

# **GREATER PEACE LOCAL NO 13 CONSTITUTION**

## **Name**

1. The name of this local shall be the Greater Peace local association of The Alberta Teachers' Association (the Association or the ATA).

## **Boundaries**

2. The area served by this local association shall include the Peace River School Division No 10 and the Holy Catholic Regional Division No 37 within its boundaries.

## **Membership**

3. (1) All active members of The Alberta Teachers' Association employed within the boundaries listed in section 2 are members of this local.

(2) Subject to approval by the Provincial Executive Council of The Alberta Teachers' Association, associate members of The Alberta Teachers' Association who hold the highest category of membership available to them 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 this local association shall be to further the objectives of The Alberta Teachers' Association as set out in section 4 of the *Teaching Profession Act* and the General Bylaws of the Alberta Teachers' Association.

## **Fees**

5. This local association shall have the power subject to approval of the Provincial Executive Council of The Alberta Teachers Association, to levy fees for membership in this local association such as are determined from time to time in a general meeting of the local association. Such fees shall be additional to the fees prescribed by The Annual Representative Assembly.

## **Rules of Procedure**

6. The proceedings of all meetings—general, special, local council and executive committee—shall be regulated by the official Rules of Order and Procedure as published in the *ATA Members' Handbook*.

## **Organization**

7. (1) The governing body of this local shall be a general meeting of its members 10 per cent of whom shall constitute a quorum.

(2) In the case of a general meeting called to consider business arising from an economic policy committee of the local, the quorum for that business shall be 10 per cent of the members of the bargaining unit.

8. A general meeting of this local shall be held at least once a year before the end of June to hear reports and deal with the same, hold elections, approve and set the policy, approve an annual budget, and deal with such other matters as may arise.

**Local Council**

9. There shall be constituted a local council of this local consisting of

- (a) all members of the executive committee;
- (b) school staff representatives or their designates other than executive committee members; elected in September according to the following schedule: 1 voting teacher representative from each school staff with up to 15 teachers and 2 voting teaching representatives from each school staff with more than 15 teachers;
- (c) ARA representatives;
- (d) chair and one other representative of the substitute teacher group;
- (e) chairs of designated committees are members of the executive committee; and
- (f) convention representatives if not included in (a) through (e).

10. Members of this local other than members of the local council may attend council meetings and may speak with approval of the meeting but may not vote.

11. (1) The duties of local council shall be

- (a) to administer the affairs of the local association, including adoption of an audited financial statement and approval of an annual budget;
- (b) to elect or appoint all ad hoc committee members;
- (c) to approve the frames of reference for each of its committees;
- (d) to hear reports from committees and decide on action to be taken, if any;
- (e) to elect representatives to the district convention committee at March local meeting; the ATA summer conference representatives and other as deemed necessary by local council are decided by the local council prior to the May general meeting;
- (f) to deal with matters not inconsistent with this constitution or the General Bylaws of The Alberta Teachers' Association; and
- (g) to ratify the chairs of all committees.

(2) Local council may delegate approval for a frame of reference to the members of the local directly affected.

12. A majority vote of those present shall govern the decisions of the local council unless rules and regulations otherwise decree.

13. Twenty-five per cent of the local council members are required to constitute a quorum.

**Executive Committee**

14. The executive committee of this local shall consist of the president, vice-president, past president, secretary, treasurer, professional development chair and economic policy committee chair.

15. It shall be the duty of the executive committee to

- (a) prepare the agenda of business for all meetings;
- (b) to exercise general supervision of the affairs of the local association;
- (c) to prepare and transmit to the head office of The Alberta Teachers' Association such reports and statements with reference to the affairs of the local association as may be required by the Provincial Executive Council The Alberta Teachers' Association;
- (d) and to ensure that all association monies are used to further the objects of the Association as set out in the *Teaching Profession Act*;
- (e) to ensure that there is liaison between the local and all employing boards within the local; and
- (f) when time is of the essence, to assume the functions of the local council. Action taken on behalf of the local council in this manner shall be subject to ratification by the local council at its next regular meeting.

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

**Notice of Meetings**

17. Notice of intent to hold a general, special, local council, executive committee meeting of the local shall be provided to an authorized representative at each school or worksite by the secretary at least 10 days before such a meeting is to be held, and such notices shall include an outline or agenda of business to be discussed at the meeting, provided, however that any special or general meeting may, by two-thirds majority vote of the total number of members in the local, waive notice of a meeting or of any motion brought before the meeting.

18. Meetings of the local association shall be called by the president, or on the request of the executive committee or the local council, or on the written request of 10 members of the local, or at the request of the chair of the economic policy committee, or at the request of an ATA officer or of the district representative of whose district this local association forms a part.

19. A record shall be kept of all those attending general, special, local council and executive committee meetings of the local.

20. An ATA officer or district representative of whose district this local forms a part may attend and participate in any meeting (general, special, local council or executive committee) of this local association. An ATA officer shall not vote. A district representative shall not vote except at a general meeting when the representative is a member of this local.

**Duties of Officers**

21. (1) President—The duties of the president shall be
  - (a) to serve as chief executive officer of the local;
  - (b) to call and preside at all general, special, local council and executive committee meetings of this local;
  - (c) to exercise general supervision over the affairs of the local association; and
  - (d) to be an ad hoc member of all committees.
  
