

BRANDON TEACHERS' ASSOCIATION

CONSTITUTION



2008

CONSTITUTION
OF
The BRANDON TEACHERS' ASSOCIATION

TABLE OF CONTENTS

| | |
|--|----------------|
| ARTICLE 1: AUTHORITY AND NAME | page 4 |
| ARTICLE 2: OBJECTIVES | page 4 |
| ARTICLE 3: ACTIVITIES | page 4 |
| ARTICLE 4: MEMBERSHIP | page 5 |
| ARTICLE 5: MEMBERSHIP FEES | page 5 |
| ARTICLE 6: MEETINGS | page 5 |
| ARTICLE 7: MEMBERSHIP OF THE COUNCIL | page 6 |
| ARTICLE 8: QUORUM | page 6 |
| ARTICLE 9: PROCEDURE | page 7 |
| ARTICLE 10: DUTIES OF THE COUNCIL AND EXECUTIVE | page 7 |
| 10.01 Executive and Council | page 7 |
| 10.02 School Representatives:..... | page 7 |
| 10.03 Elected Members of the Provincial Council.... | page 8 |
| 10.04 Retired Teachers' Association..... | page 8 |
| ARTICLE 11: DUTIES OF THE EXECUTIVE | page 8 |
| 11.01 The President..... | page 8 |
| 11.02 The Vice-President..... | page 9 |
| 11.03 The Secretary..... | page 9 |
| 11.04 The Treasurer | page 9 |
| 11.05 The Immediate Past-President..... | page 9 |
| ARTICLE 12: ELECTION OF EXECUTIVES | page 10 |

| | |
|---|----------------|
| ARTICLE 13: RATIFICATION OF THE COLLECTIVE AGREEMENT | page 10 |
| ARTICLE 14: COMMITTEES OF THE ASSOCIATION | page 10 |
| Brandon Association of Principals | page 11 |
| Collective Bargaining Committee | page 11 |
| Constitution Committee | page 11 |
| Employee Benefits Committee | page 12 |
| Budget Committee | page 12 |
| Liaison Committee | page 12 |
| Nominations Committee | page 13 |
| Past –Presidents | page 13 |
| Professional Development Committee | page 13 |
| Public Relations Committee | page 14 |
| Workplace Safety and Health | page 14 |
| Education Finance Committee | page 15 |
| Thinking of You Committee | page 15 |
| ARTICLE 15: RESOLUTIONS TO THE ANNUAL GENERAL MEETING | page 15 |
| ARTICLE 16: DELEGATES TO THE PROVINCIAL ANNUAL GENERAL MEETING | page 15 |
| ARTICLE 17: RESERVE FUND | page 16 |
| ARTICLE 18: CONSTITUTIONAL CHANGE | page 16 |

**CONSTITUTION
OF
The BRANDON TEACHERS' ASSOCIATION
OF
THE MANITOBA TEACHERS' SOCIETY**

ARTICLE 1: AUTHORITY AND NAME

- 1.01 In accordance with the provisions of Section 13, sub-section 3 of The Manitoba Teachers' Society Act, R.S.M. 1954, Chapter 262, the Brandon Teachers' Association of the Society is permitted to formulate this Constitution, adopt by-laws, and pass resolutions not inconsistent with the said Act or the by-laws of the said Society.
- 1.02 The name shall be the Brandon Teachers' Association of The Manitoba Teachers' Society, hereinafter referred to as the "Association".

ARTICLE 2: OBJECTIVES

The objectives of the Association shall be:

- 2.01 to further the aims and objectives of The Manitoba Teachers' Society;
- 2.02 to promote and develop professional and collegial spirit among the teachers within the area served by Brandon Teachers' Association;
- 2.03 to safeguard and advance the interests of the teaching profession;
- 2.04 to secure conditions for its members which will make possible the best professional education service;
- 2.05 to promote and advance the cause of education;
- 2.06 to take any measures which the Association deems necessary or advisable in order to give effect to any policy adopted by it with respect to any question directly or indirectly affecting its members, providing such policies are consistent with the policies of The Manitoba Teachers' Society;
- 2.07 to stimulate public interest in educational affairs.
- 2.08 to negotiate collective agreements with the employer of its members

ARTICLE 3: ACTIVITIES

In order to promote its objectives, the activities of the Association shall include the following:

- 3.01 a) to participate in curriculum research and development;
- b) to establish an effective public relations program;
- c) to maintain and administer the scholarship and other assistance funds of the Association;
- d) to take such action as deemed necessary to protect and advance the interests of its members.

