

# Constitution of Greater St Albert Catholic Local No 23 of the Alberta Teachers' Association

## 1. Name

The name of this local shall be Greater St Albert Catholic Local No 23 of the Alberta Teachers' Association (the Association or the ATA).

## 2. Boundaries

The area served by this local association shall include the Greater St Albert Roman Catholic Separate School Division.

## 3. Membership

3.1 All active members of the Association employed within the boundaries are members of this local.

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

## 4. Objects

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

## 5. Fees

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

## 6. Rules of Procedure

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

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

## 7. Organization

The governing body of this local shall be a general meeting of its members, 40 members of whom shall constitute a quorum.

- 7.1 A general meeting of this local shall be held at least once a year to hear reports and deal with same, hold elections, approve and set policy, and deal with such other matters as may arise. In the event that there is no quorum or there are items not attended to on the order paper when the meeting is adjourned, the remaining business is referred to the next local council meeting.

## **8. Local Council**

- 8.1 There shall be constituted a local council of this local consisting of
- (a) all members of the executive committee;
  - (b) school representatives, other than executive committee members, elected in September by each staff according to the following schedule:
    - i. 1 per school of 40 teachers or fewer
    - ii. 2 per school of 41–80 teachers, except
    - iii. schools having fewer than 3 members will be adjunct to another school;
  - (c) one representative for all teaching personnel not attached to a school;
  - (d) local representatives if not members of the executive committee;
  - (e) the chair or one other representative of the substitute teachers' group;
  - (f) the chairs of standing committees if not members of the executive committee, local representatives or school representatives;
  - (g) convention representatives if not included in (a) to (f); and
  - (h) one representative of the administrators selected by the administrators.
- 8.2 Members of this local who are not members of the local council may attend council meetings and may speak with approval of the meeting but may not vote.
- 8.3 The duties of the local council shall be
- (a) to administer the affairs of the local association, including adoption of an audited/reviewed annual financial statement and approval of an annual budget;
  - (b) to elect all ad hoc committees;
  - (c) to approve frames of reference for each of its committees;
  - (d) to receive reports from committees and decide on action to be taken, if any;
  - (e) to elect or appoint representatives to the joint health and safety committee;
  - (f) to elect representatives, where appropriate, to the district convention association, the ATA Summer Conference and other events requiring local representation on an ad hoc basis; and
  - (g) to deal with other matters not inconsistent with this constitution or the General Bylaws of the Association.
- 8.4 The local council shall meet at least five times each school year.
- 8.5 A majority vote of those present shall govern the decisions of the local council unless rules and regulations otherwise decree.

- 8.6 Fifty per cent of local council members are required to constitute a quorum. Notice of meeting must be given in writing
- (a) two weeks in advance of a council meeting or
  - (b) at a previous council meeting; and
  - (c) notwithstanding the above, any meeting of a council, at which a quorum is present, may, by a two-thirds decision, waive notice of meeting.

## **9. Executive Committee**

- 9.1 The executive committee of this local shall consist of the president, two vice-presidents, past president, secretary, treasurer, professional development committee chair, teacher welfare committee chair, local communications officer and public relations officer.
- 9.2 The duties of the executive committee shall be
- (a) to prepare the agenda of business for all meetings;
  - (b) to exercise general supervision of the affairs of the local association;
  - (c) to prepare and transmit to the head office of the Association such reports and statements with reference to the affairs of the local association as may be required by the Provincial Executive Council of the Alberta Teachers' Association;
  - (d) to ensure that all Association monies are used to further the objects of the Association as set out in the *Teaching Profession Act*;
  - (e) to ensure that there is liaison between the local and all employing boards within the local; and
  - (f) when time is of the essence, to assume the functions of the local council.
- 9.3 The executive committee shall meet as often as local business requires, but at least once prior to each meeting of local council.

