

# **Constitution of Edmonton Catholic Teachers Local No 54 of The Alberta Teachers' Association**

## **1. Name**

The name of this local shall be Edmonton Catholic Teachers Local No 54 of The Alberta Teachers' Association.

## **2. Boundaries**

The area served by the local shall be that within the boundaries of The Edmonton Catholic Separate School Division (hereinafter referred to as the Division).

## **3. Objects**

- 3.1 The objects of the Edmonton Catholic Teachers Local No 54 shall be
- (a) to further the objects of The Alberta Teachers' Association; and
  - (b) to promote and serve the professional interests of its members who are committed to public education within the Catholic faith.

## **4. Membership**

- 4.1 Membership in the local shall include all active members of The Alberta Teachers' Association employed by the Division and, subject to approval by the Provincial Executive Council of the 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.
- 4.2 Honorary membership may be granted by the council of school representatives on the recommendation of the executive committee to individuals who, through their involvement in the local, have given meritorious service to the teaching profession and to the improvement of education.

## **5. Fees**

The local shall have the power, subject to approval of the Provincial Executive Council of The Alberta Teachers' Association, to levy fees as determined from time to time in a general assembly of the local. Such fees shall be additional to the fees prescribed by the Annual Representative Assembly (ARA).

## **6. Definition of terms**

- 6.1 Association or ATA—The Alberta Teachers' Association.
- 6.2 Local—Edmonton Catholic Teachers Local No 54.
- 6.3 General assembly of the local—a meeting of all members of the local.
- 6.4 Bargaining unit—all teachers employed by the Division whose salaries and other conditions of employment are covered by the collective agreement between the school board and the local.

- 6.5 General assembly of the bargaining unit—a meeting of all members covered by the collective agreement between the school board and the ATA.
- 6.6 CSR or Council—council of school representatives, the governing body of the local between general assemblies.
- 6.7 School representative—teacher elected or appointed by a school staff or other recognized group to represent them on Council.
- 6.8 ARA—Annual Representative Assembly of The Alberta Teachers’ Association.
- 6.9 ERA—Emergent Representative Assembly of The Alberta Teachers’ Association.
- 6.10 Area liaison—an executive member, elected by Council to be the liaison between the executive and the committees within an area of local operations.
- 6.11 Table officers—president, two vice-presidents, past president (nonvoting), executive officer (nonvoting) and associate executive officer (nonvoting).
- 6.12 Local officers—an executive member, elected by Council, to serve as a member of the executive within an area of local operations.
- 6.13 Ex officio—a position held by virtue of office. A person holding an ex officio position shall have no vote while serving in that capacity.
- 6.14 GETCA—Greater Edmonton Teachers’ Convention Association.
- 6.15 Local representatives—members elected or appointed to act as representatives of the local at Association representative assemblies.
- 6.16 District representatives—the Edmonton-McMurray district representatives to the Provincial Executive Council of The Alberta Teachers’ Association.
- 6.17 Division—The Edmonton Catholic Separate School Division.
- 6.18 Frame of reference—committee structure and mandate including membership, duties and obligations.
- 6.19 Roster—list of those members present.
- 6.20 School Board—the Board of Trustees of The Edmonton Catholic Separate School Division.

**7. General assembly of the local**

- 7.1 Duties shall be
  - (a) to approve changes to the constitution,

- (b) to approve the local supplementary levy,
- (c) to act as the governing body of the local and
- (d) to carry out other activities as deemed necessary.

7.2 Meetings will be held after notice as per subsection 12.1

- (a) on a petition of 100 or more members,
- (b) on a call of a district representative or an ATA officer,
- (c) on a call of the president of the local,
- (d) on a call of the executive committee of the local,
- (e) on a call of the Council of the local and
- (f) at least once during the school year.

7.3 Quorum

- (a) A quorum shall be 100 members.
- (b) In the event there is no quorum, the unfinished business shall thereby be referred automatically to a subsequent meeting of local council. Subject to the provisions of subsection 12.1, the local council shall have the authority to deal with such business as though it were a general assembly.

