

CN Pensioners' Association Of Manitoba

CONSTITUTION



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ARTICLE I - NAME

1.01

This Association shall be named The CN Pensioners' Association of Manitoba (hereinafter "The Association")

1.02

The Association shall be a non-profit and non-political Association

1.03

This Constitution and all acts and proceedings which in the future and in due course may be enacted, shall be binding on all Association Officers and Members.

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ARTICLE II MEMBERSHIP

2.01

- (a) Definition of a CN Pensioner: A CN Pensioner is a former employee of CN who is in receipt of a CN Pension under the Defined Benefit Plan.
- (b) Only a CN Pensioner as defined in Article.2.01 (a) shall be qualified to serve as a Director of the National Council or to serve on the Pension Committee if they are a retired employee or a survivor of a retired employee of Canadian National Railway Company, in receipt of a CN pension, a paid-up member of a local association of CN Pensioners, and has been elected or appointed a Director to the National Council by a Regional / Provincial Council.
- (c) Local associations of CN Pensioners refer to associations formed anywhere in Canada where there is a concentration of CN Pensioners. Such locals strive to promote and protect the social, economic and fraternal interests of their members, maintain affiliation with and participate in activities sponsored by the National Council through their respective Regional / Provincial Councils; which Regional / Provincial Councils in turn endeavour to promote and protect such social, economic and fraternal interests within their territorial jurisdictions.
- (d) Definition of Membership: "Membership in the CN Pensioners' Association shall consist of retired CN employees, survivors or spouse in receipt of a CN pension under the Defined Benefit Plan; former CN employees, survivors or spouse who retired under the Defined Contribution Plan and other former CN employee's survivors or spouse and supporting members. Only members in receipt of a CN Pension under the Defined Benefit Plan are eligible to serve on the Regional/ Provincial and / or National Council, and / or the Pension Committee. All other members may serve on the Executive of a local Council."
- (e) All members identified in this Article who pay the established annual dues will be identified as "supporting members" of the Association and, as such, will be entitled to all associated benefits.

ARTICLE III EXECUTIVE OFFICERS

3.01

The Executive Officers of the Association shall be President, Vice President, Treasurer, and Secretary. No two offices should be held by the same person.

3.02

Executive Committee members of this Association will consist of a President, Vice-President, Secretary, Treasurer, Membership Chair, Special Events Chair, Outreach Chair, Publicity Chair, Hospitality Chair, Webmaster, Member(s) at Large and a Past President
Positions of Treasurer, Secretary, Membership Chair, and other Executive Committee members may have their duties combined.

ARTICLE IV INSTALLATION OF OFFICERS

4.01

The installation of Officers shall be in accordance with the following proceedings; namely,

Officers, you are to be installed into the office to which you have been elected or appointed. Will each of you please raise your right hand and repeat after me, using your name where I use mine.

I _____ do solemnly promise, that I will faithfully carry out the duties of the office to which I have been elected or appointed. I will do my best to promote the welfare of my Fellow Members and this Association, and when my term of Office expires, I will deliver to my successor all funds or property in my possession, which belongs to this Council.

I congratulate you on your election or appointment to office. The offices to which you have been elected or appointed are important ones. Your fellow Members have placed their confidence in you and they have a right to expect that their confidence will be justified. You will be expected to give leadership, and by your personal example, maintain the high standards which this Association enjoys. I now declare each of you installed for the ensuing year.

ARTICLE V MINUTES OF MEETINGS

5.01

(a) Minutes of the Executive Committee meetings and General Meetings shall be provided to Executive Committee Members.

ARTICLE VI FINANCIAL YEAR

6.01

Unless otherwise ordered by the Executive Committee, the fiscal year end of the Association shall be the last day of August of every year.

ARTICLE VII AMENDMENTS OF CONSTITUTION

7.01

Resolutions to repeal or amend this Constitution must be submitted to the Secretary of the Association not less than thirty (30) days prior to the scheduled date of the October monthly meeting of the Association

7.02

All resolutions to appeal or amend this Constitution must have the approval of the Executive Committee of the Association before being submitted to the National Council.

7.03

All resolutions to appeal or amend this Constitution, approved by the Executive Committee of the Association, must be submitted to the Executive Secretary of the National Council at least 30 days prior to the date of the Annual Meeting and shall not be enforced or acted upon until the approval has been received from the National Council Executive Secretary.

