

Constitution of Red Deer Catholic Local No 80 of the Alberta Teachers' Association

1. Name

The name of this local shall be Red Deer Catholic Local No 80 of the Alberta Teachers' Association (the Association or the ATA).

2. Boundaries

The area served by this local association shall include the Red Deer Catholic Separate School Division.

3. Membership

3.1 All active members of the Association employed within the boundaries are members of this local.

3.2 Subject to approval by the Provincial Executive Council of the Alberta Teachers' Association, associate members of the 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. Objects

The objects of this local association shall be to further the objects of the Association as set out in section 4 of the *Teaching Profession Act* and the General Bylaws of the Association.

5. Fees

This local association shall have the power, subject to approval of the Provincial Executive Council of the Alberta Teachers' Association, to levy fees for membership in this local association such as are determined from time to time in a general meeting of the local association. Such fees shall be additional to the fees prescribed by the Annual Representative Assembly (ARA).

6. Rules of Procedures

The proceedings of all meetings—general, special, local council and executive committee—shall be regulated by the official Rules of Order and Procedure as published in the *Members' Handbook*.

6.1 Officers of the Association and the district representative(s) of whose geographic district this local association forms a part shall be entitled to attend all meetings of the local association referenced in section 6 and any other meetings of local committees, including those portions of any meetings declared to be *in camera*.

7. Organization

The governing body of this local shall be a general meeting of its members, 10 per cent of whom shall constitute a quorum.

- 7.1 In the event that a quorum is not obtained at a duly called general meeting, the general meeting may be adjourned to a later date or the business of the general meeting shall be conducted at the next local council meeting.
- 7.2 In the event that the business of the Annual General Meeting (AGM) is referred to a local council meeting, that local council meeting shall have the authority to deal with such business as though it were a general assembly.
- 7.3 A general meeting of this local shall be held at least once a year to hear reports and deal with same, hold elections, approve and set policy, and deal with such other matters as may arise.

8. Local Council

- 8.1 There shall be constituted a local council of this local consisting of
 - (a) all members of the executive committee;
 - (b) staff representatives, elected in September according to the following schedule:
 - i. for staffs with 15 or fewer full-time equivalent teachers—
1 representative
 - ii. for staffs with 16 to 39 full-time equivalent teachers—
2 representatives
 - iii. for staffs with more than 40 full-time equivalent teachers—
3 representatives; and
 - (c) convention association representatives.

A person may be a member of the local council pursuant to more than one of the above articles; however, each member of the local council shall have only one vote on any issue.
- 8.2 Members of this local who are not members of the local council may attend council meetings and may speak with approval of the meeting, but may not vote.
- 8.3 The duties of the local council shall be
 - (a) to administer the affairs of the local association, including the adoption of an audited annual financial statement and approval of an annual budget;
 - (b) to appoint all ad hoc committees;
 - (c) to approve frames of reference for each of its committees;
 - (d) to hear reports from committees and decide on action to be taken, if any;
 - (e) to appoint representatives to the ATA Summer Conference and other events requiring local representation on an ad hoc basis;
 - (f) to appoint local representatives;
 - (g) to elect or appoint representatives to the joint health and safety committee;
 - (h) to hear reports and to consider recommendations from the teacher welfare committee and to advise the teacher welfare committee, when necessary; and
 - (i) to deal with other matters not inconsistent with this constitution or the General Bylaws of the Association.

- 8.4 The local council shall meet at least once in each of the following months: September, October, November, January, February, March, April, May and June.
- 8.5 A majority vote of those present shall govern the decisions of the local council unless rules and regulations otherwise decree.
- 8.6 Two-thirds of local council members are required to constitute a quorum.

9. Executive Committee

- 9.1 The executive committee of this local shall include the president, vice-president, past president, secretary, treasurer, chair(s) of professional development committee, chair of teacher welfare committee, convention representative, chair of social committee and local communications officer.
- 9.2 The duties of the executive committee shall be
- (a) to prepare the agenda of business for all meetings;
 - (b) to exercise general supervision of the affairs of the local association;
 - (c) to prepare and transmit to the head office of the Association such reports and statements with reference to the affairs of the local association as may be required by the Provincial Executive Council of the Alberta Teachers' Association;
 - (d) to ensure that all Association monies are used to further the objects of the Association as set out in the *Teaching Profession Act*; and
 - (e) when time is of the essence, to assume the functions of the local council.
- 9.3 The executive shall meet monthly from September to June inclusive, or as often as local business requires.
- 9.4 Two-thirds of the executive are required to constitute a quorum.

