

**BY-LAWS
OF
PEMBINA TRAILS TEACHERS' ASSOCIATION
OF
THE MANITOBA TEACHERS' SOCIETY**

B-1 DUTIES

- 1.01 The duties of the Association shall be:
- a) to promote and advance the cause of public education;
 - b) to act as the bargaining agent of all Members of the bargaining unit on all matters concerning the terms and conditions of employment;
 - c) to exercise all such powers as may be within its jurisdiction in order to achieve terms and conditions of employment which are consistent with the requirements of teachers as a professional group; and
 - d) to take any action it may deem advisable to promote the objectives of the Association.

B-2 GENERAL MEETINGS

- 2.01 On receipt of a petition signed by fifty (50) Members of the Association, or at the request of the Executive, the President shall call a meeting of the Members. Such a meeting shall take place within two (2) weeks of the receipt of said petition.
- 2.02 The Executive Committee of the Association shall call an Annual General Meeting of the Membership in May or June for the purpose of making annual reports on the progress and activities of the Association.
- 2.03 Notice of a General Meeting shall be given in writing not less than five (5) days prior to the date of such meeting. Such notice shall state clearly the specific purpose of the meeting. An emergency general meeting can be called with less notice.

B-3 COUNCIL

- 3.01 Definition of Electoral Unit
- a) Each school in the Pembina Trails School Division shall be designated as an Electoral Unit.

- b) Members not specifically assigned to any schools shall be grouped into one (1) or more separate Electoral Units, as determined by need and shall be approved by Council.
- c) Members who are assigned to more than one (1) school shall appear on the records of only one (1) Electoral Unit.
 - i. a Member spending more than fifty (50) percent of his/her assignment at one school shall be assigned to that school; and
 - ii. a Member assigned equally to two (2) schools or more shall select at the beginning of the year one (1) of the schools to be assigned to one (1) of those schools.

3.02 Council Representation

- a) Each Electoral Unit shall elect one (1) Representative for every twenty (20) Members or portion thereof.
- b) Each Electoral Unit shall elect no fewer than two (2) Alternates.
- c) If the Members of an Electoral Unit are dissatisfied with the conduct of their Representative(s) or Alternates, they may, by a petition signed by sixty (60) percent of the Electoral Unit, authorize the Returning Officer of that Electoral Unit to call a by-election.

3.03 Election Procedure for Council Representatives

Representatives to the Council shall be elected in accordance with the following procedure:

- a) the President shall contact all Electoral Units confirming the number of representatives to be elected. The election of these Representatives is to take place prior to September 15;
- b) each Electoral Unit shall appoint a Returning Officer;
- c) a simple majority shall elect a Representative;
- d) secret ballots shall be used at any Electoral Unit if their use is requested by one (1) or more Members of that staff;
- e) all Representatives shall be elected for a one-year term; they shall take office upon election and serve until a new Council is elected;
- f) representatives within an Electoral Unit shall designate one of themselves as the Head Representative;
- g) the new Council shall assume office September 15th; and
- h) in the event that no election is held or that a Representative is unable to complete his/her term, arrangements shall be made by the Electoral Unit to hold a by-election within two (2) weeks after the President has served notice of the vacancy.

3.04 Duties of Representatives

The duties of the Representatives shall be:

- a) to attend all meetings of the Council or to provide an Alternate from his/her Electoral Unit;
- b) to seek from his/her Electoral Unit advice which may guide his/her actions at Council meetings;
- c) to represent his/her Electoral Unit in good conscience at such time when consultation is not possible; and
- d) to keep his/her Electoral Unit informed of all activities and decisions of the Council and the committees of the Association.

3.05 Duties of the Council

The Council shall:

- a) approve the budget for the next fiscal year;
- b) determine the annual fees payable by each Member of the Association;
- c) shall, in the absence of an actual past president, be assigned by Council motion to another member of the Association;
- d) approve delegates to the Provincial Council of The Manitoba Teachers' Society with the provision that the Executive has the right to appoint Alternates where vacancies occur;
- e) approve the opening of negotiations with the Board;
- f) approve the opening proposals of amendments to the Collective Agreement for collective bargaining; and
- g) dispose of all matters brought before it.

