

PARK PLAINS EAST LOCAL NO 31 CONSTITUTION

Name

1. The name of this local shall be Park Plains East Local No 31 association of The Alberta Teachers' Association (the Association or the ATA).

Boundaries

2. The area served by this local association shall include the Buffalo Trail Public Schools Regional Division No 28 and the East Central Alberta Catholic Separate Schools Regional Division No 16.

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 objects 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 *Members' Handbook*.

Organization

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

8. An annual general meeting of this local shall be held once a year. As this meeting elections will be held, budget will be approved, the audited financial statement will be received, policy will be approved and set, and emergent issues will be dealt with as they arise.

Local council

9. There shall be constituted a local council of this local consisting of
- (a) all members of the executive committee;
 - (b) one staff representative per staff, other than executive committee members, elected annually by each staff;
 - (c) local ARA representatives if not members of the executive committee;
 - (d) presidents of sublocals, if established;
 - (e) chair and one other representative of the substitute teachers' committee;
 - (f) chair of standing committees if not members of the executive committee, local ARA representatives or staff representatives;
 - (g) convention board representatives if not included in (a) to (f);
 - (h) administrative representatives if not included in (a) to (g); and
 - (i) a representative named by the local retired teachers' association as a nonvoting member.

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. The duties of the local council shall be

- (a) to administer the affairs of the local association, including annual adoption of an audited financial statement and approval of an annual budget for presentation to a general meeting;
- (b) to elect or appoint all ad hoc committees;
- (c) to approve frames of reference for each of its committees or to delegate approval to the members directly affected by the functions of the committee;
- (d) to hear reports from committees and decide on action to be taken, if any;
- (e) to elect or appoint representatives to the district convention board, the ATA summer conference and to other events requiring local representation on an ad hoc basis; and
- (f) to deal with other matters not inconsistent with this constitution or the General Bylaws of The Alberta Teachers' Association.

12. The local council shall meet at least five times per school year.

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

14. Fifty per cent of local council members are required to constitute a quorum.

Executive committee

15. The executive committee of this local shall consist of the president, vice-president, past president, chair of finance and communications officer. The executive secretary is a nonvoting member of the executive. Other members may be invited to attend executive committee meetings but will not have voting privileges.

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16. The duties of the executive committee shall be
- (a) to prepare the agenda of business for all meetings;
 - (b) to exercise general supervision over 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 of The Alberta Teachers' Association;
 - (d) to ensure that all Association moneys 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;
 - (f) to establish and review policy regarding the duties of the executive secretary; and
 - (g) when time is of the essence, to assume the functions of the local council.

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

Notices of meetings

18. Notices of intent to hold a general, special, local council or executive committee meeting shall be provided to an authorized representative at each school or worksite at least seven days before such 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 meeting may, by a 50 per cent vote of the total number of members on the roster, waive notice of a meeting or notice of any motion brought before the meeting.

19. Meetings of this local association or of any bargaining unit within the local shall be called by the president, or on the request of the executive committee or the local council, or on the written request of 25 members of the local or 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.

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

21. 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.

22. An ATA officer shall not vote. A district representative shall not vote except at a general meeting of the local when the representative is a member of the local.

Duties of local council officers

23. The duties of the local council officers are as follows:

- (1) President—The duties of the president shall be
- (a) to call and preside at all general, special, local council and executive committee meetings of this local association;

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- (b) to exercise general supervision over the affairs of this local association; and
 - (c) to serve as a local ARA representative to all representative assemblies.
- (2) Vice-president—The duties of the vice-president shall be
- (a) to take charge of the affairs of this local association in the absence of the president, and
 - (b) to assist the president in the discharge of duties.
- (3) Executive secretary—The duties of the executive secretary shall be
- (a) to keep accurate records of all proceedings of this local association;
 - (b) to bring before the executive committee or the local council of this local association all communications received by the local;
 - (c) to prepare and send to the head office of The Alberta Teachers' Association such statements and reports as may be required from time to time;
 - (d) to prepare and distribute notices calling all meetings, whether general, special, local council or executive committee;
 - (e) to annually update the policies and procedures manual for the local;
 - (f) to prepare at the direction of the executive committee, an annual budget in conjunction with the chair of finance;
 - (g) to keep accurate records of all moneys received and collected and to take charge of same;
 - (h) to prepare an annual financial statement for audit purposes; and
 - (i) to make the necessary disbursements of the funds of this local association as authorized by the executive committee or local council.
- (4) Chair of finance—The duties of the chair of finance shall be
- (a) to supervise financial transactions and sign all financial statements of the local,
 - (b) to approve and sign annual budget;
 - (c) to present annual budget to executive committee, local council and at a general meeting of the local; and
 - (d) to present an audited financial statement annually at a general meeting of the local.
- (5) Past president—The duties of the past president shall be
- (a) to serve as chair of the nominations committee, if established;
 - (b) to serve as the local parliamentarian; and
 - (c) to serve as local archivist.
- (6) Local ARA representatives—The duties of each local representative of this local association shall be
- (a) to represent this local association at all representative assemblies of The Alberta Teachers' Association,
 - (b) to report the proceedings of all representative assemblies to the local council and to such other gatherings as may be decided,
 - (c) to attend meetings of the local council of this local association and
 - (d) to attend general meetings of this local association.

