

Page	<b>CDTA71 Constitution (Page 2), Bylaws (Pages 2-8)</b>
2	<b>Part 1 CONSTITUTION</b>
2	<b>Part II Bylaws</b>
2	BYLAW 1 MEMBERSHIP
2	BYLAW 2 Rules of Order
2	BYLAW 3 General meetings
2	3.1 Definitions
2	3.2 Elections
2	3.3 Business of the General Meeting
2	3.4 Conduct of the General Meeting
3	BYLAW 4 Rep Council
3	4.1 Definitions
3	4.2 Elections
3	4.3 Duties of Rep Council
4	4.4 Conduct of Rep Council
4	BYLAW 5 EXECUTIVE COMMITTEE
4	5.1 Definitions
4	5.2 Duties of the Executive Committee
5	5.3 Conduct of Executive Committee
5	BYLAW 6 BYLAW COMMITTEES
5	6.1 Standing Committees
5	6.2 Local Employers' Group
5	6.3 Professional Development Committee
5	6.4 Teachers'-Teacher-on Call Committee
5	6.5 Health & Safety Committee
5	6.6 Social Justice Committee (Ad Hoc)
5	6.7 Indigenous Education Committee
5	6.8 Public Education Defense Committee
6	6.9 French Education Local Chairs (FELC) Committee
6	6.10 Joint CDTA/School Board Committees
6	6.11 District PD Committee
6	6.12 Contract Committee
6	6.13 Disclaimer re: individuals acting independently
6	6.14 Bargaining Committee
6	6.15 Bargaining Team
6	BYLAW 7 Fees
6	BYLAW 8 Finance
6	8.4 Annual Review
7	BYLAW 9 BCTF AGM Delegates
7	BYLAW 10 Elections
8	BYLAW 11 Amendments to the Constitution and Bylaws

## I CONSTITUTION

1. The name of this Association shall be the Comox District Teachers' Association, a local Association of the British Columbia Teachers' Federation.
2. The objectives of this Association shall be:
  - 2.1 to promote public education and the teaching profession as a public good
  - 2.2 to strive for excellence in the working conditions, wellness, and professional development for teachers
  - 2.3 to actively engage in the work of the British Columbia Teachers' Federation,
  - 2.4 to act on behalf of its members in all matters related to their employment and to represent its members as their bargaining agent
3. The Comox District Teachers' Association represents all members employed by School District 71.

## II BYLAWS

### 1 BYLAW MEMBERSHIP

- 1.1 Active membership in the Comox District Teachers' Association shall be in accordance with the terms of the Constitution and Bylaws of the BCTF. Active members shall be the only persons entitled to vote and to hold office. Only active members shall participate in any matters related to collective bargaining.
- 1.2 Honorary membership may be conferred by resolution of the AGM or Rep Council on any person whom the Association wishes to honour. Honorary members may be elected at any General Meeting provided that such an election is not in conflict with any clause of the constitution of the BCTF.
- 1.3 Associate membership shall be granted upon application to persons who do not hold valid B.C. teaching certificates and are employed as teacher replacements by School District No. 71. Associate members do not have voting rights.
- 1.4 The Executive of the CDTA may grant an honorary lifetime membership to a retiring teacher in recognition of significant and long-standing service to the Association.

### 2 BYLAW RULES OF ORDER

- 2.1 The current Simplified Rules of Order as issued by the BCTF shall govern procedure for all meetings, when not inconsistent with the Association's Constitution and Bylaws.
- 2.2 When the Chair is required to make a ruling not covered by (2.1), guidance shall be sought from the current edition of Robert's Rules of Order (Newly Revised).

### 3 BYLAW GENERAL MEETINGS

#### 3.1 Definitions:

- 3.1.1 A General Meeting, a Special General Meeting, and an Annual General Meeting shall consist of the assembled members of the Comox District Teachers' Association.
- 3.1.2. The General Meeting is the sovereign body of the Association

#### 3.2 Elections:

- 3.2.1 Only Active members shall be entitled to vote.

