

CUPE
MANITOBA

**Constitution
&
Policies**

CUPE
MANITOBA

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 persons deserve dignity, equality and respect.



MARK HANCOCK
National President



CHARLES FLEURY
National Secretary-Treasurer

CANADIAN UNION OF PUBLIC EMPLOYEES Manitoba Division

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 13th and 14th 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; and
- b) promote such educational, social and other activities as may assist the affiliated local; and
- c) encourage maximum participation by locals in the programs of CUPE; and
- d) encourage the exchange of fraternal delegates to labour conventions and meetings having mutual interests; and
- 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:

President
Vice-President
Secretary-Treasurer
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 31st 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 with 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 half (1/2) of all 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 30th, April 30th, July 30th and October 30th 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~~ **Women's 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.

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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CUPE
MANITOBA

Policies

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CANADIAN UNION OF PUBLIC EMPLOYEES - MANITOBA

POLICIES

1. CUPE Manitoba encourages the exchange of fraternal delegates across Canada, and in particular, within the Prairie Provinces; by encouraging attendance to any CUPE Manitoba conventions, conferences and meetings with any organization or Labour body that holds progressive mutual interests. CUPE Manitoba extends the same invitation to other progressive bodies and Unions with the same response.

2. CUPE Manitoba Conventions

Location

CUPE Manitoba will endeavour to rotate convention sites to as many areas in Manitoba that have the facilities, which will endeavour to minimize the travelling hardships for locals in the Province.

3. CUPE Manitoba Committees

a.) Terms of Reference

Each Committee shall establish terms of reference for approval by the CUPE Manitoba Executive and CUPE National.

b.) Committee Members

- i. For regular committee meetings, CUPE Manitoba affiliated locals are entitled to one delegate and as many alternates as they wish. Delegates and alternates must be named by the local President in writing or via email and any changes must be received by the CUPE Manitoba office, at least one day prior to the meeting.
- ii. Only delegates are entitled to make motions, vote and run for committee officer positions. Alternates and Observers have voice but no vote at committee meetings. When a local's delegate is not in attendance, the next alternate listed will be the delegate for that meeting.
- iii. There shall be a minimum of 2 officers for each committee. Sector Committees shall be elected by their conference delegates. Issue-based Committees shall be elected at an annual meeting. All committees will serve a minimum of 30 days notice, through the

CUPE Manitoba office, to notify all CUPE Manitoba affiliated Locals of elections.

c.) Conferences

All issue committees may only hold conferences once every two years. This includes:

- Aboriginal Committee
 - Contracting out and Political Action Committee (COPAC)
 - Women's Committee
 - Global Justice Committee
 - Health and Safety Committee (H&S)
 - Human Rights Committee
 - Young Members Committee
- i. A registration fee will be set by committees for delegates attending conferences of that committee, which must cover the planned costs of the conference. Conferences must be cost-neutral.
 - ii. Registration refunds will be provided only up to two weeks prior to any CUPE Manitoba conference. Requests for refunds within the two week period will be considered only for extenuating circumstances, and examined on a case by case basis.

d.) Committee Finances

- i. All costs associated with printing and room rentals for meeting space will be covered by CUPE Manitoba.
- ii. CUPE Manitoba shall cover per diem, lost time, and travel for 2-3 officers of each committee. Other committee members' expenses must be funded by their local.
- iii. All committees are eligible to put forward work-plans/campaigns and budgets for consideration by the CUPE Manitoba Executive. Additional expenses may be authorized out of the Donations, Cost-Shares and/or Strategic Directions Fund budget lines of CUPE Manitoba.
- iv. At the committee's request, the CUPE Manitoba Executive will consider covering and/or sharing the costs of sending Committee Officers to appropriate training and/or conferences. Such requests

must be submitted two weeks in advance of the next scheduled CUPE Manitoba Executive meeting.

