

Constitution of Battle River Local No 32 of the Alberta Teachers' Association

1. Name

The name of this local shall be Battle River Local No 32 local association of the Alberta Teachers' Association (the Association or the ATA).

2. Boundaries

The area served by this local association shall include Battle River Regional Division.

3. Membership

3.1 All active members of the Alberta Teachers' Association employed within the boundaries listed in section 2 are members of this local.

3.2 Subject to approval by the Provincial Executive Council of the Association, associate members of the Alberta Teachers' Association who hold the highest category of membership available to them and who pay the prescribed local association fee may become members of this local association with all rights and privileges of active members.

4. Objects

The objects of this local association shall be to further the objects of the Alberta Teachers' Association as set out in section 4 of the *Teaching Profession Act* and the General Bylaws of the Alberta Teachers' Association.

5. Fees

This local association shall have the power, subject to approval of the Provincial Executive Council of the Alberta Teachers' Association, to levy fees from membership in this local association such as are determined from time to time in a general meeting of the local association. Such fees shall be additional to the fees prescribed by the Annual Representative Assembly (ARA).

6. Rules of Procedure

The proceedings of all meetings—general, special, local council and executive committee—shall be regulated by the official Rules of Order and Procedure as published in the *Members' Handbook*.

6.1 Officers of the Alberta Teachers' Association and the district representative(s) of whose geographic district this local association forms a part shall be entitled to attend all meetings of the local association referenced in section 6 and any other meetings of local committees, including those portions of any meetings declared to be *in camera*.

7. Organization

The governing body of this local shall be a general meeting of its members, 7 per cent of whom shall constitute a quorum.

- 7.1 In the event that quorum is not obtained at a duly called general meeting, the general meeting may be adjourned to a later date or the business of the general meeting shall be conducted at the next meeting of local council.
- 7.2 In the event that the business of the Annual General Meeting is referred to a local council meeting, that local council meeting shall have the authority to deal with such business as though it were a general meeting.
- 7.3 A general meeting of this local shall be held in May to hear reports and deal with same, hold elections, approve and set policy, and deal with such other matters as may arise.

8. Local council

- 8.1 There shall be constituted a local council of this local consisting of
 - (a) all members of the executive committee;
 - (b) local ARA delegates if not members of the executive committee;
 - (c) one representative from substitute teachers' group;
 - (d) chairs of standing committees if not members of the executive committee, ARA delegates or school representatives;
 - (e) one convention representative, if not included in (a) to (d);
 - (f) one administration representative, if not included in (a) to (e); and
 - (g) one member elected by each staff.
- 8.2 Each of the members included in (a) to (g) above shall be a voting member.
- 8.3 Any other member of the local may attend local council as a guest and may speak with approval of the chair, but may not vote.
- 8.4 The duties of the local council shall be
 - (a) to administer the affairs of the local association, including adoption of an audited annual financial statement and approval of an annual budget;
 - (b) to appoint all ad hoc committees;
 - (c) to approve frames of reference for each of its committees;
 - (d) to hear reports from committees and decide on action to be taken, if any;
 - (e) to elect or appoint representative(s) to serve on the convention board(s) of the teachers' convention association(s) for which the local association is a member-local, with at least one representative being a member of the local professional development committee;
 - (f) to appoint representatives to the ATA Summer Conference and others as decided by the local council or executive committee; and
 - (g) to deal with other matters not inconsistent with this constitution or the General Bylaws of the Alberta Teachers' Association.

- 8.5 Meetings of the local council shall be held at least every two months except when a general meeting takes place of a council meeting.
- 8.6 A majority vote of those present shall govern the decisions of the local council unless rules and regulations otherwise decree.
- 8.7 Fifty per cent of local council members are required to constitute a quorum.

9. Executive committee

- 9.1 The executive committee of this local shall consist of the president, vice-president, past president, secretary, treasurer and the communications officer.
- 9.2 It shall be the duty of the executive committee
 - (a) to prepare the agenda of business for all meetings;
 - (b) to exercise general supervision of the affairs of the local association;
 - (c) to prepare and transmit to the head office of the Alberta Teachers' Association such reports and statements with reference to the affairs of the local association as may be required by the Provincial Executive Council of the Alberta Teachers' Association;
 - (d) to ensure that all Association moneys are used to further the objects of the Association as set out in the *Teaching Profession Act*;
 - (e) to ensure that there is liaison between the local and all employing boards within the local;
 - (f) when time is of the essence, to assume the functions of the local council; and
 - (g) to appoint the liaison committee to meet with the board as necessary.
- 9.3 The executive committee shall meet as often as local business requires.

