



# ALBERNI DISTRICT TEACHERS' UNION

## CONSTITUTION

### **Article I - Name**

The name of the organization shall be the Alberni District Teachers' Union, hereinafter called the Union. The Union shall be a Local Union of the British Columbia Teachers' Federation.

### **Article II - Objectives**

The objectives of the Union shall be:

- A. to represent its members with the B. C. Teachers' Federation and School District 70 Pacific Rim
- B. to promote the welfare of the teachers;
- C. to enhance the status of the teaching profession;
- D. to foster and promote the cause of education in the public schools of School District 70 Pacific Rim

### **Article III - Membership**

Active Membership:

- A. Active membership in the Alberni District Teachers' Union shall be in accordance with the terms of the Constitution and Bylaws of the British Columbia Teachers' Federation (B.C.T.F.).
- B. Active members shall be the only persons entitled to vote or hold office.
- C. All teachers, including certified Teachers Teaching on Call employed by the Board and Associated Professionals as identified in the Collective Agreement, shall, as a condition of employment, become and remain members of the Alberni District Teachers' Union and the British Columbia Teachers' Federation. Only such teachers can be active members of the Union.

### **Article IV - Officers**

The Officers of the Union shall be called the Executive. These shall be:

1. President

2. Vice-President
3. President of U.T.T.U.
4. Secretary-Treasurer
5. Immediate Past President
6. Local Representative (LR)
7. Chairperson, Local Bargaining Committee
8. Political Action Contact
9. Social Justice Contact
10. Professional Development Committee Chairperson
11. Member-at-Large
12. Member-at-Large
13. Teacher Teaching on Call Committee Chairperson
14. Indigenous Education Contact

### **Article V - Election of Officers**

1. With the exception of the immediate Past President, all officers of the Executive shall be elected at the Annual General Meeting of the A.D.T.U. Such election shall be by secret ballot at the Annual General Meeting proceeding the school year in which the officers shall hold office.
2. The conduct of all elections under this article and under Article XII shall be in the hands of a returning officer who shall not be a candidate and whose powers and duties shall have been confirmed at a general meeting. The Returning Officer shall conduct the election according to rules adopted by a general meeting. These rules shall be such as to guarantee the secrecy of each member's ballot and that each member of the Union shall have a clear right to exercise their franchise.
3. Nominations for President, Vice President, President of UTTU and Secretary-Treasurer shall be accepted by the ADTU office no later than 7 days prior to the Annual General Meeting. Nominations for all other Executive positions will be accepted up to and including when the Returning Officer calls for nominations from the floor of the Annual General Meeting. If there are no nominations for President, Vice President, President of UTTU and Secretary-Treasurer received by the ADTU office by the deadline, the Returning Officer has the authority to accept nominations for these positions from the floor.
4. Nominees may submit a Curriculum Vitae (CV) and statement to the ADTU office a minimum of 7 days prior to the election for distribution to all ADTU members
5. In accordance with B.C.T.F. by-laws, the Local Representative shall be elected at the Annual General Meeting.
6. The Alternate Local Representative shall be the President.
7. The U.T.T.U. President shall be elected by members of the Ucluelet/Tofino Teachers' Union.

- 8 The term of office for all officers mentioned in this article shall be one (1) year (July 1 to June 30) unless otherwise stated in this Constitution.
- 9 If the election of the officers cannot be held as required, alternate methods subject to paragraph (7) and subject to the ANNUAL express approval of a general meeting may be used.

#### **Article VI - Duties of the Executive**

1. The Executive shall have power to conduct the general business of the Union between general meetings, its actions being always subject to the approval of the Representative Assembly at its next regular meeting.
2. The Officers shall have such other powers (with due alteration of details) as are given to the corresponding officers of the B.C. Teachers' Federation, Constitution of the B. C. Teachers' Federation or with any clause of this Constitution.
3. The President shall have the right to appoint or cause to be elected such special delegates and committees as are not elsewhere mentioned in this Constitution. The President shall be an ex-officio member of all committees.
4. The Secretary-Treasurer shall have power to establish bank accounts in the name of the Union and to issue cheques thereon. The President and Secretary-Treasurer shall be the signing officers for all accounts and a third signing officer for each account shall be appointed by the Executive. Wherever possible, the President shall be the primary signing officer. The signing officers for the Professional Development Committee shall be as follows: The Chairperson of the Professional Development Committee shall be the primary signing officer and the secondary signing officers shall be the President or the Secretary-Treasurer of the A.D.T.U.
5. The Executive shall fill by appointment, subject to ratification at the next regular Representative Assembly meeting or General Meeting, any vacancy on the Executive.
6. Officers shall hold office until their successors have been duly elected and installed, or until they resign, die, leave the active membership in the Union, or are dismissed from office for just cause.
7. Normally, Officers will assume their duties on July 1st.

#### **Article VII - Representative Assembly (RA)**

- A. The voting membership of the RA shall consist of:
  1. Officers of the Union (Article IV). The Officers of the Union shall be the Executive of the RA and shall occupy the same positions in the RA in the Union.