#### 3.3 The business of the General Meeting shall include but not be limited to:

- 3.3.1 receipt of reports
- 3.3.2 receipt of financial statements
- 3.3.3 such other business as may be properly brought before the General Meeting
- 3.3.4 nomination and election of officers, Annual General Meeting only, except in the case of vacancies
- 3.3.5 adoption of the Annual Budget, Fall General Meeting only.

#### 3.4 Conduct of the General Meeting:

- 3.4.1 General Meetings shall be held at least two times a year. The first General Meeting of this Association shall be held in the fall of each school year and may elect (a) delegate(s) to the BC Federation of Labour. Additional

General meetings may be called as deemed necessary by the Executive or Rep Council. Each meeting shall be publicized at least five school days in advance by email.

- 3.4.2 A quorum of a General Meeting, an Annual General Meeting, or a Special General Meeting of the Association shall be thirty (30) active members of the Association.
- 3.4.3 If a quorum for any General Meeting is not attained, the Executive shall call another General Meeting one week hence and the quorum shall be those members present.
- 3.4.4 For normal business a majority of the members present shall decide any issue that comes before the meeting.
- 3.4.5 Voting at all General Meetings shall be by a show of hands except when a ballot is demanded by one of the members present. Scrutineers shall be elected from the members present as needed.
- 3.4.6 The Annual General Meeting of the Association shall be held no later than the end of May at a time and place to be fixed by the Executive.
- 3.4.7 A Special General Meeting must be called by the President immediately upon receipt of a request signed by thirty (30) active members of the Association. Members must be given at least one week's notice of such a meeting.
- 3.4.8 A Special General Meeting dealing exclusively with an emergency matter may be called by the Executive Committee, allowing twenty-four (24) hours' notice.
- 3.4.9 The CDTA will pay for release for a representative of the Hornby Island staff to attend all Annual, Special or General Meetings. This representative will be empowered to vote by proxy, one extra vote for every other member of the Hornby Island staff who is unable to attend these meetings.

#### **4 BYLAW REP COUNCIL**

##### **4.1 Definitions:**

- 4.1.1 The Rep Council shall consist of Staff Reps from each staff and members of the Executive.
- 4.1.2 However, any decision at a meeting of the Rep Council shall be by vote of the Staff Reps only.
- 4.1.3 After every effort has been made to find a Staff Rep unsuccessfully, the Executive member who is from said school, will be able to concurrently occupy the position on the Executive as well as act as CDTA Staff Rep.

##### **4.2 Elections:**

- 4.2.1 Reps shall be elected by their staffs on or before the 15<sup>th</sup> of September of each school year.
- 4.2.2 The number of Reps elected by each staff shall be determined by the following schedule:
  - 4.2.2.a
    - 1 -20 Staff -one Rep
    - 21 -35 Staff -two Reps
    - 36 or above – three Reps
  - 4.2.2.b  
A staff may choose to elect two members to share the position of Staff Rep at their school.
- 4.2.3 According to the schedule above, there shall be (a) Staff Rep(s) at each staff of a regularly constituted school within SD71, including the TTOC Committee.
- 4.2.4 If there is cause for concern regarding the fitness of a Staff Rep to represent his/her staff, the President will bring these concerns to the Personnel Committee. The Personnel Committee, as established by the CDTA Executive, will decide, within one week of notification, whether the member shall be required to resign. If the Committee recommends resignation, the President will advise the member of their decision. The member shall also be advised that they can appeal that decision to the full Executive of the CDTA. The Executive, at their next meeting, will hear from both the President and the member and, by majority vote of those members, not including the President or members of the Personnel Committee, shall either uphold the decision or overturn it. Should the decision be to uphold the resignation, the President will notify the staff to select an alternative Rep.
- 4.2.5 A Rep who becomes ineligible to represent the staff because of transfer or other cause shall be replaced forthwith by the staff concerned.

