

# TRUMPETER LOCAL NO 26 CONSTITUTION

## **Name**

1. The name of this local shall be Trumpeter Local No 26 local association of The Alberta Teachers' Association (the Association or the ATA).

## **Boundaries**

2. The area served by this local association shall include and be contiguous with the boundaries of Grande Prairie Public School District No 2357.

## **Membership**

3. (1) All active members of The Alberta Teachers' Association employed within the boundaries listed in section 2 are members of this local.

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

## **Objects**

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

## **Fees**

5. This local association shall have the power, subject to approval of the Provincial Executive Council of The Alberta Teachers' 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.

## **Rules of Procedure**

6. 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*.

## **Organization**

7. The governing body of this local shall be a general meeting of its members, 10 per cent of whom shall constitute a quorum.

8. A general meeting of this local shall be held at least once a year to hear reports and deal with same, approve an annual budget, hold elections, approve and set policy, and deal with such other matters as may arise.

**Local Council**

9. 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;
    - 1 representative, 1–10 teachers;
    - 2 representatives, 11–20 teachers;
    - 3 representatives, over 20 teachers;
  - (c) ARA representatives if not members of the executive committee;
  - (d) presidents of sublocals who shall be excluded from becoming school representatives,
  - (e) a representative of the substitute teacher group;
  - (f) chairs of standing committees (EPC, PD, CO, teacher/board trustee liaison, etc) if not members of the executive committee, ARA representatives or school representatives; and
  - (g) convention representatives if not included in (a) to (e).
  
10. Members of this local other than members of the local council may attend council meetings, may speak with approval of the meeting but may not vote.
  
11. The duties of the local council shall be
  - (a) to administer the affairs of the local association, including adoption of an audited annual financial statement and presentation of an annual budget;
  - (b) to elect ad hoc committees;
  - (c) to approve frames of reference for each of its committees, but may delegate such authority to approve to the group of members directly affected by the functions of the committee;
  - (d) to hear reports from committees and to decide on action to be taken, if any;
  - (e) to elect representatives to the Mighty Peace Teachers' Convention Board of Directors, the ATA Summer Conference and to other events requiring local representation on an ad hoc basis;
  - (f) to deal with other matters not inconsistent with this constitution or the General Bylaws of The Alberta Teachers' Association; and
  - (g) to elect a local communications officer every year.
  
12. The local council shall meet once per month during the school year or as often as local business requires.
  
13. A majority vote of those present shall govern the decisions of the local council unless rules and regulations otherwise decree.
  
14. Fifty per cent of local council members are required to constitute a quorum.

**Executive committee**

15. The executive committee of this local shall consist of the president, vice-president, past president, secretary, treasurer and those chairs of committees as required from time to time.
16. 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 Alberta Teachers' Association such reports and statements with reference to the affairs of the local association as may be required by the Provincial Executive Council of The Alberta Teachers' Association;
  - (d) to ensure that all Association moneys are used to further the objects of the Association as set out in the *Teaching Profession Act*;
  - (e) to ensure that there is liaison between the local and employing board within the local; and
  - (f) when time is of the essence, to assume the functions of the local council. Action taken on behalf of the local council in this manner shall be reported to local council.
17. The executive committee shall meet as often as local business requires.

**Notice of Meetings**

18. 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 by the secretary at least seven 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.
19. Meetings of this local association or of any bargaining unit within the local shall be called by the president or on the request of
- (a) the executive committee;
  - (b) the local council;
  - (c) the representatives of the economic policy committee(s);
  - (d) the district representative of whose district this local association forms a part; and
  - (e) 10 members of the local, provided that such request is made in writing.
20. A record shall be kept of all those attending general, special, local council and executive committee meetings of this local.
21. An ATA officer or district representative of whose district this local forms a part may attend and participate in any meeting (general, special, local council or executive committee) of this local association.

