

# **MANTE CONSTITUTION / BYLAWS**

## **ARTICLE I**

### ***Name***

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The name of this organization shall be known as the MANITOBA ASSOCIATION OF NON-TEACHING EMPLOYEES and hereinafter referred to as the "Association".

## **ARTICLE II**

### ***Objectives & Purposes***

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1. to unite into one organization all non-managerial and non-teaching employees regardless of race, creed, colour, nationality, sex, age, political belief, ancestry or place of origin.
2. to act as bargaining agent for employees and to regulate the relations between the said employees and their employers in order to establish better rates of pay, hours of work and conditions of employment and to adjust disputes arising out of such matters in an equitable manner.
3. to maintain harmonious relations between the employers and the employees.

## **ARTICLE III**

### ***Interpretation***

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In this constitution and by-laws and in all other by-laws of the Association hereafter passed, unless the context otherwise requires, words imparting the plural number shall include the masculine gender or the feminine gender, as the case may be and vice versa.

## **ARTICLE IV**

### ***Membership***

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#### **Section A - Eligibility**

All non-management and non-teaching employees engaged in employment in the St. James-Assiniboia School Division shall be eligible for membership by applying to or being accepted by the Association or any unit established by the Association.

#### **Section B - Employees**

All employees covered by the bargaining unit are required to pay dues.

#### **Section C Rights**

1. Each member in good standing will receive a membership card and have access to the constitution and the collective agreement on the MANTE website at [www.mante.ca](http://www.mante.ca) and one vote at any general meeting of the Association. Only members in good standing may attend meetings.

#### **Section D - Suspension and Expulsion**

1. The Executive Committee shall have the power by a majority vote of the committee to suspend or terminate the membership of any member for reasonable cause, provided reasonable notice and opportunity for hearing has been given each member so affected.
2. Charges filed against a member must be presented in writing to the Secretary of the Association.

## **ARTICLE V**

### ***Finance***

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#### **Section A - Fiscal Year**

The fiscal year shall be from October 1 to September 30.

#### **Section B - Dues**

The dues, initiation fees and any special assessments or levies of the Association shall be as established by the Association at a general meeting.

#### **Section C - Collection of Dues**

Annual Dues shall be collected over a ten-month period, September to June inclusive.

**Section D - Audit**

Account books and financial statements will be audited every October and presented to members in good standing at the annual meeting.

## **ARTICLE VI**

### ***Officers and Representatives of the Association***

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**Section A****Officers of the Association**

The Executive Committee consists of:

1. President
2. Vice-president
3. Secretary
4. Treasurer
5. Information Office

Plus representatives as follows:

1. 2 Secretarial Assistants
2. 3 Educational Assistants
3. 1 Board Office/PSDC
4. 1 Library Technician
5. 1 Interpreter Tutor
6. Past President (non-voting member)

## **Section B**

### **Duties of Executive Officers**

President - The President shall:

1. preside at all meetings of the members of the Association and of the Executive Committee
2. be charged with all press releases and the general management and supervision of the affairs and operations of the Association
3. be an ex-officio member of each committee with the exception of the nominating committee
4. sign collective agreements negotiated by the collective bargaining committee after ratification of membership
5. with the Secretary or other officer appointed by the Executive Committee for the purpose shall sign all by-laws
6. sign cheques with the Treasurer and other documents as required
7. Chair the Negotiations Committee
8. Attend to the necessary arrangements regarding retirement gifts

Vice-President - The Vice-President shall:

1. Assume the duties and powers of the President in her absence
2. Sign cheques with the Treasurer when President is unavailable
3. Chair the Grievance Committee

Secretary - The Secretary shall:

1. Attend all meetings of the Executive Committee and record all facts and minutes of all proceedings in the books kept for that purpose.
2. Be charged with the upkeep of all books, papers, records, correspondence, contracts and other documents belonging to the Association which will be housed at the Mante Association office, which they shall deliver up only when authorized by a resolution of the Executive Committee to do so and to such person or persons as may be named in the resolution.
3. Have charge of the minute books and of all other books incidental to their office.
4. Keep available for information of the members all minutes and other documents
5. Keep a record of the proceedings at all membership meetings of the Association
6. Keep an alphabetical list of the names of all present and former members of the Association
7. See that the constitution and by-laws are kept up-to-date with all changes and amendments and shall see that all members are supplied with a copy thereof and all subsequent changes and amendments thereto
8. Give immediate notice in writing to any member against whom a charge has been preferred of the particulars of such charge and also give reasonable notice to members concerned of the date, time and place at which the hearing of the charge shall take place, together with such further notices as

may be necessary to finally dispose of the charge, including written notice of suspension or expulsion from the Association.

9. Send agendas out before meetings of Executive Committee, Annual General meeting or other meetings as called by the President
10. Perform such other duties as assigned
11. Should the Secretary at any time, through absence or illness, or from any other case whatsoever, be unable to discharge their duties as herein set forth, the Executive Committee may appoint any member of the Association to act in their place for the un-expired portion of the Secretary's term of office or until the return to duty of the Secretary, whichever shall be sooner and when so acting such member shall have all the powers possessed by the Secretary.

Treasurer - The Treasurer shall:

1. keep full and accurate records of accounts in which shall be recorded all receipts and disbursements of the Association and, under the direction of the Executive Committee
2. shall control the deposit of money and the disbursement of the funds of the Association
3. render to the Executive Committee at the meetings thereof, or whenever required of them, an account of all their transactions as Treasurer and of the financial position of the Association
4. prepare an annual budget to be presented to the membership at the Annual General Meeting – the annual budget shall cover the fiscal year being from October 1 – September 30 of the succeeding year
5. if necessary, introduce an amended budget during the financial year to supplement the previous annual budget. The budget shall be initiated through a general meeting of the Association and shall have as its purpose the re-allocation and re-channelling of funds, with the intention of consolidating and stabilizing the Association's financial status.
6. Perform such other duties as assigned
7. Should the Treasurer at any time, be unable to discharge the duties as set forth, the Executive Committee shall appoint a member in good standing to act in their place for the un-expired portion of the Treasurer's term of office or until the return to duty of the Treasurer, whichever should be sooner, and while so acting, such member should have all the powers possessed by the Treasurer.

Information Officer - The Information Officer shall:

1. attend all Executive meetings
2. distribute information/notices from the Executive to the membership on the MANTE website
3. keep a record of Association members, their classifications and working locations
4. arrange the annual general meeting of the Association and any other meetings called by the President
5. provide assistance to other members of the Executive when required
6. write and post the Newsletter 4 times a year on the MANTE website

Past President - The Past President shall:

1. attend meetings and be available to give assistance and assume responsibilities when required
2. be a non-voting member of the Executive Committee for no more than two years

## **Section C**

### **Election of Officers/Representatives**

With the exception of the founding officers of the Association, each officer shall be elected individually at the annual meeting of the Association and shall hold office for two (2) years until the first annual meeting after they have been elected.

1. Elections will become staggered for one (1) Secretary representative and one (1) Educational Assistant representative. Thereby having these two positions voted on at every other general meeting
2. All other positions will be voted on at every second annual general meeting
3. Officers shall retire at the appropriate annual meeting but shall be eligible for re-election if otherwise qualified
4. When there is more than one candidate for an office, voting must be by secret ballot
5. Members of the Association may, by resolution passed by at least two-thirds (2/3) of the votes cast at a membership meeting of which notice specifying the intention to pass such resolution has been given, remove any officer before the expiration of his term of office and may, by a majority of the votes cast at that meeting, elect any member in good standing in his stead for the remainder of his term.
6. A vacancy occurring from time to time in any office of the Association may, so long as a quorum of the Executive Committee remains in office, be filled by the Executive Committee from among the members in good standing of the Association and such officer shall hold office until the first annual meeting after they shall have been so appointed.
7. If there is not a quorum of the Executive Committee following a vacancy, then the remaining members of the Executive Committee shall forthwith call a meeting of the members to fill the vacancy or vacancies.
8. A representative vacancy occurring on the Executive shall be filled by notification to the membership in that classification. If more than one person submits their name to fill the vacancy a mail-in vote will take place.
9. The candidate for the office of President shall have served on the executive for two consecutive years and must be a current member of the executive.