##### **4.3 Duties of Rep Council:**

- 4.3.1 The Rep Council may either at its own discretion or at the request of the Executive, direct the Executive on any question affecting the Association.
- 4.3.2 In the absence of a General Meeting vote, the Reps at Rep Council Meetings shall represent the school staff in all matters pertaining to the Association.

#### **4.4 Conduct of the Rep Council:**

- 4.4.1 The Rep Council shall meet at the call of the President not less than once each month during eight of the ten months school is in session. The President shall call a meeting at the written request of at least 20% of Reps. All meetings shall be publicized by email at least two school days in advance.
- 4.4.2 Any member of the Association shall be entitled to attend and join in the discussion at any Rep Council but shall not be permitted to propose or vote upon any motion at such a meeting. A member who is serving as both an Executive member and a Staff Rep as per By Law 4.1.3 is entitled to vote at the Rep Council.
- 4.4.3 The Rep Council shall be chaired by a member elected at the AGM as Meetings Chair or by a person designated by the President.
- 4.4.4 The Chair may vote if he/she is a member of the Rep Council.
- 4.4.5 A quorum of the Rep Council shall be 15 members.
- 4.4.6 Voting at a Rep Council meeting shall be by a show of hands except when a ballot is demanded by one of the members present. When a secret ballot is requested the meeting shall elect (a) scrutineer (s).
- 4.4.7 For normal business a majority of the members present shall decide any issue that comes before the meeting.

### **5 BYLAW EXECUTIVE COMMITTEE**

#### **5.1 Definitions:**

- 5.1.1 Only active members of the Association shall be entitled to hold elected positions.
- 5.1.2 The Executive of this Association shall consist of the following voting members:
  - 5.1.2.a President
  - 5.1.2.b Past-president
  - 5.1.2.c Vice President
  - 5.1.2.d Secretary-Treasurer
  - 5.1.2.e Local Representative(s) in number as determined by BCTF Policy
  - 5.1.2.f Chair of the Professional Development Committee
  - 5.1.2.g Chair of the Teachers-Teaching-on-Call Committee: Co-Chairs may be elected; only 1 may vote at a time
  - 5.1.2.h Chair of the Social Justice Committee
  - 5.1.2.i Chair of Health and Safety Committee
  - 5.1.2.j Chair of the Indigenous Education Committee
  - 5.1.2.k Chair of the Public Education Defense Committee
  - 5.1.2.l Chair of the French Education Local Chairs (FELC) Programs Committee
  - 5.1.2.m One (1) Member-at-Large
- 5.1.3 The position of Past-President follows the person's term as President. It shall be for one year only. The Past-President will be a voting member
- 5.1.4 In the event that a member of our local were to be elected to the BCTF Executive Committee, the member would automatically be a voting member of the local Executive Committee.
- 5.1.5 The Table Officers of the CDTA shall be the President, Vice President and the Secretary-Treasurer.
- 5.1.6 Local Representatives (LR's) shall be elected to two (2) year terms with half of the LR's being elected one year and the other half being elected the following year.

*Note: for the 2018/19 school year. The LR that receives the highest number of votes will receive the two year term. The other elected LR will receive a one year term.*

#### **5.2 Duties of the Executive Committee:**

- 5.2.1 Duties of the Executive shall be as defined in Robert's Rules of Order, when the Rules are not in conflict with any clause of these Bylaws or the Constitution of the CDTA or the BCTF
- 5.2.2 The Executive Committee is subject to decisions of the Rep Council and the General Meeting.
- 5.2.3 The Executive shall:
  - 5.2.3.a exercise all the powers of the Association, direct and supervise the business, and conduct the affairs of the Association
  - 5.2.3.b appoint Advisory Committees to carry on the activities of the Association, the powers and duties of which it shall define or approve
  - 5.2.3.c appoint all members to all internal and joint CDTA/School Board Committees

