CONSTITUTION
AND
BYLAWS

Association of Employees
Supporting Education Services

April 8, 2025

CONSTITUTION

Association of Employees
Supporting Education Services

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ARTICLE 1 - NAME AND OBJECT

1.1 The name of this Association shall be the Association of Employees Supporting Education Services, and may be referred to by the title AESES. Hereinafter called "the Association."

1.2 AESES Mission Statement is that AESES strives to foster and maintain an environment of respect, cooperation and fairness while representing the members' interests.

1.3 The objectives of the Association shall be:

a) to promote and foster relations between employee(s) and employer(s) including, without limiting the generality of the foregoing, bargaining collectively on behalf of the employee(s) within the jurisdiction of the Association.
b) to promote and foster the social, economic and general welfare of its members.
c) to ensure equitable treatment of members and foster the principles of equity, diversity, inclusion, and accessibility.
d) to promote and foster goodwill and effective communication between employee(s) and employer(s).
e) to secure appropriate wages, working conditions, hours of work, job security, and fringe benefits for all members.
f) to educate members on matters relating to collective bargaining.
g) to contribute to the quality of university life.

ARTICLE 2 - MEMBERSHIP

2.1 All employees supporting education services at an educational institution, who have submitted a membership application shall be eligible for membership in the Association.

2.2 It shall be understood that each applicant, by becoming a member of the Association, agrees and subscribes to its policies and Constitution.

ARTICLE 3 - DUES

3.1 Changes in the membership dues must be recommended by the Board of Representatives to the General Membership with three (3) weeks' written notice and approved by a two-thirds majority at a General Meeting, with a vote to be taken by secret ballot.

3.2 Notwithstanding Article 3.1, individual members may propose changes in the dues structure provided:

a) the proposal is submitted in writing by one hundred (100) active members of the Association; and
b) the General Membership is provided with three (3) weeks' written notice of a General Meeting at which the matter will be voted upon.

ARTICLE 4 - GOVERNANCE

4.1 The highest authority for deciding the policies and managing the affairs of the Association is the membership of the Association.

4.2 The powers of the Board of Representatives and the Executive Council shall be exercised in accordance with this Constitution and the Bylaws.

4.3 For Administration purposes, the membership shall be divided into districts. The composition of the districts will be reviewed by the Electoral and Districting Committee. Recommendations for change are subject to the approval of the Board of Representatives.

ARTICLE 5 - BOARD OF REPRESENTATIVES AND EXECUTIVE COUNCIL

Board of Representatives

5.1.1 Between General Meetings, the management, direction and control of the affairs of the Association, including control over the Association's funds, properties, other assets and raising of revenue, shall be vested in the Board of Representatives.

5.1.2 At the first meeting following their election, the Board of Representatives shall elect, from among themselves, an Executive Council in accordance with Article 6.3.

5.1.3 The Board of Representatives shall meet at least once every three (3) months, at such times and in such places as may be designated by the Executive Council, provided, however, that a Special Meeting of the Board of Representatives may be called as and when required by a petition signed by five (5) of the Representatives.

5.1.4 A majority (50% + 1) of the voting members of the Board shall constitute a quorum of the Board. Each of the voting members of the Board in attendance, with the exception of the Chair, shall have one vote. The Chair of the Board Meeting shall cast the deciding vote in the event of a tie.

5.1.5 The President may call for an e-mail vote if expedience is necessary and a meeting of the Board is not feasible. An email will be sent to members stating the motion and each member will have 24 hours to respond and cast a vote. All communication on the motion must be copied to all other Board members. A majority of the members must respond for the vote to be valid. Results of the vote will be noted in the minutes of the following meeting.

5.1.6 The Board shall be empowered to engage the services of advisors at any time and for any length of time that advice is required for the performance of their duties as laid down in the Constitution.

Executive Council

5.2.1 Between meetings of the Board of Representatives, the affairs of the Association shall be conducted by the Executive Council, composed of the following persons:

a) the President
b) the Executive Vice-President
c) the Vice-President(s): University of Manitoba Bannatyne Campus, University of Manitoba Fort Garry Campus; The University of Winnipeg
d) the Administrative Secretary
e) the Treasurer
f) the Contract Administrator(s)
g) The Bargaining Unit/Campus from which the Executive Vice-President is from shall be deemed to be represented by the aforementioned Executive Vice-President and NO Vice-President will be elected in the Unit/Campus.

5.2.2 Meetings of the Executive Council shall be held at least ten (10) times per year. The meetings shall be called by the President or two of the elected members of the Council on at least three (3) days written notice to each member of the Council. The notice requirement may be waived by agreement of all Executive Council members.

