

# **CONSTITUTION AND BY-LAWS**

**of the**

## **NEW WESTMINSTER TEACHERS' UNION**

*(changes updated & adopted November 17, 2015)*

### **Clause I NAME**

1. The name of this Union shall be the New Westminister Teachers' Union (N.W.T.U.), Local 40 of the British Columbia Teachers' Federation (B.C.T.F.)

### **Clause II OBJECTIVES**

1. To foster and to promote the cause of public education in District 40 (New Westminister);
2. To promote the welfare of the teachers of District 40 (New Westminister);
3. To raise the status of the teaching profession in District 40 (New Westminister);
4. To represent its members and to regulate relations with their employer, the Board of School Trustees of School District 40 (New Westminister), through collective bargaining of the terms and conditions of employment;
5. To help attain the objectives of B.C.T.F.

**By-Law 1.**

**MEMBERSHIP**

**A. Active Membership**

Active members of the B.C.T.F. employed by School District No. 40 (New Westminster) shall be active members of the (N.W.T.U.)

**B. Associate Membership**

Any person holding membership other than active membership in the B.C.T.F. may become an associate member of the N.W.T.U. upon application to the Executive, and on payment of a prescribed annual fee.

**C. Honorary Membership**

Honorary members may be elected at the Annual General Meeting, provided that such election is not in conflict with the Constitution and By-Laws of the B.C.T.F.

**By-Law 2.**

**EXECUTIVE COMMITTEE**

**A.** The Executive committee of the Union shall consist of the following members elected by the general membership at the Annual General Meeting in May for a one year term from July 1 to June 30.

1. President
2. First Vice President
3. Second Vice President
4. Bargaining Chairperson
5. Treasurer
6. Recording Secretary
7. Professional Development Chairperson
8. Social Justice Chairperson
9. Health & Safety Chairperson
10. Teacher On Call Chairperson
11. Local Representative (LR-first)
12. Local Representative (LR-second)
13. \*Past President – position of exist for one year only, immediately following the election of a new President.

**B.** In addition to the above table officers, there shall be one Staff Representative (or more as deemed necessary by the staff) elected in June by the staff at each school site who will also be members of the New Westminster Teachers' Union Executive.

1. Columbia Square Adult Learning Centre
2. Connaught Heights Elementary School

3. F.W. Howay Elementary School
4. École Glenbrook Middle School
5. Herbert Spencer Elementary School
6. Home Learners Program including Bowen Island
7. Hume Park Elementary School
8. École Qayqayt Elementary School
9. New Westminster Secondary School
10. Lord Kelvin Elementary School
11. Lord Tweedsmuir Elementary School
12. Pearson Adult Learning Centre
13. POWER Program
14. Queen Elizabeth Elementary School
15. Queensborough Middle School
16. Richard McBride Elementary School
17. Royal City Alternate Program

C. Executive Committee Voting Procedures For Highly Controversial Decisions – the following procedure may be exercised (without debate) at the call of any executive member present

1. Voting cards shall be distributed on the following basis
2. One card to every Executive member elected by the General Membership (**A above**)
3. Staff Representatives (**B above**) will receive voting cards that reflect the number of teaching staff present at their school on the following basis: One card for every ten FTE or portion thereof of NWTU members at their school/site

**By-Law 3.**

**ELECTIONS**

- A. All positions on the Executive Committee Section A shall be filled by election at the Annual General Meeting with the exception of that of Past President and Staff Representative. Officers elected at the Annual General Meeting shall hold office from July 1 until June 30 of the year following their election.
- B. Only active members in good standing shall be eligible to vote and hold office. The numbers of ballots necessary to elect an officer shall be a simple majority, 50% plus one, of members present.
- C. Where any position of the Executive falls vacant due to sickness, resignation, or the removal of the member from the confines of the Union, the Executive may appoint a replacement subject to ratification at the next General Meeting.

**By-Law 4.**

**DUTIES**

- A.** The newly elected Executive Committee shall assume the responsibilities of the Union on July 1.
- B.** The President shall be the presiding officer of the Union, the chairperson of the Executive Committee, and the ex-officio member of all committees and Sub-Committees. The President shall have general supervision of all matters and affairs of the Union.
- C.** The President shall be the Alternate Local Representative.
- D.** In the absence or disability of the President, these duties shall be performed by the Vice-President.
- E.** The Recording Secretary of the Union shall prepare minutes of the Executive Committee and General Meetings. The original minutes shall be stored at the Union office.
- F.** The Treasurer, the President, Vice-President, and the Recording Secretary shall be signing officers of the Union.
- G.** The Treasurer and President shall be the legal custodian of all the monies except the school based Professional Development monies. The Treasurer and the President shall deposit all monies received by the Union into the accounts agreed upon by the Executive, to the credit of the Union.
- H.** The Treasurer and President shall keep accurate accounts of all the monies received and disbursed by the Union.
- I.** The Treasurer shall present the books to the Executive at any time upon the request of the President or the Executive.
- J.** The Treasurer shall present a written monthly financial statement to the N.W.T.U. Executive.
- K.** The Treasurer shall submit a written annual financial statement to the Annual General Meeting.

