

***CUPE* MANITOBA**


**2022**

**Bylaws & Policies**

# **CUPE** MANITOBA

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CUPE Manitoba acknowledges with respect, that our work and activism takes place on the ancestral lands in all 5 Treaties in Manitoba.

The CUPE Manitoba office is located on Treaty 1 Territory, in Winnipeg. Treaty 1 is the traditional territory of the Anishinaabeg, Cree, Oji-Cree, Dakota, and Dene Peoples, and on the homeland of the Métis Nation.

As CUPE members, we acknowledge the harms and mistakes of the past, the legacy still with us today, and dedicate the work that we do to moving forward in partnership and solidarity with Indigenous communities in a spirit of truth, reconciliation, and meaningful collaboration.



***CUPE MANITOBA***

**Bylaws**

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# **CANADIAN UNION OF PUBLIC EMPLOYEES**

## **Manitoba Division**

Workers in the Province of Manitoba are entitled to freedom of organization, full rights of collective bargaining, and economic security. For the attainment of these objectives, all public employees organized into unions of their own choice, chartered by the Canadian Union 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.

CUPE Manitoba was chartered as a provincial division of the Canadian Union of Public Employees following the union's Founding Convention in 1963, where the National Union of Public Employees (NUPE) and the National Union of Public Service Employees (NUPSE) merger to form CUPE.

### **ARTICLE 1 – NAME**

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

### **ARTICLE 2 – OBJECTIVES**

#### **2.1**

This organization is formed to voice and promote the interests, needs and aspirations of affiliated Locals. 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.

#### **2.2**

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.

#### **2.3**

CUPE Manitoba stands unequivocally for equality of treatment regardless of race, creed, colour, sex, gender identity, sexual orientation. It opposes discrimination and harassment in the workplace, the community, at Union events, and within the Union. It will oppose behaviour that undermines the dignity or self-respect of any individual. CUPE Manitoba opposes all forms of discrimination, harassment, and behaviour that undermines the dignity or self-respect of any individual. CUPE Manitoba will be responsive by proactively working towards equity for all.

## **2.4**

- a) urge the maximum participation of the locals in Canadian Labour Congress, the Manitoba Federation of Labour (MFL) and District Labour Councils; and
- b) promote such educational, social and other activities that will benefit affiliated Locals and the Labour movement; and
- c) encourage maximum participation by locals in the programs of CUPE; and
- d) encourage the exchange of delegates to labour conventions and meetings having mutual interests; and
- e) create safe and inclusive spaces that ensure members are welcome, valued and supported; and
- f) strive to eliminate the barriers that limit full participation of CUPE members in our union.

## **ARTICLE 3 – MEMBERSHIP**

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

## **ARTICLE 4 – CUPE MANITOBA EXECUTIVE**

### **4.1**

The officers of CUPE Manitoba shall be:

President

Vice-President

Secretary-Treasurer

Recording Secretary

### **4.2**

The Executive Board shall consist of the Table Officers, seven (7) Area Executive Board members, a Young member, an Indigenous member, a Woman and Gender Rights member, Person with a Disability member, a 2SLGBTQI+ member and Racialized 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, Indigenous member, Woman and Gender Rights member, Person with a Disability member, 2SLGBTQI+ member and Racialized member shall be elected at area and diversity caucuses held during the Convention at a time designated by the Executive Board as follows:

### **4.3**

The Area Executive Board members, Young member, Indigenous 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; from within the following coordinates: South of the 50th parallel to the United States border; from the Saskatchewan border east to Highway #34.

Eastern / Interlake – one member; from within the following coordinates: Bound by the Ontario border on the east; Highway #1 on the north side to the Winnipeg perimeter; Highway #6 to the Southern shoreline of Lake Manitoba; and from the Western shoreline of Lake Manitoba and Lake Winnipegosis to the 52nd parallel to the Ontario border.

North – one member; from within the following coordinates: Bound by the 52nd parallel from the Saskatchewan border to the Ontario border; north of the 52nd Parallel to Nunavut.

South-Central – one member; from within the following coordinates: Bound by the Ontario border on the east side and Highway #261 on the north; south on Highway #260 and Highway #34 to the United States border; Highway #261 to the west side of Lake Manitoba; around the west side of Lake Manitoba to Highway #6; south on Highway #6 to the south side of the perimeter to Highway #1 to the Ontario border.

North-Central – one member; from within the following coordinates: Bound by the Saskatchewan border on the west, from the 52nd parallel south to the 50th parallel; from the Saskatchewan border to the west side of Lake Winnipegosis; from the west side of Lake Winnipegosis and Lake Manitoba south to Highway #261; west to Highway #260; and south from Highway #260 and Highway #34 to the 50th Parallel.

