

**CONSTITUTION
OF
THE RIVER EAST TRANSCONA TEACHERS' ASSOCIATION
OF
THE MANITOBA TEACHERS' SOCIETY**

1. NAME AND AUTHORITY

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

2. OBJECTIVES

- 2.01 to promote and advance the welfare of its members;
- 2.02 to safeguard and advance the interests of the teaching profession;
- 2.03 to promote and develop a collegial spirit amongst the teachers within the area served by the Association;
- 2.04 to co-operate with other organizations having the same or like aims and objectives;
- 2.05 to adopt by-laws and pass resolutions and policies not inconsistent with policies of The Manitoba Teachers' Society;
- 2.06 to secure conditions for its members which will allow them to provide the best professional educational services;
- 2.07 to stimulate public interest in education affairs;
- 2.08 to take 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 the teachers of the Association.

3. MEMBERSHIP

- 3.01 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 River East Transcona School Division on a full-time, part-time or casual basis shall be eligible to be a member of the River East Transcona Teachers' Association.
- 3.02 Every person who is a member in good standing of The Manitoba Teachers' Society, including a substitute teacher, and who is employed by the River East Transcona School Division shall be a member in good standing of the River East Transcona Teachers' Association and hereinafter is referred to as a "member".
- 3.03 Rights: Members may attend and vote at general meetings, may attend Executive and Council meetings and shall vote in the election of the Executive and Council Representatives.
- 3.04 Honourary Membership: The Council shall have the power to grant honorary or life membership. However, honorary and life members shall not have the right to vote or to hold office.

4. GENERAL MEETING

- 4.01 A General Meeting shall consist of all members of the Association.
- 4.02 A General Meeting may be called for any of the following purposes:
- (a) to hear reports from the Executive or from any committee or committees;
 - (b) to provide a forum for the views of individual members
 - (c) to make recommendations to the Executive or Council
 - (d) to remove from office any or all members of the Executive in accordance with this Constitution.
- 4.03 On receipt of a petition signed by ten percent (10%) of the members of the Association, the President shall call a General Meeting. This meeting must take place within ten (10) school days.
- 4.04 The General Meeting may, by motion, make recommendations to the Executive or Council.
- 4.05 A General Meeting will be chaired by the President of the Association or designate.
- 4.06 Notice for the calling of a General Meeting shall be posted in all schools for members for five (5) school days.
- 4.07 To conduct business, the quorum at a General Meeting shall be 25% of the members of the Association. If the General Assembly has been called for the dissemination of information no quorum is required.

5. COUNCIL OF THE ASSOCIATION

- 5.01 **Composition of Council**
Council shall consist of the Executive and the Council representatives as noted below.
- 5.02 **Electoral Units**
- (a) Each school with four or more staff members shall form one electoral unit.
 - (b) All schools and work sites with fewer than four staff members shall be combined to form electoral units of at least 4 staff members.
 - (c) Teachers who are currently substituting in the River East Transcona School Division may form a group entitled to elect two (2) representatives to Council.
 - (d) The members employed at each school/work site of the River East Transcona Division shall elect one of their number as a representative for every twelve (12) members. These elected members shall hereinafter be referred to as "the representatives".
 - (e) Members who are assigned to more than one school shall appear on the records of one electoral unit only for the purpose of determining representation on the Council. Such assignation on record shall follow this procedure:
 - i) A teacher spending more than fifty percent (50%) of that teacher's teaching assignment at one school shall be assigned to that school.
 - ii) A teacher assigned equally to two schools or more shall be assigned to the smaller of those schools based on staff count.
 - (f) Each representative or, in his/her absence, the alternate of an electoral unit shall have one vote.
 - (g) Members of the Executive shall automatically be members of the Council.

5.03 **Election of Council Representatives**

- (a) Council representatives shall be elected prior to the September Council meeting or when required to fill a vacancy.
- (b) Each electoral unit shall name one alternate for each representative. The alternates shall have full voting power in the absence of the representatives.
- (c) Each electoral unit shall designate one of its representatives as "contact representative" with specific responsibilities as outlined in this Constitution.