5.2.3 No member of the Executive Council shall have the right of more than one vote as a result of holding more than one position.

5.2.4 The President may call for an e-mail vote if expedience is necessary and a meeting of the Executive is not feasible. An e-mail will be sent to members stating the motion and each member will have 24 hours to respond and cast a vote. All communication on the motion must be copied to all other Executive members. A majority of the members must respond for the vote to be valid. Results of the vote will be noted in the minutes of the following meeting.

5.2.5 The Executive shall be empowered to engage the services of advisors at any time and for any length of time that advice is required for the performance of their duties as laid down in the Constitution.

ARTICLE 6 - ELECTIONS

6.1 Any member of the Association in good standing shall be eligible for election to the Board of Representatives or the Negotiation Committee(s).

Board of Representatives

6.2.1 The Board of Representatives shall be elected by a mailed ballot vote in accordance with Bylaw 8.

6.2.2 Should any member of the Board of Representatives fail to attend three (3) consecutive regularly scheduled meetings of the Board of Representatives without providing prior notice, then that member shall be deemed to have resigned from the Board of Representatives.

Executive Council

6.3.1 The Executive Officers of the Executive Council of the Association, with the exception of the Vice-President(s) and the Contract Administrator(s), shall be elected by the Board of Representatives from among themselves, at the first meeting following their election. Each Vice-President shall be elected by and from a caucus of those members of the Board of Representatives representing the employees from their respective Bargaining Unit/Campus, at the first meeting of the Board of Representatives following their election. The Contract Administrator(s) shall be appointed in accordance with Bylaw 8.5.1.

6.3.2 If a vacancy occurs in the Executive Council during a term of office, a new Executive Officer shall be elected in accordance with Article 6.3.1 at the first meeting of the Board of Representatives following the arisal of the vacancy.

Negotiation Committees

6.4 Negotiation committees shall be elected by a mailed ballot vote in accordance with Bylaw 8.

ARTICLE 7 - GENERAL MEETINGS

General Meetings

7.1.1 The members present at a General Meeting shall constitute a quorum.

7.1.2 The Annual General Meeting of the members of the Association shall be held in April or May.

a) The function of the Annual General Meeting is to receive an accounting from the Board of Representatives of the conduct of business and affairs of the Association for the preceding year.
b) The Executive shall send written notice to the membership of the precise time and place of the meeting, together with proposed agenda, written reports, constitutional amendments and Bylaws at least three (3) weeks in advance of the meeting date.

7.1.3 Notwithstanding Article 7.1.2 [or Bylaw 11.1], should world events be such that convening the Annual General Meeting could result in physical and/or health-related danger to members, the Board of Representatives shall have the ability, by a two-thirds (2/3) majority vote, to cancel the Annual General Meeting in its entirety, or to postpone or reschedule the Annual General Meeting to a time when such physical and/or health-related dangers are no longer present, or to complete the functions of the Annual General Meeting virtually or by other means.

7.1.4 The Agenda for all other General Meetings shall be distributed to the members eligible to attend at least one (1) week prior to the meeting.

7.1.5 Any one hundred (100) members of the Association may petition the Executive Council to hold a Special General Meeting of the Association. The Executive Council must call and hold such a meeting within three (3) weeks of the receipt of such a petition. Where a Special General Meeting is not held within the time limit prescribed herein, any one of the members petitioning may call such a meeting. This meeting must be held within six (6) weeks of the date of the original presentation of the petition.

Referendum

7.2.1 The Board may of its own power submit any question to a referendum of the membership, either as a whole or for a particular bargaining unit.

7.2.2 Referendum for purposes of ratifying a collective agreement shall be conducted in accordance with Bylaw 11.2.

Rules of Order

7.3.1 Roberts Rules of Order (Revised) shall apply to all meetings of the Association except if such rules are in opposition with the Constitution and the Bylaws of the Association.

7.3.2 Each voting member of the Association in attendance at a General Meeting (except for the Chair) shall have one vote. No proxy votes shall be allowed. The Chair of the meeting shall cast a vote only to break a tie.

ARTICLE 8 - FINANCES

8.1 A meeting of the Board of Representatives shall be called prior to the beginning of each fiscal year. At this meeting the budget for the forthcoming fiscal year shall be submitted to the Board of Representatives for consideration and approval. Prior to this meeting a copy of the proposed budget shall be forwarded to the general membership.

ARTICLE 9 - AMENDMENTS TO THE CONSTITUTION AND BYLAWS

Constitution

9.1.1 The Constitution may only be amended by a two-thirds majority of the votes cast by the members in attendance at the General Meeting at which the vote is taken.