ARTICLE 4: MEMBERSHIP

- 4.01 Every person who is a teacher or who performs any one or more functions involved in the teaching process, including every person who is a substitute teacher, and who is employed by the Brandon School Division on a full-time, part-time or substitute basis shall be eligible to be a member of this Association.
- 4.02 Every person who is a member in good standing of the Manitoba Teachers' Society, including a substitute teacher, and who is employed by the Brandon School Division shall be a member in good standing of this Association and hereinafter is referred to as a "member".
- 4.03 Members have the right to attend and vote at general meetings, to attend Executive and Council meetings (unless declared in camera) and to vote in the election of the Executive and Council Representative.
- 4.04 The Council has the power to grant honorary life memberships. However, honorary and life members shall not have the right to vote.

ARTICLE 5: MEMBERSHIP FEES

- 5.01 The annual fee payable by each member of the Association shall be in such amount as the membership may decide at the Annual General Meeting. Any change in the annual fees payable by each member shall become effective in the subsequent school year.

ARTICLE 6: MEETINGS

- 6.01 General meetings of this Association shall be called at least once (1) a year.
- 6.02 A written petition bearing the signature of fifty (50) members of this Association shall have the right to require the President to call a meeting of the general membership.
- 6.03 The annual meeting shall be during the first week in June or at the call of the Executive. The Vice-President, Secretary and Treasurer of the Association will be elected at this meeting. The term of office for the Executive will commence on July 1st and end on June 30th of the ensuing year.
- 6.04 A general meeting of all members of the bargaining unit shall be called for the purpose of ratifying a new or amended collective agreement. The new or amended collective agreement shall be ratified by a secret ballot of all members of the bargaining unit present at the meeting. Notice of the meeting shall be sent to the schools at least 7 days before the meeting.
- 6.05 Council meetings shall be held in September, October, November, January, February, March, and April. Other council meetings may be held at the discretion of the president. Dates of meetings shall be decided upon by the Executive.

- 6.06 Any six (6) members of the council shall have the right to require the President to call a meeting of the council at any time.
- 6.07 Any member may attend meetings of the council but only members of the council may vote.
- 6.08 A representative of the substitute teachers shall attend meetings of the council and may vote.
- 6.09 A representative of the retired teachers shall be invited to attend meetings of the council.

ARTICLE 7: MEMBERSHIP OF THE COUNCIL

- 7.01 Executive shall be:
- a) President
 - b) Vice-President
 - c) Secretary
 - e) Treasurer
 - e) Immediate Past-President
- 7.02 Elected representative(s) from each school according to Article 10.02.
- 7.03 One representative elected by the central office teaching personnel not directly associated with a school.
- 7.04 Any Brandon Teachers' Association member who is also a member of the Provincial Council.
- 7.05 One representative of substitute teachers.
- 7.06 The chairperson of each of the committees of the Association as listed in Article 14.02.
- 7.07 The absence of any member from two (2) consecutive meetings shall constitute a vacancy to be filled unless said member shall show adequate reason for absence or makes provision for an alternate representative according to Article 10.02.

ARTICLE 8: QUORUM

- 8.01 At a general meeting the formula to declare whether there is a quorum shall be the number of members of BTA attending divided by the total membership, multiplied by 100 to get the required minimum of **15%** of the members.
- 8.02 The quorum at any council meeting shall be one-half (50%) of the members of the council and three (3) of the Executive.
- 8.03 The quorum of the Executive meeting shall be three (3) members of the Executive.
- 8.04 The quorum of the Collective Bargaining Committee shall be one-half (50%) of the members of the committee.