## 8. Council of school representatives

8.1 Duties of Council shall include the following:

- (a) to act as the governing body of the local between general assemblies of the local;
- (b) to deal with business referred to it by the executive, by a general assembly or by a motion duly made and seconded by a member of Council;
- (c) to receive, consider and determine the disposition of all committee reports brought before it;
- (d) to approve the local's budget;
- (e) to receive the audited financial statements and other financial reports of the local;
- (f) to elect or select
  - i. executive liaisons to committees in their area,
  - ii. local officers,
  - iii. chairs of standing committees of the local,
  - iv. chairs of ad hoc committees of Council and
  - v. additional local representatives to complete this local's representation in accordance with the bylaws of The Alberta Teachers' Association.

8.2 Council shall be made up of

- (a) ATA local school representatives,
- (b) members of the executive committee and
- (c) three substitute teachers employed by the Division who have been elected as ATA local school representatives by the substitute teacher committee.

8.3 Meetings will be held after notice as per subsection 12.1

- (a) at least once every two months during the school year,
- (b) on the call of the president of the local,

- (c) on the call of the executive committee of the local and
- (d) on a petition of 25 or more ATA local school representatives.

8.4 A quorum shall be 50 members of Council.

## **9. Executive committee**

9.1 Duties shall be

- (a) to submit items for the agenda of business of a general assembly of the local, Council and executive meetings;
- (b) to assume the administrative duties of the local;
- (c) to prepare and transmit to The Alberta Teachers' Association such reports and statements of the local as may be required by Provincial Executive Council;
- (d) to ensure that all moneys are used to further the objects of the Association as set out in the *Teaching Profession Act*;
- (e) to act as the liaison between the local and The Alberta Teachers' Association;
- (f) to appoint, set frames of reference and discharge ad hoc committees;
- (g) to appoint members to attend the ATA Summer Conference;
- (h) to elect or appoint representatives to the Joint Health and Safety Committee;
- (i) to assume the duties of Council when time is of the essence and to report at the next Council meeting on any action taken under this clause;
- (j) to generally supervise the activities of the local and provide guidance and leadership where deemed necessary; and
- (k) to appoint one of the vice-presidents as chair of the finance committee.

9.2 The executive shall have eleven voting positions and two nonvoting position made up of

- (a) six table officers (executive officer and associate executive officer nonvoting),
- (b) five area liaisons and
- (c) two local officers.

9.3 Members may hold only one position on the executive committee at any given time.

9.4 Meetings will be held

- (a) every month during the school year,
- (b) on the call of the president,
- (c) on the call of the Council of the local or
- (d) on a petition of five or more members of the executive.

9.5 A quorum shall be seven of the voting members.

9.6 General

- (a) Any member of the executive who is absent from two consecutive meetings of the executive shall be deemed to have vacated the position on the executive unless such absence is sanctioned by resolution at the next regularly called meeting of the executive.

- (b) A vacancy on the executive, other than table officers, occurring between annual elections shall be filled by vote of the Council at the next meeting following the vacancy unless such vacancy occurs on or after April 1.
- (c) A vacancy in a table officer position occurring between annual elections shall be filled by a by-election as per administrative guidelines of the local. A vacancy created by the resignation of a table officer with fewer than 180 days remaining in the term of office shall be filled by CSR.
- (d) Notwithstanding this section, a member in receipt of an Alberta Teachers' Retirement Fund pension is not eligible for election to the offices of president, vice-president or executive member.

## **10. Committees**

- 10.1 Meetings shall be held as necessary to carry out tasks consistent with the committee frame of reference.
- 10.2 Meetings shall be attended by members of the committee as specified in the frame of reference.
- 10.3 Meetings may be attended by
  - (a) table officers (ex officio) and
  - (b) area liaison (ex officio).
- 10.4 A quorum shall be a majority of the members.
- 10.5 Duties shall include the following:
  - (a) to carry out tasks consistent with the committee frame of reference;
  - (b) to study and make recommendations on referred issues; and
  - (c) to report on the activities of that committee if requested by Council or executive and as required by the frame of reference.

## **11. Local representatives**

- 11.1 Duties shall include
  - (a) acting in good faith in representing the members of the local and
  - (b) the chair ensuring that Council and the executive committee are informed.

## **12. Assemblies and meetings**

- 12.1 Notice of meetings—Notices of intent to hold a general assembly, executive or Council meeting shall be made available to an authorized person at each school or work site and the district representative(s) at least seven days before such meetings are to be held, and such notices shall include a tentative agenda. Notwithstanding the above, in the case of an emergency, notice of meeting shall be deemed to have been given if such notification is communicated to the schools or work sites at least 48 hours before the said meeting is to begin. Furthermore, 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.