AREA Executive Members are elected within their area caucus of those whose assigned work sites are within that area.

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

Indigenous Representative – one member; elected by consensus within the Indigenous caucus held during convention.

Woman and Gender Rights Representative member – one member; elected within the Women's and Gender Rights caucus held during convention.

Person with a Disability Representative – one member; elected within a Persons with a disability caucus held during convention.

2SLGBTQI+ Representative – one member; elected within a 2SLGBTQI+ caucus held during convention.

Racialized Representative – one member; elected within a racialized worker caucus held during convention

#### **4.4**

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

#### **4.5**

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.

#### **4.6**

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, five Diversity members and Area Executive Board members shall be for a period of two (2) years. Elections of one (1) Winnipeg Area Executive member - A, Women's and Gender Rights Representative, 2SLGBTQI+ Representative, Person with a Disability Representative, one (1) Young member, Brandon Area Executive member, Northern Area Executive member and North Central Executive member shall be held the same year as the Vice-President and Recording Secretary.

Elections of one (1) Winnipeg Area Executive member - B, the Eastern/Interlake Area Executive Member, Indigenous Representative, Racialized Representative, and the South- Central Area Executive member shall be held the same year as the President and Secretary-Treasurer.

#### **4.7**

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.

#### **4.8**

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

"I promise to support and comply with the Constitution, objects, principles and policies of the Canadian Union of Public Employees."

#### **4.9**

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

"I (name), promise to perform the duties of my offices, as set out in the constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an office of the Union, I will always promote the



harmony and dignity of its session by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term.”

**4.10**

All elected officers take office at the close of convention.

**4.11**

In the event that a vacancy in the office of President occurs in between conventions the position shall be filled by the Vice-President as provided for in Article 5.2. 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 fill the position from the nominations received. Should a vacancy occur in one of the diversity seats the Recording Secretary will send notice to Locals and CUPE MB committees and/or Council members of the vacancy. The Executive will then organize a virtual meeting for a caucus for the group to (s)elect their caucus choice for the duration of the term.

**4.12**

The Executive meetings shall be called between annual conventions at the discretion of the President and Table Officers. 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.

The President and Executive Board Members will provide written reports outlining their activities at each board meeting.

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 5 – DUTIES OF OFFICES**

**5.1 – President**

The President is a full-time position, compensated in accordance with CUPE Manitoba Policies, and will:

- Preside at all meetings of CUPE Manitoba

- Approve payments authorized by the Executive
- Transact others business necessary for the proper functioning of the Division and carrying out the duties of President
- Call regular meetings of the Executive and call such special meetings as necessary, or on the request of at least one-half of the Executive
- Establish ad hoc committees as necessary
- Ensure that all members of the Executive Board perform their duties strictly in accordance with the Bylaws
- Call and attend meetings with the office staff and personnel committee as required
- Be the CUPE Manitoba delegate at the Canadian Union of Public Employees' National 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.
- Ensure all activities and related expenses of CUPE Manitoba are approved and paid in accordance with the CUPE Manitoba Bylaws and Policies.

### **5.2 – Vice-President**

The Vice-President shall:

- Assist the President
- Perform other duties as determine by Convention or the Executive Board
- 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, the Vice-President shall perform the duties of the President until a successor is appointed
- Act as a liaison between the Table Officers and all CUPE Manitoba committees
- Be a member of the personnel committee
- Review the policies and constitution every two years along with the Secretary-Treasure
- Maintain close liaison with the Area and Equity Representatives
- Chair ad hoc committees

### **5.3 – Recording Secretary**

The Recording Secretary shall:

- Keep a correct and impartial record of the proceedings of the annual convention and all meetings of the Tables Offices and Executive Board
- Prepare a summarized report of convention and forward a copy of the report to all affiliated Locals within three months of the close of convention
- Prepare all correspondence directed by the Executive
- Forward a copy of all correspondence they receive to the CUPE Manitoba office
- Keep the Executive Board informed of all important correspondence
- Chair the CUPE Manitoba Executive meetings in the absence of the Secretary-Treasurer
- Forward a summary of the business conducted at each Executive Board meeting to the Manitoba Regional Director
- Forward a draft copy of the minutes to each member of the Executive Board within four (4) weeks of the meeting
- Be an alternate member of the personnel committee
- The Recording Secretary shall perform any other duties as directed by the

Convention, the Executive Board or President

#### **5.4 – Secretary-Treasurer**

The Secretary-Treasurer shall:

- Be bonded through the mater bond held by the National Office
- Take Financial Officer training as instructed by the Executive
- 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 for chartered bank in 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 or a Table Officer with signing authority. There must always be two (2) signatures per cheque. No Table Officer with signing authority will sign their own cheque.
- Carry out the instruction of the Executive with the approval of the President and make payments for all office work and supplies necessary for the proper functions of CUPE Manitoba. For such duties, they shall from time to time receive such remuneration as set out in the budget each year
- Close all CUPE Manitoba account on December 31st of each year and all monies received and disbursed after that shall not be report in the financial statement to convention.
- Have printed the financial statement as approved by the Trustees as separate document for submission to the convention
- Be responsible for the payroll office staff and maintain the work records, source deductions and other related papers of employment
- Be a member of the personnel committee
- Review the Constitution and polices every two (2) years along with the Vice-President
- Be 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
- Provide all financial records, invoices and bank statements and other supporting documents to the Trustee for their audit.

#### **5.5**

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.

#### **5.6**

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 6 – TRUSTEES**

### **6.1**

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.

### **6.2**

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 at least every six (6) months 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. The Trustees shall submit a written report to the Annual Convention and submit their report to the National Secretary-Treasurer.

## **ARTICLE 7 – SMALL LOCAL ASSISTANCE**

### **7.1**

Annually, CUPE Manitoba shall reimburse up to three (3) affiliated Local Unions of one hundred (100) 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 and/or conferences or union education courses that CUPE Manitoba may host. 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.

### **7.2**

Consideration shall be given to those Locals who, for financial reasons, would not otherwise be able to send a delegate to the Division Convention. Priority shall also be given to those locals who have not applied previously.

## **ARTICLE 8 - CONVENTIONS**

### **8.1**

The supreme authority of CUPE Manitoba shall be the delegates of affiliated organizations assembled in Convention.

Conventions of CUPE Manitoba shall be held annually during the month of May, whenever possible.

The date and time of Convention shall be fixed by the Executive Board in accordance with CUPE Manitoba Policies, after considering the schedule of other convention being held by CUPE, the Canadian Labour Congress, and the

Manitoba Federation of Labour.

### **8.2**

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.

### **8.3**

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. In the appointments, the Executive shall include a minimum of (1) Equity member per committee and include a minimum of (1) member from an area outside of Winnipeg – Treaty 1.

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, 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 resolutions.

The committee shall consist of not less than three (3) 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.

#### **8.4**

All resolutions to be introduced at a convention shall be signed by the President and Secretary of a chartered organization.

Resolutions and constitutional amendments must be received by the Recording Secretary not later than thirty (30) calendar days prior to the opening of convention.

A copy of all resolutions and constitution amendment received by that date shall be sent to all affiliates no later than one (1) week prior to convention.

The Convention in session may accept an emergency resolution. It must deal with a specific incident occurring 29 days prior to the Convention and be presented to Convention delegates at least four hours prior to being voted on by the Convention delegates.

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 credentialed delegates to convention. Constitutional amendments may only be altered, amended, or revised by a two thirds (2/3) majority vote of the credentialed delegates to convention.

#### **8.5**

- 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 are 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.

- c) 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.
- d) Credentials must be received by the Secretary-Treasurer not later than fourteen (14) days prior to the opening of convention.
- e) 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'.

### **8.6**

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.

### **8.7**

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.

### **8.8**

Members possessing a retirement card shall be entitled to attend CUPE Manitoba conventions as guests with voice, but no vote registered by their local union

### **8.9**

A quorum for the transaction of business at the convention shall consist of no fewer than one half (1/2) of all registered delegates.

### **8.10**

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

## **ARTICLE 9 - REVENUE**

### **9.1**

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.

## **9.2**

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 10 – EXPENSES**

### **10.1**

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) Dependent Family Care Expenses

### **10.2**

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

### **10.3**

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 11 – OUT OF POCKET EXPENSES**

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

## **ARTICLE 12 – 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.
- c) For clarity, whenever the word “they” appears in these Bylaws, it shall apply and refer to person of any gender.

