

Association of Manitoba Hydro Staff and Supervisory Employees

By-Laws

Purpose

The following are By-Laws that will govern the operation of the Association of Manitoba Hydro Staff and Supervisory Employees.

Revision Process

These By-Laws may be added to, adjusted, or deleted upon unanimous approval of the Board of the Association. The By-Laws shall be reviewed and amended as required at a minimum of every 2 years. Members can submit proposed changes in writing to the Board of the Association.

Revisions

Section B9	Feb 7, 2019
Formatting	Oct 2023

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B.1 BANKING

B.1.1 The Association shall use an appropriate Canadian financial institution for its banking requirements.

B.1.2 All money, cheques, and drafts of the Association shall be deposited to its credit in its financial institution or trust companies promptly after receipt thereof.

B.2 BOND

B.2.1 The Association shall have a bonding account at the Association's financial institution of no less than \$50,000 that requires signatures of all Executive Officers.

B.3 BUDGET

B.3.1 An Operating Budget will be prepared by the Treasurer and presented annually to the Board of the Association for approval at a Board Meeting.

B.4 COMMITTEES

B.4.1 The Board of the Association may form a committee as required.

B.4.2 The Chairperson of the Committee(s) may request assistance from any Association member in good standing.

B. 4.3 Members may serve on more than one committee at any given time.

B. 4.4 The Chairperson of a Committee will be appointed by the President from the elected Board and are to be ratified by the Board.

B. 4.5 Grievance Committee

B. 4.5.1 The duties and terms of reference of the Grievance Committee shall be as follows:

(1) This Committee shall be comprised of not less than three members, whose duty will be to process all grievances beyond first stage.

(2) The Chairperson of the Unit involved shall normally be a member of this committee.

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(3) All reports of this Committee shall be submitted to the Board of the Association. The Board shall be held responsible for the proper maintenance and function of this Committee.

B.5 CONFIDENTIALITY

B.5.1 Members of the Board of the Association will treat all information (i.e. documents, meetings, employee information, etc.) held or in connection with its involvement in the Association as confidential unless otherwise agreed to by the Board.

B.6 EXPENSES

B.6.1 Board members will be reimbursed for reasonable expenses incurred while on Association business as approved by the Board of the Association. All expense accounts must be approved by two Executive Officers.

B.6.2 Manitoba Hydro shall be reimbursed for Board members' time away from work unless otherwise agreed to by the Association and Manitoba Hydro.

B.7 FINANCIAL REVIEW

B.7.1 A detailed review of the Association's financial records will be completed on an annual basis. It will be the responsibility of the Board of the Association to select a qualified independent representative to conduct a review of its financial records. It will be the responsibility of the Treasurer to provide the representative with the necessary information to complete the review.

B.8 MEMBER ACCESS TO INFORMATION

B.8.1 Upon written request to an Executive Officer of the Board, members may arrange an appointment for an accompanied review of documents, information, etc. Reference to specific names or incidents within these documents will be removed to protect the privacy of members.

B.9 NOMINATION AND ELECTIONS

B.9.1 The appointed Chairperson shall select a Election Committee consisting of not less than three members in accordance with Constitution C6.3

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B.9.2 A serving member of the Board of the Association whose term does not expire shall be eligible for nomination to any of the vacant positions, but if elected, he/she shall resign his/her previously held position.

B.9.3 Nominations

B.9.3.1 Nominations must be accompanied by two signatures. For unit Chairperson positions, the signatures must be from members within the unit that is up for election.

B.9.3.2 Nomination period will be no less than 5 business days.

B.9.3.3 Nominations shall only be accepted for one office in accordance with Constitution C6.4

B.9.3.4 Nominees for unit chairs must have their Manitoba Hydro headquarter zone in the unit boundaries at the time of the election.

B.9.4 Office for the President

B.9.4.1 The term of Office will be two years with the appointment being made in the even numbered years.

B.9.4.2 The appointment of President will be by secret ballot of all sitting board members who are not running for President.

B.9.4.3 The appointment of the President will be conducted in December

B.9.4.4 Nominations for President will be presented at the Board meeting in November prior to the December appointment.

B.9.5 The term for the offices of Secretary, Western, and Eastern Unit Chairperson will be two years with the appointment being made in the even numbered years.