9.1.2 All proposed amendments to the Constitution or Bylaws shall be submitted to the AESES Business Office which will make them available in published form to the membership.

9.1.3 Proposed amendments to the Constitution may only be submitted by an active member.

Bylaws

9.2 The Board of Representatives is empowered to pass and/or amend Bylaws and to put these Bylaws into effect provided that:

a) any Bylaw must be passed and/or amended at a regular meeting of the Board by a two-thirds (2/3) majority of the voting membership of the Board present.
b) all Bylaws and amendments thereto must be approved by the general membership at the next Annual General Meeting.
c) if a Bylaw is rejected by the membership at a General Meeting, then that Bylaw shall no longer be effective. No Bylaw incorporating the substance of that Bylaw may subsequently be put into effect by the Board until approval of the membership is obtained at a General Meeting.

ARTICLE 10 - DEFENCE FUND

10.1 The Association shall establish and maintain a Defence Fund, which shall be used to support economic action and to cover legal costs incurred in defence of the Association and/or its members.

Elected Presidents since founding:

T. M. Petty	1972 - 1974
P. S. Lindsay	1974 - 1975
P. R. Hazelton	1975 - 1978
W. R. Pucci	1978 - 1986
C. J. Hecky	1986 - 1988
W. R. Pucci	1988 - 1999
J. L. Sealey	1999 - 2006
T. W. Moyle	2006 - 2014
L. R. Morris	2014 - 2022
C. McCann	2022 -

The Constitution of the Association of Employees Supporting Education Services was formally adopted at the Charter Meeting held December 9, 1972, at the University of Manitoba in Winnipeg. The Association was certified as a Bargaining Agent on May 10, 1973.

The Constitution has been amended at the Annual General Meetings held on November 30, 1973; November 26, 1975; March 30, 1976; March 29, 1977; March 30, 1978; March 20, 1980; March 26, 1981; March 25, 1982; March 24, 1983; March 22, 1984; March 27, 1985; March 27, 1986; March 26, 1987; March 24, 1988; March 25, 1993; March 23, 1995; March 21, 1996; March 20, 1997; April 7, 1998; March 21, 2000; March 13, 2001; March 12, 2002; March 11, 2003, March 9, 2004, March 14, 2006, March 13, 2007, March 11, 2008, March 24, 2009, March 19, 2013, March 18, 2014, April 12, 2016, April 13, 2021, and April 9, 2024.

BYLAWS

Association of Employees
Supporting Education Services

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BYLAW 1 - MEMBERSHIP

Membership Eligibility

1.1.1 All eligible persons, as defined in Article 2 of the Constitution, may submit an application for membership at any time, at which point the membership shall become immediately effective.

1.1.2 The making of wilful misstatements or the entering of untrue/misleading information on an application for membership in AESES, hereinafter referred to as "the Association" shall be cause for rejection.

Classification of Members

1.2.1 **Active Members** - An active member is a person who is gainfully employed in an educational institution and who meets the requirements of eligibility as set forth in Article 2 of the Constitution.

1.2.2 **Inactive Members** - An inactive member is a member who has been taken off the employer payroll for a period less than or equal to twenty-four (24) months because of a layoff or an approved absence (not including retirement). Members on Long Term Disability shall also be inactive members. During this period they shall retain full rights and privileges of membership unless they take employment with the Association. In this instance, all rights and privileges shall be suspended for the duration of employment with the Association.

1.2.3 **Life Members** - Life membership will be granted to a member upon retirement. Life members shall be entitled to attend AESES meetings, but shall not be entitled to hold voting positions in the Association. Life Members may volunteer to serve the Association for events and on committees. For committee work they shall have no voting rights or be entitled to obtain remuneration.

1.2.4 **Honourary Life Members** - Honourary Life Membership may be conferred by the Board of Representatives in recognition of outstanding contribution to the Association. Such membership shall be of an honourary nature, and could be presented to a member either upon retirement or at the point in time that they cease to be a member of the Association. Honourary Life membership shall include the right to attend meetings however, Honourary Life members shall not be entitled to vote in affairs of the Association. Conferral of Honourary Life membership shall require a two-thirds vote of the Board of Representatives. An Honourary Life Member will not be permitted to attend AESES meetings or serve on committees for the term of their employment if they are employed by either University in a non-AESES position.

