

# Overview of Proposed Changes to the LRTA Constitution, Bylaws, and Policies

This document includes the complete text of the proposed updates to the Constitution, Bylaws, and Policies for the Louis Riel Teachers' Association.

The current version of each of these documents can be found on the LRTA website.

In addition to the summary below, an overview of the changes can be watched at: <https://youtu.be/gfmCqrlNhoE> .

## **Constitution:**

The new document is based on a template created by MTS to clarify what should be in a Constitution. This means much of this document is the same as our current Constitution, although there are some items which have been moved into Bylaws.

This document sets out the Objects of the Association, Membership Rights, Required Fees, Structure and Duties of Council, Structure and Duties of Executive, Elections and Removal of Members of the Executive, Financial Matters, and a process to Amend the Constitution and Bylaws.

Although there are changes to the wording used in the new document and placement of the information, the proposed new Constitution reflects the current Constitution.

## **Bylaws:**

The new Bylaws document is based on a template created by MTS. Some elements in this document were previously in our Constitution but have now been transferred to the Bylaws. Other elements are suggested by MTS to guide the operations of the Association.

Part 1—Language—This section is specific to LRTA and specifies that we conduct certain parts of our business in both English and French.

Part 2—Objects—These are items in addition to the general Objects (goals of the Association) identified in the Constitution.

Part 3—Membership—This section defines who can with participate in the political processes of the Association.

Part 4—Delegates—This section establishes a mechanism for selection of delegates to MTS Provincial Council, the MFL Convention, and to Provincial Bargaining meetings. Some of these were previously outlined in Policy. Bringing them all together in Bylaws establishes the importance of these selections and the need to have a clear process.

Part 5—General Assembly—This section sets out the requirements for the LRTA’s General Assembly meetings. One change in this section is to set quorum at 110 people, rather than at 10%. This is on recommendation from MTS to have a definitive number for clarity.

Part 6—Ratification and Arbitration—This section clarifies that these matters are in the hands of MTS with the move to Provincial Bargaining.

Part 7—Council—This section guides the operation of Council, including the allocation of Reps and Alternates, and the Council procedures. The Indigenous Education Team will be given a Rep and Alternate as they operate as an independent unit.

Part 8—Executive—This section establishes the positions on the Executive, and the general duties of the positions. The new addition to this (and subsequent) sections is the creation of an Indigenous Education Chairperson position and standing committee.

Part 9—Executive Meetings—This section sets out the procedures for Executive Meetings.

Part 10—Elections—This section provides details for the holding of Executive elections each year, including timelines and voting procedures.

Part 11—Membership Fees—This section provides additional details for the application of member fees.

Part 12—Standing Committees—This section lists the standing committees and provides some additional detail to functions of the committees.

Part 13—Finances—This section speaks to the requirement for an annual audit and annual budget. It also clarifies who has signing authority on Association accounts, and the operation of the Reserve Fund.

Part 14—Amendments—This section provides additional details for submission of amendments for Constitution, Bylaws, and Policies.

**Policies:**

This document is a significant reworking of our previous policy document. There were items that needed to be in Bylaws, items that were duplication of other items, and items that were no longer relevant to the operations of the Association. The policies also no longer fit in the categories of the previous documents and have been organized in new categories. Throughout the document the language has been updated for clarity and gender-neutrality, and also to ensure the policies and the operations of the Association are consistent with the Constitution and Bylaws.

For each section, only significant changes or additions will be highlighted.

*A—Financial.* This section address financial matters under purview of the Association.

A-4 is updated to reflect the actual amount given in scholarships each year.

A-8 is given a new title to reflect this policy deals specifically with retirements.

*B—Association Business.* This section address items specific to how the Association conducts meetings and business.

B-1 clarifies the procedures followed at Council and Executive meetings.

*C—Operations.* This section looks at the day-to-day operations of the Association.

C-3 reflects the employment of our Administrative Assistant and how the hours of work are approved.

*D—Annual General Assembly.* This section address policies that are specific to our local annual general meeting.

*E—Procedures.* This section is a collection of policies that direct the work of the Association.

*F—MTS Business.* This section deals specifically with items that affect our work with MTS.

F-1 has gone through a significant rewording to focus on the mechanism to bring resolutions to MTS Provincial Council.

F-2 is a new creation to clarify how a member may seek endorsement of their nomination to MTS Provincial Executive.

*G—Wellness Events.* This section outlines several different wellness opportunities for LRTA members.

G-5 is new to reflect the creation of the LRTA Member Wellness Grants for worksite activities.

A number of policies will be removed as they are either redundant as they have either been transferred to bylaws or appear elsewhere in policy, or were considered no longer relevant to the operations of the Association by the LRTA Resolutions Committee.

# CONSTITUTION OF THE LOUIS RIEL TEACHERS' ASSOCIATION OF THE MANITOBA TEACHERS' SOCIETY

## 1. Authority and Name of the Local

- 1.1. In accordance with the Constitution and Bylaws of the Manitoba Teachers' Society (hereinafter referred to as "the Society"), the Constitution of the Society being *The Manitoba Teachers' Society Act*, and the Bylaws of the Society being the Bylaws authorized thereunder, and pursuant to the Charter granted by the Society to form a local of the Society, the Louis Riel Teachers' Association of the Manitoba Teachers' Society was formed and has adopted this Local Constitution, which became effective on the date it was approved by the Provincial Executive.
- 1.2. The name of this Local shall be the Louis Riel Teachers' Association of the Manitoba Teachers' Society (hereinafter referred to as "the Local", "the Association" or "LRTA").
- 1.3. The Local is permitted to: carry on the work of the Society; enact this Constitution and enact Bylaws for the Local subject to the approval of the Provincial Executive; elect or appoint a Council and elect an Executive in accordance with the Constitution and Bylaws of the Local; elect or appoint Delegates to the Provincial Council; and adopt Policies for the Local without the approval of the Provincial Executive, where those Policies are of a purely Local nature.

## 2. Objects of the Local

- 2.1. The objects of the Local are determined by the Constitution and Bylaws of the Society, and the Charter granted by the Society to form the Local, and include the following:
  - (a) carrying out the mission, goals, and objects of the Society;
  - (b) bargaining collectively on behalf of Members;
  - (c) ensuring effective communications between the Society and Members;

(d) providing mechanisms for Members to be effectively represented by the Society;  
and

(e) supporting professional growth opportunities for Members.

2.2. Additional objects of the Local not inconsistent with the Constitution and Bylaws of the Society may be established pursuant to the Bylaws of the Local.

### **3. Definitions and Interpretation**

3.1. For the purpose of the Constitution, Bylaws, and Policies of the Local, unless the context requires otherwise, or a separate definition is provided, terms when capitalized shall have the same meanings as in the Constitution, Bylaws and Policies of the Society, and grammatical variations of such terms shall have corresponding meanings. The following terms when capitalized shall have the meanings set out below, and grammatical variations of such terms shall have corresponding meanings:

(a) “Agreement with the Employer” shall mean a Form of Agreement with the Employer as provided for in *The Public Schools Act* and regulations passed thereunder;

(b) “Employer” shall mean the Louis Riel School Division;

(c) “Local” shall mean the Louis Riel Teachers’ Association of the Manitoba Teachers’ Society;

(d) “Member” shall mean a Member of the Local;

(e) “Membership Meetings” shall mean meetings of the Members of the Local duly called in accordance with the Constitution and Bylaws of the Local;

(f) “Political Processes” shall mean the process of nominating a Member to run in an election for a position on the Executive, running for a position on the Executive, voting in elections for the Executive, voting on removal of a Member on the Executive from office or signing a related petition, voting or appointing a Member to a position on Council, seeking to be elected or appointed to a position on Council, voting on removal of a Member from Council or signing a related petition, seeking election or appointment to a Standing Committee, or seeking to be a Delegate on Provincial Council for the Local, but does not

include participating in a vote to ratify a collective agreement, or voting on any other business affecting the Local;

- (g) “Provincial Council” shall mean the Provincial Council of the Manitoba Teachers’ Society;
  - (h) “Provincial Executive” shall mean the Provincial Executive of the Manitoba Teachers’ Society;
  - (i) “Society” shall mean the Manitoba Teachers’ Society; and
  - (j) “Standing Committee” shall mean such Standing Committees established by the Local pursuant to the Bylaws of the Local.
- 3.2. Where any provision of the Constitution, Bylaws or Policies of the Local is inconsistent with the Constitution, Bylaws, or Policies of the Society, the provision of the Constitution, Bylaws or Policies of the Local is automatically void and of no force and effect to the extent of the inconsistency.
- 3.3. The article and section headings in the Constitution, Bylaws, and Policies of the Local are for reference purposes only and shall not affect the meaning or interpretation of the Constitution, Bylaws, and Policies.
- 3.4. Words importing the singular number only shall include the plural as the context may require. Where the feminine or masculine or neutral is used, the word or words shall be interpreted to include the masculine or feminine or neutral as the context may require. Words importing persons shall include firms, governments, and corporations as the context requires. These principles shall apply to the Constitution, Bylaws, and Policies of the Local.

#### **4. Membership, Rights and Obligations of Membership**

##### Membership in the Local

- 4.1. “Active members in good standing” and “associate members in good standing” with the Society as defined in the Constitution and Bylaws of the Society who are employed by the Employer under an Agreement with the Employer for the School Year, or a portion thereof shall be Members of the Local.

