

Beautiful Plains Teachers' Association Constitution

10/1/2008

ARTICLE I: AUTHORITY AND NAME

- 1.01 In accordance with the provisions of Section 13, Subsection 3 of The Manitoba Teachers' Society Act, the Beautiful Plains Teachers' Association of the Society is permitted to formulate this Constitution, adopt By-laws and pass resolutions not inconsistent with the said Act, or By-laws of the said Society.
- 1.02 The said Teachers' Association shall be known as the Beautiful Plains Teachers' Association of The Manitoba Teachers' Society, hereinafter referred to as "the Association".

ARTICLE II: OBJECTIVES, RESPONSIBILITIES AND DUTIES OF THE ASSOCIATION

- 2.01 The objectives of the Association shall include the following:
- (a) to promote and advance the cause of education;
 - (b) to stimulate public interest in education affairs;
 - (c) to co-operate with other organizations having the same or like aims and objectives;
 - (d) to secure conditions for its members which will make possible the best professional educational service;
 - (e) to safeguard and advance the interests of the teaching profession;
 - (f) 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.
- 2.02 In order to give effect to the objectives heretofore outlined, the activities of the Association shall include the following:
- (a) To participate in curriculum research and in-service and to encourage such innovations as in the opinion of the Association will achieve the most effective instruction within the classroom;
 - (b) To stimulate a continuing interest in the teaching profession and in the program and policy of the Association amongst its membership;
 - (c) To establish an effective public relations program and promote the professional status of teachers;
 - (d) To secure equitable conditions of work and salaries for its members by:

- i) acting as the bargaining agent of its members on all matters concerning the terms and conditions of employment including salaries, and
 - ii) negotiating collective agreements with the employer of its members, and
 - iii) exercising all powers as may be within its competence in order to achieve terms and conditions of employment, including salaries, which are consistent with the requirements of teachers as a professional group;
- (e) To establish and maintain a committee on employee benefits for the benefit of its members and particularly to advise new or inexperienced members;
- (f) To maintain a watching brief to all matters affecting the welfare of teachers generally and take such action as may be deemed advisable to protect and advance the interests of its members.

ARTICLE III: ELIGIBILITY FOR MEMBERSHIP

3.01 Any member of The Manitoba Teachers' Society who is employed by the Beautiful Plains School Division shall be a member of the Association and shall hereinafter be termed as "member".

ARTICLE IV: BPTA ELECTORAL UNITS

4.01 The members employed in each named school of the Beautiful Plains School Division shall constitute an electoral unit.

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ARTICLE V: THE EXECUTIVE OF THE ASSOCIATION

5.01 The Executive of the Association shall consist of the table officers, representatives of the electoral units, chairpersons of special committees which the Executive may establish from time to time, and members at large appointed by the Executive to maintain liaison with special interest groups or to carry out other specific functions assigned by the Executive.

5.02 The table officers of the Executive shall consist of the President, Vice-President, Secretary-Treasurer, and immediate Past-President.

- 5.03 Each electoral unit shall be entitled to elect from within the unit, in addition to table officers which are from that electoral unit, one (1) representative for each fifteen (15) members or portion thereof in such unit.
- 5.04 Each of the aforesaid members of the Executive is hereinafter referred to as "the representative".
- 5.05 Duties of the aforesaid members of the Executive shall be:
- (a) to attend all meetings of the Executive, or to provide an alternative from his/her electoral unit;
 - (b) to seek the advice of his/her electoral unit which will guide his/her actions at Executive meetings;
 - (c) to keep his/her electoral unit informed of all activities and decisions of the Executive.
- 5.06 Powers of the Executive shall include the following:
- (a) Conduct business and affairs of the Association not inconsistent with the policy established by the Executive or of the Association;
 - (b) Exercise such powers as it may deem necessary or advisable for the welfare of the Association and its members;
 - (c) Adopt, amend, or repeal By-laws of the Association;
 - (d) Determine the policy of the Association on all matters within its competence;
 - (e) Delegate any of its powers to any one or more of its members as it may deem practical or advisable from time to time;
 - (f) Do any other matter consistent with the objectives of the Association;
 - (g) Exercise all the powers of the Association except as otherwise stated by this Constitution;
 - (h) Process resolutions submitted by the membership or by members of the Executive for ratification by the Executive. To submit ratified resolutions on behalf of the Local Teachers' Association to the Annual General Meeting of The Manitoba Teachers' Society.