1.2.5 **Honourary Life Member - Past President** - Honourary Life Membership - Past President may be conferred upon Past Presidents of the Association by majority vote of the Board of Representatives. Past Presidents shall become eligible for appointment as Honourary Life Member – Past President either upon retirement or at the point in time that they cease to be a member of the Association. Honourary Life Member – Past

Presidents may be appointed to committees or otherwise serve the Association. An Honourary Life Member-Past President will not be permitted to attend AESES meetings or serve on committees for the term of their employment if they are employed by either University in a non-AESES position.

Membership

1.3.1 Upon acceptance into membership, the applicant shall receive a Collective Agreement, a membership card, and a copy of the Constitution.

1.3.2 Membership cards shall contain at least the following: member's name, President's signature, and the name of the Association.

Registry

1.4 In the event a member changes their name, work location, mailing address, or classification, it shall be the responsibility of such a member to advise the Business Office in writing of such a change in order to correct the Association's records.

BYLAW 2 - VIOLATIONS

Violations

2.1 The following shall constitute specific charges which may be brought forth under the terms of this Bylaw.

a) misappropriating funds or other assets of the Association.
b) divulging to unauthorized persons the confidential business of the Association.
c) violating the terms and provisions of this Constitution or Bylaws of the Association.
d) engaging in any activity or course of conduct contrary or detrimental to the welfare or best interest of the Association.
e) working in the interest of, or accepting membership in, any organization opposed to this Association.
f) using the Association's name for soliciting funds, advertising, or any other purpose prejudicial to the interests of the Association.

Suspension and Expulsion from Membership

2.2.1 Any member in good standing may file <u>allegations</u> against any member of the Association, alleging commission of any of the offenses described in Bylaw 2.1.1 above. All <u>allegations</u> shall be in writing and are to be submitted to the Board of Representatives.

2.2.2 The Board of Representatives shall give written notice of the allegation to the member in question. Such notice shall state the nature of the alleged act or offence, and shall provide a hearing date, time and location at which the member may appear before the Board of Representatives in person to respond to the allegations. Such hearing shall take place no later than one (1) month following the filing of <u>allegations</u>.

2.2.3 Having received proper notice, should the member decline or neglect to appear before the Board of Representatives, the committee may proceed to consider the matter and pass any resolution as to the member's status in the member's absence.

2.2.4 At the hearing, the Board of Representatives shall hear such evidence and argument as may be submitted by both the person alleging the charges and the responding member, or by their representatives. The decision of the Board shall be rendered within two (2) weeks of the hearing date. If the allegations are upheld, the Board shall have the power to impose such penalty either by way of suspension or expulsion as it shall, in its discretion, deem appropriate.

2.2.5 The responding member where the allegations are upheld, or the complainant in the case of an acquittal, shall be entitled to appeal in writing within fourteen (14) calendar days of the decision of the Board of Representatives to an Arbitrator. The decision of the Arbitrator shall be final and binding on all parties.

2.2.6 Suspension or expulsion shall incur immediate withdrawal of entitlement to vote, hold office, or enjoy any other privileges of membership in the Association.

Reinstatement

2.3.1 Any inactive member whose membership has lapsed by operation of the Constitution and Bylaws, but through no fault of their own, may be reinstated by resuming payment of dues and without having to pay any further initiation fee, provided that the condition which caused their active membership to lapse has been removed.

2.3.2 Written notification from the member requesting reinstatement shall be made to the Board of Representatives.

2.3.3 Expulsion and suspension from privileges of membership shall only be lifted when the member concerned has given full written assurance to the Association that they will abide by the Constitution, Bylaws and Regulations of the Association, and that they will desist from further activities harmful to the Association.

2.3.4 Written notice of the lifting of the expulsion or suspension shall come from the Board of Representatives, and shall take effect as of the date of the written notice.

Termination of Membership

2.4.1 A person whose membership is terminated, either voluntarily or involuntarily, shall have no right to or interest in any property of the Association, nor claim to dues, assessments, or other financial obligations incurred by him/her (with the exception of those expenses that could be claimed under the provisions of Bylaw 3.3) before the effective date of such termination.

2.4.2 Membership in the Association shall be terminated for the following reasons:

a) Expulsion from the Association.
b) Voluntary resignation from membership.

2.4.3 Termination of membership shall result in termination of entitlement to vote, hold office, or exercise any other privilege of membership in the Association.

Expulsion from Office

2.5.1 Any member of the Association may bring allegations against any elected or appointed official for unsatisfactory performance of duty. The said member shall furnish written particulars of the allegation(s) to the Executive Council.