10. Notice of Meetings

- 10.1 Notices of intent to hold a general, special, local council or executive meeting shall be provided to an authorized representative at each school or worksite and the district representative(s) by the secretary at least seven days before such meeting is to be held, provided, however, that 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.
- 10.2 Meetings of the local association shall be called by the president; or on the request of the executive or the local council; or on the written request of 25 members of the local; or at the request of an ATA officer or the district representative of whose district this local association forms a part.

- 10.3 If one of the persons listed in section 6.1 is a member of this local association, they shall have the right to vote.
- 10.4 A record of the number of members of the local association and the names of any persons not members of the local association attending a general meeting of the local association shall be kept.
- 10.5 A record of those attending local council and executive meetings shall be kept.

11. Duties of Officers

- 11.1 **President**—The duties of the president shall be
 - (a) to serve as chief executive officer of the local;
 - (b) to call and preside at all general, local council and executive meetings of this local association;
 - (c) to exercise general supervision over the affairs of this local association; and
 - (d) to sit on the division professional development committee.
- 11.2 **Vice-president**—The duties of the vice-president shall be
 - (a) to take charge of the affairs of this local association in the absence of the president;
 - (b) to assist the president in the discharge of duties;
 - (c) to be the ARA committee chair; and
 - (d) to chair the scholarship committee.
- 11.3 **Past president**—The past president shall serve for one year to assist the new president with transition and provide advice as necessary.
- 11.4 **Secretary**—The duties of the secretary shall be
 - (a) to keep accurate records of all proceedings of this local association;
 - (b) to bring before the executive of this local association all communications received by the local;
 - (c) to prepare and send to the head office of the Association such statements and reports as may be required from time to time;
 - (d) to prepare and send notices calling all meetings, whether regular, special, local council or executive; and
 - (e) to coordinate with the assistance of the executive and the annual Council of School Representatives (CSR) workshop.
- 11.5 **Treasurer**—The duties of the treasurer shall be
 - (a) to prepare, at the direction of the executive, an annual budget for the local;
 - (b) to keep accurate records of all monies received and collected and to take charge of same;
 - (c) to prepare an annual financial statement for audit purposes; and

- (d) to make the necessary disbursements of the funds of this local association as authorized by the executive or local council.

11.6 **ARA representatives**—The duties of each of this local’s representatives to the ARA shall be

- (a) to represent this local association at all representative assemblies of the Association;
- (b) to report the proceedings of all representative assemblies of the Association to the local council, the executive and to such other gatherings as may be decided; and
- (c) to act as a liaison between the executive and the staff representatives and the teachers of the schools to which they have been assigned.

11.7 **Staff representatives**—The duties of the staff representatives shall be

- (a) to report on the activities of the local council to their respective staffs and such other duties as are requested by the local council or the Association; and
- (b) to support and facilitate communication for central and local bargaining by ensuring that they report information, which is specific to local and central bargaining, to teachers on staff and further, to report teacher questions and concerns related to bargaining to local council meetings.

11.8 **Communications officer**—It shall be the responsibility of the communications officer to carry out a communications program with the teachers in the local.

12. Committees and Their Duties

12.1 **Teacher welfare committee (TWC)**—The teacher welfare committee shall operate under a frame of reference approved by the local council and subject to ratification by the Provincial Executive Council of the Alberta Teachers’ Association. An amendment procedure shall be specified in the frame of reference. It shall be the duty of this committee

- (a) to gather and study data, and prepare proposed amendments to the collective agreement for consideration of members of the bargaining unit;
- (b) to report to the executive, the local council or a general meeting the progress of negotiations; and
- (c) to advise the negotiating subcommittee.

12.2 **Negotiating subcommittee**—It shall be the duty of this subcommittee of the TWC to engage in collective bargaining with the school board as per the teacher welfare committee’s frame of reference.

12.3 **Professional development committee**—It shall be the duty of this committee to assume general responsibility for all professional development activities undertaken by the local association.