### Obligations of Membership

- 4.2. Members shall pay Required Membership Fees to the Society and the Local;
- 4.3. Members have such other obligations contained in the Constitution and Bylaws of the Society, and any further obligations contained in the Constitution and Bylaws of the Local.
- 4.4. Where a Member, in addition to being employed by the Employer, is also employed by a school division, school district, First Nation or First Nation Education Authority other than the Employer, and is by virtue of that employment a member of one or more other locals of the Manitoba Teachers' Society, that Member is only entitled to participate in the Political Processes of one local.
  - (a) Such a Member must declare, in accordance with the procedures set by the Society, the name of all other locals of the Manitoba Teachers' Society to which the Member is also a member and must declare one local in which the Member chooses to participate in Political Processes. Such a declaration is binding on the Member for the duration of the School Year.
  - (b) Such a Member who declares the choice to participate in the Political Processes of another local of the Society, or who fails to declare a choice to participate in the Political Processes of this Local in accordance with the procedures set out in the Bylaws of the Local, is not entitled to participate in the Political Processes of this Local, for the duration of the School Year, but such Member maintains other Member rights as provided for in the Constitution and Bylaws of the Local;

### Rights of Membership

- 4.5. Subject to article 4.4, Members, duly assembled in a Membership Meeting properly called in accordance with the Bylaws of the Local, are the highest authority for deciding the policies and affairs of the Local.
- 4.6. Subject to article 4.4, and where it is not feasible to hold a Membership Meeting to conduct a vote, Members may vote on Local business outside of Membership Meetings in accordance with any procedures set out in the Bylaws, provided that adequate information is provided to all Members in advance.

- 4.7. Members enjoy the rights contained in the Constitution and Bylaws of the Society, and the rights contained in the Constitution and Bylaws of the Local.
- 4.8. A Member who does not maintain Membership in good standing by ceasing to pay Required Membership Fees to the Society and the Local at any period of time, including but not limited to a leave of absence, shall cease to enjoy the rights of Membership under the Constitution and Bylaws of the Local during the period of time that Required Membership Fees are not paid. This includes, but is not limited to, cessation of the right to participate in Political Processes of the Local during any period of time where Required Membership Fees are unpaid. A Member has the onus to ensure that Required Membership Fees are paid to the Society and the Local in order to maintain rights of Membership, including, but not limited to making arrangements for payment of Required Membership Fees during a leave of absence.

#### Cessation of Membership

4.9. Membership in the Local ceases if:

- (a) a Member ceases to be employed by the Employer or does not sign an Agreement with the Employer for the School Year, except that where proceedings are brought to challenge the justness of a Member's termination by the Employer, Membership continues pending the outcome of the proceedings;
- (b) a Member has voluntarily terminated membership in the Society or elected not to be a member of the Society;
- (c) a Member has membership suspended or terminated by the Society in accordance with the Society's Constitution or Bylaws.

#### **5. Relationship between MTS and the Local**

- 5.1. The Local was established by Charter granted by the Society and is bound by the Constitution and Bylaws of the Society.
- 5.2. The Local shall appoint or elect its Delegates to the Provincial Council in accordance with the procedures set out in the Bylaws of the Local.



## **6. Required Membership Fees**

- 6.1. Members must pay Required Membership Fees to the Society as determined by the Society and must pay Required Membership Fees to the Local as determined by the Local in accordance with the Bylaws of the Local.
- 6.2. Required Membership Fees may be deducted at source in a manner agreed upon by the Local and the Employer, subject to the Constitution and Bylaws of the Society regarding payment of Required Membership Fees directly to the Society.

## **7. Council of the Local**

### Council and Duties of Council

- 7.1. There shall be a Council of the Local whose Membership shall consist of the Members of the Executive of the Local and Council Representatives elected or appointed from the electoral units of the Local, as such units are defined in the Bylaws of the Local.
- 7.2. Council shall be responsible to oversee the affairs and determine the Policy of the Local, subject to direction from Members obtained in accordance with Articles 4.5 and 4.6, and subject to the Constitution and Bylaws of the Local and the Society. Without limiting the generality of the foregoing, Council shall have the power to interpret the Constitution and Bylaws of the Local, to adopt a budget for the Local and to set Required Membership Fees subject to any requirement for approval by Members as set out in the Bylaws of the Local, to appropriate money, and to appoint Standing Committees or *ad hoc* committees of the Local.
- 7.3. Council shall conduct its business at Meetings of Council duly called in accordance with the Bylaws of the Local, or by other means authorized by the Bylaws of the Local.
- 7.4. Council is authorized to delegate any of its powers to the Executive, or to one or more Members of the Executive or Council Representatives, as it sees fit. Council

is authorized to approve the hiring of staff to assist in carrying out the affairs of the Local, and to supervise and direct the work of any such staff or delegate such duties.

### Council Representatives

- 7.5. Subject to any limitations on Membership rights set out in the Constitution and Bylaws of the Society and the Constitution and Bylaws of the Local, and subject to any limits on consecutive terms contained in the Bylaws of the Local, any Member of the Local is eligible to sit on Council as a Council Representative. The term of a Council Representative shall be defined in the Bylaws of the Local.
- 7.6. Council Representatives are the official representatives of their electoral unit on Council in all matters pertaining to the affairs of the Local. Council Representatives are responsible to communicate the wishes of Members in their electoral unit to Council; report on the activities of the Local to Members in their electoral unit; encourage participation by Members in the activities of the Local; and other such duties as determined by Council or as stated in the Bylaws of the Local.
- 7.7. Council Representatives shall act in the best interests of the Local, shall declare any actual or possible conflicts of interest, and shall use their best efforts to perform duties assigned under the Constitution, Bylaws and Policies of the Local.
- 7.8. Any Council Representative who reasonably believes that business of the Local is being conducted contrary to the Constitution, Bylaws or Policies of the Local, or that another Member of the Local is acting contrary to the Constitution, Bylaws or Policies of the Local, shall disclose the concern to either the Council or the Executive, which shall conduct such investigation and take such action as appropriate. A Council Representative making such disclosure shall not be subject to repercussions.
- 7.9. Council Representatives shall serve their term unless removed from office or a vacancy occurs in accordance with the Constitution and Bylaws of the Local.

### Vacancies on Council

- 7.10. Vacancies on Council Representative positions, as defined in the Bylaws of the Local, may be filled in accordance with the Bylaws of the Local.

7.11. Council is empowered to act notwithstanding any vacancy on Council. Decisions of Council are not invalid by virtue of an irregularity in the election or appointment of any Member of Council.

## **8. Executive of the Local**

8.1. There shall be an Executive of the Local whose Membership shall consist of those positions required by this Constitution, and such other positions as determined in the Bylaws of the Local.

8.2. The Executive shall be responsible to carry out the affairs of the Local between Council Meetings, subject to direction from Members obtained in accordance with Articles 4.5 and 4.6, subject to direction from Council obtained in accordance with article 7.3, and subject to the Constitution and Bylaws of the Local and the Society.

8.3. Each Member of the Executive shall act in the best interests of the Local, shall declare any actual or possible conflicts of interest, and shall use their best efforts to perform duties assigned under the Constitution, Bylaws and Policies of the Local.

8.4. Any Member of the Local who reasonably believes that business of the Local is being conducted contrary to the Constitution, Bylaws or Policies of the Local, or that another Member of the Local is acting contrary to the Constitution, Bylaws or Policies of the Local, shall disclose the concern to the Council or the Executive, which shall conduct such investigation and take such action as appropriate. A Member making such disclosure shall not be subject to repercussions.

8.5. The Executive shall conduct its business at meetings of the Executive duly called in accordance with the Bylaws of the Local, or by other means authorized by the Bylaws of the Local.

8.6. The Executive is authorized to delegate any of its powers to one or more Members of the Executive, as it sees fit. The Executive is authorized to approve the hiring of staff to assist in carrying out the affairs of the Local and to supervise and direct the work of any such staff.

8.7. The Executive is empowered to act notwithstanding any vacancy on the Executive. Decisions of the Executive are not invalid by virtue of an irregularity in the election or appointment of any Member of the Executive.

### Members of the Executive

- 8.8. Subject to any limitations on Membership rights set out in the Constitution and Bylaws of the Society and the Constitution and Bylaws of the Local, and subject to any limits on consecutive terms contained in the Bylaws of the Local, any Member of the Local is eligible to sit on the Executive.
- 8.9. With the exception of the Resolution and Nominations Chair, Members of the Executive shall be elected by and from Members of the Local who are eligible to participate in the Political Processes of the Local pursuant to article 4.4, for a one-year term or such longer term set out in the Bylaws of the Local, in accordance with procedures in the Bylaws of the Local.
- 8.10. The Members of the Executive must include the following positions:
- (a) A President of the Local, who shall be the representative and official spokesperson for the Local in its affairs, and shall perform such duties as may be assigned by the Executive and the Bylaws and Policies of the Local;
  - (b) One or more Local Officers responsible for:
    - a. assuming the duties of the President in the absence of the President, as delegated by the Executive;
    - b. ensuring that minutes are kept of all meetings provided for in the Constitution or Bylaws of the Local, and preservation of records of the Local other than financial records, which minutes and records belong to the Local;
    - c. overseeing the financial affairs of the Local, and the preservation of the financial records of the Local, which financial records belong to the Local; and
  - (c) Any such other Members of the Executive as established in the Bylaws of the Local.
- 8.11. Duties of the Members of the Executive shall be contained in the Bylaws of the Local.
- 8.12. All Members of the Executive shall serve their terms unless removed from office, or a vacancy otherwise occurs as defined in the Bylaws of the Local.