3.06 Meetings of Council

- a) The Council shall meet monthly from September to May, with the exception of December.
- b) The President may call a meeting of the Council at any time, provided that notice of such meeting is given to each Representative from three (3) to five school (5) days prior to the date of such a meeting.
- c) Fifty (50) percent of the Executive or twenty-five (25) percent of registered Council Reps may call a regular meeting of the Council for a specific purpose provided that written notice of such is given to the President, Executive and Council not less than three (3) to five (5) school days prior to the date of such meeting.
- d) The President or fifty (50) percent of the Executive or twenty-five (25) percent of the Council shall have the power to call an emergency meeting of the Council for a specific purpose. The purpose shall be a

matter of record, and the meeting shall be deemed to be an emergency meeting of the Association. No written notice shall be necessary, provided the emergency meeting deals only with the purpose for which it is called.

- e) Quorum shall apply as per By-law 3.07 c).

3.07 Procedures at Council Meetings

- a) Only Members of the Executive, Council Representatives or, in their absence, Alternates present at a duly constituted meeting of the Council may vote on any matter placed before the Council.
- b) The decisions of a majority of the Council Representatives or, in their absence Alternates present shall constitute the decision of the Council, except as may be expressly otherwise provided by the Constitution, the By-laws, or the Rules of Order.
- c) A quorum at Association Council meetings shall be fifty percent (50%) of approved Council Representatives.
- d) Any Member shall be allowed to speak, provided that the Member has given prior notice to the President. If no prior notice is given, the Chair may, at his/her discretion, allow any Member to speak at such a meeting.

B-4 EXECUTIVE

4.01 Election of the Executive

The Executive shall be elected in accordance with the following procedure, except that, under the provisions for an election in subsection (d), the dates herein mentioned may be changed:

- a) on or before February 1st of each year, the Council shall approve a Nominations Committee. It shall be chaired by the immediate Past President or, in the event that he/she is unable to act, by another Past President or other Member appointed by the Executive. He/she shall serve as Chief Returning Officer for the Association's elections;
- b) the Nominating Committee shall submit at least one (1) name for each of the offices of President, Vice President, Secretary and Treasurer, at least one name to chair each of the Standing Committees and at least one (1) name to stand as Member-at-large;
- c) on or before March 1st of each school year, the Nominations Committee shall report, in writing, its slate of candidates to both Council and the Members of the Association, and shall indicate that each nominee has accepted his/her nomination for each respective

Executive office or position. Following the report of the Nominations Committee, other candidates may be nominated in writing, supported by ten (10) Members and submitted to the Chair of the Nominations Committee by March 15. The Nominations Committee shall then report to all Members the complete list of nominees by the last school day in March;

- d) if there are two or more nominees for any Executive position an official election must be held. The Executive shall set the date for the election to be held between April 7 and 16. A printed ballot shall be used for an official election and shall be distributed to Head Council Representatives along with a list of eligible voters. These ballots shall be distributed and collected by the Head Council Representatives and returned to the Chief Returning Officer on the date of the election. The results shall be announced once the ballots are tallied;
- e) each Member, including the Head Council Representative, shall be entitled to cast a secret ballot. The counting of the ballots shall be supervised by the Chief Returning Officer and the opening of the ballot boxes shall be under his/her supervision. The Chief Returning Officer shall cast a vote only in the case of a tie;
- f) the new Executive shall assume office July 1st or the day following the last day of school in June; and
- g) in the event that there is a vacancy in the Executive between annual elections, the Council shall be empowered to elect the Executive member.

4.02 Removal from Office

Upon receipt of a petition of one hundred (100) teachers, a general meeting of the Membership will be called to remove from office any of the Members of the Executive, provided that the meeting was called for that purpose. Such Member(s) of the Executive shall be deemed to have resigned and a new election shall be held immediately in accordance with the provisions of the By-laws, provided that:

- a) a simple majority of the Members of the Association are present at the meeting;
- b) a two-thirds (2/3) majority of all Members in attendance at such meeting vote in favour of a resolution to compel the resignation of any member of the Executive; and
- c) in case of the removal from office of the entire Executive, the majority of the Members present have elected provisional Officers and Executive Members who shall be responsible for the conducting

of a new election and for carrying on the business and the affairs of the Association in accordance with the powers of the Executive.

4.03 Meetings of the Executive

- a) The Executive shall meet within fifteen (15) days of the new school year and shall meet monthly prior to Council.
- b) Written notice of meetings shall be given to all Members of the Executive.
- c) The quorum at any meeting of the Executive shall be fifty percent (50%) of the Members of the Executive.

