

Constitution

Elk Island Catholic Teachers Local No 21 of The Alberta Teachers' Association

Constitution

NAME

1. The name of this local shall be the Elk Island Catholic Teachers Local #21 of The Alberta Teachers' Association henceforth to be called the local.

BOUNDARIES

2(a) The area served by this local association shall be congruent with the boundaries of the Elk Island Catholic Separate Regional Division No 41, henceforth called the division.

2(b) Local #21 is composed of four wards: a) Camrose, b) Fort Saskatchewan, c) Sherwood Park, and d) Vegreville

MEMBERSHIP

3(a) All active members of The Alberta Teachers' Association, henceforth to be referred to as the ATA, employed by the district are members of this local.

3(b) Associate members of The Alberta Teachers' Association such as are assigned from time to time by the Provincial Executive Council of the Association and who pay the prescribed local association fee may become members of this local association with all rights and privileges of active members.

OBJECTS

4. The objects of the local shall be to further the objects of the ATA as set out in:

- the Teaching Profession Act
- the general bylaws of the ATA.

FEES

5. The local shall have the power, subject to approval of the Provincial Executive Council of the ATA, to levy fees for membership in this local as are determined from time to time by the support of two-thirds of those present at a general meeting of the local. Such fees shall be additional to the fees prescribed by the Annual Representative Assembly of the ATA.

RULES OF PROCEDURE

6. The proceedings of all meetings—general, special, local council and executive committee—shall be regulated by the official Rules of Procedure for the ATA and those standing rules created to guide the local's proceedings. Any residual situations shall be regulated by the Rules of Procedures in the most current edition of *Robert's Rules of Order, Newly Revised*.

ORGANIZATION

7. The governing body of this local shall be the members present at a general meeting, at which ten (10) percent of the members of the local shall constitute a quorum.

8. The annual general meeting of this local shall be held during the month of May to hear reports, hold elections, approve and set policy, and deal with such matters as may arise. Other general meetings may be called as the need arises. In the event that there is no quorum or there are items not attended to on the order paper when the meeting is adjourned, the remaining business is referred to the next local council meeting.

EXECUTIVE COMMITTEE

9. The executive committee of this local shall consist of the president, vice-presidents, past president, secretary, treasurer, Professional Development Committee Chair, Economic Policy Committee Chair, and the Local Communications Officer.

10. It shall be the duty of the executive committee:

- (a) to prepare the agenda of business for all meetings,
- (b) to exercise general supervision of the affairs of the local,
- (c) to prepare and transmit to head office of the ATA such reports and statements with reference to the affairs of the local as may be required by the Provincial Executive Council of the ATA,
- (d) to ensure that all monies of the local are used to further the objects of the ATA as set out in the Teaching Profession Act, and
- (e) to assume the functions of the local council in emergent situations.

11. The executive committee shall meet as often as local business requires.

12. OFFICERS

1. The term of office for each officer is two year terms.
2. Elections for the positions of president, vice-presidents, secretary, treasurer and professional development chair shall be held in the month of May in the year of the expiry of the term of office.
3. Vacancies in any officer position occurring in the first year of a term of office, shall be filled for the remainder of the term, by by-election within a reasonable time. Vacancies during the second year of a term of office, or for the office of past president shall be filled by by-election or by appointment by executive committee, for the remainder of the term at the discretion of the executive committee and ratified by local council.
4. The local communications officer, the local political engagement officer, the social committee chair and the DEHR chair shall be appointed by the executive committee and

shall attend Local Council meetings, but only as required to Executive meetings. Officers shall submit reports as needed in a timely manner and information will be presented as required to Local Council and Executive by the individual supervising the portfolio.

13.(a) President—the duties of the president shall be:

- 1) to call and preside at all general, local council and executive committee meetings of the local,
- 2) to exercise general supervision over the affairs of the local, and
- 3) to serve as a local representative to representative assemblies.
- 4) be the official spokesperson of the local association and its chief representative during the term of office;
- 5) be ex-officio a member of all the other local committees.

