



# Constitution

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## EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic or homophobic hurts and thereby divides us. So too, does discrimination on the basis of ability, age, class, religion, language and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff and elected officers must be mindful that all sisters and brothers deserve dignity, equality and respect.



PAUL MOIST  
National President



CHARLES FLEURY  
National Secretary-Treasurer

# CANADIAN UNION OF PUBLIC EMPLOYEES Manitoba

## CONSTITUTION

Public Employees in the Province of Manitoba, Canada, are entitled to freedom of organization, full rights of collective bargaining, and economic security for themselves and their dependents. For the attainment of these objectives, all public employees organized into unions of their own choice, chartered by the Canadian Union of Public Employees, should be afforded the opportunity to unite into one central body, for their common benefit, to protect the good and welfare and the economic security of all their members. At a provincial convention assembled the 13<sup>th</sup> and 14<sup>th</sup> days of June, in the year 1959, in the city of Winnipeg, province of Manitoba, a Constitution was adopted for the central provincial body of public employees.

### **ARTICLE I - NAME**

This organization, which is a provincial division of the Canadian Union of Public Employees, shall be known as CUPE Manitoba.

### **ARTICLE II - OBJECTIVES**

#### **Section 1**

This organization is formed to voice and promote the interests, needs and aspirations of member unions. CUPE Manitoba is organized to give the fullest opportunity for membership participation with the goal of economic and social security for public employees, their families and the betterment of all.

#### **Section 2**

CUPE Manitoba will achieve these goals through facilitating discussion, communication, political action, collective bargaining, membership education, and development of action plans and mobilization. It will co-operate with all recognized labour organizations, social action coalitions and other organizations with similar objectives. CUPE Manitoba will report to the members on the effectiveness of measures taken to achieve these goals at conventions and through regular communication between conventions.

### Section 3

CUPE Manitoba stands unequivocally for equality of treatment regardless of race, creed, colour, gender or sexual orientation. It opposes discrimination and harassment in the workplace, the community, and within the Union. It will oppose behaviour that undermines the dignity or self-respect of any individual.

### Section 4

CUPE Manitoba shall:

- a) urge the maximum participation of the locals in the Canadian Labour Congress, Provincial Federations and Labour Councils;
- b) promote such educational, social and other activities as may assist the affiliated local;
- c) encourage maximum participation by locals in the programs of CUPE;
- d) encourage the exchange of fraternal delegates to labour conventions and meetings having mutual interests;
- e) strive to secure the welfare of its members and cultivate feelings of friendship and good will among them.

## **ARTICLE III - MEMBERSHIP**

All chartered Locals, District Councils and Councils of Unions of the Canadian Union of Public Employees are eligible for membership.

## **ARTICLE IV – CUPE MANITOBA EXECUTIVE**

### Section 1

The officers of CUPE Manitoba shall be:

1. President
2. Vice-President
3. Secretary-Treasurer
4. Recording Secretary

## Section 2

The Executive Board shall consist of the Table Officers, seven (7) Area Executive Board members, a Young member, an Aboriginal member and a Diversity member. The Executive Board shall conduct the business of CUPE Manitoba between conventions and carry out the business, as decided by the Annual Convention.

## Section 3

The Area Executive Board members, Young member, Aboriginal member and Diversity member shall be elected at area and diversity caucuses held during the Convention at a time designated by the Executive Board as follows:

### **Winnipeg - two members**

#### **Brandon - one member**

**Eastern/Interlake - one member;** Bound by the Ontario border on the east; Highway #1 on the south to the Winnipeg perimeter (Excluding the RM of East St. Paul and Middlechurch which shall be considered part of the Winnipeg Area); Highway#6 and the eastern shores of Lake Manitoba and Lake Winnipegosis on the west; 52nd Parallel on the north.

**North - one member;** Bound by the Saskatchewan border on the west; the northern and eastern limits of Riding Mountain National Park and Provincial Road 261 on the south; the western shores of Lakes Manitoba and Winnipegosis on the east to the 52nd parallel, the 52nd parallel on the south, the Ontario border on the east and the North West Territories border on the north.