### **Duties of Officers**

22. (1) An ATA officer shall not vote. A district representative shall not vote except at a general meeting of the local provided that the district representative is a member of this local.
- (2) President—The duties of the president shall be
- (a) to serve as chief executive officer of the local;
  - (b) to call and preside at all general, special, local council and executive committee meetings of this local association;
  - (c) to exercise general supervision over the affairs of this local association;
  - (d) to serve as a local representative to representative assemblies; and
  - (e) to be an ex-officio member of all committees of local council, or to appoint a designee.
- (3) Vice-president—The duties of the vice-president shall be
- (a) to take charge of the affairs of this local association in the absence of the president and
  - (b) to assist the president in the discharge of duties.
- (4) Past President—The duties of the past president shall be
- (a) to assume the functions of the president until such time as a new officer is elected upon the resignation of the president and vice president and
  - (b) to prepare a slate of officers for presentation at the annual general meeting of this association.
- (5) Secretary—The duties of the secretary shall be
- (a) to keep accurate records of all proceedings of this local association;
  - (b) to bring before the executive committee of this local association all communications received by the local;
  - (c) to prepare and send to the head office of The Alberta Teachers' Association such statements and reports as may be required from time to time;
  - (d) to prepare and send notices calling all meetings, whether regular, special, local council or executive committee.
- (6) Treasurer—The duties of the treasurer shall be
- (a) to prepare at the direction of the executive committee, an annual budget for the local;
  - (b) to keep accurate records of all moneys received and collected and to take charge of same;
  - (c) to prepare an annual financial statement for audit purposes;
  - (d) to make the necessary disbursements of the funds of this local association as authorized by the executive committee or local council; and
  - (e) to prepare and send to the head office of The Alberta Teachers' Association such financial statements and reports as are required.
- (7) ARA Representatives—The duties of each ARA representative of this local association shall be
- (a) to represent this local association at all representative assemblies of The Alberta Teachers' Association;

- (b) to report the proceedings of all representative assemblies to the local council and to such other gatherings as may be decided;
- (c) to attend meetings of the local council of this local association, as required; and
- (d) to attend general meetings of this local association.

(8) School representatives—The duties of the school representatives shall be to attend and report on the activities of the local council to their respective staffs and subsequently bring forth and represent teacher concerns and such other duties as are requested by the local council or The Alberta Teachers' Association.

- (9) Communications officer—It shall be the responsibility of this officer
- (a) to carry out a communications program with the teachers in the local and between the local and its various publics,
  - (b) to serve as chair of the communications committee and
  - (c) all actions of this officer shall be subject to prior approval by the executive of the local.

- (10) Committee chairs—The duties of each committee chair of this local association shall be
- (a) to chair meetings of the committee;
  - (b) to attend local council meetings and report on the operations of the committee; and
  - (c) to attend all general meetings and, at the request of local council, report on operations of the committee.

### **Committees**

23. (1) Economic policy committee (EPC)— The economic policy committee shall operate under a frame of reference approved by the local executive committee 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.

(1.1) The duties of the EPC committee(s) shall be to gather and study data, consult with members of the bargaining unit, prepare proposed amendments to the collective agreement for consideration by members of the bargaining unit and be responsible for the collective bargaining process.

(2) Local communications committee—The duty of this committee shall be to render all assistance required by the communications officer to facilitate both internal and external communications.

(3) Professional development committee—The duty of this committee shall be to assume general responsibility for all professional development activities undertaken by this local association.

(4) Audit committee—The duty of this committee shall be to present an audited annual financial statement to a meeting of local council within three months of the end of the local's fiscal year. [This committee may be replaced by an independent auditor employed by the local.]

(5) Political action committee—The duty of this committee shall be to initiate and facilitate all political action as approved in advance by local council.

(6) Such other committees as the local may form from time to time.

### **Elections**

24. (1) The president, vice president, secretary, treasurer, professional development committee chair, communications committee chair, Edmonton Area Field Experiences Committee (EAFEC) representative and political action committee chair shall be elected annually not later than June 30 by a vote of the members of this local and shall assume office on July 1.

(2) In accordance with Association bylaws and this constitution, the ARA representatives shall be elected annually not later than June 30 by a vote of the members of this local. They shall include:

- (a) the president,
- (b) the number of representatives as authorized by bylaws of the provincial association and
- (c) one or more alternates who shall be designated to replace duly elected representatives unable to attend the Annual Representative Assembly.

(3) The convention representatives shall be elected every two years on an alternating basis, by a vote of the members of this local association and shall commence duties on April 1.

(4) The bargaining unit within the local, subject to its frame of reference, shall select an economic policy committee chair subject to clause 23. (1) to assume duties immediately.

(5) A vacancy on the executive or any standing committee occurring between annual elections shall be filled by appointment of a member of this local association by local council.

### **Sublocals**

25. A group of members of this local may petition the local council to be established as a sublocal of the local. A two-thirds vote of the local council is required to create a new sublocal.

26. Each sublocal shall operate under a constitution that must be approved by the local council and ratified by the Provincial Executive Council of The Alberta Teachers' Association.