10. Notice of meetings

- 10.1 Notices of intent to hold a general, special, local council or executive committee meeting shall be provided to an authorized representative at each school or worksite and the district representative(s) by the secretary at least four days before such meeting is to be held, and such notices shall include an outline or agenda of business to be discussed at the meeting, provided, however, that any meeting may, by a majority vote of the total number of members on the roster, waive notice of a meeting or of any motion brought before the meeting.
- 10.2 Meetings of this local association or of the bargaining unit within the local shall be called by the president, or on the request of the executive committee or the local council, or on the written request of 10 members of the local, or at the request of the teacher welfare committee chair or representative(s) to the teacher welfare committee (as appropriate), or at the request of an ATA officer or of the district representative of whose district this local association forms a part.

- 10.3 A record shall be kept of all those attending general, special, local council and executive committee meetings of this local.

11. Duties of officers

- 11.1 An ATA officer shall not vote. A district representative shall not vote except at a general meeting of a local of which the representative is a member.
- 11.2 **President**—The duties of the president shall be
- (a) to serve as chief executive officer of the local;
 - (b) to call and preside at all general, special, local council and executive committee meetings of this local association;
 - (c) to exercise general supervision over the affairs of this local association;
 - (d) to serve as a local representative to representative assemblies;
 - (e) to be a signing officer of the local; and
 - (f) to be a member, ex officio, of all standing committees.
- 11.3 **Vice-president**—The duties of the vice-president shall be
- (a) to take charge of the affairs of this local association in the absence of the president,
 - (b) to assist the president in the discharge of duties and
 - (c) to chair the public education works committee.
- 11.4 **Secretary**—The duties of the secretary shall be
- (a) to keep accurate records of all proceedings of this local association;
 - (b) to bring before the executive committee of this local association all communications received by the local;
 - (c) to prepare and send to the head office of the Alberta Teachers' Association such statements and reports as may be required from time to time;
 - (d) to prepare and send notices calling all meetings, whether regular, special, local council or executive committee;
 - (e) to maintain an isolated record of all policy motions passed by the local association;
 - (f) to keep a record of attendance at all meetings; and
 - (g) to exercise all functions of the recording secretary that are generally ascribed to that office.
- 11.5 **Treasurer**—The duties of the treasurer shall be
- (a) to keep accurate records of all moneys received and collected and to take charge of same;
 - (b) to prepare, at the direction of the executive committee, an annual budget for the local to be made available to the members of the local council at the March meeting each year;

- (c) to make the necessary disbursements of the funds of this local association as authorized by the executive committee or local council;
- (d) to prepare and send to the head office of the Alberta Teachers' Association such statements and reports as may be required from time to time;
- (e) to make regular financial reports to the executive committee and to the local council; and
- (f) to present to the Annual General Meeting an audited financial statement.

11.7 ***Local representatives to the Annual Representative Assembly***—The duties of each local representative of this local association shall be

- (a) to represent this local association at all representative assemblies of the Alberta Teachers' Association;
- (b) to report the proceedings of all representative assemblies to the local council and to such other gatherings as may be decided;
- (c) to attend meetings of the local council of this local association; and
- (d) to attend general meetings of this local association.

11.8 ***School representatives***—The duties of the school representatives shall be

- (a) to report on the activities of the local council to their respective staffs and such other duties as are requested by the local council or the Alberta Teachers' Association;
- (b) to report on activities of the teacher welfare committee to their respective staffs;
- (c) to attend meetings of the local council of this local association; and
- (d) to attend general meetings of this local association.

11.9 ***Communications officer***—It shall be the responsibility of this officer to carry out a communications program with the teachers in the local and between the local and its various publics. All actions of this officer shall be subject to prior approval by the executive committee of the local.

11.10 ***Past president***—The duties of the past president shall be

- (a) to assist the president in carrying out his or her duties,
- (b) to coordinate elections and
- (c) to act as chief returning officer.

12. Committees

The duty of all standing and ad hoc committees shall be to report activities directly to local council.

12.1 ***Teacher welfare committee (TWC)***—There shall be a teacher welfare committee for each employing jurisdiction in the local. Each teacher welfare committee shall operate under a frame of reference approved by the local council and subject to

ratification by the Provincial Executive Council of the Alberta Teachers' Association. An amendment procedure shall be specified in the frame of reference.

- 12.2 ***Negotiating subcommittee***—The negotiating subcommittee shall be chosen from and by the teacher welfare committee. It shall be the duty of this subcommittee to engage in collective bargaining with the board of trustees as per the teacher welfare committee frame of reference.
- 12.3 ***Professional development committee***—The duty of this committee shall be to assume general responsibility for all professional development activities undertaken by this local association.
- 12.4 ***Political engagement committee***—The duties of this committee shall be
- (a) to contact and lobby local, provincial and federal politicians on issues of importance to teachers; and
 - (b) to encourage teachers to become aware of and politically active with regard to educational issues.