13.(b) Vice-President—The duties of the vice-president(s) shall be:

- 1) to take charge of the affairs of this local association in the absence of the president on a rotational basis allocated on three, four month periods, beginning July 1st, and
- 2) to assist the president in the discharge of duties.
- 3) to attend meetings and/or conferences delegated by the President.

13. (c) Secretary—The duties of the secretary shall be:

- 1) to keep accurate records of all proceedings of the local,
- 2) to bring before the executive committee all communications received by the local,
- 3) to prepare and send to the ATA such statements and reports as may be required from time to time,
- 4) to notify all members of general, special, local council or executive committee meetings, and
- 5) to maintain updated records of the constitution and standing rules, and to distribute annually a copy to all members of local council.
- 6) to provide a copy of the minutes of local council meetings for each member of council.

13. (d) Treasurer—The duties of the treasurer shall be:

- 1) to keep accurate records of all monies received and expended,
- 2) to maintain active accounts at a recognized financial institution,
- 3) to prepare a financial statement as required for audit purposes,
- 4) to prepare such statements and reports as may be required from time to time,
- 5) to make disbursements as authorized by the executive committee, local council or general membership at a general meeting,

6) to report on the current financial status of the local as required by the local council or the executive committee, and

7) to prepare an annual budget of the local for approval by local council.

13(e) Past President—the duties of the past president shall be:

1) to advise and assist the president in the execution of duties as required,

2) to act as a regular member of local council,

3) to chair the nomination committee

4) to act as the chief returning officer for elections.

13(f) Communications officer - It shall be the responsibility of this officer to:

1) carry out a communications program with the teachers in the local and between the local and its various publics.

2) To prepare publications to promote the ATA; and

3) To plan, prepare and execute a media plan related to issues of concern to the local at the direction of local council.

All actions of this officer shall be subject to prior approval by the executive of the local.

LOCAL COUNCIL

14. There shall be constituted a local council of this local consisting of:

(a) all members of the executive committee,

(b) a representative, or alternate, elected from the staff of each workplace, and

(c) chairs of standing committees.

15. (a) All active members of the local, henceforth referred to as members, may attend local council meetings and may address the council with approval.

(b) Only members of local council may vote at local council meetings.

16. It shall be the duty of local council:

(a) to administer the affairs of the local,

(b) to appoint ad hoc committees as deemed necessary and assign their responsibilities,

(c) to ratify suitable frames of reference for each of its committees,

(d) to receive reports from committees and decide on action to be taken, if any,

(e) to appoint representatives to the ATA Summer Conference and other conferences as decided by the local council,

(f) to administer the financial affairs of the local, including an annual audit, approval of an annual budget, and

(g) to deal with other matters not otherwise addressed by the constitution or the ATA Bylaws.

17. The local council shall meet at least four times a year.
18. Fifty percent (50%) of the local council members shall constitute a quorum at local council meetings.
19. A majority vote of those present shall govern the decisions of the local council unless rules and regulations otherwise decree.

MEETINGS

20. (a) Notices of intent to hold a general, special, local council or an executive meeting shall be given by the secretary at least seven operational days before such meeting is to be held. Such notices shall include an outline or agenda of business to be discussed at the meeting.
(b) Any special or general meeting may, by a two-thirds vote of the local council, waive notice of a meeting or of any motion brought before the meeting.
21. Meetings of this local shall be called by the president or on the request of:
 - (a) the executive committee,
 - (b) the local council,
 - (c) the written request of ten (10) members of the local,
 - (d) an officer of the ATA,
 - (e) the local's district representative, or
 - (f) the Teacher Welfare Committee Chair
22. A record of all members attending general, special, local council and executive committee meetings shall be retained by the local secretary with the minutes of the meeting.
23. An officer of the ATA or the local's district representative may attend and address any general, local council, or executive committee meeting. An officer of the ATA may not vote. A district representative may vote if the representative is a member of this local.