8.13. Unless an election is called in accordance with the Article 9.3 of this Constitution, vacancies on the Executive may be filled in accordance with the Bylaws of the Local.

## **9. Elections of Members of the Executive**

9.1. The General Secretary of the Society, or designate, is the Chief Electoral Officer of the Local and has the authority to oversee the conduct of elections to the Executive, and to resolve disputes about such elections.

9.2. There shall be a Local Electoral Officer or Local Elections Committee established in accordance with the Bylaws of the Local which has the authority to conduct the elections to the Executive, in accordance with the Bylaws and Policies of the Local, and subject to the direction of the Chief Electoral Officer. A Member seeking election to the Executive shall not be eligible to be the Local Electoral Officer or a member of the Local Elections Committee.

9.3. The Chief Electoral Officer has the discretion to call an election should a vacancy occur in any position on the Executive, at any time during the term of that position, and may determine the rules applicable to such an election.

## **10. Standing Committees**

10.1. There shall be such Standing Committees and any other *ad hoc* committees that the Executive determines are required to carry out the work of the Local, in accordance with the Bylaws of the Local.

10.2. The Local shall appoint Workplace Safety and Health Representatives and worker members of any and all Workplace Safety and Health Committees required by *The Workplace Safety and Health Act* in accordance with the procedures in the Bylaws of the Local.

## **11. Removal from Office**

11.1. A Member of the Executive may be removed from office pursuant to this article on the basis that there are reasonable grounds to believe that the Member is unwilling or unable to act in the best interests of the Local and its Members, and the business

interests of the Local would be compromised by the Member continuing to serve the Member's term.

11.2. A Meeting to consider a Member of the Executive's removal from office may be called by the General Secretary of the Society upon receipt of a written request signed by either:

(a) the number of Members of the Local required for quorum for a Membership Meeting, as set out in the Bylaws of the Local, which must include members who work in more than one school or worksite, or

(b) two-thirds (2/3) of Members of the Council; or

(c) two-thirds (2/3) of Members of the Executive,

which written request must identify the Member whose removal is sought and provide reasons for the requested removal.

11.3 Upon receipt of a written request, and being satisfied that the request has the requisite support pursuant to article 11.2, and that the requirement that there are reasonable grounds for removal pursuant to article 11.1 is met on a *prima facie* basis, the General Secretary or designate shall do as follows:

(a) Where the written request is made pursuant to article 11.2(a), schedule a Membership Meeting; where the written notice is made pursuant to article 11.2(b), schedule a Council Meeting; or where the written notice is made pursuant article 11.2(c), schedule an Executive Meeting, such meeting to be scheduled within five (5) working days;

(b) Provide written notice of the meeting to the Member whose removal from office is sought, and ensure that notice of the meeting is provided in accordance with the Bylaws of the Local;

(d) Act as chairperson of the meeting where the following process occurs:

a. a representative of those seeking the Member's removal presents reasons in support of a motion that the Member ought to be removed from office;

b. the Member whose removal is sought is provided an opportunity to fully respond; and

- c. a vote is conducted by secret ballot.
- 11.4 A vote to remove the Member from the Executive requires the support of either two-thirds (2/3) of the Local's Members present at the Membership Meeting (which requires quorum), or two-thirds (2/3) of the Members of Council present at the Council meeting (which requires quorum), or two-thirds (2/3) of the Members of the Executive present at the Executive Meeting (which requires quorum.)
- 11.5 A Member who has been removed from office may appeal the decision to the Provincial Executive, by providing a written request to the General Secretary and the President of the Local, or another Member of the Executive if the President is the Member being removed from office, within five (5) working days from the date of the vote to remove the Member from office.
- 11.6 An appeal to the Provincial Executive will be scheduled to be heard at its next regularly scheduled meeting. Provincial Executive shall determine the procedure for the appeal. The issue on appeal is whether the standard required for removal in article 11.1 has been met. The Provincial Executive shall issue a decision and shall confirm the Member's removal or confirm the Member's reinstatement to office accordingly. The decision of the Provincial Executive shall be final and binding on the Local and the Member in question.

## **12. Local Finances**

- 12.1. The Fiscal Year of the Local shall be the same as that of the Society.
- 12.2. The Local shall administer and invest the Local's assets and reserve fund in accordance with the objects of the Society and the Local, the Society's financial and operational policy guidelines, and the Bylaws of the Local.
- 12.3. The Executive shall be responsible for the day-to-day administration and investment of the Local's assets and shall ensure that the Local's assets are protected and used to carry out the mission, goals, and objects of the Society.
- 12.4. The Executive shall prepare an annual budget for the Local and shall obtain approval for the annual budget by either Members or Council in accordance with the procedure set out in the Bylaws of the Local. The Executive shall be responsible to

ensure that the proposed budget complies with the Society's Bylaws and Policies, and the Bylaws and Policies of the Local.

12.5. The Executive shall ensure that the Budget, once approved, is followed, in accordance with the Bylaws of the Local.

12.6. The Local shall retain a qualified external auditor at the end of each Fiscal Year to annually undertake an independent financial audit or review of the Local's financial records and shall submit a copy of the audit to the Society within thirty (30) days of its receipt from the auditor.

### **13. Amendments to the Constitution and Enactment of Bylaws**

13.1. Amendments to this Local Constitution or Bylaws may be proposed by any Member of the Local, in accordance with the procedures in the Bylaws of the Local.

13.2. Amendments to this Local Constitution or Bylaws must be approved by either a vote of two-thirds (2/3) of Members present at a duly convened Membership Meeting, or a vote of two-thirds (2/3) of Members of Council present at a duly convened Council Meeting, in accordance with the Bylaws of the Local.

13.3. Within ten (10) days of approval, a copy of the amended Constitution of the Local must be provided to the General Secretary of the Society.

13.4. An amendment to the Constitution or Bylaws of the Local takes effect on the date the Provincial Executive approves the amendment.

### **14. Enactment of Local Policies**

14.1. The Local is authorized to establish Policies with respect to matters of a purely local nature, which are not subject to approval by the Provincial Executive. A decision of the Provincial Executive as to whether a matter is of a purely local nature is final and binding on the Local and all Members unless altered by Provincial Council.

14.2. Policies for the Local may be approved in accordance with the Bylaws of the Local.



# **BYLAWS of The Louis Riel Teachers' Association of The Manitoba Teachers' Society**

## **Part 1 - Language**

1.1 The following shall be written in French and English:

- (a) Constitution, Bylaws, and Policies;
- (b) minutes of General Assembly Meetings and Council Meetings; and,
- (c) summative reports by Members of the Executive to General Assembly Meetings.

1.2 In situations where the English and the French versions are at variance, the English version shall prevail.

## **Part 2 – Objects**

2.1 Objects of the Local in addition to those set out in the Constitution of the Local are as follows:

- (a) to promote a professional and collegial spirit among its members; and
- (b) to exercise all such powers as may be within its competence in order to achieve and protect terms and conditions of employment which are consistent with the requirements of teachers as a professional group.

## **Part 3 – Membership**

3.1 Members who are eligible to participate in Political Processes of the Local pursuant to article 4.4 of the Constitution of the Local have the following rights:

- (a) to attend and participate in General Assembly Meetings, and vote on business;
- (b) to attend Executive and Council meetings, with the exception of any part declared to be in camera;
- (c) to seek election to the Executive and Council, seek election or appointment to any Committees of the Local, and seek to be a Delegate to Provincial Council;
- (d) to nominate other Members to run for a position on the Executive, Council or Provincial Council;
- (e) to vote in any elections conducted by the Local; and
- (f) to participate in a ratification vote.

3.2 Members who are ineligible to participate in the Political Processes of the Local pursuant to article 4.4 of the Constitution have the following rights:

14.2.1. to attend and participate in General Assembly Meetings, and vote on business with the exception of business that meets the definition of Political Processes;

14.2.2. to attend Executive and Council meetings with the exception of any part declared to be in camera; and

14.2.3. to participate in a ratification vote.

3.3 Members who cease to pay Required Membership Fees shall cease to enjoy the rights of Membership under the Constitution and Bylaws of the Local during the period that the Required Membership Fees are not paid.

#### **Part 4 – Selection of Delegates**

##### **Manitoba Teachers’ Society Provincial Council**

4.1 The Council shall select the Local’s Delegates to the Manitoba Teachers’ Society Provincial Council, in the following order:

- (a) Members of the Executive;

(b) Members of Council;

(c) Members of Local Committees; and

(d) Other Members entitled to participate in the Political Processes of the Local who are willing to be Delegates.

4.2 Once Members of the Executive have indicated their intention to be a Local Delegate to Provincial Council, notice will be given to Council to select the remainder of the Local's Delegates. At a Council Meeting, names of Council Representatives will be solicited. If more names than Delegate positions exist, the Council shall elect the Local Delegates.

4.3 If Local Delegate positions remain unfilled the President shall select first from Local Committees, then from Members entitled to participate in the Political Processes of the Local who are willing to be Delegates, in consultation with the Table Officers.

#### Manitoba Federation of Labour Tri-Annual Convention

4.4 The Council shall select the Local's Delegates to the Manitoba Federation of Labour (MFL) Convention, on years that it is held, in the following order:

(a) Members of the Executive;

(b) Members of Council;

(c) Members of Local Committees; and

(d) Other Members entitled to participate in the Political Processes of the Local who are willing to be Delegates.