- 5.2.3.d meet at least once each month while school is in session, or at the call of the President, or at the written request of at least six members of the Executive
- 5.2.3.e act as or appoint an agent to represent the CDTA as the employer.
- 5.2.4 The President of this Association shall act as an ex-officio member of all Advisory and Standing Committees of this Association.
- 5.2.5 The Secretary-Treasurer shall ensure a copy of these Bylaws is available to members on the CDTA website.
- 5.2.6 The Executive shall review all on-going grievances.
- 5.2.7 Whenever a vacancy occurs in a non-Executive position, the Executive may be empowered to appoint a member to fill such a vacancy.
- 5.2.8 The Executive may appoint a member to attend the Canadian Labour Congress Winter School.

### **5.3 Conduct of Executive Committee:**

- 5.3.1 A quorum of the Executive shall be a majority of the members thereof.
- 5.3.2 A majority of the members present shall decide any issue that comes before any meeting.
- 5.3.3 Voting at all meetings shall be by a show of hands except when a ballot is demanded by one of the members present.
- 5.3.4 When a secret ballot is requested, the Secretary-Treasurer shall act as scrutineer.
- 5.3.5 The Vice President or designate shall chair the Executive Committee Meetings.

## **6 BYLAW COMMITTEES**

### **6.1 The Standing Committees of this Association shall be:**

- 6.1.1 Local Employers Group (LEG)/Local Employers Union (LEU) Contract
- 6.1.2 Professional Development
- 6.1.3 Teachers Teaching on Call
- 6.1.4 Health and Safety
- 6.1.5 Social Justice
- 6.1.6 Indigenous Education
- 6.1.7 Public Education Defense
- 6.1.8 French Education Local Chairs (FELC) Programs
- 6.1.9 In addition to the Standing Committees, the Association may elect or appoint a contact for other matters as determined by the Executive on a yearly basis.

### **6.2 Local Employers' Group —LEG**

- 6.2.1 The President or designate shall serve as the Association's Representative to the *LEG*.
- 6.2.2 The LEG shall represent the Association in all matters dealing with unionized office staff, their contract and its negotiations and implementation.

### **6.3 Professional Development Committee**

- 6.3.1 The teacher reps on the Joint Professional Development Committee shall consist of the Chair and five members to be elected at the AGM.
- 6.3.2 The election for Chair shall precede voting for the other members of the Joint Committee.

### **6.4 Teachers-Teaching-on-Call Committee**

- 6.4.1 The TTOC Committee shall consist of a Chair or Co-Chairs and interested TTOC's who shall bring budget recommendations to the Executive Committee for consideration.

### **6.5 Health and Safety Committee**

- 6.5.1 The Health and Safety Committee shall consist of a Chair and interested Health and Safety Reps of the general membership, who shall bring budget recommendations to the Executive Committee for consideration.

### **6.6 Social Justice Committee**

- 6.6.1 The Social Justice Committee shall consist of a Chair and interested Reps of the general membership, who shall bring budget recommendations to the Executive Committee for consideration.

### **6.7 Indigenous Education Committee**

- 6.7.1 The Indigenous Education Committee shall consist of a Chair and interested Reps of the general membership, who shall bring budget recommendations to the Executive Committee for consideration.

### **6.8 Public Education Defense Committee**

- 6.8.1 The Public Education Defense Committee shall consist of a Chair and interested Reps of the general membership, who shall bring budget recommendations to the Executive Committee for consideration.

### **6.9 French Education Local Chairs (FELC) Programs Committee**

6.9.1 The French Education Local Chairs (FELC) Programs Committee shall consist of a Chair and interested Reps of the general membership, who shall bring budget recommendations to the Executive Committee for consideration.