- (7) Staff representatives—The duty of the staff representatives shall be to attend local council meetings and 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.
- (8) Standing committee chairs—The duties of the chairs of all local standing committees shall be
 - (a) to call and chair meetings of the standing committee,
 - (b) to attend local council meetings,
 - (c) to report on the activities of the committee to local council and
 - (d) to report to general meetings of the local on the activities of the standing committee.
- (9) Communications officer—It shall be the responsibility of this officer to serve as chair of the communications committee and with its assistance carry out a communications program with the teachers in the local and between the local and its various publics. All actions of this officer shall be subject to prior approval by the executive committee of the local.

Committees

24. (1) Economic policy committees (EPC)—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.
 - (a) Negotiating subcommittees—Each negotiating subcommittee shall be chosen from and by the economic policy committee of the bargaining unit. It shall be the duty of each subcommittee to engage in collective bargaining with the employing board of trustees as per the economic policy committee frame of reference.
- (2) Communications committee—The duty of this committee shall be to render assistance to the communications officer to facilitate both internal and external communications.
- (3) Professional development committee—The duty of this committee shall be to assume general responsibility for all professional development activities undertaken by this local association.
- (4) Convention committee—The duty of this committee shall be
 - (a) to represent the local on the district convention board and
 - (b) to liaise with the professional development committee of the local.
- (5) Teacher board advisory or liaison committee—It shall be the duty of this committee to examine aspects of the quality of work life in the local. Committee discussion will be aimed at policy making rather than negotiations.
- (6) Mentorship committee—The duty of this committee shall be to plan, implement and evaluate the mentorship program of this local association.

Elections

25. (1) The president, vice-president, chair of finance, communications officer and local ARA representatives shall be elected annually by a vote of the members of the local.

(2) Standing committee chairs and members shall be elected or appointed subject to the frame of reference of the committee.

(3) Each bargaining unit within the local shall elect an economic policy committee as per the approved frame of reference.

(4) All persons elected under subsections (1) and (2) shall assume office on July 1 following their election.

(4.1) Convention association representatives shall be elected (or appointed in the number prescribed by the convention association to assume duties not later than April 1 of each year.

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

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

Sublocals

26. A group of members of this local may petition the local council to be established as a sublocal of the local. A two-thirds vote of the local council is required to create a new sublocal.

27. Each sublocal shall operate under a constitution which must be approved by the local council and ratified by the Provincial Executive Council of The Alberta Teachers' Association.

28. The powers and duties of each sublocal shall be as shown in its constitution.

Substitute teachers committee

29. (1) At the request of 10 or more substitute teacher members, this local shall organize a substitute teacher committee as a standing committee of the local.

(2) It shall be the duties of this committee to

- (a) organize a substitute teachers group within the local,
- (b) assist the group in operating within its frame of reference and
- (c) manage the budget provided to the group.

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- (3) those eligible for 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.
- (4) An appropriate budget for the group shall be established.

Provincial Association Intervention

30. (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 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 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.

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(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.

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(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 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.

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(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

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

32. (1) This local association shall reimburse members acting on its behalf for all necessary out-of-pocket expenses as approved by local council.

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

33. Amendments to this constitution may be made after a one-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.

Ratified by Provincial Executive Council 1994 12 03

Amendments ratified by TOC on behalf of PEC 1995 06 05, 1996 09 09, 1998 06 15,
2002 11 25, 2006 04 28

Revised as per PEC requirements; 2010 06 01