8.05 The quorum for all other committees shall be determined by the committee.

ARTICLE 9: PROCEDURE

- 9.01 **Bourinot’s Rules of Parliamentary Procedure** shall be used as a guide to conduct all meetings.
- 9.02 A record shall be kept of business transacted at all meetings.
- 9.03 The names of the members present at each meeting shall be recorded with the minutes.
- 9.04 Council members shall be given at least two days’ notice of the council meetings, together with an outline or agenda of the business to be transacted at the meeting.
- 9.05 Every member shall be given at least seven (7) days’ notice of a general meeting, not including special or emergency meetings, together with an outline or agenda of the business to be transacted at the meeting.
- 9.06 Notice of a special or emergency meeting shall be accompanied by a verbal or written indication of the nature of the emergency agenda.

ARTICLE 10: DUTIES OF THE COUNCIL AND EXECUTIVES

10.01 **The Executive and Council shall:**

- a) supervise the affairs of the Association during the term of office;
- b) appoint additional members to the council to fill vacancies;
- c) appoint committee members from the general membership at its first council meeting or as soon as possible thereafter;
- d) prepare a budget for the current year and suggest the required membership fee;
- e) authorize the expenditures of the Association;
- f) appoint auditors whose duties shall be to audit the financial records and statements of the Association;
- g) establish ad hoc committees with specific mandates as necessary;
- h) appoint members to participate in selected workshops, seminars and conferences;
- i) approve the opening package for collective bargaining with the Board

10.02 **School Representatives:**

- a) School Representative(s) shall be elected by respective staffs prior to the first council meeting in September and shall hold office until their successors are installed.
- b) Representation for each school building shall be on the following basis:
 - One representative for the first 20 teachers;
 - One additional representative for 21-40 teachers;
 - One further additional representative for 41-60 teachers and
 - One further additional representative for 61+ teachers.
- c) The school representative shall:

- 1) represent his/her staff as a voting member on the council;
- 2) act on council committees;
- 3) report Association activities to the staff;
- 4) report the wishes of the staff to the council;
- 5) inform members of meetings and results of meetings;
- 6) circulate and take charge of Association and Provincial Council minutes;
- 7) collect any special levies or fees as required;
- 8) promote interest and involvement in Association activities;
- 9) inform new staff of Association activities;
- 10) submit, to the Secretary, the names of staff members added to staff and joining the Association throughout the year;
- 11) convey activities of the staff to appropriate committees;
- 12) ensure that alternate representation is available in case of illness or absence of the representative; and
- 13) publicize general meetings.

10.03 **Elected Members of the Provincial Council**

- a) An Association member who is also elected to the Provincial Council shall act as a liaison with the Brandon Teachers' Association council.

10.04 **Retired Teachers' Association**

One representative of the Retired Teachers' Association shall:

- 1) represent his/her constituent group as a non-voting member on the council;
- 2) report Association activities to the constituent group;
- 3) report the wishes of the constituent group to the council;
- 4) inform members of meetings and results of meetings;
- 5) circulate and take charge of Brandon Teachers' Association and Provincial Executive minutes.

ARTICLE 11: DUTIES OF THE EXECUTIVES

11.01 The **President** shall:

- a) prepare the agenda of business and designate the place of all meetings;
- b) preside at all general meetings of the Association;
- c) preside at all council meetings of the Association;
- d) preside at the Executives meetings;
- e) be an ex-officio member of all committees;
- f) countersign all orders on the treasury;
- g) perform additional duties which may be assigned by the council;
- h) investigate grievances, reporting details of same to the General Secretary of The Manitoba Teachers' Society;
- i) be responsible for receipt and processing of resolutions being submitted on behalf of the Association to the provincial Annual General Meeting;
- j) be responsible for the supervision of the Administrative Assistant who shall:

- 1) keep an accurate record of all proceedings of the Association at council, Executive and general meetings;
- 2) bring before the Association all official notices and communications and conducting correspondence as required;
- 3) produce and send to the General Secretary, statements and reports as required by The Manitoba Teachers' Society;
- 4) forward necessary notices of all regular and special meetings to members of the Association;
- 5) publicize general meetings;
- 6) keep an accurate record of the number and names of teachers belonging to the Association and forward the information to the Treasurer;
- 7) keep an accurate record of M.T.S. days taken by Association members, in accordance with the Collective Agreement;
- 8) plan and organize the retirement banquet under the direction of the Secretary;
- 9) compile, organize and arrange for the publication of the Staff Directory;
- 10) compile an information folder to be distributed each September to all new teachers in the Division. This folder shall contain information pertinent to salaries, fringe benefits, working conditions and other matters deemed necessary by the Executive.