5.04 **Duties of the School Contact Representative**

- (a) To monitor all Manitoba Teachers' Society and Association policies within their school and to bring to the attention of the Council and/or the Executive any breach of the above-mentioned policies.
- (b) To bring to the attention of the Council and/or the Executive any concerns affecting a member in their respective schools.
- (c) To ensure that all school representatives attend Council meetings or arrange for an alternate to attend.
- (d) To call regular meetings of the staff to discuss Council business.
- (e) To call regular meetings of school representatives and alternates to discuss Council business.
- (f) To carry on day-to-day administration of Association business within their respective schools, including:
 - i) receiving and taking appropriate action on all Association and M.T.S. correspondence.
 - ii) taking responsibility for any surveys or business requiring a reply, and keeping the school's copy of the Association Handbook up-to-date.
 - iii) serve as Returning Officer for R.E.T.T.A. and M.T.S. elections.
- (g) To encourage school representation on Association committees.
- (h) To attend meetings as necessary called by the President.

5.05 **Attendance at Meetings of the Council**

Attendance shall be taken at each meeting and a record kept thereof. If a Council representative or his/her alternate is absent for three (3) consecutive meetings, the unit shall be requested to hold another election for Council representatives.

5.06 **The Powers and Duties of Council** shall include the following:

- (a) To exercise all the powers of the Association, except as otherwise stated in this Constitution.
- (b) To direct and supervise the affairs of the Association.
- (c) To approve the annual operating budget for the Association.
- (d) To adopt, amend or repeal by-laws of the Association.
- (e) To make decisions, except as provided otherwise elsewhere in this Constitution.

- (f) To give final approval to the opening proposals for amendments to the Collective Agreement for purposes of collective bargaining.
- (g) To amend the Constitution of the Association.
- (h) To fill any vacancy which may occur on the expiry of its term.
- (i) To determine the policies of the Association on all matters within its competence.
- (j) To delegate any or all of its powers as limited by the Constitution to the Executive of the Association from time to time as it may deem practical or advisable.
- (k) To do any other matter or thing that may further the objectives of the Association.
- (l) To assess from the membership such dues as are deemed necessary in order to conduct the business of the Association according to the budget approved by Council.
- (m) To approve delegates of the Association to the Annual General Meeting of The Manitoba Teachers' Society.
- (n) To open negotiations with the Board.
- (o) To approve the Association's resolutions for the Annual General Meeting of The Manitoba Teachers' Society.
- (p) To receive the audited financial statement of the Association.
- (q) To establish ad-hoc and special committees.

5.07 **Quorum**

The quorum for Council meetings shall be fifty percent (50%) of the total number of Council representatives.

5.08 **Procedure at Council Meetings**

- (a) Meetings of the Council shall be open to all members of the Association.
- (b) The chairperson shall allow any visiting member to speak at Council meetings, provided that such visiting member has indicated his/her intention to do so prior to the start of the meeting.
- (c) Visiting members to the Council shall not be allowed to enter debate or vote on any item of business.

5.09 **Meetings of the Council**

- (a) The Council shall meet at such times and at such places as it may self determine, but in any event shall meet no fewer than six (6) times in any one school year. The first meeting of the Council shall be held not later than September 30th.
- (b) Notice of meetings to the Council shall be given in writing to each representative not less than five (5) school days prior to the date of the meeting, except in the case of emergency meetings.
- (c) The President or any two-thirds of the Executive shall have the power to call an emergency meeting of the Council for a specific purpose which shall be a matter of record; such a meeting shall be deemed to be an emergency meeting and no written notice shall be necessary. An emergency meeting shall have the power to deal with that purpose of which it was called.

6. **EXECUTIVE OF THE ASSOCIATION**

6.01 **Members of the Executive:**

The Executive of the Association shall comprise the following: The President, Past-President, Vice-President, and ten (10) Members-At-Large.

6.02 **Duties of the Executive** shall include:

- (a) To conduct the business of the Association between meetings of Council.
- (b) To be delegates to the Annual General Meeting of The Manitoba Teachers' Society.
- (c) To appoint members to act on the committees subject to approval of the Council, and to supervise the activities of all such committees.
- (d) To attend meetings as necessary called by the President.
- (e) To approve grievances and to take action, where deemed necessary.
- (f) To make recommendations to Council and to carry out instructions given by Council.
- (g) To delegate any of its powers to an Executive member or committee.
- (h) To elect the Executive Liaison Officer.
- (i) To hire employees, approve contracts and engage other services as required by the Association.