2.5.2 If an accusation is justified, the Executive Council shall issue the notice of impeachment to the respondent and shall establish a hearing by the Board of Representatives within thirty (30) calendar days. If, on the other hand, the Council feels that the charges are not justified, they shall so advise the complainant, who shall have seven (7) calendar days in which to appeal this decision, and in this event, a hearing shall be held at the next regular meeting of the Board of Representatives.

2.5.3 Where the Board of Representatives determines, by a two-thirds (2/3) majority vote, that the allegations are upheld, the respondent shall be removed from office.

Appeal

2.6 The respondent may within seven (7) calendar days of the Board's decision, file an appeal for a hearing at a Special Meeting of the Board of Representatives, whose decision shall be final and binding. The Special Meeting shall be held no later than thirty (30) calendar days following the receipt of their appeal.

BYLAW 3 - FINANCES, EXPENSES AND SALARIES

Finances

3.1.1 The Association's financial year shall be January 1st to December 31st.

3.1.2 All bills, notes, cheques or other negotiable items of the Association shall be issued in the name of the Association.

3.1.3 The Auditor shall be determined and retained by the Board of Representatives.

Defence Fund

3.2.1 Allocation of funds shall be approved by a majority vote at a Board Meeting.

3.2.2 Use of the fund for purposes other than those specified in Article 10.1 of the Constitution must be approved by a two-thirds vote at a General Meeting, with three weeks' notice.

Expenses

3.3.1 Personal expense claims of the officers and staff of the Association shall require approval of the Executive Council, or one of its members duly authorized to do so.

3.3.2 Allowable expenses shall include communications and transportation costs and other costs as may be determined by the Board of Representatives.

Salaries

3.4 Association staff shall be paid salaries as determined by the Board of Representatives.

BYLAW 4 - DUES AND ASSESSMENTS

4.1 The level of dues is to be 1.00% of salary.

4.2 Any changes to membership dues shall be recommended by the Board of Representatives to the membership for approval in accordance with Article 3 of the Constitution.

4.3 Dues shall be paid through payroll deduction.

4.4 Dues and supplementary assessments shall not be collected from inactive or life members.

4.5 By two-thirds majority vote of the Board of Representatives and on the provision of thirty days' notice, supplementary assessments may be levied on all members to meet expenses of an extraordinary nature. Assessments shall not exceed a maximum of 0.15% of current annual salary.

BYLAW 5 - GOVERNING BODIES

Districts

5.1.1 Districts shall be approximately eighty (80) members where it is feasible.

5.1.2 The Electoral and Districting Committee may alter the composition of the Districts subject to approval by the Board of Representatives.

Board of Representatives

5.2.1 The Executive Director appointed in accordance with Bylaw 8.4 when in office shall be an ex officio member of the Board with voice but no vote.

5.2.2 The immediate Past-President shall be an ex officio member of the Board with voice but no vote.

5.2.3 Notice and a tentative agenda of each Board Meeting shall be sent to each Board member at least one (1) week prior to the proposed date of meeting.

Executive Council

5.3.1 Minutes of all Executive Council Meetings, containing a summary of all items discussed, shall be forwarded promptly to all members of the Board of Representatives.

5.3.2 The Board may reverse or modify decisions made by the Executive Council by a simple majority of the members in attendance at the meeting.

5.3.3 The Labour Relations Officer(s) and Executive Director shall be ex officio members of the Executive Council, with voice but no vote.

BYLAW 6 - STANDING COMMITTEES

6.1 Standing Committees of the Association are:
a) Activities Committee
b) Classification Committee
c) Diversity Committee
d) Education Committee
e) Electoral and Districting Committee
f) Finance Committee
g) Negotiation Committee for each Bargaining Unit
h) Safety and Health Committee

6.2 Chairs of Standing Committees, other than the Negotiation Committee(s), shall be appointed by the Executive Council from a list of names consisting of those members who have expressed their wish to become the Chair of any particular committee.

6.3 Each standing committee as defined in this Bylaw shall contain at least one member of the Board of Representatives.

6.4 In addition to the Standing Committees described in this Bylaw, the President may establish such other committees as necessary. The President, Executive and/or Board may appoint other members of the Association to assist the Standing Committees.

BYLAW 7 - NEGOTIATION COMMITTEE(S)

7.1 All references to Negotiation Committee shall refer to the Negotiation Committee of the Bargaining Unit whose collective agreement is under negotiation.

7.2 The following persons shall also be members of the Negotiation Committee:
a) the President of the Association
b) the Vice-President(s) of the Bargaining Unit
c) the Labour Relations Officer

7.3 The Executive Council may further add up to twelve (12) additional persons to the Negotiation Committee in order to ensure adequate representation of all of the various interest groups within the Bargaining Unit. Under no circumstances may the number of Executive appointees exceed three (3) less than the number of members elected to the Negotiation Committee.