11.02 The **Vice-President** shall:

- a) assist the President in conducting the affairs of the Association;
- b) take full charge of the affairs of the Association during the absence of the President or when requested to do so by the President;
- c) be the Association's deputy returning officer for the M.T.S. presidential election.

11.03 The **Secretary** shall:

- a) act as an official signing officer for the Association;
- b) keep an accurate record of all proceedings of the Association at council, Executive and general meetings when the Administrative Assistant is not in attendance;

11.04 The **Treasurer** shall:

- a) keep a record of all monies collected by the Association;
- b) place all monies in a bank, trust account, or credit union as the council may decide;
- c) pay all bills incurred by the Association by cheque signed by the Treasurer or President, and any one signing officer appointed by the executive;
- d) to prepare and present an audited financial statement at the annual meeting.

11.05 The **Immediate Past-President** shall:

- a) render to the President such leadership assistance as may be required by that officer and the council;
- b) be chairperson of the nominating committee and chief returning officer for the local Association election and any ratification vote on the collective agreement;
- c) perform all duties which may be assigned to him/her by the council;
- d) act as chairperson of the Past-Presidents' Committee.

ARTICLE 12: ELECTION OF EXECUTIVES

- 12.01 The Vice-President, Secretary, and Treasurer, shall be elected annually and shall hold office until their successors are installed.
- 12.02 The election of Vice-President, Secretary and Treasurer shall take place at the annual meeting. A plurality of votes shall elect.
- 12.03 Every member shall have the right to vote by secret ballot.
- 12.04 The Chief Returning Officer shall be responsible for the proper conduct of the election.
- 12.05 The list of nominees for Vice-President, Secretary and Treasurer prepared by the Nomination Committee and any additional nominees presented at the Annual General Meeting shall be presented to the membership for election.
- 12.06 The President will be elected annually at a general meeting called specifically for the purpose of the election of President. Acclamation of the President may occur at the Annual General Meeting.
- 12.07 Nominations for President must be submitted to the nomination committee on or before April 1st of each school year. Names of all those nominated will be circulated to all schools by April 20th. The general meeting called specifically for the purpose of electing the president will occur after April 20th and before the last teaching day of April.
- 12.08 If an Executive member is unable to complete his/her term of office, his/her position shall be filled by a person proposed by the Executives and approved by the Council.

ARTICLE 13: RATIFICATION OF THE COLLECTIVE AGREEMENT

- 13.01 An amended or new collective agreement shall be ratified at a meeting of the members of the bargaining unit by a secret ballot cast by all members of the bargaining unit present at this meeting.
- 13.02 Notice of the meeting shall be sent to all workplaces at least seven (7) days prior to the meeting together with a list of all changes to the collective agreement.
- 13.03 A majority of the members who may vote and who cast ballots on the question of acceptance or rejection of the proposed collective agreement shall determine the question.
- 13.04 The ballots shall not be destroyed for at least thirty (30) days.

ARTICLE 14: COMMITTEES OF THE ASSOCIATION

- 14.01 Every committee established under this Constitution shall include one member of the executive whose duty shall be:
 - a) to act as chairperson;
 - b) to be responsible for reporting to the council.

14.02 Each year the council shall establish the following committees and ad hoc committees with specific mandates as necessary.

A. Brandon Association of Principals

1. **Membership:**

- a) President - ex-officio
- b) Chairperson - chosen by the Principals and Vice-Principals
- c) All Principals and Vice-Principals

2. **Purpose:**

- a) to promote the interests and activities of The Manitoba Teachers' Society and the Association;
- b) to help provide a leadership role for teachers of Brandon School Division.