B.9.6 The term for the offices of Vice-President, Treasurer, Northern, and Central Unit Chairperson will be two years with the appointment being made in the odd numbered years.

B.9.7 When a Board position is vacated prior to the end of the term (with the exception of the President), the vacant position may be filled for the remaining term as follows: by a member of the existing Board; by a member in good standing with approval of the Board; election may be held for the remaining term; or, position may remain vacant.

B.9.8 Election of Board Members shall be held in the last quarter of each year with the new Board to take office on January 1st of the following year.

B.9.9 Elections will be conducted via 3rd party electronic voting system that masks the results to maintain anonymity of Electors. If electronic ballots are not available, mail-in ballots will be acceptable as an alternative.

B.9.10 Electronic Voting

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B.9.10.1 Electronic voting shall be available for 5 business days.

B.9.10.2 Candidates shall provide a self-portrait and maximum 100 word biography to be posted beside their name on the ballot.

B.9.10.3 The electoral list will be generated from the AMHSSE BAR AND JURISDICTION CHANGE REPORTS no more than 2 weeks prior to the election.

B.9.11 Mail-In Ballots

B.9.11.1 Mail-in Ballots may be used as an alternative if electronic balloting is unavailable.

B.9.11.2 Ballots will be accepted for 3 weeks after they are mailed out

B.9.11.3 Ballots will include the candidates self-portrait and maximum 100 word biography to be posted beside their name on the ballot.

B.9.11.4 Ballots will include an Official Ballot sealing envelope with only the words "Voting Ballot" and "Employee #" on it, that fits into the self-addressed return envelope.

B.9.11.5 Ballots will be mailed out to each member qualifying to vote with the following:

B.9.11.3.1 Voting ballot

B.9.11.3.1 Voting Ballot envelope

B.9.11.3.1 Voting ballot self-addressed return envelope.

B.9.11.6 – Ballots will be mailed to one member of the Election Committee

B.9.11.7 The electoral list will be generated from the AMHSSE BAR AND JURISDICTION CHANGE REPORTS no more than 2 weeks prior to the election.

B.9.11.8 Ballots can be prepared, labelled, and mailed by 3rd party individuals not related to any of the running candidates.

B.9.11.9 Ballots should be mailed by interoffice mail with prior consent from Labour Relations

B.9.11.10 In the event that interoffice mail is not permitted, 14 business days must be added to the election time lines to allow for delivery and return postage.

B.9.12 Counting Ballots

B.9.12.1 Ballots shall be counted within 2 business days of the close of the election.

B.9.12.2 Electronic ballots results will be provided from the system showing Total # of ballots cast, number of ballots each candidate received, and the number of Abstained ballots.

B.9.12.3 Mail-in ballots

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B.9.12.3.1 Mail-in ballots will be opened with all three Election Committee members present. No candidates may be present. Witnesses can be present from the general membership with written request to the Elections Committee.

B.9.12.3.2 All ballot envelopes will be removed from return address envelope without opening the ballot envelope.

B.9.12.3.3 All ballot envelopes will have the employee number recorded and cross referenced with the master electoral list. Any ballot envelope without a valid employee number will be considered spoiled, but still counted as a ballot.

B.9.12.3.4 Once all ballot envelopes have been recorded, all valid ballots will be opened and the ballots removed. Ballots will then be double counted and recorded.

B.9.12.3.4 Spoiled Ballots are ballots that don't have a valid employee number associated with the ballot envelope or have more than one candidate with an indicating mark (x or other indicating symbol). Spoiled Ballots are still counted as cast ballots, but do not count towards any candidates.

B.9.13 Communicating Results

B.9.13.1 With the exception of the Office of President, the results of the election will be communicated to the President immediately upon counting completion.

B.9.13.2 The results of the election will be communicated by email to the Electors within 2 business days of the close of the election.

B.9.13.3 The results of the election will be communicated by email to Labour Relations within 5 business days of the close of the election.

B.9.13.4 For the Office of President, the results of the election will be communicated to the Labour Relations within 2 business days of the close of the election and within 5 business days of the close of the election to all the members.