## **10. Notice of Meetings**

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

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

## 11. Duties of Officers

- 11.1 Duties of officers of the local shall be as identified in local policy and as prescribed in the constitution.
- 11.2 An ATA officer shall not vote. A district representative shall not vote except at a general meeting of a local of which the representative is a member.
- 11.3 **President**—The duties of the president shall be
- (a) to serve as chief executive officer of the local;
  - (b) to call and preside at all general, special, local council and executive committee meetings of this local association;
  - (c) to exercise general supervision over the affairs of this local association; and
  - (d) to serve as a local representative to representative assemblies.
- 11.4 **First vice-president**—The duties of the first vice-president shall be
- (a) to take charge of the affairs of this local association in the absence of the president,
  - (b) to assist the president in the discharge of duties,
  - (c) to be in charge of the constitutional review for the local,
  - (d) to accept and submit local resolutions to the ARA,
  - (e) to serve as local representative to representative assemblies and
  - (f) to serve as the chair of the finance committee.
- 11.5 **Second vice-president**—The duties of the second vice-president shall be
- (a) to take charge of the affairs of this local association in the absence of the president and first vice president;
  - (b) to assist the president in the discharge of duties; and
  - (c) to maintain or to delegate, with the approval of the president, the maintenance of the local's website and e-mail server.
- 11.6 **Secretary**—The duties of the secretary shall be
- (a) to keep accurate records of all proceedings of this local association;
  - (b) to bring before the executive committee of this local association all communications received by the local;
  - (c) to prepare and send to the head office of the Association such statements and reports as may be required from time to time;
  - (d) to prepare and send notices calling all meetings, whether regular, special, local council or executive committee; and
  - (e) to provide one copy of the minutes of local council meetings for each member of council.

- 11.7 **Treasurer**—The duties of the treasurer shall be
- (a) to keep accurate records of the monies received and collected and to take charge of same;
  - (b) to make the necessary disbursements of the funds of this local association as authorized by the executive committee or local council;
  - (c) to prepare an annual financial statement for audit review purposes;
  - (d) to prepare and send such statements and reports as may be required from time to time; and
  - (e) to serve on the finance committee.
- 11.8 **Assistant treasurer**—The duties of the assistant treasurer shall be
- (a) to take charge of all financial affairs of this local in the absence of the treasurer and
  - (b) to assist the treasurer in the discharge of duties.
- 11.9 **Local representatives**—The duties of each local representative of this local association shall be
- (a) to represent this local association at all representative assemblies of the Association,
  - (b) to report the proceedings of all representative assemblies to the local council and to such other gatherings as may be decided,
  - (c) to attend meetings of the local council of this local association, and
  - (d) to attend general meetings of this local association.
- 11.10 **Staff representatives**—The duties of the staff representatives shall be
- (a) to report on the activities of the local council to their respective staffs;
  - (b) to represent their respective staffs at each local council;
  - (c) to distribute material, as required, to each individual teacher of their respective staffs; and
  - (d) to support and facilitate communication for central and local bargaining by ensuring that they report information, which is specific to local and central bargaining, to teachers on staff and further, to report teacher questions and concerns related to bargaining to local council meetings.
- 11.11 **Public relations officer**—The duties of the public relations officer shall be
- (a) to organize an induction prior to Christmas for the new ATA members;
  - (b) to organize the retirement to be held in June; and
  - (c) to send cards, flowers, gifts or donations to members of the local in accordance with local policies, or by the recommendation of local council.
- 11.12 **Local communications officer**—The duties of the local communications officer shall be
- (a) to keep the members of the local informed of events and particulars of the local through a local newsletter;

- (b) to prepare publications to promote the ATA; and
- (c) to plan, prepare and execute a media plan related to issues of concern to the local at the direction of local council.

- 11.13 ***Administrator representative***—The duties of the administrator representative shall be
- (a) to report on the activities of the local council to their fellow administrators and
  - (b) to represent their fellow administrators at each local council.