7.4 The Negotiation Committee may permit the attendance of such non-voting observers as it deems appropriate and, subject to the approval of the Board of Representatives, shall be empowered to engage the services of such advisors as may be necessary.

7.5 The members of the Negotiation Committee shall elect their own Chair.

7.6 The Negotiation Committee shall have the sole authority to negotiate with the employer on behalf of its members. However, the Negotiation Committee shall be empowered to establish a Bargaining Team consisting of some of its own members to conduct the actual negotiations with the employer.

7.7 Any member of the Association who has been appointed or elected to the Negotiation Committee shall continue to serve on that Committee until such member resigns, is removed by the Board of Representatives (in accordance to Bylaw 2.4) or their term of office expires. The term of office is the duration as defined in Bylaw 8.2.2.

BYLAW 8 - ELECTIONS AND APPOINTMENTS

Board of Representatives

8.1.1 Each District shall elect one (1) member to the Board of Representatives for its Bargaining Unit. However, where it is administratively impractical to define a District of less than approximately eighty (80) members, that District shall be entitled to elect additional members to the Board of Representatives for its Bargaining Unit, such that a ratio of one (1) representative to approximately eighty (80) members is maintained.

8.1.2 Members may only be elected to represent the District to which they belong. Only in the event that their District is fully represented may the member be elected to represent a District that has a vacant position.

8.1.3 For the University of Manitoba bargaining unit, members may only be elected to represent a District at the campus their own District falls within (Fort Garry or Bannatyne). Where a member moves to a job at the opposite campus during their term of office on the Board, they will be permitted to remain as a Board Representative for their previous District for a maximum of two (2) months.

8.1.4 Each member of the Board of Representatives shall be elected for a two (2) year term. Elections shall be held in March, to take office in the first meeting in May.

8.1.5 If a vacancy occurs in the Board of Representatives during a term of office, the Board may direct the Electoral and Districting Committee to hold a by-election in the District affected.

Negotiation Committees

8.2.1 Each District shall elect one (1) member to the Negotiation Committee for its Bargaining Unit except as provided:

a) Where it is administratively impractical to define a District of less than approximately eighty (80) members, that District shall be entitled to elect additional members to the Negotiation Committee for its Bargaining Unit, such that a ratio of one (1) representative to approximately eighty (80) members is maintained; or

b) Where there are fewer than fifteen (15) Districts in a Bargaining Unit, provision shall be made to allow for the election for up to fifteen (15) representatives to the Negotiation Committee for that Bargaining Unit. The election of the members shall be divided equally among the Districts of the Bargaining Unit.

8.2.2 Each member of the Negotiation Committee shall serve for a term that shall expire on the later date of either the signing of the collective agreement negotiated by that Negotiation Committee or ten (10) months prior to the termination of the collective agreement negotiated by that Negotiation Committee. Election shall be held immediately following expiration of the term of the members of the previous Negotiation Committee.

8.2.3 If a vacancy occurs in the Negotiation Committee during a term of office, the Board may direct the Electoral and Districting Committee to hold a by-election in the District affected.

Bargaining Team

8.3.1 When selecting a Bargaining Team, a Negotiation Committee will, by election, select a team as per the following;

a) UM - up to seven (7) members plus two (2) alternates.
b) UW - up to five (5) members plus two (2) alternates.
c) UMSS - two (2) members plus one (1) alternate.
d) SAC - all members of the unit that wish to be present.

8.3.2 Alternate members will be entitled to attend all caucus meetings of the Bargaining Team and to participate in all discussions. In the event that a Regular Member of the Bargaining Team is unable to attend meetings with the Employer, the Alternate Member shall be entitled to attend in place of that Regular Member and, if necessary, vote.

Election Procedures

8.4.1 The Electoral and Districting Committee shall canvas the Districts for nominations.

8.4.2 Nominations, in writing, signed by two (2) members in good standing, and accompanied by the written consent of the nominee, shall be forwarded to the Electoral and Districting Committee. The nominators must be from the district that is being represented. The nominee must be from the Bargaining Unit being represented.

8.4.3 The Electoral and Districting Committee shall prepare an election slate of the nominations for each District, from which the respective members will elect their representative.

8.4.4 The official ballot for each District shall have recorded therein the names, in alphabetical order, of their respective candidates for each election to the Board of Representatives or the Negotiation Committee. The official ballot shall be sent out by the Electoral and Districting Committee to each member of the District at least two (2) weeks before the ballots are to be counted. The Electoral and Districting Committee shall announce the election results after each election.