4.5 Once Members of the Executive have indicated their intention to be a Local Delegate to the MFL Convention, notice will be given to Council to select the remainder of the Local's Delegates. At a Council Meeting, names of Council Representatives will be solicited. If more names than Delegate positions exist, the Council shall elect the Local Delegates.

4.6 If Local Delegate positions remain unfilled the President shall select first from Local Committees, then from Members entitled to participate in the Political Processes of the Local who are willing to be Delegates, in consultation with the Table Officers.

#### Manitoba Teachers' Society Provincial Bargaining Meetings

4.7 The Association will select delegates for Provincial Bargaining Regional Meetings according to the following protocol:

- (a) The Vice-President: Collective Bargaining shall be identified as the Local Bargaining Representative. In the event that the Vice-President: Collective Bargaining is elected as a member of the Provincial Bargaining Team, the President shall assume the role of Local Bargaining Representative.
  
- (b) The President, Vice-President: Collective Bargaining, and Vice-President: Professional Development will fill the first three positions at Provincial Bargaining Regional Meetings. If any of these Members are serving as members of the Provincial Bargaining Team, the vacant position shall be filled as in (c).
  
- (c) The Local Bargaining Representative shall fill the remaining positions by selecting members from the Collective Bargaining Committee.
  - a. If there are more interested members of the Collective Bargaining Committee than spaces available, an election will be held at a Council Meeting.
    - i. Each member of the Collective Bargaining Committee will provide a short, written submission of 200 words or less to Council members prior to the election.
    - ii. The election shall be overseen by the Resolutions and Nominations Chair unless this person is standing for election. In this circumstance, the election shall be overseen by the Vice-President: Collective Bargaining.
  
- (d) Any vacant positions shall be filled by appointment of the Executive, with consideration given to the following groups:
  - a. Members of the Executive
  - b. Members of Council
  - c. Association Members

4.8 The Association will select delegates for Provincial Bargaining Seminars according to the following protocol:

- (a) The President, Vice-President: Collective Bargaining, and Vice-President: Professional Development will fill the first three positions at Provincial Bargaining Regional Meetings. If any of these Members are serving on the Provincial Bargaining Team, the vacant position shall be filled as in (b).
- (b) The Local Bargaining Representative shall fill the remaining positions by selecting from the members who served as delegates to the Provincial Bargaining Regional Meetings.
- (c) Any vacant positions shall be filled by appointment of the Executive, with consideration being given to the following groups:
  - a. Remaining members who served as delegates to the Regional Meetings
  - b. Members of the Executive
  - c. Members of Council
  - d. Association Members

## **Part 5 – General Assembly Meetings**

### **Annual General Assembly Meeting**

5.1. The General Assembly shall be composed of all Members of the Local.

5.2. An Annual General Assembly Meeting shall be held once per year between April 14th and April 29th.

5.3. General Assembly Meetings shall be called by:

- (a) the authority of the President;
- (b) the President as instructed by the Executive; or
- (c) the President as instructed by the Council.

5.4. The agenda for the Annual General Assembly Meeting shall include:

- (a) Executive elections;

- (b) the approval of the Required Membership Fees of the Local;
- (c) the approval of the annual budget of the Local for the following School Year;
- (d) receipt of the summative reports written by all Members of the Executive;
- (e) approving amendments to the Constitution, Bylaws, and Policies of the Local;  
and
- (f) such other general and new business as determined by the Executive or Council.

#### Special General Assembly Meetings

5.5. Subject to article 10 of the Constitution, a Special General Assembly Meeting may be called in one of the following ways:

- (a) by the President of the Local;
- (b) by the President as instructed by the Executive;
- (c) by the President as instructed by the Council;
- (d) by the Provincial Executive or General Secretary of the Society; and
- (e) by the President or Executive upon the receipt of a written request, which written request states the reason for the meeting and is supported by at least fifty (50) signatures of Members entitled to participate in the Political Processes of the Local.

5.6. Subject to article 5.7 of these Bylaws, the Membership must receive a minimum of seven (7) Days' notice of a Special General Assembly Meeting, and a Meeting called pursuant to article 5.5(e) of these Bylaws shall be scheduled within seven (7) to fourteen (14) Days following the Day on which the written request is submitted to the President or Executive. The General Secretary of the Society shall be provided with an electronic copy of all written notices of Special General Assembly Meetings, as soon as possible.

5.7. A Special General Assembly Meeting may be called with less than seven (7) days' notice in urgent circumstances, in which case the Special General Assembly Meeting shall be scheduled with as much notice to the Membership and General Secretary as is reasonably possible.

5.8. The agenda for a Special General Assembly Meeting shall be limited to the business for which it was called.

#### Provisions Applicable to all General Assembly Meetings

5.9. The quorum for General Assembly Meetings shall be 110 Members entitled to participate in the Political Processes of the Local.

5.10. If quorum for a General Assembly Meeting is not met, the General Assembly Meeting may continue on an informational basis but no votes on business matters shall be conducted. The President has the discretion to schedule a Special General Assembly Meeting to conduct the required business, or the Executive or the Council may instruct the President to schedule a Special General Assembly Meeting to conduct the required business.

5.11. With the exception of article 11 of the Constitution and article 13 of the Constitution, which require a two-thirds (2/3) vote of Members entitled to participate in the Political Processes of the Local, business at a General Assembly Meeting shall be conducted by a majority vote of the Members present and entitled to vote pursuant to Part 1 of these Bylaws.

#### Amendments to Benefits Plans

5.12. Any proposed change in Benefits carried by motion at the Annual General Assembly Meeting shall be presented to the entire Membership for approval by way of a secret ballot vote.

5.13. A vote in accordance with article 5.12 shall be done in accordance with the following process:

(a) Written information regarding the proposed Benefits change shall be distributed to all Members, at least thirty (30) days before the vote will take place;

(b) A secret ballot vote shall be held after having provided at least seven (7) days' notice of the vote to the Members.

5.14. A vote on changes to the Benefits plans requires the support of a majority of Members who vote for approval.

## **Part 6 – Ratification and Interest Arbitration Votes**

6.1. All processes related to ratification and interest arbitration are governed by the Provincial Bargaining Protocol of the Manitoba Teachers' Society.

## **Part 7 – Council**

### **Council Representatives and Electoral Units**

7.1 Council shall be composed of the Executive and the Council Representatives elected from each electoral unit.

7.2 An Alternate shall assume the duties of the Council Representative in the absence of that Council Representative.

7.3 Each worksite constitutes an electoral unit. The Indigenous Education Team and Substitute Teachers also constitute individual electoral units.

7.4 The number of Council Representatives from each worksite shall be determined according to the following table:

No. of Members	Representatives	Alternates
1 – 25	1	1
26 – 50	2	2
50+	3	3

7.5 Where a Member works out of more than one worksite, the Member shall only belong to one electoral unit. The Member shall be assigned to the worksite of the Member's choice.

7.6 One (1) Council Representative and one (1) Alternate shall be elected from the electoral unit of the Indigenous Education Team.

7.7 One (1) Council Representative and one (1) Alternate shall be elected from the electoral unit of Substitute Teachers.



7.8 Council Representatives and Alternates shall be elected on or before the third day of the Fall term by the Members of their respective worksites for a one (1) year term.

7.9 Council Representatives shall take office on the third Day of the Fall term.

7.10 Council Representatives shall:

- (a) attend Council Meetings and arrange for an Alternate if required;
- (b) inform the Members in their electoral unit of the business of the Local, and bring Members' concerns to the attention of Council;
- (c) encourage worksite representation on the Committees of the Local; and
- (d) assume responsibility for any surveys or other business as required by Council.

#### Regular Council Meetings

7.11 The Council shall meet at least once per month exclusive of July and August:

- (a) on the authority of the President; or
- (b) by the President as instructed by the Executive.

7.12 Members of the Council shall be given at least seven (7) Days' notice of Council Meetings.

#### Special Council Meetings

7.13 Special Council Meetings may be called:

- (a) on the authority of the President;
- (b) by the President as instructed by the Executive; or

(c) by any Member of the Executive, if a request in writing is submitted to the President or the Executive, which request states the reason for the meeting and is supported by at least fifteen (15) signatures of Members of the Council.

7.14 Special Council Meetings shall be scheduled upon as much notice to the Members of the Council as is reasonably possible.

7.15 The agenda for a Special Council Meeting shall be limited to the business for which it was called.

Applicable to all Council Meetings

7.16 The quorum for Council Meetings shall be fifty percent (50%) of the Members of the Council.

7.17 If quorum for a Council Meeting is not met, the Council Meeting may continue, but no votes on business matters shall be conducted.

7.18 Each Member of the Council shall have one vote and business shall be decided by a majority vote of the Members of the Council present at the Council Meeting, with the exceptions of a motion to remove a Member from office on the Council and a motion to authorize expenditure from the Reserve Fund, which require a two-thirds (2/3) vote of Members of the Council present at the Council Meeting. Proxy voting shall not be permitted.

7.19 Council Meetings are open to Members to attend and observe, other than any portions that the Council determines will be held in camera.

7.20 Council may hold portions of a Council Meeting in camera that concern:

- (a) labour contract discussions, labour management relations, or personnel issues;
- (b) financial matters where negotiations with a third party are involved;
- (c) matters involving building or personal security where disclosure could reasonably be expected to seriously compromise Society personnel or assets;

- (d) matters concerning information that a person has requested be provided to the Provincial Executive in private, such as a situation involving allegations of harassment or whistleblowing.