## 12. Committees

- 12.1 Standing and ad hoc committees of the local shall function in accordance with the general policy of the local and such other duties as are identified in this constitution.
- 12.2 ***Teacher welfare committee (TWC)***—The teacher welfare committee shall operate under a frame of reference approved by the local council and subject to ratification by the Provincial Executive Council of the Alberta Teachers' Association. An amendment procedure shall be specified in the frame of reference.
- 12.3 ***Negotiating subcommittee***—The negotiating subcommittee shall be chosen as outlined in the frame of reference from and by the teacher welfare committee. It shall be the duty of this subcommittee to engage in collective bargaining with the board of trustees as per the teacher welfare committee frame of reference.
- 12.4 ***Liaison committee***—The members of this committee shall be appointed by the local council. Duties and membership shall be as specified in the collective agreement.
- 12.5 ***Professional development committee***—The duty of this committee shall be to assume a general supervision for all professional development programs undertaken by this local association as authorized by the local council. The committee shall consist of one member elected from each school staff within this local association. The chair of the professional development committee is elected by the committee.
- 12.6 ***Policy advisory committee***—This committee shall have one representative from each school. The chair shall be selected by the members. The chair or designate shall report to local council.
- 12.7 ***Finance committee***—The duties of the finance committee shall be
- (a) to scrutinize the expenses in consultation with the treasurer and report to the annual general meeting; and
  - (b) to estimate and draw up the budget for the local and present the budget to the annual general meeting. Membership shall consist of the treasurer and the first vice-president of the executive committee, and one other member elected at large.
- 12.8 The local may appoint other committees from time to time.

### **13. Elections**

- 13.1 The president, vice-presidents, secretary, treasurer, public relations officer, local communications officer and local representatives shall be elected bi-annually by a vote of the members of this local.
- 13.2 The bargaining unit shall elect a teacher welfare committee in accordance with the approved frame of reference.
- 13.3 All persons elected under subsection 13.1 shall assume office on July 1 following their election. Each TWC member's term of office shall be consistent with the committee's frame of reference.
- 13.4 Convention association representatives shall be elected (or appointed) in the number prescribed by the convention association to assume duties not later than April 1 of each year.
- 13.5 A vacancy on the executive committee occurring between annual elections shall be filled by election of a member of this local association by the remaining members of the executive committee.
- 13.6 Should one or more of the local representatives be unable to fulfill their term of office, replacements shall be elected by the local council.

### **14. Substitute Teachers' Group**

- 14.1 At the request of 10 or more substitute teacher members, this local shall organize a substitute teachers' group.
- 14.2 Those eligible for participation in the group shall be members who substituted for one of the employing jurisdictions included in the local for at least one day during the previous 12-month period.
- 14.3 An appropriate budget for the group shall be established.
- 14.4 The frame of reference for the group shall be as follows:
  - (a) Its objects shall be to advance the professional skills and knowledge unique to substitute teaching and to advance within the local the special interests of substitute teachers.
  - (b) It shall have at least one general meeting per year.
  - (c) It shall elect a chair, a vice-chair, a secretary-treasurer and two members at large to an executive which shall be responsible for organizing activities to promote the objects of the group.
  - (d) Its executive shall present to the local an annual report of its activities and of the disbursement of its funds.

## 15. Human Rights Statement

- 15.1 The following Human Rights statement is required to be read aloud and/or distributed electronically and/or provided in print at the outset of all Association meetings, events and activities.

As an organization that promotes and is committed to respecting human rights and ensuring a safe, secure, and healthy environment for all, the Alberta Teachers' Association (ATA) works to ensure that all present at or participating in ATA programs and events are protected from violence and harassment.

All ATA members are therefore expected to promote and defend the fundamental human rights of everyone engaged in ATA programs, activities, or other ATA work. ATA members are expected to treat one another with fairness, respect, and dignity and to uphold the highest standards of professionalism, accountability, competence and integrity as representatives of the provincial Association as well as their respective locals and subgroups.

Furthermore, ATA members are obliged to act to prevent violence and harassment wherever possible and report to the appropriate person in authority any suspected breaches of this statement that come to their attention.