### **6.10 Joint CDTA/School board Committees shall be:**

- 6.9.1 Contract Review Committee which shall be as outlined in Article A.37 of the Collective Agreement.
- 6.9.2 Health and Safety
- 6.9.3 District Professional Development
- 6.9.4 Teacher Staffing Review Committee
- 6.9.5 District Calendar Committee
- 6.9.6 District Finance Consultation Committee and
- 6.9.7 Any other Ad Hoc Committee

### **6.11 District PD Committee**

6.10.1 The CDTA Reps on the District Joint PD Committee shall be those referred to in Article 6.3 of the Bylaws and consistent with the Collective Agreement.

### **6.12 Contract Committee**

6.11.1 The Contract Committee shall be established as a standing committee of the CDTA.

Members of the Contract Committee will meet annually to examine the contract and identify any areas of needed improvement and/or contravention that need to be addressed by the CDTA. The Contract Committee shall consist of the bargaining chair and four members to be elected at the AGM. Any unfilled positions may be filled by executive appointment. Members of the Contract Committee may hold other elected positions within the CDTA.

### **6.13 Disclaimer re: individuals acting independently**

No CDTA member as an individual or as a member of a group of CDTA members shall make any representation in the name of the CDTA to outside bodies or the School Board without the authorization of the CDTA Executive.

### **6.14 Bargaining Committee**

The Bargaining Committee shall be established as an ad hoc committee of the CDTA in the year prior to bargaining. Members of the Bargaining Committee will meet to develop recommendations for bargaining. The Bargaining Committee shall consist of the bargaining chair and a minimum of six and maximum of eleven members to be elected at the AGM. If fewer than eleven members run for election, the balance may be filled by executive appointment. Members of the Bargaining Committee may hold other elected positions within the CDTA.

### **6.15 Bargaining Team**

The bargaining team will be established as an ad hoc agent of the CDTA in the year of bargaining. It will consist of the bargaining chair and five members selected by the Executive through an application process. The bargaining team will negotiate Collective Agreement language with the employer on behalf of the CDTA. The bargaining team will keep notes from all bargaining sessions and minutes from all bargaining team meetings and submit these notes and minutes to the CDTA office in paper form at the conclusion of bargaining.

## **7 BYLAW FEES**

- 7.1 The annual fee shall be approved, based upon the budget presented to and accepted by the last General Meeting prior to the beginning of the next fiscal year.
- 7.2 There shall be no fee for honorary members of this Association.
- 7.3 The President shall be released on a full time (1.0) basis.
- 7.4 The Vice President shall be released up to a .5 basis to be determined by the Executive Committee.
- 7.5 Special levies may be made by motion at a general meeting to cover extraordinary expenses. Written notice of motion two weeks in advance of the meeting is required.

## **8 BYLAW FINANCE**

- 8.1 All moneys received by the CDTA shall be deposited in a chartered bank or Credit Union to the credit of the Assoc.
- 8.2 The signing authorities shall be the Secretary-Treasurer, President, Vice President, and up to two current Executive Members appointed by the Executive Committee. Each cheque shall require 2 signers.
- 8.3 **Annual Review**
  - 8.3.1 An annual review of the financial records of the Association shall be carried out by an accountant with a C.G.A. or C.A. designation. The cost of the review will be budgeted on an annual basis.

8.3.2 The written report of this review shall be submitted by the Secretary-Treasurer to the first General Meeting after completion.

8.4 The fiscal year of the Association shall be January 1<sup>st</sup> to December 31<sup>st</sup>.

## 9 BYLAW BCTF AGM DELEGATES

9.1 CDTA delegates to the British Columbia Teachers' Federation Annual General Meeting shall be elected at the winter General Meeting of the school year.

9.2 The Table Officers (President, Vice President, and Secretary-Treasurer) and Local Reps of the Association shall automatically be BCTF AGM delegates should they wish to attend.