2. Staff Representatives (Staff Reps) - The Staff Reps shall be elected each September. The staff members of each school and the district staff at the Board Office who are Union members, will elect by secret ballot one Staff Representative for every ten teachers or major part thereof.
- B. The Representative Assembly shall exercise all powers of the Union, subject to review by the membership at a special meeting called pursuant to Article IX, Paragraph C, except that of:
  1. Constitutional change
  2. Revoking or amending motions carried at general meetings
  3. Setting fees or levies
  4. Acting in any way or manner contrary to the Constitution of the Union or the Constitution and By-Laws of the B. C. Teachers' Federation.
- C. Motions passed at general meetings shall have precedence over motions of the RA.
- D. No member of the RA may exercise more than one vote.
- E. All members of the Union may attend and may speak at meetings of the RA.

### **Article VIII - Money, Fees and Levies**

#### A. Budget

The Executive shall be empowered to authorize expenditures contained in the budget as approved by the Representative Assembly. A budget shall be prepared by the incoming Executive to be presented for approval at a general meeting to be held in September.

#### B. Non-Budgetary Expenditures

All non-budgetary expenditures shall be approved by the Representative Assembly.

#### C. Union Fees

1. The annual Union Fee shall be decided upon at the same general meeting at which the budget is presented to the Union and shall be based on this budget.
2. The annual fee of Certified Teachers Teaching on Call shall be determined at this same meeting; such fee not to be greater than the fee of other active members.

#### D. Levies

For extraordinary expenses, a general meeting: (See VII (B) 3) may decide that a levy be made upon all active members, such levy to be incorporated as part of the dues of each member of the Union. Notice of intent to authorize such a

special levy shall be given to all Union members not less than one week prior to the general meeting.

- E. The total of the incoming President's annual salary and benefits shall be included in the budget. This amount shall be used to pay the annual leave for the President of the Alberni District Teachers' Union.
- F. The Union's fiscal year will commence on September 1st and end on August 31st of the following year.

## **Article IX - Meetings**

### **A. Annual General Meeting**

The Annual General Meeting shall be held in April or May on a date and in a place to be named by the Executive. At least one week's written notice of the Annual General Meeting shall be given to the membership.

### **B. Representative Assembly Meetings**

1. Subject to Article VII, Section A, regular meetings of the Representative Assembly shall be held at the call of the Executive Committee and shall normally be held once per month.
2. Dates of the meetings shall be given to all members of the Representative Assembly at the first R.A. in September of each year.
3. The Agenda for each meeting shall be distributed to the Staff Reps one week before the meeting. It shall be in writing and shall be made available to the membership of the Union by the Staff Representatives.
4. Minutes of the Representative Assembly shall be circulated to the members of the Union by the Staff Representatives.

### **C. Special Meetings**

1. A special meeting of the Representative Assembly shall be called upon the written demand signed by any ten (10) active members in good standing, or at the call of the President and a special general meeting shall be called upon the written demand signed by any thirty (30) active members in good standing, or at the call of the President. One week's written notice shall be given to all members of such meetings.
2. In the event of an emergency, a special meeting of the Representative Assembly or a special general meeting may be called by the President. Notice of such meetings shall be given to all members of the Union as soon as possible, but under no circumstances shall the period of notice be less than twenty-four (24) hours. The Agenda of such a special meeting shall be restricted to the subject of the emergency for which the meeting was called.

D. General Meetings

1. General Meetings shall be held at the call of the Executive Committee.
2. Notice of meeting shall be given to all members of the Union not less than one week prior to the date of the meeting. Such notice shall give the agenda of the meeting and shall be made available to the membership of the Union by the Staff Representatives.
3. Minutes of the General Meeting shall be circulated to the members of the Union by Staff Representatives.

4. Quorums

1. Executive Meeting - A quorum of an Executive Committee meeting shall consist of fifty percent (50%) of the members of the Executive, at least one of whom shall be the President or Vice-President.
2. Meetings of the Representative Assembly - that quorum of a general meeting or representative assembly be 60% of schools represented (including Student Support Services)
3. General Meetings - that quorum of a general meeting or representative assembly be 60% of schools represented (including Student Support Services)
4. In the event of the failure of the quorum, the meeting shall be reconvened not less than fifteen (15) minutes after the original meeting. The number of members in attendance at such a reconvened meeting shall constitute a quorum.

F. Order of Business

1. Annual General Meeting
  - a) Confirmation of Minutes at last Annual General Meeting
  - b) President's Report
  - c) Report of Secretary-Treasurer
  - d) Report of Local Representative
  - e) Reports of Committees
  - f) Old Business
  - g) Confirmation of Auditors
  - h) Election of Local Representative
  - i) Nomination and Election of other Executive officers.
  - j) Notice of Motion
  - k) New Business
2. Representative Assembly and General Meeting
  - a) Confirmation of Minutes
  - b) Correspondence
  - c) Secretary-Treasurer's Report
  - d) President's Report

- e) Members' Concerns
- f) Reports of Committees including Executive Committee
- g) Old Business
- h) New Business
- i) Notice of Motion(s)

### 3. Special Meetings

At any Special or Emergency Meeting of the Union or Representative Assembly, no business shall be transacted except that for which the meeting was called.

