



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

Approved June 2013

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CONSTITUTION

**CONSTITUTION
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C-1 AUTHORITY AND NAME

1.01 Authority

In accordance with the provisions of Article 13 of The Manitoba Teachers' Society Constitution, the Pembina Trails Teachers' Association of the Society is permitted to formulate this Constitution, to adopt By-laws and to pass resolutions not inconsistent with the Constitution or with the By-laws and Policies of the Society.

1.02 Name

The name shall be the Pembina Trails Teachers' Association of The Manitoba Teachers' Society, hereinafter referred to as the "Association".

C-2 OBJECTIVES

2.01 The objectives of the Association shall be:

- a) to promote and advance the cause of public education;
- b) to develop and further the aims and objectives of The Manitoba Teachers' Society and to cooperate with other organizations having the same or like aims and objectives;
- c) to safeguard and advance the interests of the teaching profession;
- d) to safeguard the rights of Members;
- e) to secure conditions for its Members which will make possible the best professional educational service;
- f) to promote and develop a professional and collegial spirit among the Members of the Association;
- g) to stimulate public interest in educational affairs;
- h) to take appropriate measures which the Association deems necessary with respect to questions directly or indirectly affecting its Members; and
- i) to secure equitable working conditions and salaries for its Members.

C-3 MEMBERSHIP

3.01 Membership

- a) Every person who is a teacher or who performs any one or more functions involved in the teaching process, including every person who is a substitute teacher, and who is employed on a full-time, part-time or casual basis by the Pembina Trails School Division.
- b) Every person who is a Member in good standing of The Manitoba Teachers' Society, including a substitute teacher, and who is employed by the Pembina Trails School shall be a Member in good standing of the Association and hereinafter is referred to as a "Member".
- c) All Members shall pay dues, as determined under paragraph Bylaw 12.02 of this Constitution.

3.02 Rights of Members

Every Member shall have the following rights:

- a) to vote in the election of the Executive;
- b) to attend and vote at any general meeting of the Membership;
- c) to attend and, with the agreement of the chairperson, to speak at a Council meeting but, unless otherwise qualified, not to vote;
- d) to attend any meeting of the Executive provided that member has given prior notice to the President and unless said meeting or portion thereof is declared to be in camera;
- e) to belong to one Electoral Unit in accordance with By-law 3.02;
- f) to vote in the election of Representatives to Council in his or her designated Electoral Unit; and
- g) to vote on the ratification of the Collective Agreement.

3.03 General Meetings

- a) A group of Members who has petitioned as per By-law 2.01 or the Executive may call a general meeting of the Membership to hear reports from the Executive or any committee thereof or to provide a forum for the views of individual Members.
- b) A group of Members who has petitioned as per By-law 2.01 may call a general meeting of the Membership to compel the resignation of the Executive.
- c) The Executive may hold meetings of Members for the purpose of disseminating information, discussing problems and/or studying any aspect of concern to the profession when it deems that the situation warrants such a meeting.

C-4 RATIFYING THE COLLECTIVE AGREEMENT

- 4.01 Secret ballot cast by all members of the bargaining unit shall ratify an amended or new collective agreement.

- 4.02 Notice of the voting date and list of all changes to the collective agreement shall be sent to all members at least 7 days prior the vote date. The dates for voting shall be determined by the Executive.
- 4.03 An informational meetings of the general membership shall be held prior to the ratification vote.
- 4.04 Each electoral unit or work site shall be designated as an electoral unit and polling station and the Head Representative shall act as the returning officer for their school.
- 4.05 The Past President shall be designated as the Chief Ratification Officer. In the event that this person is unable to fulfill these duties, the Executive shall appoint from among its members a Chief Ratification Officer. The Council of the Association shall appoint two members of the bargaining unit who are not members of the Executive & Table Team to assist the Chief Ratification Officer in tabulating the ballots.
- 4.06 Every member of the bargaining unit shall have the right to vote by secret ballot. No member shall be entitled to more than one vote.
- 4.07 Every member of the bargaining unit is assigned to an electoral unit (school or work site) on the day of the ratification vote, then that person shall vote in the electoral unit. Any member who is assigned to more than one unit shall vote only in the electoral unit assigned in the morning of that day or, in special cases, as the Chief Ratification Officer may designate.
- 4.08 Any member not assigned an electoral unit shall receive their ballot and vote at the Association office.
- 4.09 The Head Representative in each electoral unit shall be designated as a Deputy Ratification Officer. In the event that this person is unable to fulfill their duties, the Chief Ratification Officer shall appoint a Deputy Ratification Officer for that electoral unit. The Deputy Ratification Officer shall be responsible for the proper conduct of the ratification vote.
- 4.10 Ballots will be distributed through the Deputy Ratification Officer to members of the electoral unit. Each member, including the Deputy Ratification Officer shall be entitled to vote by secret ballot.
- 4.11 Each ballot will enable the member to accept or reject the proposed collective agreement. Provision will be made for members to abstain from voting. After the voting is completed, the Deputy Ratification Officer shall seal the ballots in the envelope provided by the Chief Ratification Officer.
- 4.12 The Chief Ratification Officer shall designate the location to which the ballots shall be returned.