- 15.2 An appropriate person at each subgroup meeting will be identified as an authority to receive complaints. Typically, this will be a district representative, staff officer or local official.
- 15.3 The Association president and the presidents of locals, specialist councils and convention associations or persons designated by the presidents, are authorized to warn, reprimand and/or remove from a meeting, event, activity, or representative role any participant whom they reasonably believe to be in breach of the statement.
- 15.4 Any further investigation or measures would be undertaken in accordance with other existing policies and procedures and processes.

## 16. Provincial Association Intervention

- 16.1 In this section
- (a) *investigated local officer* means a local officer whose conduct is under investigation pursuant to subsection 16.2;
  - (b) *investigator* is the individual appointed by the table officers pursuant to subsection 16.2;
  - (c) *local officer* means the president, vice-president, past president or secretary-treasurer (or secretary or treasurer) of a local association or any other officer appointed or elected by a local association;



- (d) *Provincial Executive Council* means the executive council as defined in section 11 of the *Teaching Profession Act*;
- (e) *table officers* means the Association's officers as defined in Bylaw 37;
- (f) *executive secretary* means the chief executive officer of the Association or a person designated by the executive secretary; and
- (g) *executive staff officer* means a member of executive staff designated by the executive secretary.

### **Suspension or Removal from Office of Local Officers**

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

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

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

16.3 In the course of the intervention under section 16, an investigated local officer is entitled to have access to an executive staff officer for advice.

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

16.5 The table officers may appoint another individual to assume the duties of the investigated local officer during the period of the suspension.

16.6 The investigated local officer may appeal a suspension from office under subsection 16.4 to the Provincial Executive Council by filing a notice of appeal with the executive secretary within 30 days of being notified of the suspension.

16.7 If an investigated local officer appeals the suspension, Provincial Executive Council shall, as soon as practicable, consider representations of the table officers and the investigated local officer and shall determine if the suspension should be continued pending the conclusion of the investigation or should be set aside.

- 16.8 During the investigation, the investigated local officer shall be provided with an opportunity to provide a response to the investigator with respect to the concerns about the investigated local officer's conduct.
- 16.9 An investigated local officer may, in the course of the investigation, submit a resignation to the executive secretary.
- 16.10 Where an investigated local officer resigns in accordance with subsection (9), the investigation shall be continued with the cooperation of the investigated local officer, and the resignation does not extinguish any liability that the investigated local officer may have with respect to acts that occurred during the period the office was held.
- 16.11 The investigated local officer has a duty to cooperate during the investigation, and the investigator may direct the investigated local officer or any other member of the Association to
- (a) answer any inquiries the investigator may have relating to the investigation;
  - (b) produce any records or other property in the investigated local officer's possession or under their control that are or may be related in any way to the investigation;
  - (c) give up possession of any record for the purpose of allowing the investigator to make a copy and return the records within a reasonable time of receiving the records; and
  - (d) attend before the investigator for the purpose of complying with (a), (b) or (c) of this subsection.
- 16.12 In the event that the investigated local officer fails or refuses to cooperate with the investigator, the failure to do so shall be noted by the investigator in the report to the table officers.
- 16.13 Upon completion of the investigation, the investigator shall submit a written report to the table officers and a copy of the written report shall be provided to the investigated local officer.
- 16.14 The table officers, upon consideration of the report of the investigator, may make one or more of the following orders:
- (a) remove the investigated local officer from office;
  - (b) restrict the investigated local officer's eligibility for office in the future; and/or
  - (c) if the investigated local officer was suspended during the investigation, reinstate the investigated local officer to office and impose any conditions or restrictions that the table officers consider appropriate in the circumstances; and shall advise the investigated local officer and Provincial Executive Council of their decision.