7.21 Local business concerning subject matter identified in article 7.19 shall, upon motion which states the general subject matter of the business, be discussed in an in-camera portion of a Council Meeting. In camera minutes of deliberations about the business shall be taken, and kept sealed. A record of any decision made in camera shall be reflected in the minutes of the Council Meeting.

7.22 Where a Member of the Council believes that discussion of an item of business within an in-camera portion is not appropriate in camera subject matter that Member shall immediately rise on a point of order to that effect. The Council shall immediately rule on whether the discussion may be continued in-camera, or shall be deferred to the regular portion of the Council Meeting.

#### Vacancies on Council

7.23 A vacancy on the Council shall occur in any of the following circumstances:

- (a) the resignation or retirement of a Member of the Council;
- (b) the Member of the Council being unable to act; or
- (c) the removal from office of a Member of the Council, pursuant to article 10 of the Constitution of the Local.

7.24 A vacancy on the Council shall be filled:

- (a) by the Alternate from the electoral unit in which the vacancy has occurred; or
- (b) if the Alternate is not available or willing to fill the vacancy, the electoral unit in which the vacancy has occurred shall elect or appoint a replacement Council Representative as soon as reasonably possible.

#### **Part 8 – Executive**

8.1 The Members of the Executive shall consist of the following:

- (a) President;

- (b) Vice-President: Collective Bargaining;
- (c) Vice-President: Professional Development;
- (d) Secretary Treasurer;
- (e) Resolutions and Nominations Chairperson;
- (f) Committee Chairpersons of the Standing Committees;
  - a. Public Relations Chairperson
  - b. Social Chairperson
  - c. Employee Benefits Chairperson
  - d. Equity and Social Justice Chairperson
  - e. Éducatrices et Éducateurs Francophones du Manitoba Chairperson
  - f. Indigenous Education Chairperson
- (g) Three (3) Members-at-large; and
- (h) Representative of the Louis Riel Association of School Administrators (LRASA).

8.2 The duties of the Members of the Executive shall include the following:

- (a) All Members of the Executive shall:
  - (i) attend relevant seminars and events;
  - (ii) keep all appropriate files and records and pass them on to his/her successor;
  - (iii) write a summative report for the Annual General Assembly; and
  - (iv) undertake additional duties and responsibilities as required.
- (b) The President is the representative of the Local and shall:
  - (i) communicate on behalf of the Local;
  - (ii) call, prepare agendas and preside over Executive meetings, Council meetings, and General Assembly Meetings, or identify a designate to do so;
  - (iii) be an ex-officio member of all Standing Committees and *ad hoc* committees of the Local;
  - (iv) be a Table Officer;

- (v) be a signing officer for the Local;
  - (vi) supervise staff hired by the Local;
  - (vii) ensure that an accurate record of attendance and proceedings of Executive meetings, Council meetings, and General Assembly Meetings be kept in accordance with the Policies of the Local;
  - (viii) authorize the expenditures of the Local excluding those of the President;
  - (ix) be co-chair of the Divisional Workplace Safety and Health Committee; and
  - (x) perform such duties as the Executive, Council or Membership shall assign.
- (c) The Vice-Presidents shall:
- (i) assume the duties of the President in the absence of the President, in accordance with the Policy of the Local;
  - (ii) be a Table Officer;
  - (iii) be a signing officer for the Local and authorize expenditures of the President; and
  - (iv) perform such duties as the President, Executive, Council or Membership shall assign.
- (d) The Vice-President: Collective Bargaining, in addition to the duties set out at article 8.2(c), shall establish and chair the Collective Bargaining Committee and perform such detailed duties at set out in the Policies of the Local.
- (e) The Vice-President: Professional Development, in addition to the duties set out at article 8.2(c), shall establish and chair the Professional Development Committee; be a member of the Collective Bargaining Committee; and perform such detailed duties at set out in the Policies of the Local.
- (f) The Secretary Treasurer shall:
- (i) oversee the proper conduct of the financial affairs of the Local pursuant to the requirements of the Society;
  - (ii) keep an accurate record of all Local income and disbursements;
  - (iii) preserve the financial records of the Local, which records shall belong to the Local;
  - (iv) ensure that financial records are preserved for at least seven (7) years;
  - (v) present an externally audited financial statement of the preceding year at the November Council meeting;

- (vi) consult with Committee Chairpersons and present a proposed budget at the Annual General Assembly Meeting;
  - (vii) provide a written budget report at each regular Council meeting;
  - (viii) be a Table Officer;
  - (ix) be a signing officer for the Local and the Reserve Fund;
  - (x) disburse funds on the basis of:
    - a. expense vouchers substantiated by receipts; or
    - b. motion of Council or General Assembly;
  - (xi) prepare and preserve, or appoint a designate to cause to be prepared and preserved, an accurate record of the proceedings of all General Assembly Meetings, Executive Meetings, and Council Meetings including a record of decisions made during in camera portions of meetings;
  - (xii) ensure that in camera minutes of meetings are taken and kept sealed;
  - (xiii) make minutes of Membership meetings (other than in camera minutes) available to Members upon request;
  - (xiv) produce minutes of meetings, including in camera minutes, and other records upon request to the General Secretary of the Society;
  - (xv) preserve records of the Local, which records shall belong to the Local; and
  - (xvi) perform such duties as the President, Executive, Council, or Membership shall assign.
- (g) The Resolutions and Nominations Chairperson shall:
- (i) be the Nominations Committee Chairperson and Local Electoral Officer;
  - (ii) be a Table Officer;
  - (iii) be a signing officer for the Association and for the Reserve Fund;
  - (iv) chair the Resolutions Committee; and,
  - (v) perform such duties as the President, Executive, Council, or Membership shall assign.
- (h) Committee Chairpersons shall:
- (i) ensure that the Committee carries out its aims and duties in accordance with the Constitution, Bylaws and Policies of the Society, the Constitution and Bylaws of the Local, and any additional duties or terms of reference assigned by the Council;
  - (ii) keep minutes of Committee meetings and a record of the Committee's work;
  - (iii) provide a proposed Committee budget;

- (iv) provide recommendations and reports to Council;
- (v) perform such detailed duties as set out in the Policies of the Local; and
- (vi) perform such duties as the President, Executive, Council, or Membership shall assign.

(i) The Public Relations Chairperson shall:

- (i) perform the duties as outlined in 8.2 (h);
- (ii) assist the Association when necessary in all areas of communications;
- (iii) edit and publish the Association newsletter; and,
- (iv) perform such duties as the President, Executive, Council, or Membership shall assign.

(j) The Social Chairperson shall:

- (i) perform the duties as outlined in 8.2 (h);
- (ii) organize social functions of the Association; and,
- (iii) perform such duties as the President, Executive, Council, or Membership shall assign.

(k) The Employee Benefits Chairperson shall:

- (i) perform the duties as outlined in 8.2 (h);
- (ii) provide information to members on benefits plans;
- (iii) monitor benefits plans for changes and improvements; and,
- (iv) perform such duties as the President, Executive, Council, or Membership shall assign.

(l) The Equity and Social Justice Chairperson shall:

- (i) perform the duties as outlined in 8.2 (h);
- (ii) monitor issues and concerns related to equity in education; and,
- (iii) perform such duties as the President, Executive, Council, or Membership shall assign.

(m) The Éducatrices et Éducateurs Francophones du Manitoba Chairperson shall:

- (i) perform the duties as outlined in 8.2 (h);
- (ii) attend provincial EFM regional, Immersion School Council, and annual meetings and share ideas and maintain communication between local EFM and provincial EFM;
- (iii) advocate and promote French language services and issues; and,
- (iv) perform such duties as the President, Executive, Council, or Membership shall assign.

- (n) The Indigenous Education Chairperson shall:
  - (i) perform the duties as outlined in 8.2 (h);
  - (ii) attend the Indigenous Education Chairperson Training as provided by the Society; and,
  - (iii) perform such duties as the President, Executive, Council, or Membership shall assign.
  
- (o) Members-at-large shall:
  - (i) chair ad hoc Committees as assigned by the Executive;
  - (ii) identify one of the members to sit as the Association representative on the Vic Wyatt House Board;
  - (iii) provide assistance to other committees; and
  - (iv) perform such duties as the President, Executive, Council, or Membership shall assign.
  
- (p) Representative of the Louis Riel Association of School Administrators (LRASA) shall report monthly to the Executive and Council of the Local and the Louis Riel Association of School Administrators (LRASA).

- 8.3 Members of the Executive shall hold a one (1) year term of office beginning August 1 following the Annual General Assembly Meeting.
  
- 8.4 The Members shall determine the release time of the President and Vice Presidents of the Local and any other Members of the Executive, subject to the terms of the Collective Agreement and the Budget of the Local.
  
- 8.5 The Local shall second the President and Vice-Presidents from the Division and compensate the Division appropriately.
  
- 8.6 Subject to the approved Budget of the Local, the Local shall endeavor to provide compensation for release time to the Member, as though the Member of the Executive teaches or works for the equivalent of the release time, and no Member of the Executive shall suffer a reduction in salary that would be earned pursuant to the Collective Agreement as a result of occupying a position on the Executive with release time.