6.03 **Meetings of the Executive**

- (a) The Executive shall meet within ten (10) school days of the opening of the school year, and shall meet monthly during the school year.
- (b) The President shall have the authority to call a meeting of the Executive at any time.
- (c) Two-thirds (2/3) of the members of the Executive may call a meeting of the Executive at any time.
- (d) Notice of meetings to members of the Executive may be given in writing or by telephone to the school where the member is working.

6.04 **Quorum**

The quorum for an Executive meeting shall be fifty percent (50%).

6.05 **Absence from Executive Meetings**

Whenever a member of the Executive absents himself/herself from more than two (2) consecutive regular meetings of the Executive without reasons satisfactory to the Executive, he/she shall cease to be a member of the Executive.

7. **RULES OF ORDER**

The Rules of Order for meetings of the Council, Executive or General Meeting shall be *the Rules and Procedures Governing the Annual General Meeting* of the Manitoba Teachers' Society or such rules as may be adopted by Council.

8. OFFICERS OF THE ASSOCIATION

8.01 Table Officers:

- i) The Table Officers of the Association shall be the President, Vice-President, Past President and one Member-At-Large (as elected by the Executive).
- ii) The President and Vice-President will each chair one of the following: Collective Bargaining Committee and Personal Professional Development Committee.

8.02 Duties of Officers:

1) President

- i) To call all meetings of the general membership, the Table Officers, the Council and the Executive, and to preside over the meetings of the Executive, Table Officers, and also of the general membership.
- ii) To be the official spokesperson for the Association.
- iii) To be ex-officio member of all committees.
- iv) To act on behalf of members of the Association in grievances.
- v) To be responsible for and prepare the agenda for all Executive and Council meetings.
- vi) To act as liaison between the Association and The Manitoba Teachers' Society.
- vii) To chair the Table Officers' meeting.
- viii) To designate duties for the Member-At-Large.
- ix) To perform any other duties that may be assigned by the Executive, Council, or general membership.
- x) To call meetings of all school contact representatives as necessary. One such meeting shall be called to communicate the contents of the proposed negotiations package.
- xi) To keep or supervise the keeping of all pertinent records, reports and official documents of the Association.
- xii) To supervise the accurate record keeping of all monies collected, and the accurate record keeping of all expenditures of the Association.
- xiii) To supervise payment of all debts incurred by the Association as authorized by Council.
- xiv) To give regular, comprehensive reports indicating the financial status of the Association to the Executive and to Council.
- xv) To prepare, with the Table Officers and to present to the Council before June 1st a budget, representing the activities of the Association.
- xvi) To arrange for an annual audit.
- xvii) Shall be custodian of all funds of the Association and shall keep such funds in such financial institution as the Executive may decide subject to Council approval.

2) Past-President

- i) To chair the Nominating Committee for Executive's elections.
- ii) To fulfill the role of Chief Returning Officer in said elections.
- iii) To conduct an annual review of the Association Constitution, and propose constitutional amendments where necessary.

3) **Vice-President**

- i) To take full charge of the affairs of the Association and to assume all duties of the President during the President's absence.
- ii) To perform such other duties of the President as are assigned by the Table Officers.
- iii) To preside over all meetings of Council.
- iv) If the Vice-President is unavailable, the President or the President's designate shall preside over the Council meeting.
- v) The Vice-President shall act as River East Transcona Association Executive member on the Divisional Workplace Safety and Health Committee.
- vi) To organize and prepare the Manitoba Teachers' Society Annual General Meeting delegation.

9. **COMMITTEES**

9.01 The chairpersons of committees must be chosen from the elected Executive.

9.02 Every committee shall include among its membership one or more members of the Executive, one of whom shall be the chairperson of such committee and who shall be responsible for submitting written reports of the activities thereof and for making recommendations to the Executive at such times and in such manner as the executive may from time to time desire.

9.03 **Duties of the Chairpersons of Committees**

The chairpersons of the Association's Committees shall:

- (a) carry out the aims and duties of their respective committees and deal with all items of business referred to their committees by Council or the Executive.
- (b) recommend appointments to their respective committees to the Executive.
- (c) report on the work of the committees at each Council meeting, and provide a written annual report to Council in May or at such a date as the business of that committee is terminated for the school year.
- (d) stay within the budgetary limits unless prior Executive approval is obtained for further expenditures.
- (e) be responsible for the formation of sub-committees when the need arises.
- (f) perform other duties as assigned by the Executive.

