

**OKANAGAN SKAHA
TEACHERS' UNION
CONSTITUTION**

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OKANAGAN SKAHA TEACHERS' UNION CONSTITUTION

CLAUSE 1 NAME

The name of this Society shall be *OKANAGAN SKAHA TEACHERS' UNION*.

CLAUSE 2 OBJECTIVES

The objectives of the Society shall be:

- a. to represent its members,
- b. to enforce the collective agreement,
- c. to promote education,
- d. to defend and enhance the professionalism of members,
- e. to maintain the professional development of members.

This society is a member-funded society. It is funded primarily by its members to carry on activities for the benefit of its members. On its liquidation or dissolution, this society may distribute its money and other property to its members.

CLAUSE 3 PLACE OF BUSINESS

The business of this Union shall be conducted within the Province of British Columbia, principally in Okanagan-Skaha School District #67.

BYLAWS

BYLAW 1 MEMBERSHIP

- 1.1 The Union shall be local #67 of the British Columbia Teachers' Federation (BCTF).
- 1.12 ***Active Membership*** in the Okanagan Skaha Teachers' Union shall be in accordance with terms of the Constitution and Bylaws of the B.C. Teachers' Federation and shall include all teachers employed on a full or part time basis by School District #67. Only active members may vote, hold office, and/or participate in matters related to collective bargaining.
- 1.23 ***Associate Membership*** – Any person holding a British Columbia Teacher's Certificate, but who is not actively engaged in teaching, may become an Associate Member of the Union on application to the Executive of the OSTU and on payment of a fee of \$25.00. No person may become an Associate Member who is disqualified by the Exclusion in the Constitution of the British Columbia Teachers' Federation.
- 1.34 ***Honorary Members*** – may be elected at a general meeting, provided that such election is not in conflict with any clause of the constitution of the British Columbia Teachers' Federation.

BYLAW 2 THE EXECUTIVE

- 2.1 ***The Officers of the Union shall be the:***
1. President
 2. First Vice-President
 3. Second Vice-President
 4. Secretary
 5. Treasurer
 6. Local Representatives to the British Columbia Teachers' Federation
 7. Alternate Local Representative to the BCTF
- 2.2 ***The Directors of the Society shall be the:***
1. First Vice-President
 2. Second Vice-President
 3. Treasurer
- 2.3 ***The Executive Committee shall consist of the:***
1. Officers of the Union
 2. Members at Large (2), and the
 3. Chairpersons of the following Standing Committees:
 - a. Social Justice
 - b. Professional Development

- c. Teachers on Call
- d. Health and Safety
- e. Bargaining/Working and Learning Conditions - 1st Vice President
- f. Aboriginal Education
- g. Local Election Contact (only in years where there is a federal, provincial or municipal/school board election) – 2nd Vice President

2.4 ***The Representative Assembly of the Union shall consist of the:***

- 1. Executive Committee
- 2. Staff Representatives

BYLAW 3 ELECTIONS

3.1 The officers of the Executive, and the Members at Large, shall be elected by a preferential secret ballot of the active members at the Annual General Meeting in a manner consistent with BCTF policy and practice.

3.2 Committee Chairpersons shall be elected by preferential secret ballot of the active members at the Annual General Meeting in a manner consistent with BCTF policy and practice.

1. The following shall be elected on the ~~odd~~ numbered years:

- 1. Social Justice
- 2. Aboriginal Education

2. The following shall be elected on the even numbered years:

- 1. Professional Development
- 2. Teachers Teaching on Call
- 3. Health and Safety

3.3 Whenever a vacancy shall occur on the Executive Committee, the vacancy shall be filled by appointment by the Executive Committee and then ratified by the Representative Assembly.

3.4 ***Staff Representatives***

- 1. Staff Representatives shall be elected on or before the 15th of June, or as soon as is practical, for the following year, by members of the staffs to be represented.
- 2. In the event of a vacancy occurring, the vacancy shall be immediately filled by an election at a meeting of the staff.
- 3. Representation to the Representative Assembly shall be at the rate of one (1) representative for every twenty-five (25) staff members or portion thereof.

