

# CONSTITUTION AND BY-LAWS

of the

## NEW WESTMINSTER TEACHERS' UNION

*(updated & adopted October 27, 2020)*

### 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.

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### By-Law 1.

#### MEMBERSHIP

##### A. Active Membership

Active members of the B.C.T.F. employed by School District No. 40 (New Westminister) 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 consists of the table officers and staff representatives described in this by-law, so that members of the local union are represented twice, by table officers responsible for the ongoing operation of the local union, and by staff representatives responsible through meetings of the executive committee to advise the table officers. The executive committee shall set its own agenda and schedule and shall aim to meet once in each calendar month from September through June of each school year.

**B. Table Officers**

1. President
2. First Vice-President
3. Second Vice-President
4. Bargaining Chairperson
5. Treasurer
6. Recording Secretary
7. Professional Development Chairperson
8. Aboriginal Education Chairperson
9. Health and Safety Chairperson
10. Social Justice Chairperson
11. New Teachers and Teachers Teaching on Call Chairperson
12. Equity and Inclusion Committee Chairperson
13. First Local Representative to the B.C.T.F.
14. Second Local Representative to the B.C.T.F.

**C. Schools and Programs with Staff Representatives**

1. Connaught Heights Elementary School
2. District Learning Services
3. École Herbert Spencer Elementary School
4. École Glenbrook Middle School
5. École Lord Tweedsmuir Elementary School
6. École Qayqayt Elementary School
7. F. W. Howay Elementary School
8. Fraser River Middle School
9. Home Learners Program
10. Lord Kelvin Elementary School
11. New Westminster Secondary School
12. Pearson Adult Learning Centre
13. POWER Alternate Secondary School
14. Queen Elizabeth Elementary School
15. Queensborough Middle School
16. Skwo:wech Elementary School
17. Royal City Alternate Program
18. Virtual School Online Learning

- B. Voting at executive committee meetings shall be by a simple majority show of hands, except when any executive committee member present calls for show of voting cards. Voting cards shall be distributed on the following basis:
  - 1. The table officers shall receive one voting card each;
  - 2. The staff representative of each school shall receive one voting card for every ten FTE or portion thereof of active members at their school, as of the most recent October staffing count.
  - 3. When two or more staff representatives are present for the same school, they shall share the voting cards for their school.

**By-Law 3.**

**ELECTIONS**

- A. Only active members in good standing shall be eligible to vote and hold office as table officer or staff representative. The numbers of votes necessary to elect every table officer and staff representative shall be a simple majority, 50% plus one of the members voting. All elections shall be by secret ballot, and balloting shall continue until a decisive result is achieved. For all general elections, the executive committee shall choose the method of voting, whether online voting, voting at all schools, or voting at a general meeting, and shall determine the rules and procedures for voting.
- B. All table officers shall be elected in general elections by the active members of the union in May or June of each calendar year, for a one-year term from July 1 until June 30 of the school year following their election.
- C. In May of each year, at least one week before any general elections, a special meeting shall be held for the purpose of receiving and confirming nominations for table officer positions, allowing the nominees present at the meeting to speak, and acclaiming the election of nominees who are unopposed. All contested positions shall be filled by general election in accordance with 3A above.
- D. When any table officer or position falls vacant, the executive committee may appoint a replacement, subject to ratification at the next general meeting.
- E. Staff representatives shall be elected in school-based elections by active members at the school in May or June (or early in the new school year) for a one-year term from July 1 until June 30.

**By-Law 4.**

**DUTIES OF TABLE OFFICERS**

- A. The President shall have general supervision and direction of all matters and affairs of the union, and shall be:
  - 1. a full-time officer of the Union;
  - 2. a member, ex-officio, of all committees of the NWTU;

3. the local union Grievance Officer;
4. a delegate to the BCTF Annual General Meeting;
5. the Alternate Local Representative (LR) to the BCTF;
6. a signing officer of the NWTU

In the event of the absence or disability of any table officer, the President shall perform the duties of the table officer, or the table officer may be replaced by a member appointed by the Executive Committee as per By-Law 3D.

- B.** The Vice-Presidents shall assist the President in the performance of the duties of the President, and shall be signing officers of the union. In the event of the absence or disability of the President, the Vice-Presidents shall perform the duties of the President, or the President may be replaced by a member appointed by the Executive Committee as per By-Law 3D.
- C.** The Recording Secretary shall see to the preparation and preservation of the agenda, minutes, and other records of the Executive Committee and of all General Meetings, and shall be a signing officer of the Union.
- D.** The Treasurer shall assist the President and Office Manager in preparing budgets, managing the Union's finances, maintaining accurate records of all financial transactions, and submitting financial reports to meetings of the Executive Committee and to the Annual General Meeting; the Treasurer shall be a signing officer of the Union.
- E.** The Local Representatives shall, in consultation with the President, and the Executive Committee, represent the general membership to the BCTF Representative Assemblies and Annual General Meeting, and shall report to the NWTU Executive Committee and to the NWTU General Meetings.
- F.** The duties of the Committee Chairpersons shall be described in the by-laws below that describe the terms of reference for each committee.

**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 NWTU 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.



**By-Law 14.**

**PROFESSIONAL CONDUCT**

Professional conduct shall be deemed strict adherence to the Code of Ethics as laid down by the BCTF.

- 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. NWTU 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 NWTU 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 NWTU and such a levy shall be paid by each active member [excluding TOC'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, Fraser River Middle School, Queensborough Middle School, Herbert Spencer Elementary School, Lord Kelvin Elementary School, Lord Tweedsmuir Elementary School, École Qayqayt Elementary School, Skwo:wech 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.