### Vacancies

- 8.7 A vacancy on the Executive shall occur in any of the following circumstances:



- (a) the resignation or retirement of a Member of the Executive; or
- (b) the Member of the Executive being unable to act; or
- (c) the removal from office of a Member of the Executive, pursuant to article 10 of the Constitution of the Local.

8.8 Unless the Council decides to call an election to fill a vacant position, the Council shall appoint a Member to fill the vacant position as soon as reasonably possible. In the event of a vacancy in the position of President, the General Secretary of the Society shall be provided written notice of the vacancy as soon as possible and the Vice-President shall assume the position of President, unless unwilling or unable to do so.

## **Part 9 - Executive Meetings**

### Regular Executive Meetings

9.1 The Executive shall meet by the authority of the President at least once per month, exclusive of July and August.

9.2 Members of the Executive shall be given at least seven (7) Days' notice of Executive Meetings.

### Special Executive Meetings

9.3 Special Executive Meetings may be called:

- (c) by the President of the Local; or
- (d) by any Member of the Executive, if a request in writing is submitted to the President, which request states the reason for the meeting and is supported by at least three (3) of the Members of the Executive.

9.4 Special Executive Meetings shall be scheduled upon as much notice to the Members of the Executive as is reasonably possible.

9.5 The agenda for a Special Executive Meeting shall be limited to the business for which it was called.

Applicable to all Executive Meetings

9.6 The quorum for Executive Meetings shall be fifty percent (50%) of the Members of the Executive.

9.7 If quorum for an Executive Meeting is not met, the Executive Meeting may continue, but no votes on business matters shall be conducted.

9.8 Each Member of the Executive shall have one vote and business shall be decided by a majority vote of the Members of the Executive present at the Executive Meeting, with the exception of a motion to remove a Member from office on the Executive, which requires a two-thirds (2/3) vote of Members of the Executive present at the Executive Meeting. Proxy voting shall not be permitted.

9.9 Executive Meetings are open to Members to attend and observe, other than any portions that the Executive determines will be held in camera.

9.10 The Executive may hold portions of an Executive Meeting in camera that concern:

- (a) labour contract discussions, labour management relations, or personnel issues;
- (b) financial matters where negotiations with a third party are involved;
- (c) matters involving building or personal security where disclosure could reasonably be expected to seriously compromise Society personnel or assets;
- (d) matters concerning information that a person has requested be provided to the Provincial Executive in private, such as a situation involving allegations of harassment or whistle-blowing.

9.11 Local business concerning subject matter identified in article 9.10 shall, upon motion which states the general subject matter of the business, be discussed in an in-camera portion of an Executive Meeting. In camera minutes of deliberations about the business shall be taken, and kept sealed. A record of any decision made in camera shall be reflected in the minutes of the Executive Meeting.

9.12 Where a Member of the Executive believes that discussion of an item of business within an in-camera portion is not appropriate in camera subject matter that Member shall immediately rise on a point of order to that effect. The Executive shall immediately rule on whether the discussion may be continued in camera, or shall be deferred to the regular portion of the Executive Meeting.

## **Part 10 - Elections**

### **Local Electoral Officer**

10.1 The Resolutions and Nominations Chair shall be the Local Electoral Officer.

10.2 The Executive shall make a recommendation as to who should be appointed the Resolutions and Nominations Chair to the Membership for approval at the Annual General Assembly Meeting.

10.3 Members of the Executive seeking re-election shall not utilize the benefits of their current office to campaign for re-election. A dispute about whether this prohibition has been violated, and the consequences of the violation, shall be referred to the Chief Electoral Officer of the Society.

### **Executive Elections**

10.4 Elections shall occur in conjunction with the Annual General Assembly Meeting to be held between April 14 and April 29.

10.5 The nomination and campaign period for the election of the Members of the Executive shall begin March 1 of the School Year.

10.6 The Nominations Committee shall consist of the Resolutions and Nominations Chair (the Local Electoral Officer) and two Members appointed by the Council.

10.7 The Nominations Committee is responsible for seeking nominations for Executive positions.

10.8 Written nominations must be submitted on the appropriate form to the Nominations Committee. The nomination shall include the signature of the Member being nominated and the signatures of two supporting Members. Nominees shall not begin

campaigning until their nomination has been approved by the Nominations Committee.

10.9 The Local Electoral Officer shall ensure that all candidates are eligible to participate in the Political Processes of the Local, and are willing to serve.

10.10 The Nominations Committee shall make a written report on nominations at the March Council meeting and shall distribute a written report on nominations two (2) weeks prior to the Annual General Assembly.

10.11 Further nominations shall be accepted from the floor at the Annual General Assembly Meeting. The person being nominated must be present to accept the nomination and the nomination must be supported by a mover and a seconder.

10.12 Following the opportunity to accept nominations from the floor, if there is only one candidate for an Executive position three calls for nominations shall be made. If there remains only one candidate that candidate is deemed the successful candidate by acclamation.

10.13 Where two or more candidates are nominated for the position of president, each candidate shall be allowed five (5) minutes in which to make a speech.

10.14 Where two or more candidates are nominated for a position other than president, each candidate shall be allowed three (3) minutes in which to make a speech.

10.15 Where two or more candidates are nominated for a position, a secret ballot vote of the Members present at the Annual General Assembly Meeting shall be held to determine the successful candidate. The successful candidate wins by the majority vote.

10.16 Elections shall take place in the following order:

- (a) President
- (b) Vice-president: Collective Bargaining
- (c) Vice-president: Professional Development
- (d) Secretary Treasurer
- (e) Employee Benefits Chairperson
- (f) Equity and Social Justice Chairperson
- (g) Public Relations Chairperson
- (h) Éducatrices et Éducateurs Francophones du Manitoba Chairperson

- (i) Social Chairperson
- (j) Indigenous Education Chairperson
- (k) Members-at-large (3 positions)
- (l) Louis Riel Association of School Administrators' Representative

10.17 An unsuccessful candidate shall be provided the opportunity to let the candidate's name stand for subsequent positions.

10.18 Newly elected Members of the Executive shall take office beginning August 1 following the Annual General Assembly Meeting.

10.19 The Local Electoral Officer shall retain all ballots until the election results are confirmed by a duly recorded motion of the Members, and then shall introduce a motion to destroy the ballots.

10.20 The President shall provide the General Secretary of the Society a list of the Members of the Executive within ten (10) Days of their election.

### **Part 11 - Required Membership Fees**

11.1 The Required Membership Fees of the Local shall be in such amounts as approved by the Membership at the Annual General Assembly Meeting.

11.2 Required Membership Fees shall be deducted by the Employer from the pay cheques of all Members and remitted to the Local. In the case of substitute teachers, the Required Membership Fee shall be deducted on a *per diem* basis.

11.3 Members have the onus to ensure that Required Membership Fees are paid to the Local and the Society during any period of absence where Required Membership Fees are not deducted from pay.

### **Part 12 - Standing Committees**

12.1 The following are the Standing Committees of the Local:

- (a) Collective Bargaining Committee;
- (b) Professional Development Committee;

- (c) Employee Benefits Committee;
- (d) Resolutions and Nominations Committee;
- (e) Public Relations Committee;
- (f) Equity and Social Justice Committee;
- (g) *Educatrices et Educateurs Francophones du Manitoba* Committee;
- (h) Social Committee; and
- (i) Indigenous Education Committee.

12.2 The President of the Local shall be an ex-officio member of all Standing Committees and *ad hoc* committees of the Local. Every Standing Committee shall be chaired by the Member of the Executive that is the elected Committee Chairperson for that Committee.

12.3 A staff officer of the Society must be a member of the Local Table Team. The staff officer must be able to participate in all collective bargaining meetings of the Local.

12.4 The Local's worker members of any Workplace Safety and Health Committee(s) and/or the Worker Safety and Health Representatives required by *The Workplace Safety and Health Act* shall be appointed by the Council. The members shall include:

- (a) The President, who shall co-chair the Committee; and
- (b) One industrial arts/practical arts teacher;
- (c) One physical education teacher; and
- (d) One science teacher.

12.5 The Council shall establish terms of reference for any *ad hoc* committees, which include the responsibilities, composition, and term of the Committee, and shall appoint a Chairperson for the Committee.

### **Part 13 - Finances**

13.1 The Local shall retain a qualified external auditor to annually undertake an independent financial audit or financial review of the Local's financial records. The

Council shall ensure that such audit or review is completed within three (3) months of the end of the Fiscal Year.

- 13.2 The Council shall make available the annual independent financial audit or financial review to Members.
- 13.3 The Secretary Treasurer shall present the proposed annual budget for the next Fiscal Year for approval at the Annual General Assembly Meeting. Approval of the proposed annual budget shall require a majority vote of the Members present at the Annual General Assembly Meeting. The budget must be distributed to the members a minimum of fourteen (14) Days prior to the Annual General Assembly Meeting.
- 13.4 The President, the Vice-Presidents, the Secretary Treasurer, and the Resolutions and Nominations Chairperson shall have signing authority for expending Local funds. The signatures of any one (1) of these persons shall authorize any expenditure, and signatures of two (2) of these persons shall appear on all the Local's payment remittance. No person shall be authorized to issue remittance payable to oneself.