## 10 BYLAW ELECTIONS

10.1 Except where otherwise indicated, the term of office for elected positions shall be for one year commencing on July 1 immediately following the Annual General Meeting.

10.2 Unless otherwise specified, all elected officers of the Association shall be elected at the Annual General Meeting and shall assume their duties as of July 1<sup>st</sup> of the same year.

### 10.3. Nominations

10.3.1 Nominations may be made to the CDTA Office prior to the AGM or from the floor of the AGM by any active member of the Association.

10.3.2 Nominations made two weeks prior to the AGM will have their names and a statement (maximum of 300 words) sent out to the membership one week prior to the AGM

10.3.3 The meetings chair shall ~~be~~ make three calls for nominations from the floor of the AGM for each position. If after three calls there is only a single candidate for a position, that candidate will be acclaimed into the position. If after three calls for nominations there are multiple candidates for a position, each candidate will be given the opportunity to give a 90 second speech, with the order determined by random draw. Candidates shall be given notification by the meetings chair at the 75 second mark to conclude their speech.

10.4 Elections shall be decided by secret ballot.

### 10.5 Reporting Scrutineers

10.5.1 Two reporting scrutineers will be elected at the start of the AGM. They will be responsible for distributing the ballots, collecting the ballots after voting, counting the ballots, and reporting the results of the election to the meeting.

10.5.2 As part of the reporting the results, the reporting scrutineers will announce which candidate was elected to the position by receiving the most votes. The decision of the reporting scrutineers will be final.

10.5.3 Should the validity of any ballot be questioned by any person, it shall be the sole responsibility of the reporting scrutineers to decide whether or not the ballot is valid and what the intent of the ballot is.

10.6 The Local Representative(s) shall be elected at the Annual General Meeting and the position of Alternate Local Representative shall be held by the Vice-President or President in the absence of the Vice-President.

### **The election shall be conducted in the following order:**

- a. President
- b. Vice-President
- c. Secretary-Treasurer
- d. Local Representatives (2)
- e. Professional Development Chair
- f. Health and Safety Chair
- g. Teacher Teaching on Call Chair
- h. Social Justice Chair
- i. Indigenous Education Chair
- j. Public Education Defense Chair
- k. French Education Local Chair (FELC)
- l. Member at Large (1)
- m. Professional Development Committee
- n. Meetings Chair
- o. Meetings Chair (Alternate)
- p. Contract Committee

- 10.7 Executive Committee members shall be elected to only one office.
- 10.8 One member may be elected at the first general meeting of every year to attend the B.C. Federation of Labour Annual Convention during such time as the BCTF retains membership in the B.C. Fed.
- 10.9 Whenever a vacancy occurs in the Executive, the Executive may appoint someone to assume the duties until an election at the next General Meeting. A vacancy can occur if an elected member resigns, or if a member misses three consecutive regularly scheduled executive meetings and the table officers decide, after attempting to communicate with the member, that the position is now vacant.
- 10.10 If a chair position remains unfilled after the call for nominations at the AGM, the position will become a member-at-large position for that year, with the duties of the chair to be assumed by the Executive.
- 10.11 At the AGM, elections will be a timed item on the agenda, with a start time of 4:30 p.m.
- 10.12 Members attending the AGM will be reimbursed for childcare costs upon the presentation of a receipt and children are welcome.
- 10.13 That the date and time of the AGM be included as a permanent line at the top of group emails sent to all members from the office email address.
- 10.14 That three pre-timed group emails be sent to members to remind them of the time and date of the AGM.

## **11 BYLAW AMENDMENTS TO THE CONSTITUTION AND BYLAWS**

- 11.1 This Constitution and Bylaws may be amended only at an Annual General Meeting, General Meeting or Special General Meeting by three-quarters majority vote of the members present.
- 11.2 A detailed notification of a proposed Constitution or By Law amendment shall be given to the membership at least two weeks prior to an Annual General Meeting, General Meeting or Special General Meeting.