

Kootenay Columbia Teachers' Union Constitution 2006

I. Name:

This local certified trade union shall be known as the:
Kootenay Columbia Teachers' Union*.

This Union is chartered as
Local #20 of the British Columbia Teachers' Federation.

** Where the word "Union" is used in this constitution, it refers to the Kootenay Columbia Teachers' Union.*

II. Objectives:

The objectives of this Union shall be:

- A.** To foster and promote the cause of education.
- B.** To promote the welfare of its members and the teaching profession.
- C.** To represent its members and to regulate relations with their employer, the School Board of School District #20, through collective bargaining of terms and conditions of employment.
- D.** To organize and administer such activities and funds as will assist in promoting the above objectives.

III. Membership:

A. Active membership in the Kootenay Columbia Teachers' Union shall be in accordance with the BCTF Constitution and By-Laws.

B. Active members shall be the only persons entitled to vote and hold office.

C. Associate Membership:

A person who has been accepted by the BCTF as an associate or an affiliate member may become an associate member of the Union, on application to the executive and on payment of an annual fee.

D. Honorary Life Membership:

This may be conferred at any general meeting in recognition of service to the profession provided that such election is not in conflict with any clauses of the Constitution of the BCTF.

E. Members in good standing of any other local association of BCTF may be received by transfer and enrolled by the local.

F. Members-on Leave:

An active member who is granted a paid (self-funded leave) or unpaid leave of absence by the school district in which the member is employed, is unless employed by another school district, entitled to remain a member of his/her local without payment of the local's fee for the period of such leave of absence.

(Membership cont)

G. Termination:

Where no membership fees are paid to a local for a period of six school months by an active member who is a member of the KCTU, active membership in the KCTU shall be deemed for all purposes to have terminated, except as provided in section III F.

IV. Meetings:

A. There shall be at least three (3) General Meetings of the KCTU during the school year.

- i. A copy of the notice of every general meeting shall be sent to each school staff five (5) days prior to the meeting.
- ii. A copy of the agenda shall accompany the notice.

B. Additional General Meetings may be called –

- i. At the order of the Executive;
- ii. On the submission to the Executive of a written request from twenty (20) Union members;
- iii. At the order of the President.

C. The Annual General Meeting shall be held in May of each year.

D. The Executive shall meet monthly during the school year.

E. Quorum

- i. A quorum of the Executive Committee Meetings shall be a simple majority and shall include at least two (2) table officers.
- ii. A quorum for any General Meeting of the Union shall be thirty (30) members and shall include at least three (3) table officers.
- iii. If a General Meeting is terminated for lack of a quorum, at the meeting called to replace the meeting where the quorum was called, a quorum shall consist of the number of members present.
- iv. A quorum for a General Meeting called under section IV. B ii shall include at least eighty percent (80%) of those members who signed the petition.

F. All meetings of the KCTU shall follow Robert's Rules of Order

V. Voting:

A. Voting at the General Meeting and Annual General Meetings:

- i. Shall be restricted to active members of the Union,
- ii. Shall be by a show of hands **except** where a ballot vote is requested by one member or more.
- iii. No member shall be permitted to vote on behalf of another member.

(Voting cont)

iv. Members must receive 50% plus one of valid ballots cast to be elected to contested table officer or committee chair positions. In case of an indecisive ballot the candidate receiving the least number of votes will be dropped from the ballot prior to the next vote. Candidates may request that their names be removed from the ballot at any time. The meeting may consider and vote on a motion to remove more than one name after an indecisive ballot prior to candidates' names being provided for results.

(May 2006 AGM)

B. Voting at the Executive Meetings:

i. Shall be restricted to duly constituted and elected representatives, or their alternates,

ii. Shall be by a show of hands **except** where a ballot vote is requested by one member or more.

VI. Referendum:

A. A referendum on any question affecting the Union's interests may be submitted by the Executive to the members of the Union.

i. A vote on such questions shall be taken by secret ballot in each work site.

ii. No action shall be taken by the Executive **except** as authorized by a result of 50% + 1 of the valid ballots cast.

B. A referendum on any question affecting the Union's interests shall be held by the Executive upon receipt of a written request from any member in the KCTU signed by two-thirds of the members (FTE) of the Union.

VII. General Organizational Structure of the KCTU Executive Committee:

A. The KCTU Executive Committee shall be composed of the Table Officers, The Chairs of Standing Committees, and all Staff Representatives.