- 12.2 Rules and procedures—The proceedings of all meetings shall be regulated by the rules of order and procedure of The Alberta Teachers' Association as published in The Alberta Teachers' Association's *Members' Handbook*.
- 12.3 Officers of The Alberta Teachers' Association and the district representative(s) of whose geographic division this local association forms a part shall be entitled to attend all meetings of the local association referenced in Section 12 and any other meetings of local committees, including those portions of any meetings declared to be *in camera*.
- 12.4 All Council and executive meetings are open to all members of the local as observers. Notwithstanding the foregoing, in cases where it is deemed to be in the best interest of the local, the assembly may rule the meeting closed.

### 13. Duties of officers of the local

- 13.1 **President**—It shall be the duty of the president to
- (a) serve as chief executive officer of the local;
  - (b) provide leadership to the local;
  - (c) act as the official spokesperson for the local and its membership, or designate another table officer to do so;
  - (d) oversee the business of the local;
  - (e) preside, or designate one of the vice-presidents to preside, at all meetings of general assembly, council of school representatives and executive;
  - (f) ensure representation of the local as required;
  - (g) be a signing officer of the local; and
  - (h) be the chair of the ARA committee.
- 13.2 **Vice-presidents**
- (a) In the absence of the president, it shall be the duty of the vice-president, designated by the executive, to assume the responsibilities of the president.
  - (b) It shall also be the duty of the vice-presidents to preside at meetings and represent the local as delegated by the president.
  - (c) One of the vice-presidents shall be appointed as the chair of the finance committee.
- 13.3 **Past president**
- (a) In the absence of the president and vice-presidents, it shall be the duty of the past president to assume the responsibilities of the president.
  - (b) It shall also be the duty of the past president to represent the local as delegated by the president.
- 13.4 **Executive officer**—Under the direction of the executive, it shall be the duty of the executive officer to
- (a) manage the business and financial affairs of the local and the operation of the local's office;
  - (b) process grievances on behalf of members;

- (c) provide advice and assistance to members, committees and other groups within the local in furtherance of the objects of the local; and
- (d) be a signing officer of the local.

13.5 ***Members of the executive committee—***

- (a) shall represent the local at representative assemblies of The Alberta Teachers' Association; and
- (b) shall attend all meetings of the executive committee, Council and general assemblies of the local.

13.6 ***Area liaisons—***

- (a) shall act as liaisons between executive and committees within their area;
  - i. liaison for governance—constitution/local administrative guidelines committee, finance committee, summer conference delegate selection committee and shall oversee elections of the local
  - ii. liaison for professional development—continuing teacher development committee, administrators' PD committee, substitute teachers' committee, field experiences representatives, GETCA liaison
  - iii. liaison for member services—social committee, teacher retirement reception committee, new teacher induction committee, school opening mass committee, scholarship committee
  - iv. liaison for teacher welfare—teacher welfare committee, negotiating subcommittee, employee relations committee
  - v. liaison for diversity, equality and human rights—social justice committee, Gender and Sexuality Alliance, Collaboration on Anti-Racism and Equity committee, Women in Leadership committee
- (b) may initiate activities in committees; and
- (c) shall generally facilitate the operation of the committees within that area.

13.7 ***ATA local school representatives—***

- (a) shall attend all meetings of Council or ensure that alternate representatives shall be in attendance;
- (b) shall act as or designate a mailing representative for their school to receive and distribute information from the local and/or the Association;
- (c) shall fulfill duties in accordance with ATA policy and procedures from the office of the executive officer of the local;
- (d) when requested, shall attend executive meetings and present to executive matters of concern to the school staff;
- (e) may place items on the agenda of the meetings of Council by submitting the item in writing to the executive officer at least 10 days before the meeting;
- (f) shall bring before Council those matters that they have been instructed to bring by the school staff;
- (g) shall ensure that the school staff is informed of the business of Council;
- (h) may attend executive meetings as an observer; and
- (i) are selected/elected by ATA members of a school staff and serve at the pleasure of the school staff.

13.8 ***Chairs of standing committees—***

- (a) shall ensure that a continuing record of the committee's activities is kept;
- (b) shall report, as required by the committee frame of reference or as requested, to the general assembly, council or executive;
- (c) shall prepare an annual written report summarizing the activities of the committee and, after presentation to Council, file the report with the executive director;
- (d) shall inform the local office of all upcoming meetings and activities; and
- (e) shall facilitate succession.