13. Duties of Committee Chairs

- 13.1 The duties of each committee chair shall be
- (a) to report back to the membership and/or the local council on all committee meetings;
 - (b) to see that the secretary has access to minutes of all committee meetings;
 - (c) to provide reports to the local council in the form required by the local council; and
 - (d) to provide an annual report to the membership at the Annual General Meeting in the spring.

14. Representation on Convention Boards

- 14.1 ***Local representative(s) serving on convention board(s)***—The duties of the convention board representatives shall be
- (a) to represent the local at all meetings of the convention board;
 - (b) to serve as the communication link between the local and the convention board;
 - (c) to assist with the development of the convention program by serving as a liaison between the local professional development committee and the convention board;
 - (d) to ensure that the local receives the annual budget and the audited financial statement of the convention association; and
 - (e) such additional duties as specified in the convention association's constitution.

- 14.2 Teachers' convention association(s) shall reimburse local representative(s) who serve on their convention board(s) for all necessary out-of-pocket expenses related to their attendance at convention board meetings and events.

15. Elections

- 15.1 The president, vice-president and local communications officer shall be elected in even numbered years by a vote of the members of this local. Term shall begin July 1 following election.
- 15.2 The secretary and treasurer shall be elected in odd numbered years by a vote of the members of this local. Term shall begin July 1 following election.
- 15.3 TWC representatives shall be elected annually by members of the bargaining unit. Term shall begin July 1 following election.
- 15.4 Delegates to the next year's ARA shall be elected by members of the local.
- 15.5 Convention association representatives shall be elected by members of the local to assume duties by April 1 of each year.
- 15.6 A vacancy on the executive committee occurring between elections shall be filled by election of a member of this local association by the remaining members of the executive committee.

16. Substitute Teachers' Group

- 16.1 At the request of 10 or more substitute teacher members, this local shall organize a substitute teachers' group.
- 16.2 Those eligible for participation in the group shall be members who substituted for one of the employing jurisdictions included in the local for at least one day during the previous twelve-month period.
- 16.3 An appropriate budget for the group shall be established.
- 16.4 The frame of reference for the group shall be as follows:
- (a) Its objects shall be to advance the professional skills and knowledge unique to substitute teaching and to advance within the local the special interests of substitute teachers.
 - (b) It shall have at least one general meeting per year.
 - (c) It shall elect a chair, a vice-chair, a secretary-treasurer and two members-at-large to an executive which shall be responsible for organizing activities to promote the objects of the group.

- (d) Its executive shall present to the local an annual report of its activities and of the disbursements.

17. Provincial Association Intervention

17.1 In this section

- (a) *investigated local officer* means a local officer whose conduct is under investigation pursuant to section 17.2;
- (b) *investigator* is the individual appointed by the table officers pursuant to section 17.2;
- (c) *local officer* means the president, vice-president, past president or secretary-treasurer (or secretary or treasurer) of a local association or any other officer appointed or elected by a local association;
- (d) *Provincial Executive Council* means the executive council as defined in section 11 of the *Teaching Profession Act*;
- (e) *table officers* means the Association's officers as defined in Bylaw 35;
- (f) *executive secretary* means the chief executive officer of the Association or a person designated by the executive secretary; and
- (g) *staff officer* means a member of executive staff designated by the executive secretary.

Suspension or Removal from Office of Local Officers

17.2 Where the table officers have or receive information which leads them to believe that a local officer

- (a) has neglected his or her duties to the extent that the proper operation of the local association is being negatively affected,
- (b) is mentally incapacitated,
- (c) is engaging in corrupt practices,
- (d) is engaging in financial malpractice or
- (e) has undertaken activities inconsistent with the principles and policies of the Alberta Teachers' Association,

the table officers may initiate an investigation into the conduct of the local officer by appointing an individual to conduct an investigation and to provide a written report to the table officers within a specified time with respect to the results of the investigation.

17.3 In the course of the intervention under section 17, an investigated local officer is entitled to have access to a staff officer for advice.

17.4 The table officers may, taking into account the nature of the alleged conduct, the urgency of the matter in question and any submission from the investigated local officer, suspend an investigated local officer from office pending the completion of the investigation and may terminate the suspension at any time if the table officers conclude that the suspension is no longer warranted.