STAFF REPRESENTATIVES

24. The duties of staff representatives shall be:
 - (a) to represent their staffs at local council meetings,
 - (b) to report local council proceedings to their staff and
 - (c) attend Annual General Meetings of the local association.

COMMITTEES OF LOCAL COUNCIL

25. (a) Standing committees shall include, but not limited to the following committees:

1) Constitution, 2)Teacher Welfare 3) Local Communications, 4) Nominating, 5) Professional Development, 6) Annual Representative Assembly, 7) Social, 8)Substitute Teachers, 9) Teacher-Board/Superintendent Advisory [Liaison Committee]

(b) The composition and responsibilities of standing committees shall be determined by the applicable standing rules.

(c) The teacher welfare committee shall operate under a frame of reference approved by the local council and subject to ratification by the Provincial Executive Council of The Alberta Teachers' Association. An amendment procedure shall be specified in the frame of reference.

(d) The local council may appoint other committees from time to time.

COMMITTEE CHAIRS

26. The duties of each committee chair shall be:

(a) to receive direction from local council,

(b) to report on the committee's business as required by local council, and

(c) to advise the local council on issues requiring the council's consideration.

27. The duties of the convention association representatives shall be

a) To ensure that the local receives the annual budget and the audited financial statement of the convention association,

b) To represent the local on the convention board,

c) To liaise with the local professional development committee and

d) To serve as the communication link between the local and the convention association.

ELECTIONS

28. (a) The president, vice-president(s), secretary, PD chair and treasurer shall be elected by the members at the annual general meeting, One vice-president will be elected from each ward with the exception of the ward that the president is from, where no vice-president shall be elected.

(b) At the annual general meeting, members of the committees shall be elected in accordance with the standing rules,

(c) All persons elected under 28a) and 28b) shall assume office on the first day of July following the election.

(d) Should one or more of the local representatives be unable to fulfil their term of office, replacements shall be elected by the local council.

(e) Should local council determine that a member has been inexcusably absent from two or more meetings which the member is obliged to attend, local council may declare the office or position vacant.

Provincial Association Intervention

29. (1) In this section

- (a) Investigated local officer means a local officer whose conduct is under investigation pursuant to subsection (2);
- (b) Investigator is the individual appointed by the table officers pursuant to subsection (2);
- (c) Local officer means the president, vice-president(s), past president, secretary, treasurer and PD chair of a local association or any other officer appointed or elected by a local association;
- (d) Provincial Executive Council means the executive council as defined in section 11 of the *Teaching Profession Act*;
- (e) Table officers means the Association's officers as defined in Bylaw 35;
- (f) Executive secretary means the chief executive officer of the Association or a person designated by the executive secretary; and
- (g) Staff officer means a member of executive staff designated by the executive secretary.

Suspension or Removal from Office of Local Officers

(2) Where the table officers have or receive information which leads them to believe that a local officer

- (a) Has neglected his or her duties to the extent that the proper operation of the local association is being negatively affected,
- (b) Is mentally incapacitated,
- (c) Is engaging in corrupt practices,
- (d) Is engaging in financial malpractice or
- (e) Has undertaken activities inconsistent with the principles and policies of the Alberta Teachers' Association,

the table officers may initiate an investigation into the conduct of the local officer by appointing an individual to conduct an investigation and to provide a written report to the table officers within a specified time with respect of the investigation.

(3) In the course of the intervention under section 30, an investigated local officer is entitled to have access to a staff officer for advice.

(4) The table officers may, taking into account the nature of the alleged conduct, the urgency of the matter in question and any submission from the investigated local officer, suspend and investigate local officer from office pending the completion of the investigation and may terminate the suspension at any time if the table officers conclude that the suspension is no longer warranted.

(5) The table officers may appoint another individual to assume the duties of the investigated local officer during the period of the suspension.

(6) The investigated local officer may appeal a suspension from office under subsection (4) to the Provincial Executive Council by filing a notice of appeal with the executive secretary within 30 days of being notified of the suspension.