13.9 ***Chair of the teacher welfare committee (TWC)—***

- (a) shall attend employee relations committee meetings.

13.10 ***Local officers—***

- (a) Local communications officer—
  - i. shall oversee the local's communication operations;
  - ii. shall sit as a member of executive; and
  - iii. shall attend meetings called by the provincial Association (as well as Summer Conference).
- (b) Local political engagement officer—
  - i. shall oversee the local's political engagement operations;
  - ii. shall sit as a member of executive; and
  - iii. shall attend meetings called by the provincial Association (as well as Summer Conference).

**14. General provisions regarding individual officers and committees of the local**

14.1 Excused from duty—an officer or committee of the local may be excused from a duty or duties by a majority vote of the executive.

14.2 Additional duties—the executive committee or Council may, from time to time, assign additional duties to officers or committees of the local.

14.3 Local representation at representative assemblies—the representatives from this local shall be

- (a) the executive committee of the local;
- (b) the chairs of standing committees;
- (c) members elected by and from Council, as required, to complete this local's representation in accordance with the General Bylaws of The Alberta Teachers' Association; and
- (d) to form ad hoc committees for a specific task or objective.

14.4 Elections

- (a) Executive
  - i. The president and two vice-presidents shall be elected every other year (even years) by ballot by the members of the local prior to spring break.

- ii. The area liaisons and local officers shall be elected every other year by ballot by the members of the local at the last council meeting of the year.
- (b) Standing committees
  - i. The chair of the teacher welfare committee shall be elected by Council subsequent to the conclusion of a collective agreement with the board.
  - ii. The standing committee chairs shall be elected every year by ballot by the members of the local at the last council meeting of the year.
  - iii. Members of each standing committee shall be nominated by the chair of the committee at the September Council meeting or at subsequent Council meetings.
- (c) ATA local school representatives
  - i. ATA local school representatives will be elected/appointed by a school staff during September of each year on the basis of one ATA local school representative for every ten teachers or major fraction thereof.
  - ii. Alternate ATA local school representatives will be elected in the same manner.
- (d) Delegates
  - i. GETCA delegates—Elected at council prior to teachers' convention for a term with conditions in line with the GETCA constitution.

#### 14.5 Terms of Office

- (a) President and vice-president terms will be two years beginning July 1 with no more than three consecutive terms.
- (b) Area liaisons' and local officers' term will be two years and have no limit to the number of times they can be elected.
- (c) Chairs of standing committees—two year(s) beginning July 1.
- (d) ATA local school representatives—for one school year beginning in September and ending on August 31.
- (e) The chair of the teacher welfare committee shall serve until such time as a collective agreement has been concluded with the board. Area liaison teacher welfare (TWC chair) will be elected at the Council meeting immediately following the ratification of the collective agreement.
- (f) The position of past president will be filled by the previous president. If the past president does not want the position or is unavailable for the job, the position becomes vacant.

### 15. Provincial Association intervention

#### 15.1 In this section

- (a) *investigated local officer* means a local officer whose conduct is under investigation pursuant to subsection 15.2;
- (b) *investigator* is the individual appointed by the table officers pursuant to subsection 15.2;
- (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* mean the Association's officers as defined in Bylaw 37;
- (f) *executive secretary* means the chief executive officer of the Association or a person designated by the executive secretary; and
- (g) *executive staff officer* means a member of executive staff designated by the executive secretary.

**Suspension or removal from office of local officers**

15.2 Where the table officers have or receive information that leads them to believe a local officer

- (a) has neglected their 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.

15.3 In the course of the intervention under Section 15, an investigated local officer is entitled to have access to an executive staff officer for advice.

15.4 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.

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

15.6 The investigated local officer may appeal a suspension from office under subsection 15.4 to the Provincial Executive Council by filing a notice of appeal with the executive secretary within 30 days of being notified of the suspension.

15.7 If an investigated local officer appeals the 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.

- 15.8 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.
- 15.9 An investigated local officer may, in the course of the investigation, submit a resignation to the executive secretary.
- 15.10 Where an investigated local officer resigns in accordance with subsection 15.9, 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 that occurred during the period the office was held.
- 15.11 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 their 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.
- 15.12 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 the report to the table officers.
- 15.13 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.
- 15.14 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; and/or
  - (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.