B-5 OFFICERS

5.01 The duties of the Officers of the Association shall be as follows:

- a) The President:
 - i. shall represent the Association and act as the official spokesperson;
 - ii. shall call and preside at all General Membership, Council and Executive Meetings;
 - iii. shall be an ex-officio Member of Association Committees;
 - iv. shall prepare an agenda for meetings at which he/she presides;
 - v. shall oversee all expenditures of the Association;
 - vi. shall receive and assess information and make recommendations in the area of educational finance;
 - vii. shall distribute a meeting summary of the Council meetings to all Council Members not later than ten (10) days from the date of the meeting;
 - viii. shall be a signing officer;
 - ix. shall, along with the CB Chair, monitor the Collective Agreement;
 - x. shall organize Council Representative training; and
 - xi. shall perform all duties as customarily devolve upon a President in addition to all other duties as may be assigned by the Executive or by Council.
- b) The Vice President/Professional Development:
 - i. shall assume the duties and responsibilities of the President in the absence of the President or when requested to do so by the President;

- ii. chair the Association Council on Education (ACE) and may be the Chair or Co-Chair of the Board Association Council on Education (BACE);
 - iii. shall organize Council Representative training;
 - iv. shall be a Member of the Staff Development Centre (SDC) Committee;
 - v. shall be a signing officer;
 - vi. shall co-chair the PTTA/PTSD Joint Professional Development Fund Management Committee;
 - vii. shall be a member of the Education Finance Committee;
 - viii. shall chair the Professional Development Committee; and
 - ix. shall perform all other duties which may be assigned by the Executive or by the Council from time to time.
- c) The Vice-President/Collective Bargaining:
- i. Shall be prepared to assume the duties and responsibilities of the President when requested to do so by the President;
 - ii. shall chair the Collective Bargaining Committee;
 - iii. shall be a member of the PTTA/PTSD Joint Professional Development Fund Management Committee
 - iv. shall be responsible for Workplace Safety and Health;
 - v. shall chair the Table Team;
 - vi. shall monitor, along with the President, the Collective Agreement;
 - vii. shall be a signing officer;
 - viii. shall chair the Education Finance Committee; and
 - ix. shall perform all other duties which may be assigned by the Executive or by the Council from time to time.
- d) The Secretary:
- i. shall keep or shall supervise the keeping of the minutes of all meetings of the Members and of the Council and of the Executive;
 - ii. shall provide minutes of Council and Executive meetings to the President within three (3) days of the meeting;
 - iii. shall keep a list of motions separate from reports to assist with the audit; and
 - iv. shall perform all other duties which may be assigned by the Executive or by the Council.

- e) The Treasurer:
 - i. shall be the custodian of all funds of the Association and shall keep such funds in a chartered bank, in a trust account or in a Credit Union, as the Executive may decide;
 - ii. shall make an annual report to Council on receipts, investments and expenditures;
 - iii. shall prepare or have prepared a summary of Association financial records and forward them to the accredited auditor, and shall present the audited statement to Council after it is received;
 - iv. shall, subject to approval by the Executive, be authorized to transfer funds from the Reserve Fund to general revenue to cover cash flow shortfalls, with all transfers to be reported to Executive and Council;
 - v. shall make such other reports on the finances of the Association as requested by the Executive or by the Council;
 - vi. shall be a signing officer;
 - vii. shall liaise with the Association's bookkeeper; and
 - viii. shall also perform all duties as customarily devolve upon the Treasurer and any other duties as may be assigned by the Executive or by the Council.

B-6 PEMBINA TRAILS COUNCIL OF EDUCATIONAL LEADERS (PTCEL) LIAISON

- 6.01 The PTCEL Liaison:
- a) shall be elected by the Members of PTCEL;
 - b) shall actively serve as the liaison between the PTCEL and PTTA;
 - c) shall advise the Executive and Council on issues under consideration by the Association;
 - d) shall submit written reports of the activities of the committee to Council; and
 - e) shall perform such other duties which may be assigned by the Executive or by the Council.

B-7 MEMBER-AT-LARGE

- 7.01 The Member-at-large position is intended to provide an opportunity for those new to involvement with the Association to gain experience on the Executive. The Member-at-large:

- a) shall perform such duties which may be assigned by the Executive from time to time.

B-8 PAST PRESIDENT

8.01 The Past President:

- a) shall chair the Nominations Committee;
- b) shall be the Chief Returning Officer;
- c) shall advise the Executive and Council on the Constitution and By-laws;
- d) shall be a member of the Collective Bargaining Committee;
- e) shall be a member (or assign a designate) of the PTTA/PTSD Joint Professional Development Fund Management Committee
- f) shall chair the Resolutions Committee; and
- g) shall perform such other duties which may be assigned by the Executive or by the Council.