**By-Law 5.**

**AUDITORS**

At the Annual General Meeting, an Auditor or Auditors, who are not members of the Executive, shall be appointed for the ensuing year, and their report shall be presented at the next Annual Meeting.

**By-Law 6.**

**MONIES**

All monies received by the N.W.T.U. office shall be deposited immediately in a chartered bank or credit union to the credit of the Union, to be drawn only by the joint cheque of any two of the President, Vice-President, Recording Secretary, and Treasurer.

**By-Law 7.**

**MEETINGS**

- A. The General Meeting is the sovereign body of the Union; other than guests invited by the president or the executive, only active members in good standing may attend and speak. Only active members may attend or vote when collective bargaining matters are discussed.
- B. There shall be at least three regular General Meetings held each year, one in November, February and the Annual General Meeting in May or June.
- C. Notice of General Meetings shall be posted in each school five (5) working days before the date of such meetings.
- D. Special General Meetings may be called by the President, by 50% of the Executive, or by the request of 25% of active members in good standing.
- E. Notice of the purpose, time, and place of special general meetings shall be posted in each school at least 48 hours before the set date.

**By-Law 8.**

**QUORUM**

- A. At general meetings, a quorum shall be ten percent (10%) of the F.T.E. membership exclusive of Teacher-on-call numbers.
- B. In the event that a quorum is not achieved, the meeting shall not proceed, but a second call meeting shall be convened within seven (7) working days of the cancelled meeting. Notice to all Staffs shall be circulated within twenty-four (24) hours. The quorum for second call meetings shall consist of the active members present.
- C. At the Executive Meeting a simple majority shall constitute a quorum.

**By-Law 9. VOTING AT GENERAL MEETINGS**

- A. Active members, in good standing, shall have the right to vote at general meetings.
- B. Voting shall be by secret ballot for election of officers and B.C.T.F. Annual General Meeting delegates.
- C. All other voting shall be by a show of hands unless a ballot is demanded by one-third of the active members present at a meeting.
- D. All majority decisions shall be binding on members unless otherwise provided for by special resolution.
- E. Only members in attendance at meetings may vote at those meetings.

**By-Law 10. UNION DUES – LOCAL**

- A. Each Active Member of the Union shall pay annual dues; such fee to be established at the Annual General Meeting. NWTU dues are .8% of salary for contract members and .25% of salary for T.O.C. members.
- B. All motions pertaining to money matters shall require a two-thirds majority of the members present.

**By-Law 11. AMENDMENTS TO CONSTITUTION**

Motions to amend the constitution and /or by-laws shall require at least two weeks' notice before being put to the vote at a general meeting, such notice to be given at a general meeting or in newsletters or memoranda distributed to every member.

- A. Adoption of and amendments to this Constitution and By-Laws shall require a majority of 75% of those members voting at a General Meeting.

**By-Law 12. RULES TO ORDER**

- A. All N.W.T.U. meeting shall be governed by the B.C.T.F. "Simplified Rules of Order" based on Robert's Rules of Order, when not inconsistent with these By-Laws.

**By-Law 13. DELEGATES TO ANNUAL GENERAL MEETING**

Delegates to the Annual General Meeting of the B.C.T.F. shall be elected at a regular meeting preceding the A.G.M. in conformity with the by-laws of the B.C.T.F.

**By-Law 14. PROFESSIONAL CONDUCT**

Professional conduct shall be deemed strict adherence to the Code of Ethics as laid down by the B.C.T.F.

- A. No member of the Union shall receive remuneration for services to the Union, except for the President or designate on release time, but nothing herein shall preclude the Union reimbursing expenses occurred in carrying out the duties of the Union.