(7) If an investigated local officer appeals his or her suspension, Provincial Executive Council shall, as soon as practicable, consider representations of the table officers and the investigated local officer and shall determine if the suspension should be continued pending the conclusion of the investigation or should be set aside.

(8) During the investigation the investigated local officer shall be provided with an opportunity to provide a response to the investigator with respect to the concerns about the investigated local officer's conduct.

(9) An investigated local officer may, in the course of the investigation, submit his or her resignation to the executive secretary.

(10) Where an investigated local officer resigns in accordance with subsection (9), the investigation shall be continued with the cooperation of the investigated local officer, and the resignation does not extinguish any liability that the investigated local officer may have with respect to acts which occurred during the period the office was held.

(11) The investigated local officer has a duty to cooperate during the investigation and the investigator may direct the investigated local officer or any other member of the Alberta Teachers' Association to

- (a) Answer any inquiries the investigator may have relating to the investigation;
- (b) Produce any records or other property in the investigated local officer's possession or under his or her control that are or may be related in any way to the investigation;
- (c) Give up possession of any record for the purpose of allowing the investigator to make a copy and return the records within a reasonable time or receiving the records; and

(d) Attend before the investigator for the purpose of complying with (a), (b) or © of this subsection.

(12) In the event that the investigated local officer fails or refuses to cooperate with the investigator, the failure to do so shall be noted by the investigator in his or her report to the table officers.

(13) Upon completion of the investigation, the investigator shall submit a written report to the table officers and a copy of the written report shall be provided to the investigated local officer.

(14) The table officers, upon consideration of the report of the investigator, may make one or more of the following orders

- (a) Remove the investigated local officer from office;
- (b) Restrict the investigated local officer's eligibility for office in the future;
- (c) If the investigated local officer was suspended during the investigation, reinstate the investigated local officer to office and impose any conditions or restrictions that the table officers consider appropriate in the circumstances;
and shall advise the investigated local officer and Provincial Executive Council of their decision.

(15) If the table officers remove the investigated local officer from office, then the table officers may appoint another individual to assume the duties of the investigated local officer until a new local officer is elected or appointed to the position in accordance with this constitution.

(16) The investigated local officer may appeal the decision of the table officers under subsection (14) by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.

(17) If an investigated local officer appeals the decision of the table officers, Provincial Executive Council shall, as soon as practicable, consider representations of the table officers shall be confirmed, varied or set aside.

(18) In an appeal under subsection (7) or (17), the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.

Official Trustee

(19) Subject to a two-thirds majority vote, Provincial Executive Council may appoint an official trustee to conduct the affairs of the local, subject to any terms and conditions the Provincial Executive Council considers necessary;

- (a) When a local council fails to comply with the requirements of section 14;
- (b) When the Provincial Executive Council considers it in the interests of the Association to do so.

(20) The local may appeal the appointment of an official trustee to a representative assembly.

(21) An official trustee appointed under subsection (19) has the powers and duties conferred by the General Bylaws on a local and conferred by this constitution.

(22) On appointment of an official trustee to the local association, the officers of the local cease to hold office as officers of the local.

(23) An official trustee continues in office until the Provincial Executive Council or a representative assembly determines that the official trusteeship is no longer necessary.

FINANCIAL

30. The financial year of the local shall be July 1 to June 30.

AMENDMENT OF CONSTITUTION

31. Notice of motion for proposed amendments shall be given to the members at least thirty (30) days prior to the general meeting at which such a motion shall be considered.

1. Approval by two-thirds (2/3) of the members present at a general meeting is required to pass any amendment to the constitution. Such amendment(s) shall become effective upon ratification by the Provincial Executive Council of the ATA.

32.(1) The local shall develop a set of standing rules to govern its operations.

33.(2) Standing rules may be created or amended by:

- a majority vote of the members present at a general meeting,
- a two-thirds majority vote of the members of the local council present at a local council meeting,
- approval of Provincial Executive Council when required.