B-9 COMMITTEES

9.01 The chairperson of each Committee of the Association shall:

- a) submit written reports of the activities thereof and make recommendations to the Executive at such times and in such a manner as the Executive may from time to time decide;
- b) provide leadership in carrying out the aims and duties of his/her respective committee and shall deal with all items of business referred to his/her committee by the Council or the Executive;
- c) prepare a budget for presentation to the Association Executive;
- d) report on the work of his/her committee at each Council meeting, and provide a written annual report for the Annual General Meeting;

9.02 Any representation on behalf of the Association by any Member of the Executive or the committees must first receive approval from the Executive.

B-10 STANDING COMMITTEES

10.01 Each year, the following Committees of the Association may be established:

- a) Collective Bargaining Committee
 - i. Membership:
 - a) Chair, Vice-President Collective Bargaining ;

- b) a previous Member of the Table Team;
- c) a representative nominated by PTCEL;
- d) the immediate Past President; and
- e) other Members as per the By-laws, such members to represent different levels, and to come from different Electoral Units.

ii. Duties:

It shall be the duty of the Collective Bargaining Committee:

- f) to study the salaries, conditions of employment and other matters pertaining to the Collective Agreement which may be brought to the attention of the Committee by the Executive, by the Council, or by the Members;
- g) to accept submissions from all Committees;
- h) to compile a set of written proposals to be presented to Council;
- i) to request approval of the proposals for negotiations from Council;
- j) to keep an up-to-date record of negotiations and of any relevant materials pertaining thereto;
- k) to report to Council and request instructions to:
 - (1) apply for conciliation; and
 - (2) proceed to mediation and/or arbitration.
- l) the Chair to select a Table Team, from the Collective Bargaining Committee, to negotiate for changes/amendments to the Collective Agreement with the Board; the Table Team to include the President and/or Vice-President/PD and at least one member of the previous Table Team; and
- m) the Chair to perform such other duties as may be assigned to it by Council from time to time.

b) Employee Benefits Committee

i. Membership:

- a) Chair, a Member of Executive; and
- b) other Members of the Association with every electoral unit having the right to elect a member.

ii. Duties:

It shall be the duties of the Employee Benefits Committee:

- a) to deal with all benefits and insurance plans;
- b) to study benefits and insurance plans and make recommendations to the Executive, to the Council and to the Collective Bargaining Committee;
- c) to facilitate the Pre-Retirement Seminar with TRAF and The Manitoba Teachers' Society;
- d) the Chair to perform such other duties as may be assigned to it by Council from time to time; and
- e) to facilitate parental leave seminar.

c) Professional Development Committee

i. Membership:

- a) Chair, Vice-President, Professional Development;
- b) one (1) Member from each electoral unit; and
- c) Chair/Co-Chair of the SDC if different from the Vice-President/Professional Development.

ii. Duties:

It shall be the duties of the Professional Development Committee:

- a) to assess and advocate for the needs and interests of the Members;
- b) to evaluate the programs and assure follow-up activities;
- c) to provide information about Professional Development opportunities to the members;
- d) to deal with all matters affecting PD, curriculum and educational research;
- e) to work in cooperation with the Superintendent's office in the budgeting, planning and implementation of Professional Development programs for the Division;
- f) to assist in the management of the SDC in cooperation with the School Division;
- g) to liaise with the SDC; and
- h) the Chair to perform such other duties as may be assigned to it by Council from time to time.

d) Equity & Social Justice

i. Membership:

- a) Chair, a Member of Executive; and
- b) other Members of the Association that represents the diversity of local members.

ii. Duties:

It shall be the duties of the Equity & Social Justice Committee:

- a) to actively liaise with PTTA committees and MTS;
- b) to promote, advocate and encourage a socially just environment for our members;
- c) to provide materials, workshops and other supports as needed;
- d) to research, receive and disseminate information related to Equity and Social Justice issues; and
- e) the Chair to perform such other duties as may be assigned to it by Council from time to time.

e) Workplace Safety and Health Committee

i. Membership:

- a) Chair, Vice-President/Collective Bargaining; and
- b) One (1) Representative from each electoral unit.

i. Duties:

The Workplace Safety and Health Committee shall be responsible:

- a) to monitor issues and concerns related to Workplace Safety and Health and to present concerns to the Executive or to Council
- b) to promote education and training programs for members to develop detailed knowledge of safety and health concerns and responsibilities in each individual workplace;
- c) to ensure that School and/or building safety and health worker representatives shall be elected from the staff of the building on an annual basis. The association member representative shall not be the school/building administrator.