- v. All committees shall submit an action plan by the end of the calendar year for CUPE Manitoba Executive to review.

e.) Convention Reports

- i. Every committee shall submit a report 30 days prior to the annual division convention.
- ii. CUPE Manitoba encourages all committees to submit resolutions to the CUPE Manitoba Executive for consideration to be brought forward to convention. The deadline for committees to submit resolutions is 45 days prior to the start of convention.

f.) Committee Profile

The following will clarify the role of committees in terms of speaking publicly on union and other issues:

- i. The CUPE Manitoba Executive encourages committees to review areas of concern and recommend actions to move our union's agenda forward. This can include speaking at Local Union meetings, conferences and conventions.
- ii. Correspondence from committees must be approved and sent through the CUPE Manitoba office.
- iii. CUPE Manitoba endeavours to complete mail outs 1-2 times per month.
- iv. The CUPE Manitoba office requires all election notices be submitted a minimum of 45 days prior to the proposed election date, and regular mail a minimum of two weeks prior to the intended mail out date.
- v. In order to promote maximum participation and accessibility to CUPE Manitoba committee meetings, all meetings will be held in a meeting board room at a CUPE regional office in Manitoba, or public location with a notice being shared in advance.

4. Executive Members

- a.) Executive members may accept invitations to attend local meetings in their areas to put forth the viewpoint of CUPE Manitoba. Invitations and all associated costs must be approved in advance by the CUPE Manitoba President.
- b.) Expenses for Executive Members
- i. Phone Calls: Long distance charges will be reimbursed upon receipt of phone bills.
 - ii. Lost Time: Lost time at straight time wages to attend meetings or events held by Locals in the area an Executive member represents will be covered up to a Maximum of forty (40) hours per year. It is preferred that lost time be submitted through a requested LOA through the Executive member's local. If an Executive member is not requesting a formal LOA they should have their local send a letter indicating the lost time and wages with a copy of the members pay stub.
 - iii. Travel Expenses: Will be reimbursed as per Section 5(a) of the CUPE Manitoba Policies.
 - iv. Hotel Expenses: Will be reimbursed with prior approval as per Section 4(a) of the CUPE Manitoba Policies.
- c.) Executive members of CUPE Manitoba cannot sit as Chairpersons of standing committees.
- d.) CUPE Manitoba Executive members are encouraged to strengthen their union education through two day Union Development courses. Up to two (2) courses per year will be paid for by CUPE Manitoba, upon approval of President.

5. Expenses

Whenever any member is required, in the interests of CUPE Manitoba, to attend any meetings, conventions or work on any campaigns they shall be compensated (by CUPE Manitoba unless they are already receiving compensation from their local or other Labour body) in the following manner:

- lost wages, as set out under subsection 5(b)

- registration costs;
- per diem allowance, as set out under subsection 5(c);
- travel costs incurred, as set out under subsection 5(a);
- Child Care and Special Needs, as set out under subsection 5(d).
- CUPE members who do not reside in the city where a meeting is being held shall receive:
 - Single room accommodation at a hotel arranged by the Administrative Assistant;
 - Overnight per diem rates as set out under section 5(c);

a.) Transportation/Parking

- Outside of Manitoba: Air Canada is CUPE's airline of choice, and will be used to book all flights for CUPE Manitoba business. Members who travel outside Manitoba by car will be reimbursed mileage for the use of their vehicle to the maximum of the cost CUPE Manitoba would have incurred by paying reduced fare economy class rates.
- Within Manitoba: Mileage will be paid to members at fifty three (\$0.53) (as per CUPE National) cents per kilometer. Members who travel by bus will be reimbursed upon receipt for bus fare. Expenses for airfare within Manitoba may only be authorized by the CUPE Manitoba Secretary-Treasurer/Table Officers.
- Members will be expected to use the most economical method of transportation available. Members shall be reimbursed for all receipted legitimate ground travel expenses related to attendance at the Union function.
- Parking costs for attending any meetings as authorized by CUPE Manitoba, may be submitted for reimbursement on top of any per diems claimed.

b.) Wage Replacement

All lost wages for anyone authorized to perform CUPE Manitoba business, such as meetings, conventions or campaigns, shall only be reimbursed at their normal rate of pay from their CUPE workplace.

c.) Per Diem Rates

Per Diem rates for all CUPE Manitoba business will be paid as follows:

Travel Day:

6 hours or less - \$35.00
Over 6 hours - \$75.00

Meeting or event (no overnight) - \$35.00

Meeting or event (overnight required):

6 hours or less - \$35.00

More than 6 hours - \$75.00

Meeting or event (out of province) - \$86.00/day (as per CUPE National)

d.) Child Care and Special Needs

Schools, Conventions and Union Functions – any member elected or appointed by CUPE Manitoba to attend a union function (i.e. schools, conventions, conferences by CUPE Manitoba) on a day where they would not have normally paid child care expenses will be reimbursed for receipted expenses to the following maximums:

- For children under six years of age – thirty (\$30.00) dollars per half day per household and sixty (\$60.00) dollars per full day per household.
- For children six years of age and up to twelve years of age – fifteen (\$15.00) dollars per one half day per household, thirty (\$30.00) dollars per full day per household.
- For 24-hour overnight care for children sixteen years and younger sixty (\$60.00) dollars per day per household.

Expenses of special needs persons will be considered on an individual basis, accompanied by a receipt.

All claims must be receipted with signatures of child care provider (not from the same household) and the claimant.

CUPE Manitoba Convention – CUPE Manitoba reimburses for childcare costs for CUPE Manitoba conventions only during the times convention is convened (9:00 am – 5:30 pm). We encourage, whenever possible, the use of our Childcare CUPE members.

e.) Advances

- i. An advance on expenses may be provided to CUPE members who will be on approved union business, provided that the request has been made in writing to the Secretary-Treasurer a minimum of two weeks prior to the event.

- ii. Expense vouchers must be accompanied by receipts to substantiate expenses for hotel, transportation, parking etc. A payment for reimbursement of expenses over the advance will then be made by the Secretary-Treasurer.

6. CUPE Manitoba President Policy

- i. Wages – The starting wage, based on the CUPE Manitoba budget is \$90 000.00. The average hours per week will be based on a 40 hour work week. Economic increases will occur on April 1st of each year and will be a percentage equal to that negotiated between CUPE Manitoba and COPE 342, as per the COPE 342 Collective Agreement for the CUPE Manitoba Administrative Assistant.

- ii. Pension and Benefits – Wherever possible, CUPE Manitoba will pay to continue a benefit plan in which the President is already enrolled through his/her public job. If this is not possible, the President will receive the same benefits plan as the COPE 342 staff of CUPE Manitoba as per the COPE 342 Collective Agreement.

Wherever possible CUPE Manitoba will pay to continue the pension plan in which the President is already enrolled through his/her public job. If this is not possible, the President will receive the same RRSP contribution/pension plan contribution as the COPE 342 staff of CUPE Manitoba as per the COPE 342 Collective Agreement.

- iii. Vacation/Statutory Holidays
The vacation day accrual the President had through his or her public employment will be continued. The Statutory holidays that are recognized by the COPE 342 Collective Agreement will be recognized as the statutory holiday entitlement for the President.
- iv. Vehicle Allowance
The monthly vehicle allowance for the CUPE Manitoba President shall be two hundred (\$200.00) dollars per month. If the President is required to use his/her vehicle for a CUPE related meeting/event, the President will be reimbursed mileage as per Section 5. a.) of the CUPE Manitoba Policies.
- v. CUPE Manitoba shall cover the cost of a parking pass for the President.
- vi. Accommodations
Twelve thousand (\$12 000.00) dollars will be placed in an "Accommodation" budget line annually to assist the President with associated dwelling costs should the President reside further than 100 kilometres outside of the city of Winnipeg.

- vii. Per Diem
When attending a meeting on behalf of CUPE Manitoba, a per diem will be paid to the President as per Section 5. c.) of the CUPE Manitoba Policies.
- viii. Out of Pocket Expenses
The CUPE Manitoba President will receive a seventeen (\$17.00) per day per diem for only days worked, not including vacation/sick days. This out of pocket expense will only be paid for days where there was no other per diem expenses claimed.
- ix. COPE 342 Collective Agreement
For all matters not dealt with by the President's public job Collective Agreement if they are on leave, the President shall follow the COPE 342 Collective Agreement for the CUPE Manitoba office staff
- x. Any changes to the CUPE Manitoba Policies for President
Changes to the CUPE Manitoba Policies Section 6 may only be amended by the CUPE Manitoba Convention, as brought forth by the CUPE Manitoba Personnel Committee.