B. The Table Officers and Committee Chairs shall be elected by secret ballot at the Annual General Meeting of the KCTU. The Table Officers shall consist of the following: President, Vice-President, immediate past President, Treasurer, Local Representative, Secretary, and Chairpersons of all Standing Committees. The immediate past President shall hold that position for one (1) year only.

C. Each school will be entitled to elect one (1) Staff Representative. Schools of more than twenty (20) members shall be entitled to have an additional Staff Representative for each subsequent group of twenty (20) or portion thereof.

(Nov 13/03)

D. Teachers on Call may elect two representatives. *(Feb 13/06)*

VIII. Duties of the Officers and of the Executive:

A. The President:

- i. As the presiding officer of the Union, and the Chairperson of the Executive, the President-
 1. shall have general supervision of all matters and affairs of the Union,
 2. shall be the legal custodian of all property of the Union,
 3. shall maintain a list of the By-Laws and Policies of the KCTU.
- ii. The President shall have the deciding vote in the event of a tie vote on any motion at any meeting.
- iii. The President is a member, ex-officio, of all KCTU committees.

B. The Vice-President:

- i. In the absence or disability of the President, the Vice-President shall assume the authority of the President and perform all the duties of the President.
- ii. To assume the responsibility for any tasks/duties assigned by the President.

C. The Immediate Past President

- i. To assume the responsibility for any tasks/duties assigned by the President or the Executive.

D. The Recording Secretary:

- i. Shall prepare a record of all meetings of the Union.

E. The Treasurer:

- i. Shall have the care and custody of all monies of the Union whether membership fees or otherwise; and shall deposit same in a branch of a Canadian Chartered Bank or Credit Union, and shall disburse and dispose of the funds at the order of the Executive.
- ii. The Treasurer shall keep or cause to be kept, a proper set of Books of Account of the Union, and shall exhibit these books to the Executive when required or requested.
- iii. The Treasurer shall submit to each Executive Meeting, General Meeting and to the AGM, a report of the accounts and financial condition of the Union and of all monies received and expended.

(Duties of the Officers and of the Executive cont)

F. The Staff Representatives will-

i. As Communicators:

1. represent their school at KCTU Executive meetings and Bargaining Committee meetings,
2. return information from the KCTU to the school staff through:
 - a. informal staffroom meetings.,
 - b. bulletin boards,
 - c. monthly staff meetings.
3. distribute BCTF information and make appropriate responses,
4. direct staff queries to the KCTU president,
5. bring school concerns to the KCTU Executive.

ii. As Advocates:

1. be familiar with the KCTU/Board contract and the KCTU Policy and keep the membership aware of provisions in the contract and the policy,
2. keep a file of contracts, policies, and other relevant information, including documentation of staff concerns,
3. act as an advocate for all staff members in matters of
 - a. concerns at the school level,
 - b. contract rights and responsibilities
 - c. benefits and services
 - d. grievance procedures
4. initiate any grievance procedures where appropriate.

iii. as Leaders:

1. ensure that a Staff Representative is elected from each school by June 15 for each year if possible – and if not, elected by September 15 of the next school year,
2. ensure that a Staff Committee is formed.

(Duties of the Officers and of the Executive cont)

G. The Executive:

- i. Shall, subject to the action of the Union in General Meetings assembled, exercise all the powers of the Union, the direction and supervision of the business and the conduct of the affairs of the KCUT.
- ii. Shall meet once a month during the school year and as often as the President deems necessary.
- iii. May select and recommend to the Union at the appropriate General Meeting delegates to BCTF conventions or workshops.
- iv. A majority of Executive, including two (2) table officers, shall constitute a quorum for the purposes of meetings of the Executive.
- v. Shall assume responsibility for recommending the filing of all positions on KCTU/School Board Joint Committees, Ad Hoc Committees, or Consultative Committees. The Executive shall receive names forwarded to it by individuals, staffs, or PSA's and recommend personnel to a General Meeting for ratification when it is deemed to be necessary. In the case where no Executive recommendation is presented, all names submitted to the Executive shall be brought to General Meeting and an election held. If twenty (20) members of the General Meeting request an election despite Executive Recommendations, an election will be called for the next General Meeting.

IX. Bargaining Committee:

The Bargaining Committee shall be a Standing Committee of the KCTU.