- 12.4 ***Social committee chair***—It shall be the duty of this committee or individual to advise and implement the gift fund for the ATA local, and oversee all social activities for the local.
- 12.5 ***Convention representative***—It shall be the duty of the convention representative to serve the ATA local on the convention committee.
- 12.6 Other committees may be appointed by the executive, local council or at a general meeting as the need arises.

13. Elections

- 13.1 The president, vice-president, local communications officer, professional development chair(s), secretary, treasurer and convention representatives shall be elected annually by a vote of the members of this local.
- 13.2 Members of the teacher welfare committee shall be elected by members at worksites in the following manner:
 - (a) for staffs with 15 or fewer full-time equivalent teachers—1 representative
 - (b) for staffs with more than 15 full-time equivalent teachers—2 representatives
- 13.3 School representatives shall be elected by their respective staffs.
- 13.4 All persons elected under subsection 13.1 shall assume office on July 1 following their election. School representatives shall assume office immediately after their election.
- 13.5 In the case of officers to be elected under subsection 13.1 the past president, acting as a returning officer, shall set a date for the election between May 15 and May 31 inclusive. The past president shall set a date for receiving nominations for these positions two weeks prior to the election. Notice of this date shall be sent to each staff representative at least two weeks prior to this date. Following the closing of nominations, the past president shall determine those positions for which the number of nominations is less than the number of positions. The past president shall then extend the nomination deadline at their discretion. The past president shall determine those positions for which the number of nominations equals the number of positions. The past president shall declare the persons elected by acclamation. The past president shall determine those positions for which there are more nominations than the number of positions. Where there is no past president, an executive member not running for re-election shall be appointed by the executive to perform the above duties.

The past president shall arrange the printing of the ballots and distribute adequate ballots to staff representatives so that the ballots are received at least one week prior

to the date set for the election. Each staff representative shall act as the returning officer for the teachers voting on his or her staff. The staff representatives shall return the completed ballots to the past president on or before the date set for the election. On the date set for the election, the past president shall count the ballots and declare the candidates with the greatest number of votes elected. The past president shall inform the staff representatives of those elected within one week of the date set for the election.

13.6 If the past president is nominated for one of the offices listed in subsections 13.1 or 13.2, the past president shall appoint a member of the local, not nominated for one of these positions, to act as a returning officer in the past president's place.

13.7 Staff representatives shall be elected at the regular September staff meeting in each school.

13.8 If the president should resign or be ineligible to remain in office, the vice-president shall assume the office of president. Any other vacancy on the executive shall be filled by the following method. The president shall inform all staff representatives of the vacancy. At the next local council meeting, a replacement shall be elected.

13.9 If a member of the executive misses three consecutive meetings of the executive or CSR, the president shall inform the member that the member is ineligible to continue in office. The member so declared ineligible may appeal the decision at the next local council meeting. The local council shall hear the appeal before electing a replacement. If the local council upholds the member's appeal, the member shall be reinstated to the position. No election shall then be held. If it is the president who misses three consecutive meetings or the executive, the vice-president shall inform the president that they are ineligible to continue in office. The president may exercise the same appeal procedure as listed above.

13.10 Any vacancy among staff representatives shall be filled by the respective staff at its next staff meeting.

14. Substitute Teachers' Group

14.1 At the request of 10 or more substitute teacher members, this local shall organize a substitute teachers' group.

14.2 Those eligible for participation in the group shall be members who substituted for one of the employing jurisdictions included in the local for a least one day during the previous 12-month period.

14.3 An appropriate budget for the group shall be established.

- 14.4 The frame of reference for the group shall be as follows:
- (a) Its objects shall be to advance the professional skills and knowledge unique to substitute teaching and to advance within the local the special interests of substitute teachers.
 - (b) It shall have at least one general meeting per year.
 - (c) It shall elect a chair, a vice-chair and a secretary-treasurer to an executive, which shall be responsible for organizing activities to promote the objects of the group.
 - (d) Its executive shall present to the local council an annual report of its activities and of the disbursement of its funds.

15. Human Rights Statement

- 15.1 The following Human Rights statement is required to be read aloud and/or distributed electronically and/or provided in print at the outset of all Association meetings, events, and activities.