## **ARTICLE VII**

### ***Executive Committee***

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The Executive Committee shall consist of the officers of the Association and elected representatives.

#### **The Executive Committee shall:**

- a. Have general powers to administer the affairs of the Association on a day to day basis including the power to collect, deposit and expend the funds of the Association.
- b. A majority of the members of the Executive Committee, as constituted from time to time, shall constitute a quorum for the transaction of business at any meeting of the Executive Committee
- c. Questions arising at any meeting of the Executive Committee shall be decided by a majority of votes. In cases of an equality of votes, the chairman, in addition to their original vote, shall have a second or casting vote. All votes at any such meeting shall be taken by ballot if so demanded by any officer present, but if no demand be made, the vote shall be taken in the usual way by assent or dissent.
- d. The Executive Committee may hold its meetings at such time and place as it may from time to time determine. The President or Vice-President may formally call meetings of the Executive Committee.

#### **Meetings of the Executive**

- a. Regular meetings shall be held at least once per month during the school year at a time and place to be determined by the Executive
- b. Special meetings may be called by the President or at the request of any members of the Executive
- c. Notice shall be given to the representatives not less than forty-eight (48) hours prior to the holding of such meetings
- d. A majority of the members of the executive shall constitute a quorum for the transaction of business
- e. The Executive shall, at its first meeting of the year, elect members from within the Executive to fill positions of committees, etc.
- f. Executive members are required to attend all Executive meetings. Three consecutive absences for no valid reason will necessitate re-appointment.
- g. Executive may remove an Officer or Representative upon receipt of a petition signed by two-thirds (2/3) of the membership.

## **ARTICLE VIII**

### ***Meetings of Members***

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#### **Section A - Annual**

- a. The Annual General Meeting, or the last general meeting of the year, shall be held during the month of November at such place and on such day as the Executive Committee then in office shall decide.
- b. At least ten (10) days notice of such meeting shall be given to the membership
- c. At every annual meeting, in addition to any other business that may be transacted, the report of the officers and the financial statement shall be presented and the officers elected for the ensuing year.
- d. A quorum for the transaction of business at any meeting of members shall consist of not less than 10% of members in good standing present in person, plus a majority of the Executive.
- e. At all meetings of members every question shall be decided by a majority of the votes of the members present unless otherwise required by the constitution and by-laws of the Association.
- f. An agenda as outlined in SCHEDULE D will be followed for all Annual General Meetings
- g. Any business motions or proposals pertaining to the entire membership and requiring a vote be sent out at least ten (10) days prior to the meeting

#### **Section B - General**

- a. Meetings of the Association may be called by the President or Vice-President and shall be called when requested by at least ten (10) percent of the total membership
- b. At least ten (10) days notice of such meetings shall be given to the membership
- c. Resolutions may be presented for consideration by members in good standing

#### **Section C - Quorum**

- a. A quorum for the transaction of business at any meeting of the members shall consist of the number of members present in good standing, including a majority of the Executive Committee.

#### **Section D - Rules and Procedures for Association Meetings**

- a. There shall be an agenda prepared which shall outline the order of business, initially for the guidance of the chairman and, secondly, for the information of members. An agenda for an Annual General Meeting may be changed, when necessary or advisable, by general consent or by a majority vote.
- b. The agenda shall be prepared in accordance with the following format:
  - 1. Call to order
  - 2. Introduction of Executive Committee
  - 3. Adoption of Minutes
  - 4. Reports (to be delivered in the following order)
    - i. President
    - ii. Vice-President