**South Central - one member;** Bound by the Ontario border on the east; Highway #1 on the north to the Winnipeg perimeter highway; Highway #6 and the south and west shores of Lake Manitoba on the east; Provincial Road 261 on the north; Provincial Road 260 and Highway 34 south to Highway 2, east to Provincial Road 242, west to Provincial Road 245 and South on Highway 34 on the west; the United States border on the south.

**Western - one member;** Provincial Road 260 and Highway 34 south to Highway 2, east to Provincial Road 242, west to Provincial Road 245 and south on Highway 34 on the east; the United States border on the south; the Saskatchewan border on the west; the 51st parallel, the northern limit of Riding Mountain Park and Provincial Road 261 on the north.

**Young Member Representative – one member;** Elected within the Young Workers caucus held during convention.

**Diversity Representative – one member;** Elected within the Diversity caucus held during convention.

**Aboriginal Representative – one member;** Elected within the Aboriginal caucus held during

convention.

#### Section 4

Members of the Executive shall be elected from the attending delegates at each Annual Convention to hold office for the ensuing term.

#### Section 5

Executive members shall be entitled to attend conventions with full privileges of delegates until such time as their successors are elected, but they shall not be eligible for re-election unless they are duly accredited and credentialed delegates from their Locals.

Officers shall be deemed to be delegates to the convention with all rights and privileges.

#### Section 6

The term of office for the President, Vice-President, Secretary-Treasurer and Recording Secretary shall be for a two (2) year period. Election of the President and Secretary-Treasurer shall take place at the Annual Convention in the year of the CUPE National Convention. The Vice-President and Recording Secretary shall be elected at the Annual Convention falling on the alternate year.

The term of office for the Young Member, two Diversity members and Area Executive Board members shall be for a period of two (2) years.

Elections of one (1) Winnipeg Area Executive member, two (2) Diversity members, one (1) Young member, Brandon Area Executive member, Northern Area Executive member and Western Area Executive member shall be held the same year as the Vice-President and Recording Secretary. Elections of one (1) Winnipeg Area Executive member, the Eastern/Interlake Area Executive Member and the South Central Area Executive member shall be held the same year as the President and Secretary-Treasurer.

#### Section 7

Elections shall be in accordance with the provisions contained in the Constitution of the Canadian Union of Public Employees, Articles 11.4 to 11.6.

#### Section 8

Nominees allowing their names to go forward for office shall upon acceptance of the nomination, come forward to the convention platform and clearly and audibly speak the following lines to the assembled delegates:

"I solemnly promise and declare that I will support and obey the Constitution, objects, principles and policies of the Canadian Union of Public Employees."

#### Section 9

Upon completion of the election, the newly elected officers and executive members shall come forward and take the following obligations:

"I     (name)    , do most sincerely promise that I truly and faithfully to the best of my ability, perform the duties of my office for the ensuing term as prescribed in the Constitution and Laws of the Canadian Union of Public Employees, and as an Officer of this Union, will at all times endeavour, both by counsel and example, to promote the harmony and preserve the dignity of its sessions. I further promise that at the close of my official term, I will promptly deliver all monies, books, papers or other property of this union in my possession to my duly elected successor in office."

#### Section 10

The term of office of all elected members of the Executive Board shall commence immediately following the adjournment of the Convention.

#### Section 11

In the event that vacancy in the office of President occurs in between conventions due to death, resignation, or other cause, the position shall be filled by the Vice-President as provided for in Article V, Section 2. If the Vice-President is unable to fill the President's position until the next scheduled CUPE Manitoba convention, the Recording Secretary shall convene the Executive within the shortest possible time for the purpose of appointing a President from among the members of the Executive Board until the next scheduled CUPE Manitoba convention.

In the event that a vacancy occurs in any other position in between conventions, the Executive Board of CUPE Manitoba shall fill the vacancy by majority vote of all its members until the next scheduled CUPE Manitoba convention. Where regions are part of the consideration, all locals in the region affected shall be consulted as to a nomination for the vacant position. The Executive Board will then fill the position from the nominations received.