8.4.5 The Electoral and Districting Committee shall certify in writing to the President of the Association the results of the election of each representative, showing the number of votes for each candidate. Each newly elected representative shall take office following their election and shall continue to serve until such member resigns, is removed by the Board of Representatives, or the term of office expires.

8.4.6 Should a member of the Electoral and Districting Committee be nominated, they shall resign from the Electoral and Districting Committee and the vacancy shall be filled by appointment by the Executive Council.

Appointments

8.5.1 The Contract Administrator(s) shall be appointed by the Executive Council at the recommendation of the Negotiation Committee or Bargaining Team.

8.5.2 All continuing staff positions within the Association office are established and authorized by the Board of Representatives.

8.5.3 The Board of Representatives shall employ Association staff positions on such terms and conditions as they determine.

BYLAW 9 - OFFICERS: DUTIES AND FUNCTIONS

President

9.1.1 The President shall function as Chief Executive Officer of the Association. They shall exercise supervision over the affairs of the Association.

9.1.2 The President shall preside at all meetings of the Executive Council, the Board of Representatives, and the General Meetings of the Association.

9.1.3 The President shall be an ex officio member of all committees.

9.1.4 The President shall have the authority to convene, or cause to be convened a meeting of any body within the Association.

9.1.5 The President shall perform such duties as may be assigned by the Executive Council or by the Board of Representatives.

Executive Vice-President

9.2.1 The Executive Vice-President shall perform all duties of the President in the latter's absence or inability to perform simultaneous duties.

9.2.2 The Executive Vice-President shall assist the President in the performance of their duties and shall be a member of the Executive Council.

9.2.3 The Executive Vice-President shall be an ex officio member of a committee(s) as determined by the Executive.

Vice-President

9.3.1 Each Vice-President shall assist the President in the performance of their duties and shall be a member of the Executive Council.

9.3.2 Each Vice-President shall be an ex officio member of all committees pertaining to their Bargaining Unit.

9.3.3 Each Vice-President shall be an ex officio member of a committee(s) as determined by the Executive.

Administrative Secretary

9.4.1 The Administrative Secretary shall be a member of the Executive Council.

9.4.2 The Administrative Secretary or their designate, shall record the minutes of the meetings of the Executive Council, the Board of Representatives, and all General Meetings.

9.4.3 The Administrative Secretary shall ensure that the minutes of the Executive Council meetings are distributed to the Board of Representatives.

9.4.4 The Administrative Secretary shall ensure that the minutes of the Board Meetings are distributed to the Board of Representatives.

9.4.5 The Administrative Secretary shall be an ex officio member of a committee(s) as determined by the Executive.

Treasurer

9.5.1 The Treasurer shall be a member of the Executive Council.

9.5.2 The Treasurer shall be responsible for ensuring that all Association funds are received and deposited in the name of the Association in a Chartered Bank or similar financial institution.

9.5.3 The Treasurer shall be responsible for ensuring the disbursement and investment of funds subject to the policies of the Board of Representatives.

9.5.4 The Treasurer shall prepare complete annual financial statements covering income and expenses for the fiscal year and the assets and liabilities of the Association. Such statements shall be certified by an independent auditor for presentation at the Annual General Meetings.

9.5.5 The Treasurer shall furnish a financial report to the Finance Committee and the Board of Representatives as required.

9.5.6 The Treasurer shall be an ex officio member of a committee(s) as determined by the Executive.

Contract Administrator(s)

9.6.1 The following Bargaining Units shall be entitled to a Contract Administrator: University of Manitoba and The University of Winnipeg.

9.6.2 The Contract Administrator(s) shall be recommended by the Negotiation Committee or Bargaining Team of the appropriate Bargaining Unit, and shall oversee the administration of the Collective Agreement in effect for their Bargaining Unit.

9.6.3 The Contract Administrator(s) representing a Bargaining Unit with four (4) or more Districts shall be a member of the Executive Council.

9.6.4 The Contractor Administrator(s) shall be an ex officio member of a committee(s) as determined by the Executive.

District Representatives

9.7.1 A District Representative shall perform all functions required of him/her as a member of the Board of Representatives as provided for in the Constitution and Bylaws.

9.7.2 A District Representative shall be a member of the Board of Representatives.

9.7.3 A District Representative shall act as both consultant to members in their District and as their liaison with the Board of Representatives and the Association.