## **Article X - Sub-Locals**

The teachers of the Ucluelet-Tofino area shall be recognized as UTTU (Ucluelet-Tofino Teachers' Union) a sub-local of the Alberni District Teachers' Union as approved by resolution of the Executive Committee of the B. C. Teachers' Federation.

1. The President of UTTU shall be an Executive Officer of the Alberni District Teachers' Union.
2. UTTU shall send representatives to the Annual General Meeting of the B. C. Teachers' Federation, as determined by By-Laws 8 and 9 of the B.C.T.F.
3. For the purposes of By-Law 6 of the B.C.T.F. (representation at the Representative Assembly), UTTU shall be considered a local Union.

## **Article XI - Committees**

### A. Local Bargaining Committee

1. The Local Bargaining Committee shall formulate policies in regard to terms and conditions of employment for recommendation to the Executive. From its members shall be chosen the Negotiating Team, the duties of which shall be to negotiate with the Board of School Trustees the terms and conditions of employment pursuant to agreement between the B. C. Teachers' Federation and the B. C. Public Service Employers Association.
2. Representation shall be as follows:
  - a) Officers of the Executive
  - b) The Executive shall fill by appointment, subject to ratification at the next regular Representative Assembly or General Meeting, the members of the Local Bargaining Committee. Representation of the Committee should include teachers from Elementary, Middle, Secondary, District Alternate, Ucluelet-Tofino and Teachers Teaching On Call.
3. The Executive shall fill by appointment, subject to ratification at the next regular Representative Assembly meeting or general meeting, any vacancy on the Local Bargaining Committee. The term of office for all representatives to the Local Bargaining Committee shall be one (1) year (July 1- June 30).

B. Negotiating Team

1. The members of the Local Bargaining Committee shall elect the Chief Negotiator and they, in consultation with the Committee members, shall select the members of the Negotiating Team. The Chief Negotiator shall be a member of the Committee who serves for the duration of the negotiations. The President shall be a member of the Negotiating Team.
2. The Negotiating Team shall determine its own operational procedures.

C. Professional Development Committee

1. The Professional Development Committee shall consist of:
  - a) one (1) representative from each school
  - b) one (1) representative from each Local Specialist Association
  - c) one (1) School Trustee
  - d) the past Professional Development Chairperson
  - e) the President of the Alberni District Teachers' Union.

D. Social Justice Committee

1. The members of the Social Justice Committee shall be the Union members who choose to be members of the Social Justice Committee.

E. Teachers Teaching on Call Committee

1. The members of the Teachers Teaching on Call Committee shall be the Union members who choose to be members of the Teachers Teaching on Call Committee.

**Article XII - Ratification of Local Collective Agreements**

- A. When the Negotiating Committee shall have cause to place before the Union an offer from the Board of Trustees, a General Meeting shall be called by the Executive Committee. Notice of such meeting shall be given to all members of the Union as soon as possible, but under no circumstances shall the period of notice be less than twenty-four (24) hours.
- B. Voting shall be restricted to active members of the Union, and shall be by secret ballot supervised by a Returning Officer elected at the General Meeting.
- C. A majority vote of fifty percent (50%) plus one of the members present shall be necessary to ratify a proposed Collective Agreement.

**Article XIII - Ratification of Provincial Collective Agreement**

- A. Ratification of a Provincial Collective Agreement shall be consistent with B. C. Teachers' Federation Policies.



## **Article XIV - Audit**

The auditors for the coming year shall be confirmed at the Annual General Meeting of the A.D.T.U.

## **Article XV - Amendments**

The Constitution may be amended by a two-thirds majority vote of the membership present at any General or Annual General Meeting, provided notice of such amendment shall have been submitted in writing at a previous meeting or at a regular meeting of the Representative Assembly and that written notice of motion shall have been given to each member of the Union not less than two weeks in advance of the meeting at which the motion will be considered.

## **Article XVI - Conflict of Interest Policy**

1. Locals will take all reasonable steps to ensure that conflicts of interest are avoided.
2. It is the responsibility of locally elected officers to bring to the attention of the local any potential, apparent or real conflicts of interest. Conflicts of interest include, but are not limited to, situations where:
  - (a) a local officer may in some way benefit materially or financially from exercising union duties; or
  - (b) a local officer applies for a position outside the bargaining unit in a school district, a position with BCPSEA, or similar management position.
3. A conflict of interest does not exist when a benefit arises from performance of duties that affect officers as one of a broad class of BCTF members.
4. When a conflict of interest arises, the local executive shall determine what steps are necessary in the circumstances. Examples of steps that may be taken include:
  - (a) the officer absents themselves from the discussion and vote on any matter that gives rise to the conflict;
  - (b) the officer no longer represents members vis-à-vis the school board (i.e., delegates the function of representing members to another officer);
  - (c) the officer removes themselves from the decision-making of the local executive;
  - (d) the officer takes a leave of absence until such time as the conflict no longer exists; or
  - (e) the officer resigns their position with the local.

One or more steps may be appropriate, depending on the circumstances of the individual case. Steps (d) and (e) should only be exercised in compelling cases.