#### Section 12

The Executive meetings shall be called between annual conventions at the discretion of the Coordinating Committee and President. However, there shall not be less than four (4) meetings in any one (1) year, and where possible these meetings are to be held prior to the National Executive Board.



CUPE Manitoba Executive shall require the Chairperson (or their designate) of all Committees of CUPE Manitoba, to attend at least one (1) of the regularly scheduled CUPE Manitoba Executive meetings each year for the purpose of discussing committee concerns and the progress of the committees. Time and place shall be determined by the Executive. The chairperson of each committee must produce a written report to the Executive Board twice a year reporting on the activities of their committees.

## **ARTICLE V - DUTIES OF OFFICERS**

### **Section 1 – President**

The President shall:

- Work full time for CUPE Manitoba
- Preside at all meetings of CUPE Manitoba
- Sign all orders to be drawn on Treasury when authorized by the Executive
- Transact such other business as may of right appertain to their office
- Call meetings of the Executive as arranged at the Annual Convention and call such special meetings as they may deem necessary, or on the request of at least one-half of the Executive
- Appoint such committees as are not herein provided for
- See that other officers perform their duties strictly in accordance with the Constitution
- Attend meetings bi-monthly with the office staff and personal committee as required
- Have the option of attending all CUPE National Conventions if no credentialed from his own local
- The President shall be the delegate at the Canadian Union of Public Employees' Convention and, where possible, at any other convention. If the President is unable to attend National Convention, the delegate will be chosen by a majority vote of the Executive Board.

### **Section 2 – Vice-President**

The Vice-President shall:

- Assist the President
- Perform such other duties as the Executive shall from time to time decide upon
- Shall convene and preside at all meetings at the request of, or in the absence of the President

- In case of vacancy in the office of the President by death, resignation or other cause, the Vice-President shall perform the duties of the President until a successor is appointed
- Chair all coordinating committees
- Be a member of the personnel committee
- Review the policies and constitution every two years along with the Secretary-Treasurer

### Section 3 - Recording Secretary

The Recording Secretary shall:

- Keep a correct and impartial record of all meetings
- Keep an impartial account of all convention minutes and motions
- Attend to all correspondence directed by the executive
- Forward a copy of all correspondence they receive to the CUPE Manitoba office
- Keep the President and Vice-President informed of all important correspondence
- Chair the CUPE Manitoba Executive meetings in the absence of the Secretary-Treasurer

### Section 4 - Secretary-Treasurer

The Secretary Treasurer shall:

- Keep and maintain a correct record of all receipts and disbursements of CUPE Manitoba
- Produce at each Executive meeting and Annual Conventions, a financial statement
- Place per capita and other monies belonging to CUPE Manitoba in a credit union or chartered bank on the name of CUPE Manitoba
- Pay all bills authorized by the Executive by cheques co-signed by the President or Vice-President or Recording Secretary. Always 2 signatures per cheque
- Carry out the instruction of the Executive and with the approval of the President, direct and fix compensation for all office work and supplies necessary for the proper functioning of CUPE Manitoba's aim and policies. For such duties they shall from time to time receive such remuneration as set out in the budget each year
- Close all CUPE Manitoba accounts on December 31<sup>st</sup> of each year and all monies received and disbursed after that shall not be reported in the general balance account to the convention.
- Have printed the financial statement as approved by the Trustees as a separate document for submission to the convention
- Be responsible for the payroll of the 2 office staff and maintaining the work records,

- source deductions and other related papers of employment
- Be a member of the personnel committee
- Review the Constitution and policies every 2 years along with the Vice-President
- Is responsible for the office of CUPE Manitoba to run effectively and efficiently and report any changes needed to the Executive Board
- Chair meetings in the absence of the Vice-President

### Section 5

The signing officers shall be bonded in an amount to be determined by CUPE Manitoba, through the Master Bond held by the National Office of CUPE.