4. Where adjustments in representation are necessary, they shall be made according to the teacher population of each staff as of September 30th.
- 3.5 Delegates and alternate(s) to the Annual General Meeting of the BCTF shall be elected at a regular general meeting.

BYLAW 4 POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE

- 4.1 The *Executive Committee* shall, subject to direction by the membership at a general meeting or at a representative assembly, exercise all the powers of the Union, the direction and supervision of its business, and the conduct of its affairs.
- 4.2 The *duties of officers* and the *members of the Executive Committee* shall be as defined by the BCTF and shall include, but not be limited to:
- recommending the annual goals of the Union,
 - recommending the auditor for the annual audit of accounts,
 - organizing the various activities of the Union, and
 - reporting to the membership on the activities of the Union.
- 4.3 The *President* shall be the presiding officer of the Union, the Chairperson of the Executive Committee, and an ex officio member of all Union committees and shall have general supervision of all matters and affairs of the Union.
- 4.4 The *First Vice-President* shall chair the Bargaining/W.L.C. committee, and in the *absence or disability* of the President, shall assume the duties of the President.
- 4.5 The *Second Vice-President*, in the *absence or disability* of the President, and if the First Vice-President is unable, shall *direct* the Representative Assembly to appoint an interim President and shall be the Local Election Contact.
- 4.6 The *Secretary* shall have full charge of the minutes of meetings of the Union.
- 4.7 The *Treasurer* shall:
- prepare an annual budget,
 - receive, disburse and accurately account for all monies in the budget,
 - have the care and custody of all monies of the Union,
 - Deposit all monies received on behalf of the Union in a chartered bank or Credit Union, to the credit of the Union, to be drawn on the General Account in a physical or electronic method which requires the preparation of the payment by the OSTU Office Manager and the authorization of two of the following Executive Members who have signing authority for the Union: Treasurer, President, First Vice-President, or Second Vice-President. Funds to be drawn on the Professional Development Account will be done, once payment has been approved by the Professional Development Chair, in a physical or electronic method which requires the preparation of the payment by the OSTU Office Manager and which then requires the authorization of two of the following Executive Members who hold signing authority for the Union: Treasurer, Professional Development Chair, President, or First Vice-President.
 - prepare a financial statement for the monthly meetings of the Representative Assembly,

- ensure that an inventory of the capital assets of the Union is maintained and reviewed annually, and
 - submit, to the Executive Committee prior to the first general meeting in the next school year, an audit report of the Union's accounts, prepared by an accountant or bookkeeper, appointed by the Annual General Meeting.
- 4.8 The **Local Representatives** shall be this Union's delegates to the B.C.T.F. Representative Assembly.
- 4.9 The Alternate LR shall be this Union's delegate to the B.C.T.F. Representative Assembly when an LR cannot attend.
- 4.10 The **Members-at-Large** shall assume such duties as assigned by the Executive Committee including but not limited to:
- Community Relations
 - Wellness
 - Curriculum Development Advisory Committee
 - Liaison
- 4.11 The **Health and Safety** chairperson shall be this Union's representative on the District Health and Safety Committee, shall co-chair the district committee, and shall report to the Executive Committee and the Representative Assembly, including providing the district committee minutes to the local.
- 4.12 The Professional Development chairperson shall:
- a. Facilitate the professional development activities of the local including organization of the District PD days and a one-day conference every second year
 - b. Promote the right to autonomous professional development of teachers
 - c. Chair the District Professional Development Committee
 - d. Chair the District Professional Development Funding Committee
 - responsibilities to include setting the funding allotment that will include funding for PD Chairperson release
 - e. Coordinating the OSTU Mentorship Program
 - responsibilities to include chairing the Mentorship Steering Committee, coordinating the whole-group sessions, and liaising with the Regional NTMP Team
 - f. Approve Professional Development Claim Applications
 - g. Oversee the District Professional Development funds
 - h. Report to the Executive Committee and the Representative Committee
 - i. Maintain liaison with local specialist associations and District Helping Teachers
 - j. Network with BCTF provincial and zonal PD Chairs
 - k. Liaise with BCTF PD programs and the BCTF Professional Issues Advisory Committee (PIAC).