- 16.15 If the table officers remove the investigated local officer from office, then the table officers may appoint another individual to assume the duties of the investigated local officer until a new local officer is elected or appointed to the position in accordance with this constitution.
- 16.16 The investigated local officer may appeal the decision of the table officers under subsection 16.14 by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.
- 16.17 If an investigated local officer appeals the decision of the table officers, Provincial Executive Council shall, as soon as practicable, consider representations of the table officers and the investigated local officer and shall determine if the decision of the table officers shall be confirmed, varied, or set aside.
- 16.18 In an appeal under subsection 16.7 or 16.17, the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.

#### **Official Trustee**

- 16.19 Subject to a two-thirds majority vote, Provincial Executive Council may appoint an official trustee to conduct the affairs of the local, subject to any terms and conditions the Provincial Executive Council considers necessary
- (a) when a local council fails to comply with the requirements of subsection 8.3 or
  - (b) when the Provincial Executive Council considers it in the interests of the Association to do so.
- 16.20 The local may appeal the appointment of an official trustee to a representative assembly.
- 16.21 An official trustee appointed under subsection 16.19 has the powers and duties conferred by the General Bylaws on a local and conferred by this constitution.
- 16.22 On appointment of an official trustee to the local association, the officers of the local cease to hold office as officers of the local.
- 16.23 An official trustee continues in office until the Provincial Executive Council or a representative assembly determines that the official trusteeship is no longer necessary.

#### **17. Governance Emergency**

In the event that Provincial Executive Council declares a governance emergency to be in effect, directives issued by Provincial Executive Council under that declaration shall supersede any other provision in this constitution or any related policy or regulation and shall be binding as if the directives formed part of this constitution or any related policy or regulation.

For the duration of the governance emergency and for a period of 40 operational school days thereafter, Provincial Executive Council directs

- 17.1 that the local may, by a majority vote of its executive committee, extend the terms of office of elected office holders for a duration and subject to conditions acceptable to the table officers committee of the Association;
- 17.2 that the local may, by a majority vote of its executive, extend the terms of appointed office holders, committee members and local delegates to representative assemblies of the Association that would otherwise end during the period of the emergency for a period of time not to exceed what would have been their normal term had the office been filled conventionally during the period of the emergency;
- 17.3 that, should a vacancy occur in an elected or appointed office or on a committee, the local may, by a majority vote of its executive committee, appoint a member to fill the vacancy to the expiry of its normal term;
- 17.4 that, absent other relevant provisions in the local constitution or policy, the local may, by a majority vote of its executive committee, authorize meetings and votes (including meetings and votes of the executive committee) that would otherwise be conducted by conventional means at meetings with persons in attendance, to be conducted by mailout ballots, online conferencing, telephone or other means;
- 17.5 that, for the period of the emergency, the executive committee of the local may exercise the authority of a general meeting of the local; and
- 17.6 that, without restricting the general application of subsection 17.5, the executive committee of the local may, by majority vote, set a local budget, allocate funds, authorize expenditures and make application to Provincial Executive Council for changes in the local levy for the duration of the emergency.

## **18. General**

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

- 18.5 Effective 2021 09 30 and notwithstanding any other provision in this constitution or in related policies or frames of reference,
- (a) the local shall not enter into or renew any contract of employment, collective agreement or contract for the provision of personal services without submitting the proposed terms of the contract or agreement to the executive secretary of the Association or an Association official designated by the executive secretary for review and approval prior to its execution; and
  - (b) the executive secretary or other signing officer of the Association shall be a required signatory to any contract of employment or contract for the provision of personal services entered into by the local; and
  - (c) the most recent, fully executed copy of a contract of employment or contract for the provision of personal services and/or related collective agreement shall be filed with the Association and shall be deemed to be the authoritative copy of the contract or collective agreement.

Ratified by Provincial Executive Council 1994 12 03

Amendments ratified by TOC on behalf of PEC 2001 01 08; 2003 09 05; 2006 01 04

Revised as per 2009 10 30 PEC requirements

Revised as per 2012 06 14–15 PEC requirements; 2012 10 04

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Revised as per 2021 09 16 PEC requirements

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