### Section 6

The Executive Board shall have the power to utilize the funds of CUPE Manitoba for furthering the aims, interests and the good and welfare of the members, comprising this organization. They will maintain close liaison with public employees' organizations in their various town, village, city, and generally inform such organizations of the plans and aims of CUPE Manitoba. They will present a written report to the Recording Secretary at each Executive meeting of all matters in their locality, which may affect the general welfare of the public employees throughout the province. They will attend all meetings of the Executive at whatever time and place they are called by the President/Coordinating Committee.

## **ARTICLE VI – TRUSTEES**

### Section 1

Three (3) Trustees shall be elected to examine the books of CUPE Manitoba. At each CUPE Manitoba Convention there shall be elected one (1) Trustee for a three (3) year period. In case of vacancies occurring, Trustees shall be elected to fill out the unexpired term in order to preserve overlapping terms of office.

### Section 2

The Trustees shall examine the books and records of the Secretary-Treasurer and inspect and examine all properties, bonds and all other assets of CUPE Manitoba once a year and shall, in writing, report to the following executive meeting, the condition of the funds and accounts together with such other information they deem necessary to the efficient and honest administration of CUPE Manitoba. The Trustees shall submit a written report to the Annual Convention.

## **ARTICLE VII – SMALL LOCAL ASSISTANCE**

Annually, CUPE Manitoba shall reimburse up to three (3) affiliated Local Unions of fifty (50) members or less up to seven hundred and fifty dollars each (\$750) to contribute to the cost of sending a delegate to CUPE Manitoba convention. All locals applying for reimbursement shall have a dues structure of no less than 1.5%. The executive shall consider all applications for assistance. The requests for assistance shall be submitted to the Secretary-Treasurer prior to the beginning of convention.

## **ARTICLE VIII - CONVENTIONS**

### Section 1

Conventions of CUPE Manitoba shall be held annually at a time and place set by the CUPE MB Executive.

### Section 2

The CUPE Manitoba Executive is authorized to set the registration fee at a rate to offset the expenses of each convention or conference. The registration fee shall not be set at a higher rate than the projected expenses for said event.

### Section 3

The Executive shall appoint such Committees from among the delegates to the Convention as are necessary to conduct the affairs of Convention, and may request any such Committee to convene prior to the Convention. Any additional expense incurred by delegates as a result of their participation on any Convention Committee shall be met by CUPE Manitoba except for the actual days of the convention. The term of office for such Committees shall expire at the adjournment of the Convention. The following Convention Committees shall be appointed by the CUPE MB Executive, if required:

Credentials;

Resolutions and;

Constitution;

### Duties of Convention Committees

Credentials Committee – This committee shall be given all credentials received from affiliated

organizations. The committee shall determine the legitimacy of the credentials received and submit their report to Convention.

The committee shall consist of not less than three (3) members, and not more than five (5) chosen from those credentials that have been received.

Resolutions Committee – All resolutions submitted in accordance with this Constitution shall be considered by this committee and such other resolutions as may be handed to it by the convention for a report. It shall have the power to combine resolutions that deal with the same subject matter and amend any resolutions.

The committee shall meet on the call of the Table Officers in sufficient time prior to the convention to deal with all submitted resolutions.

The committee shall consist of not less than three (3) members and not more than five (5) members.

Constitutional Amendments Committee - all constitutional amendments submitted in accordance with this Constitution shall be considered by this committee and such other resolutions as may be handed to it by the convention for a report. It shall have the power to combine resolutions that deal with the same subject matter and amend any resolutions.

The committee shall meet on the call of the Table Officers in sufficient time prior to the convention to deal with all submitted resolutions.

The committee shall consist of not less than three (3) members and not more than five (5) members.

#### Section 4

All resolutions to be introduced at a convention shall be signed by the President and Secretary of a chartered organization or the chairperson and secretary of an occupational group, council or committee.

Resolutions and constitutional amendments must be received by the Recording Secretary not later than four (4) weeks prior to the opening of convention.

Resolutions submitted in any other matter than those above can only be dealt with by the convention on a two thirds (2/3) vote of the delegates. General resolutions are passed by a simple majority (50%) of all votes cast by accredited delegates to convention. Constitutional amendments may only be altered, amended or revised by a two thirds (2/3) majority vote of the accredited delegates to convention.