- 4.13 The results of the ratification vote will be sent to each electoral unit.
- 4.14 Ratification is based on the majority of ballots cast.
- 4.15 All ballots and voter's lists will be destroyed after 30 days.
- 4.16 In any case where the above procedure differs from the PTTA Policy, the above procedure will take precedence.

C-5 COUNCIL OF THE ASSOCIATION

- 5.01 There shall be established a Council of the Association which shall consist of the following:
 - a) all of the Representatives or, in their absence, Alternates; and
 - b) every Member of the Executive of the Association.
- 5.02 Each Member shall be assigned to an Electoral Unit and each Electoral Unit shall be entitled to elect Members of the Council hereafter known as Representatives, in such numbers and in such a manner as determined by the By-laws.
- 5.03 Powers of the Council
 - a) The Council shall have all the power of the Association except as otherwise stated in the Constitution.
 - b) Except as stated in subsections c) and d) below, the Council may delegate any of its powers to the Executive.
 - c) The Council shall exercise final authority over the Constitution, By-laws and Policies, the Collective Agreement (except for its ratification), Membership fee and the annual budget.
 - d) The Council will approve the yearly audited statement.
 - e) The Council shall vote to fill vacant Executive positions.
 - f) The Council may establish ad hoc or special committees and appoint chairs of these committees.
 - g) The Council shall re-assign, by majority vote, elected Committee Chairpersons provided that the re-assignment is agreed to by the affected Chairperson and is requested by motion of the Executive.
 - h) The Council shall approve resolutions to be submitted to the Annual General Meeting of the Manitoba Teachers' Society and, subject to the By-laws, approve Members of the Delegation.

C-6 EXECUTIVE

- 6.01 There shall be an Executive of the Association consisting of the President, The Vice President Collective Bargaining, the Vice President Professional Development, the Secretary, the Treasurer, the Past President, PTCEL Liaison, six

(6) additional Members who shall include the Chairpersons of the Standing Committees named in the Bylaws and one (1) Member-at-large.

6.02 Members

- a) The Members of the Executive shall be elected by the Membership of the Association and may be removed from office in accordance with the By-laws.
- b) Any Member of the Association may be a candidate for any Executive position.

6.03 Powers of the Executive

The Executive shall have the following powers:

- a) to conduct the day-to-day business of the Association consistent with the Policies of the Association;
- b) to establish ad hoc committees and to appoint the Members thereof and to appoint chairpersons thereof;
- c) to supervise the activities of all Committees and to report to Council on the work of these Committees;
- d) to administer the budget and manage the Reserve Fund;
- e) to delegate any of its responsibilities to any one or more of its Members as it may deem advisable from time to time;
- f) to recommend a yearly auditor;
- g) to carry out the instructions given to it by Council from time to time; and
- h) to investigate and pursue grievances.

6.04 Table Officers

- a) The Officers of the Association shall be the President, the two Vice Presidents, the Secretary and the Treasurer.
- b) The duties of the Officers shall be determined by the By-laws.

C-7 COMMITTEES

7.01 The committees of the Association shall be in accordance with the following:

- a) committees shall be defined by the By-laws; and
- b) ad hoc committees may be established by the Executive as the need arises subject to approval of Council.

7.02 Every committee shall be responsible to the Executive.

7.03 Every committee shall be composed of:

- a) a chairperson who shall be a Member of the Executive (unless otherwise stated in the Constitution or By-laws); and
- b) other Members of the Association.

C-8 FINANCIAL

- 8.01 The Association shall establish and maintain a Reserve Fund in accordance with the By-laws and policies.
- 8.02 The ledgers of the Association shall be audited at the end of each fiscal year.
- 8.03 The fiscal year of the Association shall be from September 1 to August 31.
- 8.04 The signing officers can be any two (2) of the following: President, Vice President or Treasurer.

C-9 AMENDMENTS TO THE CONSTITUTION AND/OR BY-LAWS

- 9.01 This Constitution and/or the By-laws may be amended at any time as follows:
 - a) the Executive may propose amendments as deemed necessary or as part of a five (5) year review process;
 - b) any member of the Association may submit in writing to the Secretary a proposed amendment to the constitution or to the By-laws of the Association at any time;
 - c) the Secretary shall send a copy of the proposed amendment to all Representatives of the Council at least two (2) weeks prior to consideration of the amendment at a meeting of the Council;
 - d) the amendment or any modification thereof must be approved by at least two thirds (2/3) of the Representatives or, in their absence, Alternates present at a meeting of the Council and, if so approved, the Constitution or By-laws shall be deemed to be amended accordingly after approval by the Provincial Executive of The Manitoba Teachers' Society; and
 - e) the amendment shall become effective the date of approval by the Provincial Executive of The Manitoba Teachers' Society.

C-10 BY-LAWS


- 10.01 Unless otherwise stated in this Constitution, no by-laws, regulations, policy or any other resolution of the Association may limit or extend the provisions of the Constitution.
- 10.02 All or any existing By-laws or acts done on behalf of the Association on or before the date of adoption of this Constitution shall continue in effect unless such By-laws or acts done on behalf of the Association are inconsistent with this Constitution or have been amended or rescinded by the Council.


C-11 RULES OF ORDER


- 11.01 Any question arising at any meeting regarding conduct or procedure will be determined by Robert's Rules of Order.

This Constitution was ratified at a Council 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