- d) to ensure that each site post all information received regarding workplace safety and health, including all required policies, minutes and site inspection reports;
- e) to receive and disseminate information related to Workplace Safety and Health;
- f) the Chair to act as a liaison with the WSH Officer
- g) the Chair to perform such other duties as may be assigned to it by Council from time to time.

f) Wellness/Social Committee

- i. Membership:
 - a) Chair, a Member of the Executive; and
 - b) other Members of the Association with every Electoral Unit having the right to elect Members.
- ii. Duties:
 - a) to help foster wellness and social interactions;
 - b) to facilitate activities based on the needs and interests of the membership such as welcoming new members;
 - c) to provide support for activities as described in policy;
 - d) to annually determine the retirees and provide and facilitate the Retirement Social;
 - e) to coordinate MTS AGM Activities; and
 - f) the Chair to perform such other duties as may be assigned to it by Council from time to time.

g) Public Relations Committee

- i. Membership:
 - a) Chair, a Member of the Executive; and
 - b) other Members of the Association with every Electoral Unit having the right to elect Members.
- ii. Duties:
 - a) to seek opportunities to profile the teaching profession and/or the Association;
 - b) to organize political action as needed;
 - c) to facilitate Scholarships and Awards;
 - d) to facilitate Life and Honourary Memberships for the Association;

- e) the Chair to perform such other duties as may be assigned by Council from time to time.

- h) Resolutions Committee
 - i. Membership:
 - a) Chair, Past-President; and
 - b) Any other Members of Council.

 - ii. Duties:

It shall be the duties of the Resolutions Committee:

 - a) to formulate resolutions to be submitted to the Council for ratification, for submission by the Association to the Provincial Council of the Manitoba Teachers' Society; and
 - b) the Chair to call preparatory meeting(s) of the Association Representatives to the Provincial Council of The Manitoba Teachers' Society for the purpose of discussing pertinent resolutions.

- i) Nominating Committee
 - i. Membership:
 - a) Chair, Past President; and
 - b) at least two (2) Members of the Association not seeking office.

 - ii. Duties:
 - a) to seek and submit the names of Members willing to serve on the Executive;
 - b) to follow procedures as outlined in the Constitution/By-laws; and
 - c) the Chair shall serve as the Chief Returning Officer of the election for the Executive.

- j) Association Council on Education (ACE)
 - i. Membership:
 - a) Chair, Vice President/Professional Development; and
 - b) other members of the Association.

 - ii. Duties:
 - a) to represent concerns of members;
 - b) to select issues to be presented to BACE;

- c) to report to Executive and Council; and
 - d) to appoint representatives from ACE to BACE;
- k) Reserve Fund Committee
- i. Membership:
 - a) President;
 - b) Chair, Treasurer; and
 - c) all other Executive members.
 - ii. Duties:
 - a) to have management and control of the Fund in accordance with the provisions of By-law 9.03.

B-11 BUDGET

11.01 Budget of the Association

- a) The Executive shall present a proposed budget for next fiscal year at the April Council meeting.
- b) The Council shall approve the budget at the May Council meeting.
- c) Any change in the approved budget shall require a two-thirds (2/3) majority vote of the Members present at a duly constituted Council meeting vote.

11.02 Annual Membership Fees

- a) The annual fees payable by each Member of the Association shall be in such amount as the Council may decide from time to time.

11.03 Reserve Fund

a) Content of Fund

The Fund shall consist of:

- i. no less than 20% but not to exceed 25% of the previous year's gross revenue; and
 - ii. sums from investment interest.
- b) Management of the Fund
- i. The Reserve Fund Committee shall manage the Fund.
 - ii. The Association Treasurer shall ensure that:
 - a) a full and complete record of receipts, disbursements and investments of the Fund shall be kept;
 - b) a financial report on the Fund is prepared for submission to the Annual General Meeting; and
 - c) books for the Fund are submitted to the auditor at the end of each financial year.

c) Disbursements

The Fund shall be used to:

- i. cover deficits from PTTA operations;
- ii. cover unforeseen events; and
- iii. shall require a two-thirds (2/3) majority vote for the Members present at a duly constituted Council meeting.

d) Signing Officers

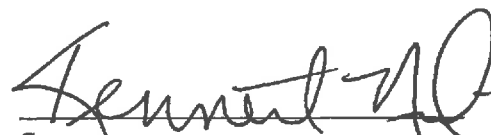
- i. The signing officers of the Fund shall be the same as those authorized to sign for the current account.

These By-laws were ratified at a meeting of the Pembina Trails Teachers' Association on January 29, 2013.


Approved by Provincial Executive at its meeting on June 6, 2013.



President



Secretary



General Secretary
The Manitoba Teachers' Society