BYLAW 5 POWERS AND DUTIES OF THE REPRESENTATIVE ASSEMBLY

- 5.1 The *Executive Committee* shall, subject to the action of the Union in a Representative Assembly or a General Meeting assembled, exercise all the powers of the Union, the direction and supervision of its business and the conduct of its affairs.
- 5.2 The *Representative Assembly* shall adhere to Bylaw 4 and also shall:
- a. hold a minimum of nine meetings annually between September and June of each school year,
 - b. recommend a budget and fee to the Annual General Meeting,
 - c. set local bargaining objectives,
 - d. recommend the form of audit and auditors for the year,
 - e. ratify the interpretations of the contract,
 - f. set new committees and other representative committees as the need arises
 - g. nominate candidates from the Union to positions of BCTF
 - h. ratify Executive Committee appointments
 - i. be responsible for communication between the Representative Assembly and staffs,
 - j. receive reports from the Standing Committee Chairpersons,
 - k. elect the Grievance Committee.

BYLAW 6 COMMITTEES

6.1 *Standing Committees* shall be established by the Annual General Meeting.

6.2 Standing Committees shall be: (alphabetically)

A. *Bargaining/W.L.C. Committee*

a. The purpose of this committee is to advocate for improved working conditions for teachers, and to develop, promote and advocate for just and equitable working conditions for teachers and learning conditions for students, and to give input into the preparation of bargaining proposals when collective agreement negotiations are taking place.

b. The members of the committee shall be the:
Executive Committee as per Bylaw 2.2 and members as appointed by the Representative Assembly.

B. *Budget Committee*

a. The purpose of this committee is to prepare and present a budget to the Representative Assembly for recommendation to the Annual General Meeting.

b. The members of the committee shall be the:

- Treasurer
- President
- First Vice-President, or Second Vice-President

- Local Representative

C. ***Grievance Committee***

- a. The purpose of this committee is to deal with grievances pertaining to the Collective Agreement(s).
- b. The members of the committee shall be the:
 - President
 - First Vice-President,
 - Three members elected by the Representative Assembly

D. ***Health and Safety Committee***

- a. The purpose of this committee is to promote the health and safety of teachers in School District #67.
- b. The members of the committee shall be the:
 - Chairperson
 - One contact from each school

E. ***Liaison Committee***

- a. The purpose of this committee is to meet with the School Board's liaison committee or the Board, to deal with non-contractual items.
- b. The members of the committee shall be the:
 - President
 - First Vice-President,
 - Second Vice-President
 - Member(s) at Large
 - Other members elected by the committee
- c. The chair shall be elected by the committee

F. ***Social Justice Committee***

- a. The purpose of this committee is to promote social awareness
- b. Members of the committee shall be the:
 - Chairperson
 - One contact from each school

G. ***Teachers Teaching on Call Committee***

- a. The purpose of this committee is to promote the status of Teachers Teaching on Call in School District No. 67.
- b. The members of the committee shall be the:
 - Chairperson
 - Teachers Teaching on Call staff representatives

H. ***Aboriginal Education Committee***

- a. The purpose of this committee is to promote the development and status of Aboriginal Education in School District #67, and to facilitate the implementation of aboriginal education programs for students and to recognize the need for and contribution of aboriginal teachers as part of the teacher workforce in the district.

- b. The members of this committee shall be the: Aboriginal Education Contact Person and Chair of the Committee Members of OSTU as determined by the Chairperson.

I. ***New Committees and other Representative Committees***

(see 5.2. f.)

- a. The Representative Assembly shall:
 - set the terms of reference, including the purpose, composition, and timelines for these committees,
 - elect committee members, and
 - receive reports from these committees.

BYLAW 7 ENROLLMENT

The Secretary, with the assistance of the President, shall maintain a list of names, e-mail and/or mailing address, phone numbers, and teaching location of all current members, including Teachers Teaching on Call.

BYLAW 8 UNION FEES

The fees for active members shall be established at the Annual General Meeting, shall be payable in accordance with the Constitution and By-Laws of the BCTF, and deducted in accordance with the OSTU policy and as per the Collective Agreement(s).