**By-Law 15. AGREEMENTS**

- A. Only active members in good standing shall be eligible to vote or hold a position on the Bargaining Advisory Committee. The numbers of ballots necessary to elect a member to this committee shall be a simple majority, (50% plus one) of the members present.
- B. The Bargaining Advisory committee shall consist of:
  - 1. Bargaining Chairperson
  - 2. N.W.T.U. President
  - 3. Up to Five (5) Members-at-Large
  - 4. The President shall appoint additional members to the committee when necessary to ensure representation from elementary schools, middle schools, the secondary schools and community education.
- C. The five members-at-Large positions in the Bargaining Advisory Committee shall be filled by elections at the Annual General Meeting.
- D. The Bargaining Advisory Committee shall be responsible to the N.W.T.U. Executive.
- E. The Bargaining Advisory Committee shall act as an advisory body with regard to grievances and contract negotiations with the board of School Trustees or its Representatives.
- F. In the event that negotiations with the Board for a collective agreement have commenced, the Executive may extend the service of the Bargaining Advisory Committee to completion of the agreement even if Committee members no longer

hold positions designated in By-Law 15-B save and except when a member of the committee resigns. A member of the Bargaining Advisory Committee that resigns will be replaced by a member elected to the position as per By-Law 15-B or appointed by the Executive as per By-Law 3-C.

- G. The Bargaining Advisory Committee shall meet in September of the new school year to set its meeting schedule for the rest of the year.

**By-Law 16. LEVIES**

To meet extraordinary expenses, a General Meeting, with 7 days notice to members, may take a levy upon the membership of the N.W.T.U. and such a levy shall be paid by each active member [excluding T.O.C.'s] in the manner decided on or before the date fixed by such meetings.

**By-Law 17. DISTRIBUTION OF CONSTITUTION AND BY-LAWS**

A copy of the Constitution and By-Laws shall be presented to each member on joining the Union and when amendments occur.

**By-Law 18. AD HOC COMMITTEES**

- A. The President and Executive may cause to be established such Ad Hoc Committees as are deemed necessary to attain the objectives of the Union.

**By-Law 19. DISTRICT PROFESSIONAL DEVELOPMENT COMMITTEE**

- A. The District Professional Development Committee (DPDC) shall promote the professional development of NWTU members. The DPDC will support, advise and guide the site/school-based professional development committees. The DPDC will also advise the NWTU members in general meeting on all professional development matters, including, but not limited to, establishing guidelines for the disbursement of Professional Development funds (as per Article F20 of the Collective Agreement).
- B. The DPDC shall consist of professional development representatives, who shall be elected at each school or learning centre each school year, and the DPDC chairperson(s), who shall be elected by the NWTU members in general meeting. The DPDC shall meet at the call of the chairperson(s).
- C. The school-based professional development committees shall disburse funds in accordance with the District Professional Development Guidelines, which shall be adopted by the NWTU members in general meeting. The DPDC recognizes that,



in rare occurrence, guidelines may need to be amended. Guidelines may be amended for use at a school/site by a two-thirds (2/3) majority of the votes cast by NWTU staff of that school in a secret ballot vote. Amendments should proceed through a proper motion with a Pro-D rationale, and provisions must be made so that all NWTU staff members at the school/site are able to vote in a fair and equitable manner. In order to fulfill the DPDC's role as an advisory body, the DPDC asks that all amendments be shared at a DPDC meeting so that a record of it can be noted in the meeting's minutes.

- D. In each school year, the NWTU professional development budget shall pay for release time to enable school professional development treasurers to carry out their duties, according to the following schedule: four (4) days release time for New Westminster Secondary School (including Sigma), & one (1) day each for École Glenbrook Middle School, Queensborough Middle School, Herbert Spencer Elementary School, Lord Kelvin Elementary School, Lord Tweedsmuir Elementary School, École Qayqayt Elementary School, Richard McBride Elementary School, Queen Elizabeth Elementary School, Columbia Square & Pearson Adult Learning Centres; & lastly one half (1/2) day each for Connaught Heights Elementary School, F.W. Howay Elementary School & POWER, RCAP, Itinerant and Home Learners programs.

**By-Law 20.                   DISTRICT SOCIAL JUSTICE COMMITTEE**

- A. The social justice committee shall consist of the local president, or a member designated by the local president, and the social justice representatives elected by the members.
- B. All NWTU members are free to determine their own priorities regarding social justice issues, and to initiate their own social justice projects at their own schools.
- C. Applications to the NWTU or BCTF for funding require the approval of the NWTU Social Justice Committee
- D. The Social Justice Committee shall establish and maintain social justice contacts at all school sites, to communicate on social justice matters, survey social justice contacts and NWTU members, disburse the NWTU social justice budget allocation, assist NWTU members in developing a social justice focus for lessons, units, themes, resource materials, and special projects, and represent the NWTU on social justice matters to other organizations.