A. Membership:

- i. A Chairperson
- ii. All staff Representatives or their Alternates
- iii. The Vice- President
- iv. The Chairpersons of all Standing Committees
- v. The Immediate Past-Chairperson of the Bargaining Committee
- vi. A Representative of the Teachers-On Call.

B. Duties:

The Bargaining Committee shall:

- i. have the Bargaining Chairperson select members from the Bargaining Committee to act as the Negotiating Team,
- ii. present the final proposal or offer from the School Board to a General Meeting of the Union for acceptance or rejection,
- iii. recommend further action(s) to the General Meeting,
- iv. consult with either the teachers (or the Executive Committee) before

commencing any new round of bargaining with the School Board,

- v. present the bargaining objectives package to the membership for ratification prior to negotiating with the School Board.

(Bargaining Committee cont)

C. Selection of the Bargaining Committee Chairperson:

The Committee Chairperson shall be elected at the Annual General Meeting

X. Committee Structure and Operation:

A. KCTU Committees:

i. Committees shall be representative and may include any or all of the following:

1. one secondary representative,
2. one intermediate representative,
3. one primary representative.

Names shall be forwarded to the Executive for actual selection and appointment.

B. Joint Board – KCTU Committees:

i. Membership on such committees shall be through application to the KCTU Executive.

ii. Members on such committees must report to the Executive upon request.

iii. Any decisions or reports developed by such committees are not the property of the KCTU unless ratified by the membership or the Executive.

XI. Standing Committees:

A. The Standing Committees of the KCTU shall consist of:

i. Bargaining

ii. Health & Safety *(May 12/05)*

iii. Professional Development

iv. Social Justice

v. Social Committee *(May 11/04)*

vi. Political Action/Election Contact/Member Information Committee *(May 11/04)*

B. Each school, District staff who are teachers shall be entitled to one representative.

i. Committees shall meet at the call of the Chairperson, or when three (3) or more committee members call for a meeting.

ii. Committee Chairpersons shall report and be responsible to the Executive.

iii. Committee Chairpersons shall report at General Meetings on the activities of their committees. These reports shall be written.

C. All committees listed above shall be directed in their operation as specified in the KCTU Constitution. In the absence of specific responsibilities, these committees shall be subject to Executive direction on all policies and procedures.

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(Committee Structure and Operation cont)

D. Standing Committees:

- i. Committee Chairpersons shall sit at Executive Meetings.
- ii. Minutes shall be kept of all committee meetings and those minutes shall be made available to the Executive.
- iii. The method of dispersal of Professional Development funds is determined by the Professional Development Committee and ratified by the membership.

XII. Monies, Fees, and Levies:

A. A budget shall be prepared by the Executive to be presented for approval at the Annual General Meeting.

B. The Executive shall be empowered to authorize expenditures contained in the budget as approved by the Union. All other expenditures in excess of \$1,000.00 shall be approved by the membership, after having been duly notified by notice of motion, such notice to be given at least one week prior to any meeting of membership.

C. The local Union fees shall be determined at the Annual General Meeting, and shall be payable in accordance with the provision set by the Annual General meeting.

D. For extraordinary expenses, a General Meeting of the Union shall be empowered to make a levy to be paid to the treasurer according to terms established by the General Meeting. No such levy may be made unless notice of motion to authorize a special levy is given to all members at least one week prior to any meeting of the membership.

XIII. The Financial Year:

The Financial year shall be from July 1 to June 30.

XIV. Signing Officers of the Union:

Signing Officers of the Union shall be any two of the Treasurer, the President or the Vice-President.

XV. Audit:

The Executive shall arrange for an annual audit of the books of the Union.

XVI. BCTF Annual General Meeting Delegates:

At a General Meeting of the KCTU, prior to the AGM of the BCTF, delegates, as prescribed by the BCTF Constitution, shall be elected to attend the AGM of the BCTF.

The President of the KCTU shall automatically be acclaimed to be one of the KCTU delegates.

XVII. Amendments to the Constitution:

A. Amendments to the Constitution may be made at any General Meeting and the Annual General Meeting *provided-*

- i. That notice of amendment be given one month prior to the said meeting, and
- ii. That seventy-five percent (75%) of the members present approve the amendment.

B. All amendments to the Constitution of the KCTU must conform to the Constitution of the BCTF.