#### Reserve Fund

- 13.5 There shall be a Local fund known as the Reserve Fund, which shall consist of such monies as the Local may, from time to time, allocate to the fund.
- 13.6 At the beginning of the Fiscal Year, the minimum amount of the Reserve Fund shall be ten percent (10%) of the previous year's actual expenditures.
- 13.7 The total amount of the Reserve Fund shall not exceed two-thirds (2/3) of the previous year's actual expenditures. Surplus revenue beyond the ceiling limit shall revert to general revenue.
- 13.8 The Reserve Fund shall provide loans or grants to the Association for special projects and emergencies.
- 13.9 The signing officers for the Reserve Fund shall be the Secretary Treasurer and the Resolutions and Nominations Chairperson.

13.10 The signing officers of the Reserve Fund shall make provisions for disbursements only upon a motion of Council. Any expenditure from the Reserve Fund shall require one month's notice of motion.

13.11 A two-thirds (2/3) majority of Council members present and voting shall be required for authorizing expenditure from the Reserve Fund.

13.12 The money in the Reserve Fund shall be placed in insured accounts of investment which are non-speculative in nature.

13.13 All money and securities of the Reserve Fund shall be deposited in a financial institution approved by Council.

13.14 The signing officers for the Reserve Fund shall:

(a) keep full and complete records of receipts, disbursements, and investments of the Reserve Fund; and,

(b) prepare financial reports on the Reserve Fund annually, or at such other times as Council may direct.

#### Personal Professional Development Fund

13.15 There shall be an Association fund known as the Personal Professional Development Fund (PPDF).

13.16 The fund is financially supported by the Louis Riel School Division in accordance with the Collective Agreement Article 9.00.

13.17 The fund shall be overseen by the Vice President, Professional Development and administered according to the PPDF Guidelines.

13.18 All funds for the PPDF shall be maintained in a separate account from funds available for operations of the Local.

#### LRTA Executive Professional Learning Fund

13.19 There shall be an Association fund known as the LRTA Executive Professional Learning Fund.



13.20 The fund shall provide funding for professional development activities related to Association business to the members of the Executive on an annual basis.

13.21 The fund shall be administered according to the Policy as set out in A-2.

**Part 14 - Amendments to the Constitution or Bylaws of the Local, Policies**

Constitution and Bylaws Amendments

14.1 A Member of the Local may submit proposed amendments to the Constitution and Bylaws of the Local, by providing a draft amendment and written explanation to the President. Amendments shall be reviewed by the Executive and shall be placed on the agenda for the next Annual General Assembly Meeting.

14.2 Notice of proposed amendments to the Constitution and Bylaws of the Local shall be sent to all Members at least seven (7) Days prior to the Annual General Assembly Meeting at which the amendments are to be voted on by the Membership.

Policy

14.3 Amendments to Policies of the Local shall be made by the Council.

14.4 Amendments require “Notice of Motion” at a prior Council Meeting or notice in writing to all Members of the Council at least seven (7) days prior to the Council Meeting at which the amendment will be discussed. New policies may be presented at any time. Policy amendments shall require a majority vote to pass.

14.5 All Policy amendments passed by Council are to be considered interim until final approval by the Membership at the Annual General Assembly.

14.6 Policies may be amended at any General Assembly Meeting. Notice need not be given.

14.7 In emergency circumstances where notice cannot be given, the Executive may pass interim Policies, subject to later Council approval.



# **POLICY MANUAL OF THE LOUIS RIEL TEACHERS' ASSOCIATION**

## **ASSOCIATION MANUAL**

This manual is intended to provide a record of the policies of the Louis Riel Teachers' Association. Policies are dated on their acceptance and dates of amendments are also included. Interim policies are adopted at Council and receive final approval at the Annual General Assembly.

Amendments to existing policies require "Notice of Motion" at a prior Council Meeting or notice in writing to all members of the Council at least seven (7) days prior to the Council Meeting at which the amendment will be discussed. New policies may be presented at any time. All votes shall require a simple majority to pass. All amendments to existing policies and new policies passed at Council are to be considered interim until final approval at the Annual General Assembly.

Policy may be amended or added to at any Association General Assembly. Notice need not be given.

Under emergency situations where notice cannot be given, the Executive may pass interim policies, subject to later Council approval.

All policies are listed by number and title, and include date approved, amended, or reaffirmed.

A copy of the policy manual will be posted on the Association website.

## **SECTION A--FINANCIAL**

### **A-1 FUNDING FOR CANDIDATES FOR PROVINCIAL EXECUTIVE**

- 1) A candidate is defined to be:
  - a) a nominee for any of the following positions: President, Vice President, Executive Member, or others named by MTS
  - and
  - b) who has been duly nominated by the Council of the Association.
- 2) A candidate for President may request funding for campaign expenses for actual costs up to a maximum of \$500. All receipts must be submitted.
- 3) A candidate for Vice President or Executive or others named by MTS may request funding for campaign expenses for actual costs up to a maximum of \$500. All receipts must be submitted.
- 4) Requests for funding must be made through the Resolutions & Nominations Chair and must be approved by the Council of the Association.

### **A-2 LRTA EXECUTIVE PROFESSIONAL LEARNING FUND**

- 1) Professional Development funding for activities related to Association business shall be made available to all LRTA Executive members on an annual basis.
- 2) The Fund shall be included in the LRTA annual budget at an amount of \$10 000.
- 3) Applications for funding shall be presented to LRTA Executive for approval prior to paying registration fees. Applications must include:
  - a) Name of the conference or event.
  - b) Date, time, location.
  - c) Costs, including registrations, substitute coverage, accommodations, and transportation.
  - d) An explanation of how LRTA will benefit from participation in the conference.
- 4) Applications must be presented in a timely manner to allow Executive members to perform due diligence in their review. Applications must be made available to Executive members through email one week prior to the Executive meeting where the application will be discussed.
- 5) The Applicant will be required to abstain from voting on the application. The Applicant will be recused from discussion about the application.
- 6) The Executive may choose to approve or deny the application or request more information of the applicant. A simple majority will prevail.
- 7) Following the conference or event, the member will be required to:
  - a) Submit receipts to the LRTA Office for reimbursement.
  - b) Provide a report to Executive based on the information gained.
- 8) Funding shall be granted with the following considerations:

- a) The maximum amount of funding for any one person shall be \$2000.00 in one Association year.
- b) Efforts will be undertaken to equalize opportunities for funding between the Executive positions. For example, one person should not receive the maximum amount in 2 consecutive years.
- c) No applications will be considered for events that would occur at the time of the LRTA AGA or the MTS AGM.
- d) PPDF Guidelines may be consulted for guidance.

### **A-3 NON-BUDGETED EXPENDITURES**

Non-budgeted expenditures shall be approved by Council. If the non-budgeted expenditure exceeds 1% of the current year's total budgeted expenditures, notice of motion for the expenditure must be given in writing seven (7) days prior to the Council Meeting.

### **A-4 HIGH SCHOOL SCHOLARSHIPS**

- 1) The Association shall provide a scholarship in the amount of \$500.00 to each of the division's high schools to be awarded to a graduating student. The student shall be chosen by the recognized awards committee of the high school using the following criteria.
  - a) The student has maintained a minimum average of 75% in his/her year of graduation.
  - b) The student has demonstrated excellent communication skills, interpersonal skills, leadership abilities and a love of learning.
  - c) The student has indicated his/her intention to pursue post secondary education.
  - d) The school awards committees are encouraged to consider students who have indicated an interest in or who are pursuing an education degree.
- 2) The amount of each scholarship shall be identical and shall be determined by the AGA as the budget is considered. The scholarship shall be awarded by the Association President or the school's Council Representative where possible.

### **A-5 ARTS AND TECHNOLOGY CENTRE SCHOLARSHIP**

- 1) One scholarship, in the same amount as that provided to each of the high schools in the division, shall be awarded to a graduating student who has attended the Louis Riel School Division Arts and Technology Centre; the winning student must be registered at both the ATC and at one of the Louis Riel School Division high schools. The following criteria shall be used in determining the award-winning candidate:
  - a) The student has maintained a minimum average of 75% in the area of vocational specialty in his/her year of graduation.
  - b) The student has obtained a program certificate from the Louis Riel Arts and Technology Centre.
  - c) The student has indicated his/her intention to pursue post secondary education. The student has demonstrated excellent communication skills, interpersonal skills, leadership abilities and a love of learning.
- 2) The name of the ATC nominee will be forwarded to the awards committee of his/her home school, with said committee including the ATC nominee in its final disposition of awards.
- 3) The scholarship shall be awarded at the graduating ceremony of the student's home school by the Association President or the Council Representative of the Louis Riel School Division Arts and Technology Centre where possible.

**A-6 DONATION – Canadian Centre for Policy Alternatives**

The Association financially supports The Canadian Centre for Policy Alternatives (CCPA). The financial support offered shall not exceed \$500.00.

**A-7 DONATION – The Terry Fox Foundation**

The Association financially supports The Terry Fox Foundation. The financial support offered shall not exceed \$500.00.

**A-8 LRTA RETIREMENTS**

- 1) The Association will provide a retirement gift to members. The financial support including tax, card, and gift wrap shall not exceed \$150.00.
- 2) The Association will host an event each year to honour retirees. This event will be open to the families of the retiree and Association members.

## **SECTION B--ASSOCIATION BUSINESS**

### **B-1 COUNCIL AND EXECUTIVE MEETING PROCEDURES (New)**

- 1) The President shall act as Chair for Council and Executive Meetings, or identify a designate to act as Chair. Should the President be absent from the meeting, the Vice President with the longest term of service to the Association shall assume these duties.
- 2) Rules of Order shall be based on Bourinot's Rules of Order.
- 3) The Chair will have authority to determine the appropriate placement of items of business on the agenda, and to determine if any proposed business is out of order.
- 4) A vote that results in a tie shall be broken by a vote from the Chair.