Battle River Local No 32 Constitution, p 9

- 17.5 The table officers may appoint another individual to assume the duties of the investigated local officer during the period of the suspension.
- 17.6 The investigated local officer may appeal a suspension from office under section 17.4 to the Provincial Executive Council by filing a notice of appeal with the executive secretary within 30 days of being notified of the suspension.
- 17.7 If an investigated local officer appeals his or her suspension, Provincial Executive Council shall, as soon as practicable, consider representations of the table officers and the investigated local officer and shall determine if the suspension should be continued pending the conclusion of the investigation or should be set aside.
- 17.8 During the investigation the investigated local officer shall be provided with an opportunity to provide a response to the investigator with respect to the concerns about the investigated local officer's conduct.
- 17.9 An investigated local officer may, in the course of the investigation, submit his or her resignation to the executive secretary.
- 17.10 Where an investigated local officer resigns in accordance with section 17.9, the investigation shall be continued with the cooperation of the investigated local officer, and the resignation does not extinguish any liability that the investigated local officer may have with respect to acts which occurred during the period the office was held.
- 17.11 The investigated local officer has a duty to cooperate during the investigation and the investigator may direct the investigated local officer or any other member of the Alberta Teachers' Association to
- (a) answer any inquiries the investigator may have relating to the investigation;
 - (b) produce any records or other property in the investigated local officer's possession or under his or her control that are or may be related in any way to the investigation;
 - (c) give up possession of any record for the purpose of allowing the investigator to make a copy and return the records within a reasonable time of receiving the records; and
 - (d) attend before the investigator for the purpose of complying with (a), (b) or (c) of this subsection.
- 17.12 In the event that the investigated local officer fails or refuses to cooperate with the investigator, the failure to do so shall be noted by the investigator in his or her report to the table officers.

- 17.13 Upon completion of the investigation, the investigator shall submit a written report to the table officers and a copy of the written report shall be provided to the investigated local officer.
- 17.14 The table officers, upon consideration of the report of the investigator, may make one or more of the following orders:
- (a) remove the investigated local officer from office;
 - (b) restrict the investigated local officer's eligibility for office in the future;
 - (c) if the investigated local officer was suspended during the investigation, reinstate the investigated local officer to office and impose any conditions or restrictions that the table officers consider appropriate in the circumstances; and shall advise the investigated local officer and Provincial Executive Council of their decision.
- 17.15 If the table officers remove the investigated local officer from office, then the table officers may appoint another individual to assume the duties of the investigated local officer until a new local officer is elected or appointed to the position in accordance with this constitution.
- 17.16 The investigated local officer may appeal the decision of the table officers under section 17.14 by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.
- 17.17 If an investigated local officer appeals the decision of the table officers, Provincial Executive Council shall, as soon as practicable, consider representations of the table officers and the investigated local officer and shall determine if the decision of the table officers shall be confirmed, varied or set aside.
- 17.18 In an appeal under section 17.7 or 17.17, the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.

Official Trustee

- 17.19 Subject to a two-thirds majority vote, Provincial Executive Council may appoint an official trustee to conduct the affairs of the local, subject to any terms and conditions the Provincial Executive Council considers necessary:
- (a) when a local council fails to comply with the requirements of section 8.4 or
 - (b) when the Provincial Executive Council considers it in the interests of the Association to do so.
- 17.20 The local may appeal the appointment of an official trustee to a representative assembly.

- 17.21 An official trustee appointed under section 17.19 has the powers and duties conferred by the General Bylaws on a local and conferred by this constitution.
- 17.22 On appointment of an official trustee to the local association, the officers of the local cease to hold office as officers of the local.
- 17.23 An official trustee continues in office until the Provincial Executive Council or a representative assembly determines that the official trusteeship is no longer necessary.

18. General

- 18.1 The financial year of this local shall be July 1 to June 30.
- 18.2 This local association shall reimburse members acting on its behalf for all necessary out-of-pocket expenses.
- 18.3 This local association shall pay all expenses as determined and authorized by the local council.
- 18.4 Amendments to this constitution may be made after a one-month notice of motion by a two-thirds vote at a general meeting of this local association, subject to ratification by the Provincial Executive Council of the Alberta Teachers' Association.

Approved by Provincial Executive Council, 1995 01 20

Amendments ratified by TOC on behalf of PEC 1995 09 15, 1995 10 13, 1996 09 09;
2000 06 02; 2019 03 20; 2019 09 12

Revised as per 2005 06 PEC requirements; 2007 06 28

Revised as per 2007 09 20–21 PEC requirements;

Revised as per 2012 06 14–15 PEC requirements;

Revised as per 2017 06 08–09 PEC requirements;

Revised as per 2018 02 26–27 PEC requirements