



W.A.N.T.E.

CONSTITUTION/BY-LAWS

June 2018

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CONSTITUTION/BY-LAWS

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CONSTITUTION / BYLAWS

ARTICLE I - NAME

The name of this organization shall be known as:

WINNIPEG ASSOCIATION OF NON-TEACHING EMPLOYEES

(WANTE)

and this organization is hereinafter referred to as the "Association".

ARTICLE II - OBJECTIVES

The objectives of the Association are to:

1. Unite into one organization all non-managerial and non-teaching employees regardless of race, creed, color, nationality, sex, age, political belief, ancestry or place of origin.
2. Act as a 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 settle disputes arising out of such matters in an equitable manner.
3. Maintain harmonious relations between the employers and the employees.

ARTICLE III - INTERPRETATION

In this constitution/bylaws and in all other bylaws of the Association hereafter passed, unless the context otherwise requires, words importing the singular number or the female gender shall include the plural number or the masculine gender, as the case may be, and vice versa.

ARTICLE IV - MEMBERSHIP

Section A - Eligibility

All non-management and non-teaching employees engaged in permanent employment by the Winnipeg 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 shall pay an initiation fee of \$5.00 and in good standing shall be entitled to a membership card, a copy of the constitution/bylaws policy, the collective agreement, and one vote at any general meeting of the Association.
2. Only members in good standing may attend meetings.
3. For a member to represent this Association all nominees for Council must be members in good standing.

Section D - Suspension and Expulsion

1. The executive committee shall have the power by a three-quarters (3/4) 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 the member so affected.
2. Charges filed against the member must be presented in writing to the secretary of the Association.

ARTICLE V - FINANCE

Section A - Fiscal Year

The fiscal year shall be from January 1 to December 31.

Section B - Dues

The dues initiation fee 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

The council shall appoint a public accountant who shall audit the account books and financial statements each April which shall be presented to members in good standing at the annual meeting.

ARTICLE VI - OFFICERS

Section A - Officers

The officers of the Association shall be the President, Vice-President, Secretary, Treasurer and four (4) executive Members-at-Large. The immediate Past President shall serve as an officer for a one (1) year term.

Section B - Election of Officers

1. Officers of the Association will be elected by mail ballot vote and hold office for a term of two (2) consecutive years. The ballots for the election of officers of the Executive be sent by division courier to all eligible voting members at their work location. Members will be provided with a self-addressed envelope for the return of ballots to the Chair of the Tellers Committee. All ballots will be counted by the Tellers Committee and the election results will be presented at the Annual General Meeting. Voting to decide issues other than the election of officers shall be conducted at the General Meeting as stated in our constitution and by-laws.

Officers shall be elected on alternate years for their term as follows:

- (a) President, Secretary and two Members-at-Large (Even Calendar years)
- (b) Vice President, Treasurer and two Members-at-Large (Odd Calendar years)

Any officer who is not up for re-election and who accepts a nomination for another position on the Executive Committee or is not able to complete the term shall tender her resignation so that nominees may be nominated to fill her unexpired term. Said resignation will take effect upon the completion of the term. A candidate for the office of President shall have served at Executive level for two (2) consecutive years and must be a current officer of the Executive committee. A candidate for the office of Vice-President shall have served at Council level for two (2) consecutive years. Any candidate seeking a position for Member at Large, Treasurer or Secretary shall have served on the Council level in the past.

The election of officers shall be by mail ballot except that if there is only one (1) nominee for any office, election will be by acclamation.

Section C - Term

The term of office for Executive shall be from June 1 to May 31 for two (2) consecutive years. The term of office for President shall be from August 1 to July 31 for two (2) consecutive years.

Section D - Vacancy

1. A vacancy occurring in any office other than the president shall be filled by the executive committee from among the members in good standing. This officer shall hold office for the balance of the term.
2. If there is not a quorum consisting of at least five (5) members of the executive committee following the vacancy, then the remaining members of the executive committee shall forthwith call a meeting of the membership to fill the vacancy or vacancies.
3. A vacancy in the office of President shall be filled by the Vice-President.
4. The resulting vacancy in the office of Vice-President shall be filled by the executive committee according to the criteria above in Section B – Elections of Officers, from members in good standing.

Section E - Removal from Office

The Members of the Association may, by a two-thirds (2/3) vote of those voting at a general meeting, remove any officer before the expiration of the term of office, providing notice of such action is sent to members at least ten (10) days prior to the meeting. A vacancy so created may be filled by a member in good standing at a general meeting by a majority vote.