9.04 **Committee Memberships, Duties and Responsibilities**

(a) **Collective Bargaining Committee**

(1) **Membership:**

- i) Chairperson
- ii) At least four members, representing various levels and interest groups

(2) Duties and Responsibilities:

The Collective Bargaining Committee shall:

- i) study and develop a negotiations package based on all matters affecting salaries, benefits, and working conditions of the members of the Association.
- ii) present a proposed negotiations package to the Council for its approval.
- iii) nominate a sub-committee from the Collective Bargaining Committee to conduct negotiations with the Board for changes in the collective agreement, for appointment by the Executive to the Negotiating Team, the composition of the Team to be ratified by Council.

(b) Resolutions Committee

(1) Membership:

- i) Chairperson
- ii) at least two members

(2) Duties and Responsibilities:

The Resolutions Committee shall:

- i) supervise the processing of resolutions to be submitted by the Association to the Provincial Council at the Annual General Meeting (A.G.M.).
- ii) provide supportive arguments for resolutions submitted to the Annual General Meeting.

9.05 Executive Members-At-Large Duties & Responsibilities:

- i) Serve as the Editor of a newsletter for members of the Association
- ii) identify and respond to the professional development needs of members in the Association
- iii) co-operate with The Manitoba Teachers' Society, Manitoba Education, the River East Transcona School Division, and with other similar bodies to develop and enhance programming for the professional development of members
- iv) deal with such matters as pensions, disability plans, group insurance, and other types of insurance.
- v) maintain close liaison with The Manitoba Teachers' Society regarding developments in matters of insurance, pensions, and disability plans.
- vi) to provide assistance and information to teachers regarding insurance, pension benefits, and all other employee benefits.
- vii) promote equity in all areas of Association work in issues related to Human Rights legislation including characteristics such as age, race, ethnicity, sexual orientation, mental or physical disability, pregnancy, gender, and others.
- viii) encourage and recommend changes in classroom materials and educational and Association policies and programs to eliminate bias.
- ix) promote affirmative action programs and policies.
- x) represent the Association on such committees and/or seminars dealing with professional practices as may be designated by the President and Executive.
- xi) under the direction of the Executive, to conduct studies, initiate projects and/or provide seminars in areas of professional concern.
- xii) initiate at least one social event per school year that all members may attend.
- xiii) organize and implement such other wellness activities as may be directed by Council.
- xiv) assist the Vice-President and the Resolutions chairperson in preparing for the Annual General Meeting.
- xv) assist with the annual retirement function.

9.06 **Special and Ad Hoc Committees of the Association**

The Executive shall provide for special and ad hoc committees as the need arises. Membership to special committees and ad hoc committees shall be appointed by the Executive with the approval of the Council according to the needs of the committees. Budgetary allocations for these special and ad hoc committees shall be recommended by the Executive for approval by Council.

10. REMOVAL FROM OFFICE

- 10.01 Any or all members of the Executive may be removed from office by a two-thirds (2/3) majority vote of the members present at a general meeting called specifically for this purpose.
- 10.02 Upon receipt of the written request of ten percent (10%) of the membership for the convening of a general meeting for the purpose of Article 10.01, the Executive shall call a general meeting within not less than five (5) school days and not more than twenty (20) school days from the date of receipt of said request and the only item of business at that general meeting shall be the removal from office of one or more members of the Executive.
- 10.03 Voting shall be by secret ballot.
- 10.04 Notwithstanding the contrary provisions of any other Article in this Constitution, the general meeting called for purposes of Article 10.01 shall elect a replacement for every member of the Executive removed from office and any removal from office according to Article 10.01 shall not take effect till the said replacement is elected.
- 10.05 If the entire Executive is removed from office by the above procedure, the general meeting shall elect an interim executive which shall have all the powers of the Executive until such time that a by-election can be held. The by-election shall be held no later than thirty days (30) after the general meeting.