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

### **ARTICLE 13 – COMMITTEES**

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

#### **The Standing Committees of CUPE Manitoba are:**

- 1) Human Rights Committee
- 2) Health and Safety (H&S) Committee
- 3) Contracting-Out and Political Actions Committee
- 4) Indigenous Council
- 5) Municipal Steering Committee
- 6) School Division Sector Committee
- 7) Women’s and Gender Rights Committee
- 8) Social Services and Child Care Committee
- 9) Global Justice Committee
- 10) Charitable Works Committee
- 11) Young Members Committee
- 12) Private Personal Care Home Committee
- 13) Safer Space Committee

### **ARTICLE 14 – BURSARIES**

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 bursaries shall be \$2,500.00 and awarded as follows:

- Weeklong Summer School - \$1,000.00
- Winter School - \$750.00
- Specialty Bursary Summer School (as determines by Education Committee) - \$750.00

## **ARTICLE 15 – 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 difference
  - Communication 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 behavior 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 them 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, and possibly future events 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. The Safer Spaces Council shall also receive a redacted report of any such incidents and make recommendations for the parties involved for upcoming events. Should the respondent of the complaint not comply with the recommendations prior to events following they may not be allowed to attend those future events.

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, they shall at the request of
- 3) the Chair, take their seat until the question of order has been decided.
- 4) Should one or more delegate(s) rise to speak at the same time the Chair
- 5) shall decide who is entitled to the floor.
- 6) No delegate shall interrupt another in their remarks, except to be to call to a
- 7) point of order.
- 8) A delegate shall not speak more than once upon a question until all who
- 9) wish to speak have had the opportunity to do so.
- 10) Speeches shall be limited to five (5) minutes, except in moving a resolution when the delegate shall be allowed ten (10) minutes.
- 11) 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.
- 12) A motion to reconsider shall not be entertained unless made by a delegate
- 13) who voted in the majority, and shall receive two thirds (2/3) majority vote.
- 14) 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.
- 15) When a roll call vote has been ordered, no adjournment shall take place
- 16) until the result has been announced.
- 17) A roll call vote shall require a demand for same by ten per cent (10%) of the
- 18) delegates present.
- 19) 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.
- 20) Observers have the right to voice an opinion but not the right to vote.
- 21) 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 4 of the CUPE Manitoba Bylaws.
- 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 thirty (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 4.9 of the CUPE Manitoba Bylaws.
- 8) All newly elected officers and executive members shall take an oath of office as set out under Article 4.10 of the CUPE Manitoba Bylaws.

ajh/cope491  
April 3, 2023

# **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.







***CUPE MANITOBA***

**Policies**



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# CANADIAN UNION OF PUBLIC EMPLOYEES

## Manitoba Division

### 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 Issues committees may only hold conferences once every two years. This includes:

- Indigenous Council
- Contracting-Out and Political Action Committee (COPAC)
- Women's & Gender Rights Committee

- Global Justice Committee
- Health and Safety (H&S) Committee
- 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 (2) 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 cases 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 23- 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 Offices to appropriate training and/or conferences. Such requests must be submitted two (2) weeks in advance of the next scheduled CUPE Manitoba Executive meeting.
- v. All committee shall submit an action plan by end of the calendar year for CUPE Manitoba Executive to review.

e) Convention Reports

- i. Every Committee shall submit a report thirty (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 forty-five (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 a Local Union meetings, conferences, and conventions.
- ii. Correspondence from committees must be approved and send 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 elections notices be submitted a minimum of forty-five (45) days prior to the proposed election date, and regular mail a minimum of two (2) 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 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 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 member's 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 the CUPE Manitoba cannot site as Chairpersons of standing committees.

- d) CUPE Manitoba Executive members are encouraged to strengthen their union education through two (2) 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 allowances, as set out under subsection 5(c);
- Travel costs incurred, as set out under subsection 5(a);
- Childcare 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 accommodations at a hotel arrange by the CUPE Manitoba 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-four (\$0.54) (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
  - Six (6) hours or less - \$35.00
  - More than six (6) hours - \$75.00

- Meeting or event (no overnight) - \$35.00
- Meeting or event (overnight required)  
Six (6) hours or less - \$35.00  
More than six (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 childcare expenses will be reimbursed for receipted expenses to the following maximums:

- For children under six (6) years of age - \$30.00 per half day per household and \$60.00 per full day per household
- For children six (6) years of age and up to twelve (12) years of age - \$15.00 per one half day per household, \$30.00 per full day per household
- For 24-hour overnight care for children sixteen (16) years and younger, \$60.00 per day per household

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

All claims must be receipts with signature of childcare 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 (9:00am – 5:30pm). We encourage, whenever possible, the use of our childcare CUPE Members.

e) Advances

- 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.
- 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 forty (40) hour work week. Economic increases will occur on April 1st of each year and will be a percentage equal to that negotiate 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 their public. 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 their 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 their 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 they President is required to use their 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 kilometers 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 Collection 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 donations 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 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.

ajh/cope 342  
April 3, 2023

# NOTES

# NOTES