5.07 If the members of an electoral unit are dissatisfied with the conduct of their representative they may, by a petition signed by 50% of all the electoral unit, authorize the returning officer of that electoral unit to call a by-election.

5.08 Meetings of the Executive:

- (a) The Executive shall meet within twenty (20) days following the date on which it assumes office in each year and hold at least nine (9) monthly meetings per school year during its term of office.
- (b) The President or any three (3) members of the Executive at any time may call a meeting, provided only that notice of such meeting is given to each representative, and the Secretary shall issue such notice when called upon to do so by the President and/or any three (3) members of the Executive.
- (c) Notice of meeting of the Executive shall be given to each representative not less than three (3) teaching days prior to the date of such meeting, except in the case of emergency meetings;
- (d) The President and any three (3) members or any three (3) members of the Executive shall have the power to call an emergency meeting of the Executive for a specific purpose which shall be a matter of record, and such meeting shall be deemed to be an emergency meeting of the Association and notice other than written shall be given to Executive members in such an event; provided, however, that such emergency meeting shall have power to deal only with the purpose for which it is called.

5.09 Quorum

The quorum for the transaction of business at a duly constituted meeting of the Executive shall be fifty percent of the Executive. The quorum for the transaction of business at any emergency meeting of the Executive shall be two-thirds of the Executive.

5.10 Procedure at Meetings of the Executive

- (a) Meetings of the Executive shall be open to all members.
- (b) Any member shall be allowed to speak, provided he/she has given prior notice to an officer of the Association of his/her desire to do so. If no prior notice was given, the chairperson may in his/her discretion allow any member to speak at such meeting.
- (c) All members, whether representatives or not, will be required to conform to the rules of procedure established by the Executive.

- (d) Only members of the Executive present at a duly constituted meeting of the Executive may vote on any matter placed before the Executive. The decision of a majority of the representatives and officers present shall constitute the decision of the Executive except as may be expressly otherwise provided by this Constitution.

ARTICLE VI: DUTIES AND POWERS OF OFFICERS OF THE ASSOCIATION

6.01 The duties and powers of the respective officers of the Association shall include the following:

- (a) The President shall preside at all meetings of members of the Executive and shall be ex-officio member of all committees. The President shall perform all duties set down for a President, in addition to any other duties which may be assigned to him or her by the Executive.
- (b) The Vice-President shall assume the duties and responsibilities of the President in his or her absence, or when requested to do so by the President. He or she shall perform all other duties which may be assigned to him or her by the Executive.
- (c) The Secretary-Treasurer shall keep or shall supervise the keeping of the minutes of all meetings of the members and the Executive and shall be responsible for giving notice of such meetings.

Under the direction of the Executive, he/she shall be the custodian of all funds of the Association, and keep such funds in a bank insured by Canada Deposit Insurance Corporation or in a recognized Credit Union insured by the Manitoba Government. At the Annual General Meeting of the Association, he/she shall make an annual report on receipts, investments and expenditures.

He/she shall make such other reports on the finances of the Association as requested. He/she shall also perform all duties laid down for the Treasurer and any other duties as may be assigned to him/her from time to time by the Executive.

ARTICLE VII: COMMITTEES OF THE ASSOCIATION

7.01 Every committee established under this Constitution shall include amongst its membership:

- (a) one (1) member of the Executive who shall be the chairperson of such committee. Chairpersons of standing committees appointed each year shall ordinarily be appointed by the Executive from among the representatives elected by the electoral units. In the case where no such representative is willing to chair a particular

committee, the Executive shall appoint a member of the Association to be a member at large on the Executive, to chair such committee.

- (b) any other members as approved by the Executive. Every committee shall be responsible for submitting a report of the activities thereof to the Executive at such time in such manner as the Executive may from time to time decide.