Section F - Duties of Officers

1. PRESIDENT

The President shall:

- a) Preside at all executive, council and general meetings.
- b) Be in charge of with all press releases, the general management and supervision of the affairs and operations of the Association.
- c) Be an ex-officio member of each committee with the exception of the nominating committee.
- d) Sign, together with Chairman of the negotiating committee, collective agreements, negotiated by the collective bargaining committee after ratification of the membership.
- e) Sign cheques with the treasurer or vice president, and other documents as required.
- f) Be the custodian of the seal, all books, paper, records, correspondence, contracts and other documents belonging to the Association, which shall be contained in the files at the Association office.
- g) Be the chairman of the Grievance Committee.
- h) Authorize all communication to members, including bulletins, notices and website.
- i) Seek Legal advice, when necessary

2. VICE-PRESIDENT

The Vice-President shall:

- a) Assume the duties and powers of the President in her absence.
- b) Sign cheques with the treasurer and/or President as required.
- c) Attends meetings for the association at the request of the President.
- d) Be a member of the Grievance Committee and Collective Bargaining Committee.
- e) If the office of President falls vacant, be Acting President until a new President is elected.
- f) Attend all General Meetings.

3. SECRETARY

The Secretary shall:

- a) Attend the Executive, Council and general meetings of the Association and record all proceedings in books kept for the purpose.
- b) Prepare minutes of all Council, Executive and General Meetings of the Association. Forward the minutes to the President, within three (3) weeks of the meeting, for approval and distribution to the Executive and Council members.
- c) 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 member 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.
- d) Perform such other duties as assigned.
- e) Should the Secretary at any time be unable to discharge her duties the Executive Committee shall appoint a member in good standing to act in her place.

4. TREASURER

The Treasurer shall:

- a) Keep full and accurate books of account in which shall be recorded all receipts and disbursements of the Association.
- b) Under the direction of the Executive Committee, shall control the deposit of money and the disbursement of the funds of the Association.
- c) Give an account of all financial transactions and of the financial position of the Association at the Annual Meeting and all Executive and Council meetings.

- d) Prepare an annual budget to be presented to Council for adoption by the first meeting in January of any given year. The annual budget shall cover the fiscal year being from January 1 of any given year to December 31 of the same year.
- e) If necessary, introduce an amended budget during the financial year to supplement the previous annual budget. The budget shall be initiated through a motion in council and shall have as its purpose the re-allocation and re-channeling of funds, with the intention of consolidating and stabilizing the Association's financial status.
- f) Perform such other duties as assigned.
- g) 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 her place.

5. MEMBERS-AT-LARGE

The Members-at-Large shall attend meetings, chair a major or special committee, and be available to give assistance and assume responsibilities when required.

6. PAST PRESIDENT

The past President shall attend meetings and be available to give assistance and assume responsibilities when required.

Section G - Association Property

At the expiration of office or in the case of resignation or removal, all officers shall turn over to their successors all books, papers and other property belonging to the Association as soon as possible.

ARTICLE VII - EXECUTIVE COMMITTEE

Section A - Composition

The elected officers of the Association and the immediate past President shall constitute the Executive Committee.

Section B - Authority

The Executive Committee shall have general powers to administer and conduct the affairs of the Association on a day-to-day basis, including the power to collect, deposit and expend the funds of the Association.

Section C - Meetings

1. The Executive Committee shall hold regular meetings once a month during the school year at 5:00 p.m. and place to be determined by the Executive Committee.
2. Other meetings of the Executive Committee may be formally called by the President or Vice-President.

Section D - Quorum

A majority of the members of the Executive Committee shall constitute a quorum for the transaction of business at any meeting of the Executive Committee.

ARTICLE VIII - COUNCIL REPRESENTATIVES

Section A - Election

1. Council representatives shall be elected by ballot votes and shall hold office for a term of two (2) years or until their successors shall have been elected and take office. The ballots for individual classification for the election of Council Members be sent by division courier to all eligible voting members at their work location. Members will be provided with a self-addressed envelope for the return of ballots to the Chair of the Tellers Committee. All ballots will be counted by the Tellers Committee and the election results will be presented at the Annual General Meeting.
Voting to decide issues other than the election of officers shall be conducted at a General Meeting as stated in our constitution and by-laws.
2. Council members will be elected on alternate years for their term as follows:

Effective 2018, the following positions will become a two (2) year term

- a) Elementary Schools Clerk
- b) Computer Technicians/Library Technicians
- c) Educational Assistant A and B, Food Coordinator, and Adult Crossing Guard
- d) Educational Assistant C, Home Learning Assistant
- e) Educational Assistant D, Vocational Trainer, Work Experience Coordinator, Clinician Assistant and Interpreters.