#### Section 5

a.) At all conventions of CUPE Manitoba, representation from affiliated locals shall be:

Two (2) delegates for the first one hundred (100) members or less;  
One (1) delegate for each additional one hundred (100) members up to 2500 members or fraction thereof; and

One (1) delegate for each additional five hundred (500) members or major fraction thereof.

As well, at all conventions of CUPE Manitoba, representation:

For each District Council shall be one (1) delegate, and

For each Council of Unions one (1) delegate

Only the above noted delegates will be entitled to vote on all business presented at the convention.

- b.) To be entitled to representation at convention, a local union shall have paid per capita tax on its total membership to the end of the quarter for both national and provincial; that ended 30 days prior to convention. This shall also include those persons paying dues on Rand Formula.  
To be entitled to representation at convention, District Council's and Councils of Unions shall be paid up to date in their yearly membership fees.
- c.) Credentials must be received by the Secretary-Treasurer not later than fourteen (14) days prior to the opening of the convention.
- d.) Employees of CUPE Manitoba are not eligible to be seated as delegates to its conventions, nor to hold elected office or committee chairperson positions but shall attend convention and conferences as working staff of CUPE Manitoba when required.

No credential shall be accepted from any member who is in full or part-time employment of the Canadian Union of Public Employees.

## Section 6

Executive members shall be reimbursed by CUPE Manitoba only for the additional expenses incurred for time necessary to attend Executive Board meetings prior to attending the Annual Convention.

## Section 7

The President of CUPE Manitoba shall be the candidate for the position of Regional Vice-President (RVP) for Manitoba on the National Executive Board (NEB) of CUPE, to be elected at

the CUPE National Convention.

In the event that the President of CUPE Manitoba is filling the General Vice-President's (GVP) position on the NEB, then the candidate for RVP of Manitoba will be elected at the CUPE Manitoba Convention immediately prior to the CUPE National Convention.

### Section 8

Members possessing a retirement card shall be entitled to attend CUPE Manitoba conventions as guests registered by their local union.

### Section 9

A quorum for the transaction of business at the convention shall consist of no fewer than one third (1/3) of the registered delegates.

### Section 10

All proceedings and debates shall be in accordance with Bourinot's Rules of Order. Please refer to Appendix "A" – Rules of Order

## **ARTICLE IX - REVENUE**

### Section 1

The revenue for CUPE Manitoba shall be derived as follows:

Effective January 1, 2006 each Local shall pay a quarterly per capita of .0325% of the average monthly wages of all members in the local.

The per capita tax to be paid no later than January 30<sup>th</sup>, April 30<sup>th</sup>, July 30<sup>th</sup> and October 30<sup>th</sup> of each year.

Each District Council shall pay a fee of twenty-five dollars (\$25.00) per year, payable on the first day of January of each year.

### Section 2

Interest equal to the prime rate plus 2% shall be applied to per capita tax payments owing by Local Unions when such payments are in arrears in excess of 1 (one) quarter.

## **ARTICLE X - EXPENSES**

### **Section 1**

Whenever any of the Officers or executive members are required in the interests of CUPE Manitoba to attend any or all meetings, including conventions, they shall be compensated for:

1. Lost wages
2. Registration Costs
3. Per Diem allowances
4. Travel expenses
5. Accommodations
6. Child Care Expenses

### **Section 2**

Compensation for expenses are as per policies established by the CUPE Manitoba Executive Board.

### **Section 3**

The Officers and Board Members shall be reimbursed only for the additional expenses incurred for the time necessary to attend Executive meetings prior to attending the Annual Convention unless they are not a duly credentialed or accredited delegate, then all expenses incurred by them shall be paid by CUPE Manitoba subject to Article X (Sections 1 and 2) of this Constitution.

## **ARTICLE XI - OUT OF POCKET EXPENSES**

The Vice-President, Secretary-Treasurer and Recording Secretary shall be paid \$50 per month for out-of-pocket expenses.

