

THE BRANDON SCHOOL DIVISION

BYLAW NO. 6/2018

BEING A BYLAW of The Brandon School Division to authorize payment of indemnities and mileage to Trustees and Bylaw No. 14/2017 shall be repealed.

WHEREAS The Brandon School Division is a school division as defined in The Public Schools Act;

AND WHEREAS The Public Schools Act, Chapter P250 of the Revised Statutes of Manitoba as amended, provides as follows:

"Section 56(1)

A school board may, by bylaw, provide for the payment of an annual indemnity to the chairman and to each trustee payable in such amount and at such times and under such conditions as provided in the bylaw.

Section 56(2)

In addition to the indemnity referred to in subsection (1), each member of the school board may be paid and may accept

- (a) such amount per mile as set by bylaw of the school board for each mile actually and necessarily travelled from his place of residence in the school division or school district to the place of meeting and return to his place of residence, allowable only once for each school board meeting;
- (b) such amount per hour as set by bylaw of the school board for each hour actually and necessarily spent by him under authority given by resolution of the school board in the performance of such duties, work or services as he is required or authorized under the resolution to perform, and;
- (c) such an amount per mile, as set out by bylaw of the school board, for each mile actually and necessarily travelled by him in the performance of the duties, work or services to which clause (b) applies;

but the remuneration or mileage mentioned in clauses (b) and (c) is not payable until an account showing the work or service performed, verified by statutory declaration, has been filed with the secretary-treasurer and payment thereof authorized by resolution of the school board.

Section 56(3)

A school board may reimburse its trustees, trustees-elect or employees for expenses necessarily incurred while attending conventions or carrying out duties assigned or approved by the school board and at such rates and under such conditions as the school board may determine."

AND WHEREAS, pursuant to the provisions of The Public Schools Act and the amendments thereto, it is deemed expedient and advisable to provide for the payment of indemnities and mileage to the Chairperson of the Board and to each Trustee;

NOW, THEREFORE, the Trustees of The Brandon School Division, at a meeting duly called and held for the purpose, do hereby enact as follows:

1. That, the Chairperson and each member of the Board of Trustees be paid by equal monthly installments an annual indemnity of:

For a Trustee as Chairperson and Trustee - effective July 1, 2018	\$19,581
For a Trustee as Vice-Chairperson and Trustee - effective July 1, 2018	\$17,151
For each other Trustee - effective July 1, 2018	\$15,814

That the total annual indemnities for Chairperson, Vice-Chairperson and Trustees shall be adjusted each year effective July 1<sup>st</sup> by a percentage amount equal to the average percentage increase in wages and salaries for Brandon Teacher's Association and CUPE Local 737 for the immediately preceding twelve (12) months;

2. That absence from any regular meeting of the Board over three (3) in any one calendar year shall result in a loss of indemnity of Three Hundred and Fifty (\$350) for each meeting beyond the three (3) meetings, and further provided that, where any absence from a regular meeting of the Board, is indicated by motion authorizing the member to attend a conference or the like or be absent, such absence shall constitute an authorized absence from meetings and does not apply against the three (3) meetings absence as referred herein. Exemptions to the provisions above may be granted by a two-thirds vote by the Board of Trustees on a case by case basis;

And That absence from a regular meeting of the Board by any Trustee by reason of said Trustee attending on the same day a meeting of the Executive of, or a Committee of or acting as a representative of The Manitoba School Boards Association (MSBA) as a member of same shall be deemed an "authorized absence" for the purpose of Section 37 of The Public Schools Act and Section 2 hereof;

And Further That it shall be the responsibility of the Trustee to furnish to the Secretary-Treasurer in a timely fashion proper verification of attendance at said MSBA meetings;

3. That it is hereby deemed that one-third (1/3) of the total indemnity, as provided for in the above-described sections, shall be deemed to be for expenses of and incidental to the discharge of the normal respective duties of the Chairperson, Vice-Chairperson, members of the Board of Trustees, and Chairperson of all designated Committees; such allotment shall not include out-of-the-ordinary expenses, which shall be approved by resolution of the Board in accordance with Section 56(3);
4. That the Trustees shall be paid in accordance with Administrative Procedure 3020 - Car Allowances and Transportation Expense Claims for business authorized by resolution of the Board.
5. That, effective the 1st day of November, 2010, all Trustees shall be paid an additional indemnity, as provided by and in accordance with Section 56(2)(b), of thirteen (\$13.00) dollars per hour to a maximum of eight (8) hours per day each day plus travel and living expenses approved by the Board and necessarily incurred while acting on Board business and when authorized by resolution of the Board in accordance with Section 56(2) & (3) of The Public Schools Act;
6. That, effective November 1, 2010, a Trustee shall be entitled to receive an indemnity in addition to that set out in Article 1 herein at the rate of thirteen dollars (\$13.00) per hour to a maximum of eight (8) hours per day:
  - a) for each hour actually attended at a Special Board Meeting or a meeting of a Board Committee on which the Trustee is a member, provided such a meeting is of a minimum of three (3) hours duration; or
  - b) for each hour actually attended at meetings as a member of the Committee of the Board charged with the responsibility of negotiating the terms and conditions of the collective agreements between the Division and the bargaining agents representing the employees of the Division with said meetings, for this purpose, being those attended at the Bargaining Table, Conciliation Meetings and Arbitration Hearings with the applicable bargaining agent.

- 7. Trustees shall be entitled to claim and be paid a per diem for each authorized day while representing or acting on behalf of the Board. Said authorized days shall include the scheduled days of meetings, workshops, seminars, conventions, etc. plus, where necessary, the day before and/or after for the purpose of travel. In the event of a part-day attendance and/or travel (less than eight (8) hours), a claim should be made and paid on an hourly rate. Said per diems shall be paid when the event is of a minimum of three (3) hours to a maximum of eight (8) hours per day.
- 8. Trustees shall receive expenses in accordance with Administrative Procedure 3020 - Car Allowances and Transportation Expense Claims and per diems for attendance at the annual MSBA Convention, MSBA provincial or regional meetings, workshops, and conferences.
- 9. When a Trustee is designated by motion of the Board to represent the Board at a conference, meeting, or other official function, expenses in accordance with Administrative Procedure 3020 - Car Allowances and Transportation Expense Claims and per diems shall be assumed by the Board.
- 10. At the commencement of the term of office, each Trustee shall be allotted a budget, in an amount to be determined by the Board, for his/her four (4) year term of office to cover all authorized costs incurred and per diems for attendance at meetings, workshops, conferences, etc. Said attendances shall be for the purpose of the Trustee's individual professional development and are hereby authorized by the Board. A Trustee new to the Board during a term will be allocated the remaining dollars of the retiring Trustee, or the average of the remaining funds if two or more trustees are retiring.
- 11. A Trustee shall not exceed his/her budget allotted for professional development without prior formal approval of the Board.
- 12. That Bylaw No. 14/2017 and the same is hereby repealed effective the date of passing this Bylaw.

GIVEN FIRST READING by the said Board of Trustees of The Brandon School Division, assembled at Brandon, in the Province of Manitoba, this 10<sup>th</sup> day of September 2018.

SECOND READING the 24<sup>th</sup> Day of September, 2018.

THIRD READING the 9<sup>th</sup> Day of October, 2018.

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Chairperson

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Secretary-Treasurer

Certified a true copy of Bylaw No. 6/2018 of the Board of Trustees of The Brandon School Division.

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Secretary-Treasurer