Effective 2019, the following positions will become a two (2) year term

- a) Senior/Junior High Schools Clerk
 - b) Non-School Sites Clerk
 - c) Educational Assistant A and B, Food Coordinator, and Adult Crossing Guard
 - d) Educational Assistant C, Home Learning Assistant
 - e) Educational Assistant D, Vocational Trainer, Work Experience Coordinator, Clinician Assistant and Interpreters
3. Council representatives shall be eligible for re-election for a consecutive term.
 4. The election of Council members shall be by mail ballot except that if there is only one nominee for each representative, election shall be by acclamation.
 5. Only those members nominated as designated representatives shall be eligible for election.

Section B - Term

The term of office for all Council members shall be from June 1 to May 31 for a term of two (2) consecutive years.

Section C - Vacancy

A vacancy occurring on the Council shall be filled by the Council from among the members in good standing of that area.

Section D - Removal

Council may remove a Council representative upon receipt of a petition signed by two-thirds (2/3) of the constituents. A vacancy so created shall be filled by election at a Council meeting.

ARTICLE IX - ASSOCIATION COUNCIL

Section A - Composition

There shall be a Council composed of members of the Executive Committee and one representative elected from each of the following:

One Representative from the following:

1. Senior/Junior High Schools Clerk
2. Elementary Schools Clerk
3. Non School Sites Clerk
4. Computer Technicians / Library Technicians

Two Representatives comprised from each of the following groups:

1. Educational Assistant A and B, Food Coordinator and Adult Crossing Guard.
2. Educational Assistant C, Home Learning Assistant.
3. Educational Assistant D, Vocational Trainer, Work Experience Coordinator, Clinician Assistants and Interpreters.

Section B - Authority

The powers of the Council shall include the following:

1. Exercise all the powers of the Association, except as limited by the constitution/bylaws.
2. Direct and supervise the business and affairs of the Association.
3. Determine the policy of the Association in all matters within its competence.
4. Delegate any or all of its powers to the Executive of the Association as it may deem practical or advisable.
5. Council may recommend the creation of a salaried position which would have as its primary responsibility the administration of the day-to-day affairs of the Association, but such position shall not be created unless the same is approved at an annual or general meeting of the Association, with the members receiving notification ten (10) working days in advance. Unless such meeting otherwise directs, the hiring and/or termination of the individual occupying this position shall be the responsibility of the Council. Voting on this matter shall be by secret ballot. Members in good standing shall receive advance notice and shall be provided with a copy of the ballot ten (10) working days prior to the annual or general meeting at which the matter will be considered. Members in good standing shall cast their ballot by delivering the same to the returning officer at the designated meeting or mailing/delivering it to the returning officer five (5) calendar days prior to the meeting.
6. Appoint a public accountant, newsletter editor and pension representatives.
7. Elect Committee chairmen as outlined ARTICLE X.

Section C - Meetings

1. Meetings of the Council shall be open to all members in good standing.
2. Regular meetings shall be held once a month during the school year at a time and place to be determined by the Council.
3. Notice of meetings of the Council shall be given to representatives not less than forty-eight (48) hours prior to the holding of such meetings.
4. Special meetings may be called by the President or at the request of any four (4) members of the Council.
5. Council members are required to attend all Council meetings. Two (2) absences for no valid reason will constitute an expulsion.

Section D - Quorum

A majority of members of the Council shall constitute a quorum for the transaction of business.

ARTICLE X - COMMITTEES

Section A - Standing Committees

The Executive Officers shall, at its first meeting of the year, elect members from within the Council, to chair the following committees:

1. Budget and Finance
2. Collective Bargaining
3. Grievance
4. Labour Education
5. Liaison
6. Membership
7. Nominating
8. Policy
9. Social
10. Other Standing Committees as may be established by Council as required.

Section B - Composition

1. With the exception of the collective bargaining and nominating committees, each standing committee shall consist of a chairman and not less than two (2) members.
2. The collective bargaining committee shall consist of a chairman and six (6) other members approved by the Council.
3. A nominating committee of five (5) members shall be appointed by the Council.

Section C - Duties of Standing Committees

1. BUDGET AND FINANCE

The Treasurer will be the Chairman of the Budget and Finance Committee. The committee will be responsible for monitoring the funds of the Association under the following guidelines:

- a) The general funds of the Association shall consist of all money and securities belonging to the Winnipeg Association of Non-Teaching Employees and all subsequent initiation fees and dues.
- b) The funds and property of the Association shall not be divided, loaned or donated in any manner among or to its members individually or collectively without the assent of the majority of the members in good standing. Whenever a member ceases to be a member, her rights and title and interest in the funds and property of this Association or any part thereof, shall cease and terminate.
- c) Any expenditure other than an expense necessary for the operation of the Association shall be approved by a motion by the Executive and/or Council Committee.
- d) The General Fund shall be used for expenses necessary for the maintenance of the Association and shall be paid from this fund. Signing authority of all cheques and investments require two signatures of the following three executives: President, Vice-President or Treasurer.