27. The powers and duties of each sublocal shall be as shown in its constitution.

### **Substitute teacher group**

28. (1) At the request of 10 or more substitute teacher members, this local shall organize a substitute teacher group.

- (2) Those eligible for participation in the group shall be members who substituted for the employing jurisdiction included in the local for at least one day during the previous twelve-month period.
- (3) An appropriate budget for the group shall be established.
- (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.
  - (e) It shall have representation on standing committees of the local as necessary.

#### **Provincial Association Intervention**

29. (1) In this section
- (a) investigated local officer means a local officer whose conduct is under investigation pursuant to subsection (2);
  - (b) investigator is the individual appointed by the table officers pursuant to subsection (2);
  - (c) local officer means the president, vice-president, past president or secretary-treasurer (or secretary or treasurer) of a local association or any other officer appointed or elected by a local association;
  - (d) Provincial Executive Council means the executive council as defined in section 11 of the *Teaching Profession Act*;
  - (e) table officers means the Association's officers as defined in Bylaw 35;
  - (f) executive secretary means the chief executive officer of the Association or a person designated by the executive secretary; and
  - (g) staff officer means a member of executive staff designated by the executive secretary.

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

- (2) Where the table officers have or receive information which leads them to believe that a local officer
- (a) has neglected his or her duties to the extent that the proper operation of the local association is being negatively affected,
  - (b) is mentally incapacitated,
  - (c) is engaging in corrupt practices,
  - (d) is engaging in financial malpractice or
  - (e) has undertaken activities inconsistent with the principles and policies of the Alberta Teachers' Association,

the table officers may initiate an investigation into the conduct of the local officer by appointing an individual to conduct an investigation and to provide a written report to the table officers

within a specified time with respect to the results of the investigation.

(3) In the course of the intervention under section 29, an investigated local officer is entitled to have access to a staff officer for advice.

(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.

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

(6) The investigated local officer may appeal a suspension from office under subsection (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.

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

(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.

(9) An investigated local officer may, in the course of the investigation, submit his or her resignation to the executive secretary.

(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 which occurred during the period the office was held.

(11) The investigated local officer has a duty to cooperate during the investigation and the investigator may direct the investigated local officer or any other member of the Alberta Teachers' Association to

- (a) answer any inquiries the investigator may have relating to the investigation;
- (b) produce any records or other property in the investigated local officer's possession or under his or her control that are or may be related in any way to the investigation;
- (c) give up possession of any record for the purpose of allowing the investigator to make a copy and return the records within a reasonable time of receiving the records; and
- (d) attend before the investigator for the purpose of complying with (a), (b) or (c) of this subsection.

(12) In the event that the investigated local officer fails or refuses to cooperate with the investigator, the failure to do so shall be noted by the investigator in his or her report to the table officers.

(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.

(14) The table officers, upon consideration of the report of the investigator, may make one or more of the following orders:

- (a) remove the investigated local officer from office;
- (b) restrict the investigated local officer's eligibility for office in the future;
- (c) if the investigated local officer was suspended during the investigation, reinstate the investigated local officer to office and impose any conditions or restrictions that the table officers consider appropriate in the circumstances;

and shall advise the investigated local officer and Provincial Executive Council of their decision.

(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) The investigated local officer may appeal the decision of the table officers under subsection (14) by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.

(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.

(18) In an appeal under subsection (7) or (17), the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.

### **Official Trustee**

(19) Subject to a two-thirds majority vote, Provincial Executive Council may appoint an official trustee to conduct the affairs of the local, subject to any terms and conditions the Provincial Executive Council considers necessary:

- (a) when a local council fails to comply with the requirements of section 11;
- (b) when the Provincial Executive Council considers it in the interests of the Association to do so.

(20) The local may appeal the appointment of an official trustee to a representative assembly.

(21) An official trustee appointed under subsection (19) has the powers and duties conferred by the General Bylaws on a local and conferred by this constitution.

(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.

(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.

**General**

30. The financial year of this local shall be July 1 to June 30.

31. (1) This local association shall reimburse members acting on its behalf for necessary out-of-pocket expenses in accordance with the annual budget of the local.

(2) This local association shall pay all expenses as determined and authorized by the local council.

32. 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.

Ratified by Provincial Executive Council 1994 12 03

Amendments ratified by TOC on behalf of PEC 2004 09 02

Revised as per PEC requirements, 2011 02 04

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