BYLAW 9 SPECIAL FUNDS

The Union, through a general meeting, may create a special fund designed to promote the general welfare of the members. The regulations governing the operation and administration of such funds shall be determined by the Executive Committee.

BYLAW 10 BORROWING POWERS

The General Meeting may authorize the borrowing of money upon approval of a simple majority of the members present.

BYLAW 11 MEETINGS

11.1 The Annual General Meeting shall be held in May or June.

11.2 The business of the Annual General Meeting shall be the:

- a. Receipt of reports,
- b. Receive of Financial Statement,
- c. Nomination of Officers,
- d. Election of Executive,
- e. Appointment of ~~Auditors~~ *a certified financial professional to perform an audit or a review engagement process of the Union's accounts.*
- f. Setting of budget,
- g. Setting of fee, and

h. General Business

- 11.3 Other General Meetings may be called at the discretion of the Executive or upon written request of ten percent (10%) of the members, with at least three (3) general meetings held during the year.
- 11.4 Five (5) teaching days notice shall be given for every General Meeting; such notice to be delivered to members at each place of employment.
- 11.5 An Emergency General Meeting may be called at the discretion of the President, the Executive Committee, or the Representative Assembly providing twenty-four (24) hours notice has been given to the members through the staff representatives and/or via e-mail. Such notice must specify the objective of the meeting.
- 11.6 A Quorum for any General Meeting of the Union shall be ten percent (10%) of the active F.T.E. members calculated as at September 30.

BYLAW 12 VOTING

- 12.1 Voting at all meetings shall be:
- a. show of hands of Active Members
 - b. by secret ballot if demanded by one of the members present
 - c. or Election voting

12.2 Scrutineers shall be elected by the meeting as required.

12.3 There shall be no voting by proxy.

BYLAW 13 REFERENDA

The Executive Committee may submit any questions affecting the Union's interests to the members for consideration. A vote on such questions shall be taken through the Staff Representatives or by mail. The Executive Committee shall determine and communicate the level of support required before the referendum takes place.

BYLAW 14 AMENDMENTS

The Constitution may be amended by a seventy-five percent (75%) majority vote of the members present at any general meeting. The amendments must be submitted in writing to a general meeting held more than thirty days (30) previous to such a vote.

BYLAW 15 LOCAL SPECIALIST ASSOCIATIONS

Local Specialists Associations may be formed in accordance with the Constitution and Bylaws of the BCTF and policies of the Union.

BYLAW 16 RULES OF ORDER

The Simplified Rules of Order shall govern procedure of all meetings, when not inconsistent with this constitution or with the Constitution and Bylaws of the BCTF.

BYLAW 17 POLICIES OF THE UNION

The Executive Committee shall develop and maintain a policy and procedures booklet for the use and reference of the Executive and general membership. Policies may be added, amended or deleted on the recommendation of the Executive Committee, at a Representative Assembly, or at a general meeting.

BYLAW 18 APPEALS

- 18.1 A member or group of members may appeal any decision of a Standing Committee to the Executive Committee.
- 18.2 A written appeal shall be submitted within sixty (60) days of the decision date.
- 18.3 The Executive shall consider such appeals at the next regular Executive Committee meeting.
- 18.4 The Executive Committee's decision shall be final.
- 18.5 The Executive Committee's decision shall be reported to the Representative Assembly.

BYLAW 19 DIRECTORS AND OFFICERS

19.1 Indemnification

For the purposes of this provision, the terms "eligible party", "eligible proceeding", "expenses", "penalty", and "representative" shall have the meanings set out in section 63 of the Societies Act, SBC 2015 c 18. Subject to section 65 of the Societies Act, the Okanagan-Skaha Teachers' Union shall indemnify an eligible party and their heirs and legal personal representatives against all penalties to which such person is or may be liable as a result of an eligible proceeding, and the Union, after the final disposition or settlement of an eligible proceeding, will pay the expenses actually and reasonably incurred by such person in respect of that proceeding. Each director is deemed to have contracted with the Union on the terms of the indemnity contained herein and as permitted by sections 63 to 66 of the Societies Act, as amended from time to time.

1. The Executive Committee of the Union
2. The Directors of the Union

