate promotional or election material. Delegates will be advised by the Convention chair at least twice on the first full day of Convention and another time on the second day before Provincial Officer elections begins that information (biography, platform, photo, contact information) about the candidate is available on the MGEU website, if provided by the candidate.
- 14) Campaigning must not interfere with Convention proceedings. This includes Convention-related meetings and activities such as new delegate school, the committee expo, the Women's luncheon, delegate registration, etc.

- 15) A Nomination Form must be completed by the candidate and their nominator (who must be a Convention delegate) and submitted to the Elections Chairperson on the approved nomination form by 12:00pm on the first full day of Convention.
- 16) A member can be nominated for one (1) position only.
- 17) A remote All Candidates Forum will be held in the evening of the day before the first full day of Convention. Delegates will be able to submit questions for the candidates until 3:00pm on the day before the first full day of Convention.
- 18) Elections will be held the morning of the second full day of Convention. Each position will be voted on separately. Should a paper ballot be required each candidate may select one (1) scrutineer to oversee the counting of ballots for their position. A Fair Vote Certificate will be signed by each scrutineer to verify the count. The count shall be announced to delegates following each ballot. To be declared elected a candidate must receive a majority vote (50% +1 of the total number of votes cast).
- 19) Upon completion of all Provincial Officer elections, the duly elected Provincial Officer for each position will be required to take an Oath of Office.
- 20) The successful candidate for each Provincial Officer position will take office the day following adjournment of Convention.

### **3.3 MGEU PROVINCIAL OFFICERS ELECTION PROCEDURES POLICY**

The Provincial Officer positions are as follows:

- President
- 1<sup>st</sup> Vice-President
- 2<sup>nd</sup> Vice-President
- 3<sup>rd</sup> Vice-President
- 4<sup>th</sup> Vice-President

Candidates seeking to run for one (1) of the Provincial Officer positions shall:

#### **3.3.1 Nomination Process**

- 1) Complete a nomination form which includes:
  - a) The nominee's name and signature.
  - b) The position they are seeking.
  - c) Their nominator's name and signature.
- 2) The nominator must be a delegate to Convention and the nominee must be a member in good standing.
- 3) A member can only be nominated for one (1) position.
- 4) All nominations for Provincial Officer positions must be completed and submitted to the Elections Chairperson, on the approved nomination form, by 12:00pm on the first full day of Convention.

- 5) In addition, the nominator shall place the name of the nominee before the Convention delegates in the afternoon of the first full day of Convention.
- 6) Where there is only one (1) candidate nominated for an elected position, they shall be declared duly elected by acclamation.

### **3.3.2 Election Procedures**

- 1) Election of Provincial Officers shall be held the morning of the second full day of Convention.
- 2) Speeches by candidates shall be made separately for each position.
- 3) The order of speeches, for each position, will be decided by draw. The Elections Chairperson shall make the draw.
- 4) The nominator for any Provincial Officer position shall be entitled to make a speech of up to three (3) minutes. The nominee, if present, for any Provincial Officer position shall be entitled to make a speech of up to five (5) minutes. No electronic media shall be used by the nominee or nominator.
- 5) The election for each position will follow after a speech by the candidate(s) for that position.
- 6) Each delegate will be assigned an electronic voting PIN or password in accordance with the voter authentication requirements of the remote electronic voting platform. Paper ballots will only be distributed to delegates as a backup if electronic voting is not available.
- 7) To be declared elected, a candidate must receive a majority vote (50% +1 of the total number of votes cast). Where after the first ballot no one (1) candidate has received a majority vote, the candidate with the least number of votes will be dropped and another ballot held until a candidate can be declared elected.

### **3.3.3 Scrutineers**

Each candidate up for election as a Provincial Officer is permitted to select one (1) scrutineer in the event that a paper ballot is required.

### **3.3.4 Balloting Committee**

- 1) Should a paper ballot be required the Balloting Committee shall be selected by the Elections Chairperson from among MGEU staff, Honourary Life members, and Solidarity guests and shall include a Chairperson.
- 2) The Balloting Chairperson shall oversee the electronic voting process.
- 3) The Balloting Chairperson shall report the results of the election to the Elections Chairperson.

### **3.3.5 All Candidates Forum**

- 1) An All Candidates Forum will be held on the evening before the first full day of Convention. One (1) hour will be allocated for the forum.
- 2) Only delegates may ask questions and the questions must be submitted to the Forum Moderator by email in advance. This email address will be clearly communicated to all delegates in advance of Convention for this purpose via inclusion in the delegate package and announcement at the remote orientation/delegate school. Candidates will not be provided

access to the submitted questions in advance of the Forum. All questions must be submitted by 3:00pm on the day before the first full day of Convention.

- 3) The moderator may edit questions to ensure they are suitable for each position.
- 4) The moderator of the forum will draw the questions.
- 5) Questions will be directed to all candidates running for that position.
- 6) Questions will be answered by the candidates in the order determined by the moderator.
- 7) Answers will be limited to one (1) minute.
- 8) A timekeeper will flash a signal indicating thirty (30) seconds.
- 9) At the conclusion of the forum each candidate may make concluding remarks to a maximum of two (2) minutes.

### **3.3.6 Election Protocol**

- 1) Posters or election material may not be posted inside the elevators or in the main lobby of the hotel where delegate accommodations are booked.
- 2) The MGEU logo is not to be used in any promotional or election material.