7.02 Every year the Executive shall appoint the following standing committees and such additional committees as may be decided:

(A) Collective Bargaining

1. Purpose:

- (a) To study the salaries and other matters pertaining to the collective agreement which may be brought to the attention of the committee by the Executive or membership;
- (b) To compile a set of proposals which it shall present to the Executive for approval prior to presentation to the Board;
- (c) To negotiate and finalize a collective agreement with the Beautiful Plains School Division;
- (d) To present the finalized agreement to the membership for ratification by a formal vote; method of taking a vote to be determined by the Executive. A majority vote of 51% is necessary for ratification;
- (e) The President, Past-President, Vice-President and Collective Bargaining Chairperson shall act as a liaison committee with the Beautiful Plains School Division for the purpose of interpretation, discussion, and settlement of matters of joint concern arising out of the collective agreement.

(B) Public Relations

1. Purpose:

- (a) To conduct public relations activities;
- (b) To publicize general meetings of the membership.

(C) Employee Benefits

1. Purpose:

- (a) To deal with such matters as pensions, salary continuation, group insurance and medical insurance;
- (b) To compile an information folder to be distributed each September to all teachers new to the staff. This folder shall contain information pertinent to salaries, fringe benefits, working conditions and other matters deemed necessary by the committee;
- (c) To respond to concerns regarding working conditions;
- (d) To make recommendations to the Salaries Committee regarding conditions of employment which are deemed necessary for negotiations into the collective agreement.

(D) Professional Development

1. Purpose:

- (a) To co-operate with the Provincial Executive of The Manitoba Teachers' Society, Manitoba Education, the Beautiful Plains School Division and other similar bodies to study and develop programs in teacher professional development.
- (b) To take appropriate action to present the views of the Teachers' Association in all phases of professional development.
- (c) To initiate professional development.

(E) Workplace Safety and Health Committee

1. Membership:

This committee shall be composed of the teacher members serving on the Division Workplace Safety and Health Committee plus school representatives if deemed necessary by the Executive.

2. Purpose:

- (a) To raise awareness of safety and health in classrooms;
- (b) To do site inspections which will provide suggestions for improvement in procedure and orders for repairs of dangerous equipment;

(c) To handle complaints about safety and health.

(G) Any Other Committees Which/When the Executive Deems Necessary

Each committee shall, in addition to any responsibility outlined therein, carry out such duties as may be assigned to it by the Executive from time to time.

ARTICLE VIII: ELECTION PROCEDURE

8.01 Every member shall have the right to vote by secret ballot in the election of the representatives to the Executive and the table officers of the Executive. No member shall be entitled to vote more than once at each election.

8.02 The representatives of the electoral units shall be elected in accordance with the following procedure:

The Executive shall appoint a returning Officer in each electoral unit. Each Returning Officer shall be responsible for the proper conduct of an election. Arrangements for the election of representatives to the Executive shall be made by the Returning Officer in each electoral unit. These elections will take place on a date prior to the Annual General Meeting. In the event that a representative is unable to complete his/her term, arrangements will be made by the Executive to hold a by-election within two weeks after the President of the Association has received notice of the vacancy.

8.03 The table officers of the Executive shall be elected in accordance with the following procedure:

- (a) The Executive shall elect a Nominating Committee of at least three (3) members. It shall be chaired by the immediate Past-President or, in the event that he/she is unable to act, by another Past-President or other member appointed by the Executive. The chairperson shall not be a voting member of the committee, except in the case of a tie.
- (b) The chairperson of the Nominating Committee shall be the Chief Returning Officer for the election.
- (c) For each of the offices of President, Vice-President, and Secretary-Treasurer, it shall endeavor to submit two names. A member can be a candidate for only one of President, Vice-President, or Secretary-Treasurer.
- (d) The Nominating Committee shall report its slate of candidates to the members of the Association at or before the Annual Teachers' Association General Meeting, and shall

indicate that each nominee has accepted his or her nomination for each respective executive office or position. Following the report of the Nominating Committee, other candidates may be submitted to the Nominating Committee through the process of nominations made by members present at the Annual General Meeting of the Teachers' Association.