- (2) Vice-president—The duties of the vice-president shall be
  - (a) to take charge of the affairs of this local in the absence of the president;
  - (b) to assist the president in the discharge of duties; and
  - (c) to chair whichever of the scholarship, induction and retirement, political action, communication and public relations committees as mutually agreed upon between the past president and the vice-president.
  
- (3) Past president—The duties of the past president shall be
  - (a) to take charge of the affairs of this local in the absence of the vice-president;
  - (b) to assist the vice-president in the discharge of duties; and
  - (c) to chair whichever of the scholarship, induction and retirement, political action, communication and public relations committees as mutually agreed upon between the past president and the vice-president.
  
- (4) Secretary—The duties of the secretary shall be
  - (a) to keep accurate records of all proceedings of the local association;
  - (b) to bring before the executive committee of this local association all communications received by the local;
  - (c) to prepare and send to the head office of The Alberta Teachers' Association all reports as may be required from time to time; and
  - (d) to prepare and sent notices calling all meetings, whether regular, special, local council or executive committee.
  
- (5) Treasurer—The duties of the treasurer shall be
  - (a) to keep accurate records of all monies received and collected and to take charge of same,
  - (b) to make the necessary disbursements of the funds of this local association as authorized by the executive committee or local council,
  - (c) to prepare and send to the head office of The Alberta Teachers' Association such financial statements and reports as may be required from time to time and
  - (d) to prepare and present the annual budget of the local.
  
- (6) ARA representatives—The duties of each ARA representative of this local shall be
  - (a) to represent this local association at all representatives assemblies of The Alberta Teachers' Association,

- (b) to report the proceedings of all representatives assemblies to the local council and to such other gatherings as may be directed by the local council and
- (c) to attend such other regional and area meetings as may be directed by the local council.

- (7) School staff representative—The duties of each school staff representative shall be
- (a) to attend meetings of the local council of this local association,
  - (b) to report on the activities of the local council to their respective staffs and such other duties as are requested by the local council or The Alberta Teachers' Association,
  - (c) to distribute and or post information from the local and provincial association and
  - (d) to serve as a liaison between teachers on the school staff as a collective body and the local and provincial associations.

### **Committees**

22. (1) Economic policy committees—There shall be an economic policy committee for each employing jurisdiction in the local. Each economic policy 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.

(2) Local communications committee—it shall be the duty of this committee to assume general responsibility for all the public relations activities undertaken by this local association. It shall be structured and governed according to the frame of reference approved by local council.

(3) Professional development committee—it shall be the duty of this committee to assume general responsibility for all professional development activities and induction and retirement activities undertaken by this local association. It shall be structured and governed according to the frame of reference approved by local council.

(4) Teacher board advisory committee/liaison committee—it shall be structured and governed according to the frame of reference approved by local council.

(5) Political action committee—It shall be the duty of this committee to develop and implement a plan of political involvement activities in the local association. It shall be structured and governed according to the frame of reference approved by local council.

### **Elections**

23. (1) The president, vice-president, secretary, treasurer, local communications officer, professional development chair and the professional development secretary-treasurer shall be elected at the general meeting.

(2) The president shall be an ARA representative. Other ARA representatives will be elected/appointed as determined at a general meeting of the local.

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(3) The convention representatives shall be elected or appointed at the March local council meeting.

(4) A vacancy on the executive committee occurring between annual elections shall be filled by appointment of a member of this local association by the remaining members of the executive committee.

(5) Should one or more ARA representatives be unable to fulfill his or her term of office, replacement shall be made by the local council.

(6) The bargaining unit(s) shall elect the economic policy committee(s) and shall assume office as specified in the economic policy committee frame of reference.

### **Substitute Teachers Group**

24. (1) At the request of 10 or more substitute teacher members, this local shall organize a substitute teacher group.

(2) Those eligible for a participation in the group shall be members who substituted for one of the employing jurisdictions included in the local for at least one day during the previous twelve-month period.

(3) An appropriate budget for the group shall be established.

(4) The frame of reference for the group shall be as follows:

(a) Its objects shall be to advance the professional skills and knowledge unique to substitute teaching and to advance within the local the special interests of substitute teachers.

(b) It shall have at least one general meeting per year.

(c) It shall elect a chair, a vice-chair, a secretary-treasurer and two members-at-large to an executive which shall be responsible for organizing activities to promote the objects of the group.

(d) Its executive shall present to the local an annual report of its activities and of the disbursement of its funds.

### **Provincial Association Intervention**

25. (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, past president or secretary-treasurer (or secretary or treasurer) 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 to the results of the investigation.

(3) In the course of the intervention under section 25, 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 an investigated 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 of receiving the records; and
- (d) attend before the investigator for the purpose of complying with (a), (b) or (c) 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



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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 and the investigated local officer and shall determine if the decision 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 11;
- (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.

### **General**

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

27. (1) This local association shall reimburse members acting on its behalf for all necessary out-of-pocket expenses.

(2) This local association shall pay all expenses as determined and authorized by the local council.

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28. Amendments to this constitution may be made after a two-month notice of motion by a two-thirds vote at a general meeting of this local association, subject to ratification by the Provincial Executive Council of The Alberta Teachers' Association.

29. An independent auditor is to be appointed by the executive committee.

Ratified by Provincial Executive Council 1994 12 03

Amendments ratified by TOC on behalf of PEC 1995 06 15, 2004 09 02

Revised as per PEC requirements 2009 11 05

Revised as per 2012 06 14–15 PEC requirements; 2012 10 04