- 15.15 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.
- 15.16 The investigated local officer may appeal the decision of the table officers under subsection 15.14 by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.
- 15.17 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.
- 15.18 In an appeal under subsection 15.7 or 15.17, the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.

**Official trustee**

- 15.19 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 subsection 8.1 or
  - (b) when the Provincial Executive Council considers it in the interests of the Association to do so.
- 15.20 The local may appeal the appointment of an official trustee to a representative assembly.
- 15.21 An official trustee appointed under subsection 15.19 has the powers and duties conferred by the General Bylaws on a local and conferred by this constitution.
- 15.22 On appointment of an official trustee to the local association, the officers of the local cease to hold office as officers of the local.
- 15.23 An official trustee continues in office until the Provincial Executive Council or a representative assembly determines that the official trusteeship is no longer necessary.

**16. Governance emergency**

In the event that Provincial Executive Council declares a governance emergency to be in effect, directives issued by Provincial Executive Council under that declaration shall supersede any other provision in this constitution or any related policy or regulation and shall be binding as if the directives formed part of this constitution or any related policy or regulation.

For the duration of the governance emergency and for a period of 40 operational school days thereafter, Provincial Executive Council directs

- 16.1 that the local may, by a majority vote of its executive committee, extend the terms of office of elected office holders for a duration and subject to conditions acceptable to Table Officers Committee of the Association;
- 16.2 that the local may, by a majority vote of its executive, extend the terms of appointed office holders, committee members and local delegates to representative assemblies of the Association that would otherwise end during the period of the emergency for a period of time not to exceed what would have been their normal term had the office been filled conventionally, during the period of the emergency;
- 16.3 that, should a vacancy occur in an elected or appointed office or on a committee, the local may, by a majority vote of its executive committee, appoint a member to fill the vacancy to the expiry of its normal term;
- 16.4 that, absent other relevant provisions in the local constitution or policy, the local may, by a majority vote of its executive committee, authorize meetings and votes (including meetings and votes of the executive committee) that would otherwise be conducted by conventional means at meetings with persons in attendance, to be conducted by mailout ballots, online conferencing, telephone or other means;
- 16.5 that, for the period of the emergency, the executive committee of the local may exercise the authority of a general meeting of the local; and
- 16.6 that, without restricting the general application of subsection 16.5, the executive committee of the local may, by majority vote, set a local budget, allocate funds, authorize expenditures and make application to Provincial Executive Council for changes in the local levy for the duration of the emergency.

## **17. Other general provisions**

### **17.1 Amendments to the constitution**

- (a) Amendments to the constitution shall be made only by a two-thirds majority vote of a general assembly of the local and shall be subject to ratification by the Provincial Executive Council of The Alberta Teachers' Association.
  - i. The following procedure will be followed:
    - Any member of the local association may submit an amendment to the constitution.
    - The proposal must be put in writing (including the section reference) to the constitution committee by April 1. Included with the proposal will be a rationale for the change.
    - The constitution committee will bring all proposed changes to the executive where they will either recommend or not recommend the change.

- The proposals will then be distributed to all members of the local association a minimum of two weeks before the Annual General Assembly.

- 17.2 Fiscal Year—The fiscal year of the local shall be from July 1 to June 30.
- 17.3 Budget—The budget will be presented to Council at least once per calendar year.
- 17.4 Effective 2021 09 30 and notwithstanding any other provision in this constitution or in related policies or frames of reference,
- (a) the local shall not enter into or renew any contract of employment, collective agreement or contract for the provision of personal services without submitting the proposed terms of the contract or agreement to the executive secretary of The Alberta Teachers' Association or an Association official designated by the executive secretary for review and approval prior to its execution;
  - (b) the executive secretary or other signing officer of The Alberta Teachers' Association shall be a required signatory to any contract of employment or contract for the provision of personal services entered into by the local; and
  - (c) the most recent, fully executed copy of contract of employment or contract for the provision of personal services and/or related collective agreement shall be filed with The Alberta Teachers' Association and shall be deemed to be the authoritative copy of the contract or collective agreement.

Amendments ratified by TOC on behalf of PEC 2006 09 11, 2010 06 10, 2011 11 09, 2012 02 08, 2014 01 06, 2014 04 28, 2014 09 09, 2016 11 28, 2020 09 10, 2022 10 06

Revised as per 2009 12 15P EC requirements

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Revised as per 2020 05 10 PEC requirements

Revised as per 2021 09 16 PEC requirements