7.04

In the event of any discrepancies or differences which cannot be mutually resolved, the provisions of the National Constitution and By-Laws shall take precedence over those of the Association

ARTICLE VIII AUDITORS

8.01

The Association will have an annual audit of their accounts and financial statements done immediately following the end of their fiscal year. The Association will appoint a professional Auditor to complete the Audit. The Auditor will provide a written and signed report within sixty (60) days of appointment to the Treasurer of the Association and a copy of that report will be submitted by the Association President to the National President and National Treasurer.

ARTICLE IX CODE OF CONDUCT

INTRODUCTION

The Association's objective is to protect and enhance the social, fraternal and economic situation of its pensioner members. This Code of Conduct addresses this objective.

MEMBER RESPONSIBILITY

- I) All members of the Executive Committee ("Members") shall observe the highest standard of personal and professional integrity, honest and ethical conduct when acting on behalf of, or in conjunction with, the business or activities of the Association.
- II) Members are expected to be mindful of the importance of their duties and responsibilities, and to take into account they are representing all Pensioners. They must therefore, conduct themselves in a way that maintains and promotes the good standing of the Association.
- III) Members shall not take unfair advantage of anyone through manipulation, concealment, abuse of privileged information, misrepresentation or any other unfair dealing or practice.
- IV) Members shall accurately communicate the approved decisions of the Executive Committee as per the Association Constitution and By-Laws (CBL).
- V) Members shall adhere to the values of truth, honesty, integrity and loyalty in all issues and activities and do so in a courteous and respectful manner.

COMPLIANCE WITH THIS CODE OF CONDUCT

It is the duty of every member to comply fully with this Code of Conduct and to agree to this Code as a condition of their engagement with this Association. Failure to comply with the Code Terms will subject Members to disciplinary action, up to and including removal from their post(s). **The following shall not be tolerated or permitted:**

- I. Harassment verbal or written, that would include but not limited to psychological, sexual, physical, religious, etc.
- II. Failure to treat other Members with respect, fairness or to work against the Association's common objectives.
- III. Written or verbal communications between Members or Councils at any National, Regional / Provincial, or Local level which could be construed as

disrespectful, dishonest, derogatory or contains statements which could be determined to be false, unfounded or otherwise incorrect, and/or any of which could potentially have a negative or detrimental impact to the Association, or its Members.

- IV. Any member of CN Pensioners Association having been found guilty by formal hearing of the conduct specified in the subdivisions following shall suffer Suspension or Expulsion from membership.
- Misappropriation of any of the funds, of a National Council, Provincial / Regional Council, Local Council.
 - Willful insubordination, contempt, or disobedience, of the Constitutional requirements / By-Laws, and or related Appendices of CN Pensioners Association.

CODE OF CONDUCT VIOLATION REVIEW

Where a violation or failure to respect this Code is brought in writing by a Member to the President of the Association, The President will appoint a Code of Conduct Review Committee (Committee) who will review the violation or failure.

This Committee shall consist of 3 Members who are otherwise not involved or related to the issue and include the Association President who will Chair. In the event that the Association President, by his direct involvement in the case and, who could provide elements of proof against or in favor of a member who is in breach of the Code of Conduct, the Vice President will be the one that will appoint a Chair, from the Executive Officers of the Association to ensure a fair hearing for the member who was declared in breach of the Code of Conduct.

The Committee shall review any written material presented and as required interview those involved in the inquiry or grievance made by a member(s) or council(s) as it applies to the application or administration of this the Code of Conduct. The Committee Chair may initiate other procedural activities, processes or actions as necessary to fully review the incidents.

The Committee will determine a reasonable timeframe for the review and recommend an appropriate resolution or specific action. Where appropriate, the Committee Chair will present the issue/recommendations/resolution to the Executive Committee members for review, and, where required, a majority decision.

The Chair will advise those involved of the outcome of their review and the decision of the committee.

Revised and approved on Oct 7, 2020

Manitoba Association Executive Officers:

President, Ron Davis

Vice President, Linda Schram

Secretary, Patrick Mc Mullin

Treasurer, Bruce Anderson