- (e) The election of table officers shall take place at the Annual General Meeting of the Teachers' Association. This meeting will take place on or before June 15th each year. Each member present shall be entitled to cast a secret ballot. The counting of the ballots shall be supervised by the Returning Officer. The Returning Officer shall cast a vote only in the case of a tie.
- (f) The new Executive shall assume office following completion of the election. However, the previous Collective Bargaining Chairperson remains in office until the collective agreement for which he/she has been appointed to negotiate is finalized.
- (g) In the event that an officer is unable to complete his/her term of office, the Executive shall be empowered to elect a replacement.
- (h) The Executive may, by By-law, provide for any additional procedures in connection with the election of the Executive to achieve maximum membership participation in the nomination of candidates.

ARTICLE IX: PROVINCIAL COUNCIL (A.G.M.) OF THE MANITOBA TEACHERS' SOCIETY

The representatives of the Association to the Provincial Council of The Manitoba Teachers' Society shall be selected from the members of the existing Executive. If the quota cannot be obtained from the Executive, then the Executive may appoint other representatives as required.

ARTICLE X: MEETINGS OF THE MEMBERS

- 10.01 On receipt of a petition signed by fifteen (15) members of the Association, the President or Secretary shall call a meeting of the members. Such a meeting must take place within two (2) weeks of the receipt of said petition.
- 10.02 A general meeting may be called for any of the following purposes:
 - (a) to hear reports from the Executive or any committee or committees;

- (b) to provide a forum for the views of individual members;
- (c) to revoke a decision made by the Executive, such action being deemed to have occurred if approved by two-thirds of the members present at the meeting provided more than 30 members are present;
- (d) to compel the resignation of the Executive. Each member of the Executive shall be deemed to have resigned and a new election shall be held immediately in accordance with the provisions of this Constitution, provided that:
 - i) 51% of all members in attendance at such a meeting vote in favor of a resolution to compel the resignation of the Executive, and
 - ii) the majority of the members present have elected provisional officers and Executive members who shall be responsible for the conducting of a new election and carrying on the business and affairs of the Association in accordance with the powers of the Executive.

10.03 An Annual General Meeting shall be held in the period of May 1 to June 15 for the purpose of reporting activities of the Association and of electing the table officers of the Executive. A quorum of 30% of membership is needed for the Annual General Meeting.

10.04 The Executive or any committee may hold meetings of members for the purpose of disseminating information, discussing problems and/or studying any aspects of concern to the profession, provided on1y that the Executive shall have first approved the date, place and time of such meetings and that any decisions made at such a meeting shall constitute a recommendation to the Executive and be submitted in the form of a report to the Executive.

ARTICLE XI: RULES OF PROCEDURE

Any question arising at any meeting whatsoever regarding the conduct or procedure will be determined by By-law XVII of The Manitoba Teachers' Society.

ARTICLE XII: ANNUAL MEMBERSHIP FEES

The annual fees payable by each member of the Association shall be in such amount as the Executive may decide from time to time. Any change in the annual fees payable by each member shall become effective in the school year next succeeding the decision/of the Executive.

ARTICLE XIII: AMENDMENT TO THE CONSTITUTION AND/OR BY-LAWS

This Constitution and/or By-laws may be amended at any time as follows:

- (a) Any member of the Association shall have the right to submit, in writing to the Secretary, a proposed amendment to the Constitution or the By-laws of the Association at any time.
- (b) The Secretary shall forthwith send a copy of the proposed amendment to all representatives of the Executive at least three weeks prior to consideration of same.
- (c) The amendment or any modification thereof must be voted upon by a formal ballot, with approval requiring a majority of 51% of all ballots cast. A quorum of 75% of Association members is required in such a vote; method of holding the vote to be determined by the Executive.

ARTICLE XIV: BY-LAWS AND EFFECT OF PREVIOUS DECISIONS OF THE ASSOCIATION

All or any existing By-laws and all acts and things done on behalf of the Association as at the date of adoption of this Constitution shall continue in effect unless such By-laws, acts, or things done on behalf of the Association are inconsistent with this Constitution.

This Constitution was adopted at a meeting of the Beautiful Plains Teachers' Association of The Manitoba Teachers' Society on June 6, 1986.

Approved by Provincial Executive at its meeting on June 7, 1986.
Revisions adopted September 26, 2008

President _____

Secretary _____

General Secretary, The Manitoba Teachers' Society _____

October 1, 2008/rn