### **B-2 NUMBERING SYSTEM FOR MOTIONS**

- 1) The LRTA shall use the numbering system as follows:
  - a) The first set of digits indicate the number of the motion.
  - b) The second set of digits indicate the year in which the motion was adopted.e.g. 5-01 would refer to motion number 5 passed in the school year 2000-2001.
- 2) The Administrative Assistant of the Association shall keep an index of the titles of the motions which have been adopted, amended, or defeated.

### **B-3 PRESENTATIONS TO ASSOCIATION BY OUTSIDE GROUPS**

Any group wishing to make a presentation must do so in the following manner:

- 1) Contact the President or appropriate committee chair.
- 2) The President or committee chair reports to Executive.
- 3) The Executive reports to Council.
- 4) Council may receive a presentation from the outside group at a regular Council meeting as a timed item or at a special meeting for any interested members.
- 5) Where time is a factor, the above procedure may be waived.

## **SECTION C--ASSOCIATION OPERATIONS**

### **C-1 PRESIDENT'S RELEASE TIME**

- 1) The position of the Association President is a full-time position. The Association shall second the member from the Division and compensate the Division appropriately.
- 2) The Association President shall experience no loss of benefits and the Association shall reimburse the Division for the President's salary, allowances when applicable, benefits and other costs related to the President's leave.
- 3) The Association President will not hold a position on the Provincial Executive of the Manitoba Teachers' Society during his or her term of office.

### **C-2 VICE PRESIDENTS' RELEASE TIME**

- 1) The positions of the Association Vice Presidents are half-time positions. The Association shall second the members from the Division and compensate the Division appropriately.
- 2) The Association Vice Presidents shall experience no loss of benefits and the Association shall reimburse the Division for the pro rated share of each Vice President's salary, allowances when applicable, benefits and other costs related to the Vice President's leave.

### **C-3 ASSOCIATION ADMINISTRATIVE ASSISTANT (new)**

- 1) The Association may employ an Administrative Assistant for the LRTA Office. Terms of employment will be maintained in an employment agreement between the Administrative Assistant and the Association. This agreement shall include provisions for re-negotiation on an annual basis.
- 2) The hours worked shall be approved bi-weekly, with corresponding payroll deductions being calculated by a Table Officer.

### **C-4 ASSOCIATION USE OF RELEASE TIME**

- 1) Requests for use of release time charged to the Association will be initiated by Executive members.
- 2) The President shall approve all requests for release time.

### **C-5 PRESIDENT'S ABSENCE**

During the absence of the President of the Association, the Vice President with the longest record of service to the Association and its former Associations shall assume the duties and responsibilities of the President.



## **SECTION D--ANNUAL GENERAL ASSEMBLY**

### **D-1 AGA MEETING DATE**

The Wednesday following the April Council Meeting shall be the date for the Annual General Assembly of the Louis Riel Teachers' Association and no activities shall be scheduled beyond the end of the school day by LRTA members.

### **D-2 NOMINATIONS FOR ELECTIONS**

Written nominations shall be accepted beginning March 1st. The Nominations Committee will distribute a written report on nominations two weeks prior to the Annual General Assembly.

### **D-3 CANDIDATES' ELECTION STATEMENT AND DISTRIBUTION**

- 1) The Association supports the rights of all candidates to an equal opportunity to inform the membership of their candidacy.
- 2) To facilitate this process, each candidate will be entitled to:
  - a) . an election statement (one 8.5 by 11 sheet),
  - b) . translation of the election statement,
  - c) . distribution of the election statement as follows:
    - i) complete text on the LRTA website; and,
    - ii) an opportunity to address the assembly.
- 3) The expenses for the above will be borne by the Association.
- 4) Materials to be distributed must be submitted to the Chair of the Nomination Committee by noon, the 2<sup>nd</sup> Wednesday prior to Spring Break.
- 5) No other campaign materials are allowed.
- 6) No campaign materials may be distributed at the Annual General Assembly.

### **D-4 DISTRIBUTION OF REPORTS/DRAFT BUDGET FOR AGA**

Copies of the LRTA Committee Reports and Proposed Budget shall be sent out prior to the AGA meeting to each worksite.

## **SECTION E--PROCEDURES**

### **E-1 SOLICITING FUNDS**

Individuals or organizations may not come before the Association for the purpose of soliciting funds or for seeking volunteers to work on their behalf.

### **E-2 DIVISIONAL COMMITTEE MEMBERSHIP**

Any member who serves on a divisional committee shall:

- 1) Be appointed by the Council of the LRTA.
- 2) Be required to report to the Council of the LRTA at the December and June Council meetings or as deemed necessary.

### **E-3 SERVICE FOR SECONDMENT, LEAVE AND ISOLATED ASSIGNMENT**

Teachers who are seconded, on leave or assigned to areas that isolate them from the general teaching body may request the following service from the Association:

- 1) copies of the General Assembly minutes;
- 2) notices of General Assemblies;
- 3) invitation to contribute to negotiation packages and association policies; and
- 4) their names forwarded to Provincial MTS for inclusion on their mailing list.

### **E-4 POLICING COLLECTIVE AGREEMENT**

It shall be the responsibility of all Association members to bring any breach of the collective agreement to the attention of the President or Vice President: Collective Bargaining.

### **E-5 TEACHERS NEW TO THE ASSOCIATION**

The Association will sponsor a welcome event for teachers new to the profession, or new to the Association.

Invitations will extend to:

- 1) the President of MTS,
- 2) the Vice President of MTS,
- 3) LRTA Executive, and
- 4) Council Rep of new teachers' schools

## **SECTION F--MTS BUSINESS**

### **F-1 AGM RESOLUTIONS**

- 1) Any member of the Association may propose a resolution (by-law or policy) for consideration at the MTS Provincial Council (AGM). Proposed resolutions shall be submitted to the Resolutions Committee for review. The Resolutions Committee may:
  - a) Return the resolution to the member for further review or information;
  - b) Reject the resolution if it is counter to the mission of the Association or the Manitoba Teachers' Society as defined by their respective Constitutions; or,
  - c) Forward the resolution, with or without endorsement, to the Executive.
- 2) Should the Resolutions Committee reject a resolution from a member, said member has the right to submit their resolution directly to the Executive.
- 3) The Executive shall forward all the resolutions that it endorses to Council. Council must approve, by a majority vote, all LRTA resolutions, with the exception of business arising resolutions, to be considered at MTS Provincial Council.

### **F-2 PROVINCIAL EXECUTIVE NOMINATION ENDORSEMENT (new)**

- 1) In accordance with the Bylaws of the Society, any member of the Association may seek nomination to a Provincial Executive position. A member of the Association may also seek the endorsement of LRTA Council for their candidacy.
- 2) A member seeking endorsement shall follow this procedure:
  - a) The member will submit their name, the position being sought, and any relevant information that supports their candidacy to the Resolutions and Nominations Chair;
  - b) The Resolutions and Nominations Chair will forward the nomination to the Executive;
  - c) The Executive shall discuss the nomination during in camera proceedings and decide if the nomination will receive Executive endorsement;
  - d) A candidate who does not receive Executive endorsement will be notified to that effect;
  - e) Any nominations seeking endorsement must be submitted prior to the February Executive Meeting.
- 3) The Executive will forward all nominations that it endorses to Council. Council must approve, by a majority vote, any endorsement of Provincial Executive candidates by LRTA.
- 4) Candidates who receive endorsement will be eligible for funding to support their candidacy as identified in Policy A-1.
- 5) Any candidate who does not satisfy the requirements of the Society as a bona fide candidate will have their endorsement retracted at the earliest possible meeting of Council.

## **SECTION G--WELLNESS EVENTS**

### **G-1 PROVINCIAL TEACHERS' BONSPIEL**

Any member of the Association who organizes a curling rink and is selected to represent the Association at the annual Manitoba Teachers' Society Bonspiel shall have the entry fee paid for by the Association up to a maximum of \$200. This shall apply to a maximum of three (3) rinks. If a fourth rink is selected to represent the Association, the total of \$600 will be split evenly among the four rinks.

### **G-2 ASSOCIATION HOCKEY TEAM**

Any member of the Association who organizes a hockey team for entry in a Teachers' Association sponsored hockey tournament shall receive up to a maximum of \$500 for the entry fee. Receipts must be submitted to the Association. Funding will be once a year on a first come first serve basis.

### **G-3 ASSOCIATION GOLF TOURNAMENT**

Any member of the Association who organizes the Association golf tournament shall receive up to a maximum of \$500 for expenses. Receipts must be submitted to the Association. Funding will be once a year on a first come first serve basis.

### **G-4 ASSOCIATION SKIING EVENT**

Any member of the Association who organizes the Association skiing event shall receive up to a maximum of \$200 for expenses. Receipts must be submitted to the Association. Funding will be once a year on a first come first serve basis.

### **G-5 ASSOCIATION WELLNESS GRANTS (new)**

Any member of the Association who organizes a member wellness event at their worksite shall be eligible to apply for a grant of up to a maximum of \$400 for expenses. A Committee to review applications will be struck from the general membership, chaired by the Social Chairperson, or designate. An application for funding must be submitted and approved prior to the event, and receipts must be submitted following the event. Funding will be once a year per worksite on a first come first serve basis.