## **ARTICLE XII - CONSTITUTION**

- a) This Constitution, once adopted, shall not be altered, amended or revised, except at the Annual Convention, and then only when a notice to alter, amend or revise the Constitution has been forwarded to the Recording Secretary at least thirty (30) days prior to the Annual Convention. When such notice of motion has been duly presented, the Constitution may be altered, amended or revised by a two-thirds (2/3) majority vote of the accredited delegates attending the Convention.



- b) Once a Committee of CUPE Manitoba adopts its terms of reference, by-laws or constitution they shall not be altered, amended or revised except at an annual meeting or conference, and then only when a notice to alter, amend or revise the terms of reference, by-laws or constitution has been forwarded to the Recording Secretary at least thirty (30) days prior to the annual meeting or conference. When such notice of motion has been duly presented and communicated to all locals prior to the annual conference, the constitution, by-laws or terms of reference may be altered, amended or revised by a two-thirds (2/3) majority vote of the accredited delegates or members attending the conference or meeting.

All amendments must be approved by the Executive of CUPE Manitoba. All sector committee amendments will also be forwarded to the National President for approval in accordance with the National Constitution.

### **ARTICLE XIII- COMMITTEES**

CUPE Manitoba Committees shall be governed by the CUPE Manitoba Constitution and its Policies, as set out at the convention.

The Standing Committees of CUPE Manitoba are:

1. Human Rights Committee
2. Health and Safety Committee
3. Contracting-Out and Political Action Committee
4. Aboriginal Council
5. Municipal Steering Committee
6. School Division Sector Committee
7. Provincial Health Care Council
8. Education Committee
9. Social Services and Child Care Committee
10. Global Justice Committee
11. Pediatric Oncology Committee
12. Young Members Committee
13. Private Personal Care Home Committee

### **ARTICLE XIV BURSARIES**

Upon recommendation from the CUPE Manitoba Education Committee, the CUPE Manitoba

Executive will grant educational bursaries through an application process based on the following criteria:

- Locals applying must be affiliated with CUPE Manitoba, with dues current to the end of the quarter prior to the event
- Locals who have not received a bursary in the past and are in greatest financial need shall have first priority
- Application for bursaries shall be made on a CUPE Manitoba Education Bursary Form

The annual budget for the bursaries shall be \$2500 and awarded as follows:

- Weeklong Summer School - \$1000
- Winter School - \$750
- Specialty Bursary Summer School (as determined by Education Committee) - \$750

#### **ARTICLE XV – CODE OF CONDUCT**



The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our core values which include the principles of solidarity, equality, democracy / integrity and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities and globally.

CUPE Manitoba is committed to creating a union which is inclusive, welcoming and free from harassment, discrimination and all types of bullying and intimidation. CUPE Manitoba needs to ensure that we provide a safe environment for members, staff and elected officers to carry out our work. CUPE Manitoba's expectation is that mutual respect, understanding and co-operation will be the basis of all our interaction.

The Code of Conduct sets out standards of behaviour for participants at Manitoba convention, Manitoba conferences, schools, meetings and all other events organized by CUPE Manitoba. It is consistent with the expectations outlined in the Equality Statement and the CUPE Manitoba as well as CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE Manitoba. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and /or the applicable workplace harassment policy.

As CUPE members, staff, and elected officers, we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement.
- Respect the views of others, even when we disagree.
- Recognize and value individual differences.
- Communicate openly.
- Support and encourage each other.
- Make sure that we do not harass or discriminate against each other.
- Commit to not engaging in offensive comments or conduct.
- Make sure that we do not act in ways that are aggressive, bullying or intimidating.
- Take responsibility for not engaging in inappropriate behaviour due to abuse of alcohol, or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures and/or written material and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding the Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code of Conduct, by asking him/her to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. At Manitoba convention, Manitoba conferences, schools, meetings and all other events organized by CUPE Manitoba, a complaint shall be brought to the attention of an ombudsperson.
3. If the complaint involves a staff member, it shall be referred to the Regional Director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement.
4. Once a complaint is received, the ombudsperson will work to seek a resolution.
5. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

6. At CUPE Manitoba events where an ombudsperson is not available, a person properly appointed and designated to be in charge shall receive the complaint. Depending on the nature of the problem, the person in charge may attempt to resolve it through conflict resolution. If this fails to resolve the matter, the person in charge shall determine whether there is a need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offences.
7. If the person in charge is a party to the complaint, the Regional Director or designate shall assume that role.
8. In a case where a member has been expelled from an event, the President of CUPE Manitoba shall receive a report on the matter.