2. 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 Association Council for endorsement.
- c) Negotiate with the School Division.
- d) Regularly inform the Association Council of the progress on negotiations.

- e) Present after Council approval, the negotiated agreement to be ratified by secret ballot by a majority of those present at a meeting called to ratify the agreement.
- f) Be responsible for the signing of the collective agreement by its chairman together with the President or in the absence of the chairman, one other Executive Committee member must sign.

3. GRIEVANCE

The Grievance Committee shall:

- a) Be responsible for reviewing all grievances before submitting to the Division.
- b) Be responsible for evaluating and submitting grievances to arbitration.
- c) Report all pending arbitration to the Association Executive Committee as soon as possible.
- d) Summarize the outcome of grievances and report the same to Council.

4. LABOUR EDUCATION

The Labour Education Committee shall:

- a) Be responsible for promoting and developing opportunities for professional development for the members of the Association.
- b) Schedule professional development opportunities for the membership throughout the year.
- c) Report the activities and developments in these areas through the Association Newsletter, special mailing and web-site.

5. LIAISON REPRESENTATIVE

The Liaison Representative Committee shall:

- a) Be responsible for the promotion of good will between the Association and the membership.
- b) Conduct regular meetings with work location Liaison Representatives throughout the school year.
- c) Provide information about activities and aims of the Association to the members.

6. MEMBERSHIP

The Membership Committee shall:

- a) Be responsible for membership verification at all General meetings and issue new membership cards as required.

7. NOMINATING

The Nominating Committee shall:

- a) Be responsible for preparing a slate of at least one (1) candidate for each Executive office and Council representative to be elected by mail ballot vote and the results presented at the Association's Annual Meeting.
- b) Request nominations from the membership through a special mailing through Division courier at their work location sent out by the last working day in January. The deadline for the return of all members' Intentions and Profiles will be the March Council meeting (third Wednesday in March). Responsibilities and expectations of each position shall be included in this special mailing.
- c) Prepare a slate of Officers and Council representatives for presentation to the membership.
- d) Verify the current membership of each nominee in the Association and secure her written consent to the nomination. All members nominated must be included on the slate of candidates.

- e) Send a slate of candidates, along with profiles, to each work location by the second Friday in April.
- f) Ballots should go out to the membership May 1st.
- g) Ballots to be returned to Chair of the Teller's Committee one (1) week prior to the Annual General Meeting.
- h) Teller's Committee will count the ballots the day of the Annual General Meeting, beginning at 9:00 a.m. at the W.A.N.T.E. office.
- i) All members running for Executive or Council positions, shall not have any access to, or contact with the distribution and collection of ballots.
- j) The Nominating Chair shall not be a member up for re-election.

8. POLICY

The Policy Committee will be responsible for:

- a) Annually reviewing the Standing Rules, Policy and the Constitution of the Association. Present the recommended changes to the Council for approval.
- b) Submit a report on the approved changes for inclusion in the Standing Rules and Policy at the end of the term.
- c) Oversee all necessary changes to the Constitution/Bylaws as it deems necessary in order to carry on the affairs of the Association.

9. SOCIAL

The Social Committee shall be responsible for arranging such social and recreational activities as may be undertaken by the Association.

10. SPECIAL COMMITTEES

The duties of the special committees shall be as established by the Association Council.

Section D - Appointed Committees

1. APPOINTMENTS

- a) The Council may appoint committees which shall be of such size and shall have such duties as the council may determine.
- b) Council shall at its first meeting of the year appoint for a term of at least two (2) years individuals to fill the following positions:
 - i) Newsletter Editor
 - ii) Pension Committee Representatives and Pension Observer
 - iii) Workplace Safety and Health Representative

2. VACANCY

A vacancy may be filled by the Council and that person shall hold office for the balance of the term.

3. DUTIES

a) Newsletter Editor

The Newsletter Editor shall collect, edit and compile articles of interest to be approved by the President for distribution to the members.

b) Pension

1. The Pension Committee representatives shall:

- i) Represent the Association on the Winnipeg School Division Pension Committee.