7. Donations/Memberships

Any donations and memberships that are given by CUPE Manitoba should reflect CUPE Manitoba's commitment to social justice and equality for all people. All donations and memberships shall be approved by the CUPE Manitoba Executive. Donations that must be dealt with, because of time constraints, between Executive Meetings shall be dealt with by the officers of CUPE Manitoba.

- i. Any donations under \$500.00, within the existing budget allocation, can be agreed to by the table officers of CUPE Manitoba.
- ii. Any donation requests over \$500.00 must be approved by the CUPE Manitoba Executive.
- iii. A detailed written report of the budgeted donation, gift, promotion and subscription lines and actual expense to date will be provided by the Secretary-Treasurer.

8. Reimbursement to Locals for Expenses

All CUPE Manitoba affiliates submitting bills for lost time and/or expenses for members who are performing CUPE Manitoba work will only be reimbursed for

these expenses if the request is submitted to the Secretary-Treasurer of CUPE Manitoba no more than six (6) months after the date the expense was incurred by the local or individual.

9. Cheque Writing Limit

A \$10,000.00 cheque limit is placed on the Secretary-Treasurer. Any cheque higher must be approved, by letter from the President and Secretary-Treasurer, to the Credit Union after approval from the CUPE Manitoba Executive or the table officers.

10. Assistance Fund

Assistance will be made available to CUPE Locals who make their request in writing to the CUPE Manitoba Executive. Such Locals must be affiliated to CUPE Manitoba, or have been recently certified. Locals must not be in arrears with their per capita tax to either the National Office or CUPE Manitoba, except in situations where no dues are being collected. Locals must submit a request to CUPE Manitoba immediately when the situation is known.

The amount of assistance will be at the discretion of the CUPE Manitoba Executive, (who will consult with the Regional Director and the appropriate National representative) depending on the financial state of the Local.

All decisions as to the application of this fund are to be made by the CUPE Manitoba Executive.

Note: This Fund is not intended as a replacement of the National Defence Fund, but merely an interim assistance, if found to be necessary.

11. Gifts for CUPE Manitoba Executive and Staff

Table Officers:

As a token of appreciation in recognition of their commitment to CUPE, retiring Table Officers will receive a gift in the amount of \$50.00 per year of service. They will also receive a plaque and invitation to the following convention as a guest with expenses paid for one night.

Executive Members and CUPE Manitoba Staff:

As a token of appreciation in recognition of their commitment to CUPE, Executive members and CUPE Manitoba Staff will receive a plaque and invitation to attend the following convention as a guest with expenses paid for one night.

(APPENDIX I)

STRATEGIC DIRECTIONS FUND

CUPE Manitoba will allocate money for the work of committees, campaigns, or activities that act on the strategic directions our convention has set for CUPE Manitoba to move forward.

Committees may submit requests for additional funds by written submission. Such submissions should provide a detailed cost break down off the request and answer the following questions:

1. Who is the target audience of the activity/campaign?
2. How will this involve CUPE members?
3. How many CUPE Members/locals/workplaces will be affected?
4. How will they be affected?
5. What do we hope to change as a result of the activity/campaign?
6. How does this activity/campaign connect to our strategic directions plan?
7. How does this activity/campaign involve any labour or community partners?
8. What other funding sources have been considered, if any?
9. If this request is denied, how will this affect members?

Submissions may be made any time throughout the year. All submissions received at least two (2) weeks prior to a quarterly Executive meeting will be considered at that Executive meeting.

The CUPE Manitoba Executive will look to allocate funds in a manner that supports the values of CUPE and promotes the Strategic Directions as set by our Convention.

CUPE Manitoba will provide locals with updates regarding how Strategic Directions Funds have been used.