As an organization that promotes and is committed to respecting human rights and ensuring a safe, secure, and healthy environment for all, the Alberta Teachers' Association (ATA) works to ensure that all present at or participating in ATA programs and events are protected from violence and harassment.

All ATA members are therefore expected to promote and defend the fundamental human rights of everyone engaged in ATA programs, activities, or other ATA work. ATA members are expected to treat one another with fairness, respect, and dignity and to uphold the highest standards of professionalism, accountability, competence, and integrity as representatives of the provincial Association as well as their respective locals and subgroups.

Furthermore, ATA members are obliged to act to prevent violence and harassment wherever possible and report to the appropriate person in authority any suspected breaches of this statement that come to their attention.

- 15.2 An appropriate person at each subgroup meeting will be identified as an authority to receive complaints. Typically, this will be a district representative, staff officer or local official.
- 15.3 The Association president and the presidents of locals, specialist councils and convention associations or persons designated by the presidents, are authorized to warn, reprimand and/or remove from a meeting, event, activity, or representative role any participant whom they reasonably believe to be in breach of the statement.

- 15.4 Any further investigation or measures would be undertaken in accordance with other existing policies and procedures and processes.

16. Provincial Association Intervention

16.1 In this section

- (a) *investigated local officer* means a local officer whose conduct is under investigation pursuant to subsection 16.2;
- (b) *investigator* is the individual appointed by the table officers pursuant to subsection 16.2;
- (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* means 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

16.2 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 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.

16.3 In the course of the intervention under section 16, an investigated local officer is entitled to have access to an executive staff officer for advice.

16.4 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.

- 16.5 The table officers may appoint another individual to assume the duties of the investigated local officer during the period of the suspension.
- 16.6 The investigated local officer may appeal a suspension from office under subsection 16.4 to the Provincial Executive Council by filing a notice of appeal with the executive secretary within 30 days of being notified of the suspension.
- 16.7 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.
- 16.8 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.
- 16.9 An investigated local officer may, in the course of the investigation, submit a resignation to the executive secretary.
- 16.10 Where an investigated local officer resigns in accordance with subsection 16.9, 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.
- 16.11 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 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.
- 16.12 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.
- 16.13 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.

- 16.14 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.
- 16.15 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.
- 16.16 The investigated local officer may appeal the decision of the table officers under subsection 16.14 by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.
- 16.17 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.
- 16.18 In an appeal under subsection 16.7 or 16.17, the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.

Official Trustee

- 16.19 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 8.3 or
 - (b) when the Provincial Executive Council considers it in the interests of the Association to do so.
- 16.20 The local may appeal the appointment of an official trustee to a representative assembly.
- 16.21 An official trustee appointed under subsection 16.19 has the powers and duties conferred by the General Bylaws on a local and conferred by this constitution.
- 16.22 On appointment of an official trustee to the local association, the officers of the local cease to hold office as officers of the local.

- 16.23 An official trustee continues in office until the Provincial Executive Council, or a representative assembly determines that the official trusteeship is no longer necessary.

17. 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

- 17.1 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 the table officers committee of the Association;
- 17.2 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;
- 17.3 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;
- 17.4 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;
- 17.5 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
- 17.6 that, without restricting the general application of subsection 17.5, 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.

18. General

- 18.1 The financial year of this local shall be July 1 to June 30.
- 18.2 This local association shall pay all expenses as determined and authorized by local council.
- 18.3 Amendments to this constitution may be made after a two-month notice of motion by a two-thirds vote at a general meeting of this local association, subject to ratification by the Provincial Executive Council of the Alberta Teachers' Association.
- 18.4 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 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 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 a contract of employment or contract for the provision of personal services and/or related collective agreement shall be filed with the Association and shall be deemed to be the authoritative copy of the contract or collective agreement.

Constitution approved by TOC on behalf of PEC 1984 03 03 and 2006 06 01

Revised as per 2011 02 14 PEC requirements

Revised as per 2012 06 14–15 PEC requirements

Revised as per 2017 06 08–09 PEC requirements

Revised as per 2018 02 26–27 PEC requirements

Revised as per 2020 05 10 PEC requirements

Revised as per 2021 09 16 PEC requirements

Revised as per 2022 06 09–10 PEC requirements

Revised as per 2023 09 14–15 PEC requirements