Labour Relations Officer

9.8.1 The Labour Relations Officer shall attend meetings of the Executive Council and other meetings as required.

9.8.2 The Labour Relations Officer shall be subject to the instructions from the President.

9.8.3 A Labour Relations Officer shall serve on the Negotiation Committee(s) and shall give reports on negotiations to the Board of Representatives.

9.8.4 The Labour Relations Officer shall provide reports on the administration of the duties of their position(s) to the President and/or Executive Council.

9.8.5 In the event of a vacancy in the position(s) of Labour Relations Officer, the President or their delegate shall assume the functions and duties of the position(s) as necessary.

Executive Director

9.9.1 The Executive Director shall attend meetings of the Executive Council, Board and other meetings as required.

9.9.2 The Executive Director shall be subject to the instructions from the President.

9.9.3 The Executive Director shall provide reports on the administration of the duties of their position to the President and/or Executive.

9.9.4 In the event of a vacancy in the position of Executive Director, the President or their delegate shall assume the functions and duties of the position as necessary.

BYLAW 10 - LIMITATION OF LIABILITY AND INDEMNITY

10.1 Limitation of liability: While executing the duties of their office, no Officer, Board member or committee member of AESES shall be liable for any loss, damage, misfortune, or for any act, omission, neglect or default of any other Officer, Board member, committee member, member of AESES, or employee of AESES.

10.2 AESES indemnifies and saves its elected representatives and/or employees harmless from any personal or financial liability for actions or causes of actions arising directly or indirectly from their conscientious conduct of AESES affairs, either by act or omission.

BYLAW 11 - GENERAL MEETINGS

General Meetings

11.1 The Annual General Meeting of the members of the Association shall be held in April or May.

a) There shall be placed before the Annual General Meeting the following reports:
   1) The President's report, summarizing the general activities of the Association.
   2) A report from the Treasurer, including audited financial statements on the financial situation for the preceding fiscal year and the Auditor's reports for the same year.
   3) Reports from Standing Committees, other AESES committees, and Joint AESES/University Committees.
   4) Such proposals as have been submitted by individual members to the Executive Council to be placed on agenda.

b) The Executive shall send written notice to the membership of the precise time and place of the meeting, together with proposed agenda, written reports, constitutional amendments and Bylaws at least three (3) weeks in advance of the meeting date.

Referendum - Contract Negotiations

11.2.1 In this section, any reference to members shall refer only to those members within the Bargaining Unit whose collective agreement is under negotiation.

11.2.2 All collective agreements must be put to a referendum of the members.

11.2.3 An agreement shall be considered ratified with a simple majority of votes cast.

11.2.4 Economic action may be taken by the Negotiation Committee after having put the question to a referendum of the employees in the bargaining unit whose contract is under negotiation.

11.2.5 The said economic action may be initiated only if 50% + 1 of the members voting favour such action.

11.2.6 If economic action is initiated, it shall continue until such time as the members of the bargaining unit ratify the negotiated contract.

11.2.7 Notwithstanding Bylaw 11.2.6, 25% of persons who were members within the bargaining unit when the economic action was initiated may petition the Executive Council to hold a special meeting of the members involved in the action. The Executive Council must then call and hold such a meeting within four (4) days of receipt of such a petition.

11.2.8 The Board shall decide what appropriate documentation will be included in any referendum, and shall determine the method of collecting ballots.

Referendum - Other

11.3.1 Notwithstanding the Bylaws in section 11.2, the Board of Representatives is empowered to put any question before the membership for vote.

11.3.2 The Board shall establish the level of majority required for a vote to pass in advance of the vote being conducted.

11.3.3 The Board shall decide what appropriate documentation will be included in any referendum and shall determine the method of collecting ballots.

Rules of Order

11.4.1 Minutes of all Association meetings shall be forwarded to the Administrative Secretary's office and retained there. The original copy shall be retained in the files of the AESES Business Office.

11.4.2 The minutes of all meetings, other than General Meetings, shall contain the name of those members present, and identify the members' voting preference on any motion which may arise.

BYLAW 12 - CONTRACT OF EMPLOYMENT

12.1 The form of contract shall be established by legal counsel, subject to approval of its terms by the Executive Council. The contract shall be signed by the President and employee.

BYLAW 13 - ADMINISTRATIVE MANUAL

13.1 The Board of Representatives shall undertake to create and maintain an Administrative Manual.

The Bylaws of the Association of Employees Supporting Education Services were formally adopted at the Annual General Meeting held April 12, 2016.

The Bylaws have been amended at the Annual General Meetings held on March 18, 2014, April 12, 2016, April 10, 2018, April 9, 2019, April 13, 2021, April 12, 2022, April 9, 2024, and April 8, 2025.

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