11. RATIFICATION OF THE COLLECTIVE AGREEMENT

- 11.01 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. Notice of the meeting shall be sent to all schools at least seven (7) school days prior to the meeting together with a list of all changes to the collective agreement.
- 11.02 The Executive may decide to hold additional meetings in different locations in the Division on the same or successive days with the following provisions:
- a) all of the other provisions of Article 11.01 are observed
 - b) at each meeting, the ballots cast, the list of voters and the list of attendees at the meeting shall be placed in a sealed envelope without counting the ballots
 - c) all ballots contained in the above noted sealed envelopes will be counted after the last meeting has been held
- 11.03 The ballots shall not be destroyed for at least twenty (20) school days

12. ELECTION PROCEDURES

- 12.01 The Nominating Committee shall endeavour to nominate at least one member for each of the positions of President, and Vice-President, and, in addition, nominate at least ten (10) other members for the Executive as members-at-large.
- 12.02 Notice of candidacy must be submitted, in writing to the Chair of the Nominating Committee on or before the Friday prior to the March Council meeting in the year in which the election shall occur. The Nominating Committee shall report to Council, in writing, its slate of nominees together with a professional biography and/or statement of not more than two hundred words on each nominee.
- 12.03 The Nominating Committee shall prepare a ballot with the names of all candidates for each of the offices of President and Vice-President and the names of all other candidates for the Executive. The instructions accompanying the ballot shall instruct voters as to correct voting procedure.

The Executive shall be elected annually in accordance with the following procedure:

- (1) The chairperson of the Nominating Committee shall be the Chief Returning Officer.
- (2) The election shall be held during the month of April on a day determined by the Executive or Returning Officer.
- (3) Requests for advanced polls shall be made ten (10) school days prior to the election date.
- (4) The Contact Representative in each electoral unit shall conduct the election in that electoral unit on a set date and at a set time.
- (5) Secret ballots shall be used.
- (6) On the day of the election and by 5:30 p.m., the ballots shall be turned in to the Chief Returning Officer to be counted.
- (7) The Nominating Committee may nominate to hold Executive office only members who are in good standing in the Manitoba Teachers' Society. A member may be a candidate for only one of President or Vice-President or Member-At-Large.
- (8) A ballot form shall be provided listing the candidates for President and Vice-President and the nominees for the additional ten (10) members. The ballot shall instruct the members to vote by indicating a single preference for President and Vice-President, and up to but not exceeding ten (10) candidates for other Executive positions.
- (9) Of the cast votes for candidates for President and Vice-President respectively, the candidate with the most votes for the position they are seeking will be elected to the Executive. In the event of a tie, another election between the tied candidates will be conducted within ten (10) school days.
- (10) Of the cast votes for candidates for Member-At-Large positions the top ten (10) who have the most votes will be elected to the Executive. In the event of a tie for Executive candidates another election between the tied candidates will be conducted within ten (10) school days.
- (11) Members of the newly elected Executive shall take office on or before June 30th.
- (12) The ballots shall not be destroyed until such time as the Chief Returning Officer presents a written report to the Representative Council stating the results of the election.

13. AMENDMENT OF THE CONSTITUTION AND BYLAWS

The Constitution of the Association shall be amended by the following procedure:

13.01 The membership shall be notified of the amendment(s) twenty (20) school days prior to the vote on the amendment(s).

13.02 The amendment(s), or any modification(s) thereof, shall be approved at the next duly constituted meeting of Council, provided that said meeting does not fall within the twenty (20) school days of the notification of amendment(s).

13.03 The amendment(s) or any modification(s) thereof, shall require a two thirds majority of votes cast by Council members.

13.04 The amendment becomes effective on the date the Provincial Executive approves said amendment.

14. SIGNING OFFICERS OF THE ASSOCIATION

The signing officers of the Association shall be the President, Vice-President, and Administrative Assistant. The signatures of two persons shall appear on any of the Association cheques.

15. BYLAWS

The Association may make Bylaws which shall be ratified by the Association and approved by the Provincial Executive in accordance with the provisions for the amendment of the Constitution. Such Bylaws shall be deemed to be part of this constitution and shall be attached to this constitution.

This Constitution was approved by the River East Transcona Teachers' Association at its meeting of January 22, 2008.

The Constitution was approved by the Provincial Executive at its meeting of February 8, 2008.

President

Vice-President

General Secretary
The Manitoba Teachers' Society

January 8, 2008
g/gov/const/current/cst-RETTA-2008-02-08