B. Collective Bargaining Committee

1. **Membership:**

- a) Chairperson of the Collective Bargaining Committee as ratified by the previous AGM
- b) Past Chairperson
- c) President
- d) Two members appointed by the chairperson
- e) Additional members as proposed by the chairperson and approved by the council.
- f) Vice-President

2. **Purpose:**

- a) to negotiate a collective agreement with the Brandon School Division which must be ratified by the membership;
- b) to canvass the membership for a set of priorities which shall be considered when negotiating with the employer;
- c) to oversee the application of the collective agreement;
- d) to preserve a record of all negotiations.
- e) to preserve an ongoing record of all breaches of the collective agreement by the employer or by members.

C. Constitution Committee

1. **Membership:**

- a) President - ex-officio
- b) Chairperson - Vice-President
- c) At least two (2) past-presidents proposed by the chairperson and approved by the council

2. **Purpose:**
 - a) to keep an ongoing study pertaining to the updating of the Constitution;
 - b) to present to the council proposals for revision of the Constitution as the need arises;
 - c) to prepare constitutional changes for presentation to the general membership as directed by the council.

D. Employee Benefits

1. **Membership:**
 - a) President - ex-officio
 - b) Chairperson
 - c) At least two (2) additional members proposed by the chairperson and approved by the council
2. **Purpose:**
 - a) to maintain an ongoing study of changes affecting all employee benefits;
 - b) to inform the members of pertinent changes affecting the pension rights of teachers;
 - c) to report regularly on the activities of the Provincial Employee Benefits Committee.

E. Budget

1. **Membership:**
 - a) President - ex-officio
 - b) Chairperson - Treasurer
 - c) Executives and Chairs of Committees
2. **Purpose:**
 - a) to prepare a budget for proposal by the Council to the membership;
 - b) to keep an up-to-date list of teachers belonging to the Association in order to maintain an accurate account of membership fee income;
 - c) to assist the Treasurer in the execution of his/her duties.

F. Liaison

1. **Membership:**
 - a) A maximum of three (3) members, appointed by the Executive, on an ad hoc basis.
2. **Purpose:**
 - a) to act as a liaison between the Association and the Brandon School Division;
 - b) to consider the interpretation, discussion and settlement of matters of joint concern that are not currently under negotiation.

- c) to promote educational co-operation between the Association and the Division Board.

G. Nominations Committee

1. **Membership:**

- a) President - ex-officio
- b) Chairperson - Immediate Past-President
- c) At least two (2) additional members proposed by the chairperson and approved by the council

2. **Purpose:**

- a) to prepare a slate of officers to be presented for election at the annual meeting in June;
- b) to conduct the election of officers at the annual meeting;
- c) to present a list of proposed chairpersons for ratification at the Annual General Meeting.

H. Past –Presidents

1. **Membership:**

- a) President - ex-officio
- b) Chairperson - Immediate Past-President
- c) All Past-Presidents of Brandon Teachers' Association

2. **Purpose:**

- a) to meet at call of the chairperson;
- b) to be available as resource personnel for the Association Executive and the council;
- c) to carry out research and/or study when requested by the council;
- d) to research and recommend to the council, individuals worthy of being bestowed with a Life Membership in Brandon Teachers' Association.

I. Professional Development Committee

1. **Membership:**

- a) President - ex-officio
- b) Chairperson
- c) Three (3) advisory board representatives - one to represent each of the following areas: early, middle, and senior years who are proposed by the chairperson and approved by the council
- d) A principals' representative, to be selected by the Brandon Principals' Committee

2. **Purpose:**

- a) to co-operate with The Manitoba Teachers' Society, Manitoba Education, and the Brandon School Division to study and develop programs in curriculum development and in-service education;
- b) to present the views of the Association in all phases of in-service education;
- c) to encourage and initiate programs pertaining to curriculum and in-service of the Provincial Professional Development Committee;
- d) to keep the membership informed about developments in curriculum and in-service of the Provincial Professional Development Committee;
- e) to co-operate with early, middle, and senior professional development groups in promoting, initiating, and sustaining studies of curriculum and educational research;
- f) to ensure that the LIFT Conference is organized and held.

J. Public Relations Committee

1. **Membership:**

- a) President - ex-officio
- b) Chairperson
- c) Vice-President
- d) At least two (2) members proposed by the chairperson and approved by the council

2. **Purpose:**

- a) to conduct public relations activities as directed by the council;
- b) to publicize educational activities of the membership and the Association;
- c) to develop a public relations policy and program for approval by the council.