This Code of Conduct is designated to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the CUPE National Constitution, the Equality Statement and applicable human rights legislation, not replace them.

CUPE Manitoba encourages all affiliated locals to develop and adopt a Code of Conduct based on this model, to apply to conventions, conferences, schools and meetings which they organize.

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## **APPENDIX 'A' – RULES OF ORDER**

1. CUPE Manitoba Executive shall be responsible for drawing up the agenda for a convention, setting out the order of business and times of sessions, in order to complete all the business before the convention.
2. If a delegate, while speaking, be called to order, he/she shall at the request of the Chair, take his/her seat until the question of order has been decided.
3. Should one or more delegate(s) rise to speak at the same time the Chair shall decide who is entitled to the floor.
4. No delegate shall interrupt another in his/her remarks, except to be to call to a point of order.
5. A delegate shall not speak more than once upon a question until all who wish to speak have had the opportunity to do so.
6. Speeches shall be limited to five (5) minutes, except in moving a resolution when the delegate shall be allowed ten (10) minutes.
7. When a question is pending before the convention, no motion shall be in order except: to adjourn, to refer, for the previous question, to postpone indefinitely, to postpone for a certain time, to divide or amend; which motion shall have precedence in the order named.
8. A motion to reconsider shall not be entertained unless made by a delegate who voted in the majority, and shall receive two thirds (2/3) majority vote.
9. Reports of Committee are not subject to amendment except such as is acceptable to the Committee, but a motion to refer back to the Committee for reconsideration shall be in order.
10. When a roll call vote has been ordered, no adjournment shall take place until the result has been announced.
11. A roll call vote shall require a demand for same by ten per cent (10%) of the delegates present.
12. Delegates wishing to speak on any subject shall after they have been recognized by the Chair, announce their name, and that of the organization they represent.
13. Observers have the right to voice an opinion but not the right to vote.
14. Bourinot's Rules of Order shall govern all debate.

## **APPENDIX 'B' – ELECTION PROCEDURES**

1. Nominations, elections and terms of office for elected positions are governed by Article IV of the CUPE Manitoba Constitution.
2. All voting shall be done by a secret ballot.
3. In all elections for office, where more than two candidates are being considered for the office, the following will apply:
  - a) For election, a candidate must receive the majority of the votes cast.
  - b) In any case where no candidate has received the majority of the votes cast, the name of the candidate with the least number of votes shall be dropped and the vote taken again.
  - c) Should two or more candidates receive the same number of votes and no other candidate receives fewer votes, the name of the candidate to be dropped as described in (b) shall be decided by a special vote of the delegates.
4. Each candidate shall select one scrutineer, subject to confirmation by the Chairperson, to count the ballots. The Chairperson will announce the results of the vote.
5. No campaign material will be distributed on the convention floor.
6. All candidates running for provincial executive and chairperson's positions within CUPE Manitoba shall be entitled to submit one page of campaign materials to the CUPE Manitoba office for distribution to the membership. Candidates are afforded this opportunity one time per election. The campaign material must be submitted to the CUPE Manitoba no later than 30 days prior to the election. Distribution will be conducted by the CUPE Manitoba office only. The candidate will be responsible for the complete cost of the mail out. Campaign material will be mailed separately from any other correspondence. Estimated cost of the mail out will be provided to the candidate from the CUPE Manitoba office upon request.
7. All candidates allowing their name to stand for an office must accept the nomination oath as set out under Article IV Section 9 of the CUPE Manitoba Constitution.
8. All newly elected officers and executive members shall take an oath of office as set out under Article IV Section 10 of the CUPE Manitoba Constitution.

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