- ii) Submit a report to Council whenever any action is taken by the committee.
- c) The Pension Observer shall attend the Winnipeg School Division pension meetings.
- d) Workplace Safety and Health
 - 1. Represent the Association on the Winnipeg School Division Workplace Safety and Health Committee.
 - 2. Provide assistance and guidance to the members to identify and resolve safety and health concerns.
 - 3. Submit a report to Council whenever any action is taken by the committee.

Section E - Other Appointed Committees

1. APPOINTMENTS

a) TELLER'S COMMITTEE

- i) A Teller's Committee shall be appointed and overseen from the general membership by the Chair of the Nominating committee immediately after the final slate of candidates has been presented.
- ii) The Teller's Committee shall hold office for a term of one year and attend all general meetings called by the Association.
- iii) Members of this committee shall appoint its own chairman.

2. DUTIES

a) TELLER'S COMMITTEE

The Teller's Committee chairman shall:

- i) Be the returning officer.
- ii) Check all the ballots prior to the election and initial them. Be responsible for committee members and the assignment of duties.
- iii) Count ballots as soon as possible after the closing of the polls.
- iv) Report election results to the President.
- v) At the completion of thirty days have all ballots destroyed.

ARTICLE XI - MEETINGS

Section A - Annual

1. The annual meeting of the year shall be held in the month of May.
2. At least ten (10) days notice of such meeting shall be given to the members.
3. 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 and representatives shall be elected for the ensuing year.
4. The Association will be responsible for archiving the Association's papers and Annual Reports with the Manitoba Archives at the end of each term.

Section B - General

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

Section C - Quorum

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-Council Committee.

ARTICLE XII - AUTHORITY

ROBERT'S RULE OF ORDER, NEWLY revised, shall be the parliamentary authority of the Association in matters not covered by this document.

ARTICLE XIII - AMENDMENTS TO CONSTITUTION/BYLAWS

1. Amendments shall be made in writing by council and/or members and delivered to the Association at least thirty (30) days prior to the general meeting.
2. Such amendments must receive approval of the Executive Committee before being presented at the meeting.
3. This constitution/bylaws may be amended at any general meeting, by a two-thirds (2/3) vote of the members present provided notice of the amendments has been presented fifteen (15) days before the meeting.

ARTICLE XIV - PERMANENCY OF THE ASSOCIATION

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

POLICY

NO. 1 - RULES AND PROCEDURES FOR ASSOCIATION MEETINGS

1. AGENDA

- 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 a Council or an Association meeting may be changed, when necessary or advisable, by general consent or by a majority vote.

Agendas for Council meetings shall be prepared in accordance with Schedule A.

- b) Motions on business not on the agenda shall be presented under New Business.

2. MOTIONS

- a) Any member may move an amendment to a motion, provided that the amendment is relevant to the motion and does not negate the intent of the motion. Such amendment shall be seconded and voted on prior to a vote on the main motion.
- b) Motions may be referred to another body or committee of the Association for its action or report.

This report may be handled in one of three ways:

- i) if the report contains only a statement of fact then no action is taken – it is simply filed;
- ii) if a subject has been referred to a committee for recommendations, these recommendations should be presented in the form of resolutions, and the member who reads the report should move their adoption;
- iii) if a motion has been referred to a committee, it automatically comes back to the assembly for consideration as soon as the committee has presented its report, regardless of whether the committee recommends the adoption or rejection of the motion, or makes no recommendation.

3. DEBATE

- a) A member desiring to speak shall raise a hand, be recognized and address the chair.
- b) The presiding officer shall call upon the members to speak in turn.
- c) After identification a member shall confine remarks to the question under debate.
- d) A member shall not speak twice to a motion, except with permission from the presiding officer.
- e) A member who moves a motion may speak a second time after all others who indicated their desire to be heard on the motion, following which the debate will be closed.
- f) A member may ask questions as often as recognized by the presiding officer.
- g) When the presiding officer wishes to enter debate, the Vice-President, or a qualified member shall assume the chair.

4. VOTING

When debate has closed, the presiding officer shall put the motion to a vote. The motion shall be read and members shall vote by raising their hands.

5. PROCEDURE

Questions arising at any meeting shall be decided by a majority or two-thirds vote as required. In case of a tie vote the result shall be declared a lost vote. Voting shall be by a show of hands.

SCHEDULE A

Agendas for Council meetings shall be prepared in accordance with the following format:

1. Call to order
2. Adoption of Minutes
3. Reports (to be delivered in the following order):
 - President
 - Treasurer
 - Chairman of standing committees (in alphabetical order)
 - Any other reports
4. Unfinished Business (business left from previous meetings)
5. New Business (that is, matters initiated at the present meeting)
6. Open Session (an opportunity for discussion and question period, members may present motions in regard to such matters)
7. Adjournment