- iii. Treasurer
  - iv. Secretary
  - v. Committee Reports (in alphabetical order)
  - vi. Any other reports
- 5. Old Business (business left from previous meetings)
  - 6. New Business – (Business arising out of Reports – motions in regard to such matters may be presented at this time.)
    - Elections
  - 7. Open Session - (A free discussion and question period and an opportunity for members to present motions in regard to such matters.)
  - 8. Appreciation
  - 9. Adjournment

## **ARTICLE IX**

### ***Committees***

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#### **Section A**

Standing Committees and volunteers

The Executive Committee shall, at its first meeting of the year, elect members from within the Executive to oversee the following:

- a. Collective Bargaining (only when it's a Negotiations year)
- b. Health & Welfare
- c. Pension
- d. Other Committees as may be established by the Executive Committee as required

#### **Section B**

Duties of Committees

- 1. Collective Bargaining

The collective bargaining committee shall:

- a. Ascertain the concerns of Association members with respect to proposing changes in the collective agreement entered into between the School Division and the Association.
- b. Present the proposed changes to the Executive Committee for endorsement.
- c. Negotiate with the School Division.
- d. Regularly inform the Executive Committee of the progress of negotiations.

- e. Present after Executive Committee approval, the negotiated agreement to be ratified by a majority of those members present at a meeting called to ratify the collective agreement.
  - f. Be responsible for the signing of the collective agreement by Executive Committee Secretary and the President or in the absence of the secretary, one other Executive Committee member must sign.
- 2. Grievance Committee

The Vice-President will be responsible for the Grievance Committee and shall with the assistance of the appropriate classification representative involved, if required in said grievance, be responsible for:

  - a. Reviewing all grievances before submitting to the Division.
  - b. Evaluating and submitting grievances to arbitration.
  - c. Reporting all pending arbitration to the Executive Committee as soon as possible.
  - d. Summarizing the outcome of grievances and reporting same to Executive Committee.
- 3. Health & Welfare

The Health & Welfare representative will be responsible for seeing to the needs of members as set out in Health & Welfare policy.
- 4. Nominating

The nominating committee shall:

  - a. Be responsible for preparing a slate of at least one (1) candidate for each executive committee office to be presented for election at the Association's annual general meeting.
  - b. Request nominations from the membership through the MANTE website, and email.
  - c. Prepare a slate of officers for presentation to the membership.
  - d. Verify the current membership of each nominee in the Association and secure their written consent to the nomination. All members nominated must be included on the final slate of candidates.
  - e. Advise members of the Association of a complete slate of candidates by email at least one (1) week prior to the annual general meeting. A brief resume of the background of candidates shall be included.
- 5. Pension

The pension representative shall:

  - a. Represent the Association on the School Division pension committee.
  - b. Submit a report to Executive Committee and membership, when deemed necessary and whenever the pension committee takes any action.
  - c. Sit on the Executive Committee
- 6. Special Committees

The Executive Committee shall set up the duties of special committees when such special committees are established.

## **Section C**

### Appointed Committees

### Appointments

- a. The Executive Committee may appoint committees, which shall be of such size and shall have such duties as the Executive may determine.
- b. Appointment to sit on these committees shall be made by the Executive on an as need basis.

## **ARTICLE X**

### ***Amendments***

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1. This constitution may be amended at any annual general meeting or at any general meeting, by a majority of the members present.
2. Amendments must be made in writing and delivered to the Secretary of the Association at least thirty, (30) days prior to the general meeting.
3. Such amendments must receive approval of the Executive Committee before being presented at the meeting.
4. The general membership will be advised in advance of any proposed amendments to be voted on at a general meeting ten (10) days prior to general meeting.

## **ARTICLE XI**

### ***By-Laws & Resolutions***

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A General Meeting of members of the Association from time to time, may pass such by-laws and resolutions as it deems necessary in order to carry on the affairs of the Association, providing, however, that such by-laws and resolutions shall not be inconsistent with the constitution.

## **ARTICLE XII**

### ***Permanency of the Association***

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The Association shall not have the power, or be able, to dissolve itself unless more than fifty (50) percent of the members in good standing vote in favour of the dissolution at a general meeting called for this purpose.