Constitutional References

Article C.6 - Nominations and Election of Board Members

C.6.1 The President shall appoint a Chairperson of the Elections Committee in October of each year.

C.6.2 Elections will follow policies and procedures as described in the AMHSSE By-Laws.

C.6.3 No Board member or members seeking election shall be a member of the Elections Committee.

C.6.4 Nominations shall only be accepted for one office.

C.6.5 Where more than one member is nominated or stands for a Board member position, the election will be by secret ballot. Each candidate shall have a clear plurality of votes cast to be elected.

C.6.6 Unit Chairpersons shall be nominated and elected by ballot by members of Unit concerned as defined in the By-Laws. This election shall follow the election of Executive Officers

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C.4.3 The President shall have at least two years' experience on the Board of the Association and be a current member of the Board prior to taking the President's office. The office of the President will be filled by an appointment by the Board.

B.10 ORDER OF BUSINESS for BOARD MEETINGS

- (1) Approval of Minutes of Previous Meeting.
- (2) Board Member Reports.
- (3) Committee Reports.
- (4) Action Items.
- (5) Correspondence.
- (6) Delegates.
- (7) New Business.

B.11 POSTAL ADDRESS

B.11.1 The postal address of the Association will be Box 353, 971 Corydon Avenue, Winnipeg, Manitoba, R3M 3V3, or at such place in the City of Winnipeg as the Board may decide.

B.12 RULES OF ORDER

B.12.1 Proceedings of the Association and of meetings of the Board shall be conducted with reference to Robert's Rules of Order.

B.12.2 The President shall state every question coming before the Association and, before allowing debate thereon and immediately before putting it to a vote, should ask, "Is the Association ready for the question?" Should no member rise to speak and the Association indicate readiness, the question shall then be put. After the President has risen, no member should be permitted to speak upon the question.

B.12.3 A motion to be entertained by the presiding officer must be seconded and the mover, as well as the seconder, must rise and be recognized by the Chair.

B. 12.4 On motion, the regular order of business may be suspended by a two-thirds vote of those present to deal with any urgent business.

B.12.5 All resolutions and motions, other than adjournment, or those to accept or adopt the report of a committee shall, if requested by the presiding officer, be presented in writing a minimum of 7 days before being put to the Association.

B.12.6 Any member having a motion may withdraw it, with consent of the seconder.

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B.12.7 When a member desires to speak on a question or point of order or offers a motion, he/she shall rise in his/her place and respectfully address the presiding officer, but he/she shall not proceed further until recognized by the Chair.

B.12.8 When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor first.

B.12.9 Every member when speaking, shall adhere to the question under debate, and avoid all personal or offensive language as well as any reflection on the Association or any members thereof.

B.12.10 If a member, while speaking, is called to order, he/she shall cease speaking until the point is determined, when, if decided in order, he may again proceed.

B.12.11 No member, except the Chairperson of a Committee or the mover or seconder of a resolution, shall speak more than ten minutes at any one time, or more than once to the same question, until all members requesting to speak have had an opportunity to do so; at which time he/she may be allowed by permission of the Chair to speak a second time.

B.12.12 The President shall take no part in debate while presiding, but may yield the Chair to the Vice-President in order to speak on any question before the Association, or to introduce a new question.

B.12.13 The presiding officer shall only have the right to vote on the floor at a General Meeting or Special General Meeting of the membership in the case of a tie vote. In the case of a ballot vote, he/she shall be entitled to one ballot only.

B.12.14 When a question has been put, no motion shall be in order except:

- (1) to adjourn,
- (2) the previous question,
- (3) to lay on the table,
- (4) to postpone for a definite time,
- (5) to refer,
- (6) to divide or amend, when motions shall have precedence in the order named. The first three of these shall be decided without debate.

B.12.15 A motion to adjourn is in order except:

- (1) when a member has the floor;
- (2) when members are voting.

B.12.16 When the decision of the President is appealed, he/she shall state his/her decision and the reasons therefore from the Chair. The party appealing the decision shall state briefly the reason for the appeal, after which without further debate, the question shall be put thus: "*Shall the decision of the Chair stand as a decision of the Association?*" It shall require a majority vote to sustain such an appeal.

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B.12.17 No member shall enter or leave a meeting during the reading of the minutes or the taking of a vote.