K. Workplace Safety and Health Committee

1. **Membership:**

- a) President - ex-officio
- b) Chairperson
- c) One member appointed from each school

2. **Purpose:**

- a) to identify risks to safety and health in each building in the Division used by teachers and students while in the pursuit of educational goals;
- b) to monitor accidents which may have occurred in the pursuit of educational goals in an attempt to propose ways of preventing further such accidents;
- c) to promote safety programs;
- d) to report to the Association chairperson in such a way that meaningful contributions may be made to the Brandon School Division Employer/Employee Workplace Safety and Health Committee so that this committee can address and process complaints.

L. Education Finance Committee

1. **Membership:**

- a) President - ex-officio
- b) Chairperson
- c) Two additional members proposed by the chair and approved by the council.

2. **Purpose:**

- a) to maintain an ongoing study of provincial/divisional education finance
- b) to keep the council informed of pertinent information

M. Thinking of You Committee

1. **Membership:**

- a) President - ex-officio
- b) Two additional members proposed by the chair and approved by the council.

2. **Purpose:**

To offer support and recognition in times of need and/or celebration of the members.

14.03 Every committee established under this Constitution shall prepare and submit a budget to the Finance Committee at least four (4) weeks prior to the annual meeting.

14.04 Each committee shall, in addition to the responsibilities outlined, carry out such duties as may be assigned to it by the council from time to time.

ARTICLE 15: RESOLUTIONS TO THE PROVINCIAL ANNUAL GENERAL MEETING

- 15.01 a) Resolutions to be submitted to the Provincial Annual General Meeting must be forwarded to the Executive Assistant for processing.
- b) Resolutions must be submitted to schools before the Council meeting.
- c) Resolutions must be approved at a Council meeting of the Local Association, if they are to be presented on behalf of the Association.

ARTICLE 16: DELEGATES TO THE PROVINCIAL ANNUAL GENERAL MEETING

16.01 The representatives to the Provincial Annual General Meeting shall consist of:

- a) The Executive
- b) One chairperson from each of the following standing committees: Collective Bargaining, Professional Development, Employee Benefits and Education Finance.
- c) Alternate or additional delegates as appointed by the Executive.

- 16.02 a) The delegates and members of the Provincial Council from the Brandon Teachers' Association shall receive an expense allowance from the Association.
- b) The amount of the allowance shall be set in the annual budget.

ARTICLE 17: RESERVE FUND

17.01 The Brandon Teachers' Association shall maintain a Reserve Fund.

17.02 The Reserve Fund shall be invested in one or more of the following:

- a) In a savings and/or investment account with a chartered bank;
- b) In a credit union;
- c) Government Bonds

17.03 The Reserve Fund shall be managed in the following way:

- a) A maximum amount of \$12,000.00 will be kept in the fund.
- b) **If the Reserve Fund falls below \$8,000** then there will be an annual Reserve Fund levy of the lesser of:
 - i) 10% of the maximum amount of the Reserve Fund;
 - ii) the amount needed to bring the Reserve Fund to its minimum.
- c) Surpluses beyond the \$12,000.00 maximum will be transferred to the General Account.

17.04 The Reserve Fund will be used in the following ways:

- a) Arbitrations
- b) Professional Development emergency needs - designated by the general meeting
- c) Contingencies designated by the council - \$1,000 limit
- d) Hedge for unusual increase in fees in order to spread the cost over one or two years
- e) Capital expenditures - designated by the council.

ARTICLE 18: CONSTITUTIONAL CHANGE

18.01 Constitutional changes may be made at any general meeting provided a notice of motion of the proposed changes shall have been forwarded to all members two weeks prior to the meeting.

18.02 Constitutional changes shall become effective upon approval of the Provincial Council of The Manitoba Teachers' Society.

This revised Constitution was adopted at the Annual General Meeting of the Brandon Teachers' Association in May 2008.

Approved by Provincial Executive at its meeting on _____

President

Secretary

General Secretary - The Manitoba Teachers' Society