

# Vancouver Elementary School Teachers' Association

## BYLAWS

Approved by Annual General Meeting held 2009 May 19

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### **BYLAW I: LOCAL ASSOCIATION**

The Vancouver Elementary School Teachers' Association (hereafter referred to as "the Association") is a local association of the British Columbia Teachers' Federation (hereinafter referred to as "the BCTF") as defined by the Constitution and Bylaws of the BCTF, and accordingly is subject to the Rules, Regulations and Bylaws of the BCTF applicable to a local association. If any provision contained in the Bylaws of this Association is in any way at variance with the Constitution and Bylaws of the BCTF, such provision shall be inoperative and of no effect.

### **BYLAW II: MEMBERSHIP**

1. There shall be three categories of membership, namely Active Members, Associate Members and Honorary Members.
  - (a) Active Members: All BCTF members in elementary schools and adult education centres in Vancouver. Active members also include BCTF members working in district positions. Only Active Members shall be entitled to vote and to hold office. All BCTF members working in Vancouver adult education centres are also members of the VESTA Adult Educators' Sublocal.
  - (b) Associate Members: Active Members upon retirement and members of other Teacher Associations may become Associate Members.
  - (c) Honorary Members: Persons who have rendered signal service to the cause of public education may be elected by an Annual General Meeting of the Association as Honorary Members.
2. Whenever an Active Member ceases to be a member of the BCTF, he/she shall, ipso facto, cease to be an Active Member of the Association. Unless elected as an Honorary Member a person shall cease to be a member of the Association when he/she fails to pay fees as established by the Annual General Meeting of the Association.
3.
  - (a) The Active and Associate Member fees shall be determined at the Annual General Meeting and shall be payable in accordance with the bylaws of the British Columbia Teachers' Federation.
  - (b) Membership fees of Active Members shall be deducted at source from members' salaries according to pay schedule.
  - (c) Any general meeting may make a levy upon the Active Membership of the association; such levy shall be paid by each member on or before a date determined by that general meeting.

**BYLAW III: OFFICERS AND EXECUTIVE COMMITTEE**

1. Composition

- (a) The Executive Committee of the Association shall consist of the Table Officers of the Association, five (5) Members-at-Large, the Adult Educators' Sublocal President, and the Chairpersons of the standing committees. Nine (9) members, of whom four (4) shall be Table Officers, shall constitute a quorum. The members of the Executive Committee except the Immediate Past President shall be elected at the Annual General Meeting.
- (b) The Table Officers of the Association shall be a President, the Vice-President(s), a Secretary-Treasurer, Local Association Representatives, and the Immediate Past President.
- (c) In the event that a president shall be elected to an additional year of office, the Executive Committee position of Immediate Past President shall be vacated and an additional member-at-large shall be elected for a one-year term. In the event that the Immediate Past President ceases to be a member of VESTA, is unable to serve, or resigns, the position shall be vacated and the vacancy filled by an additional member-at-large.

2. Duties

- (a) The President shall be the presiding Table Officer of the Association and Chairperson of the Executive Committee. The President shall be a member *ex officio* of all Standing Committees and of all Sections of the Association. At the Annual General Meeting, the President shall report on the activities of the Association for the preceding year. The President shall conduct and have charge of the correspondence, both internal and external, of the Association, and shall issue notices of meetings. No notice of the activities of the Association shall be binding and official unless issued over the President's signature.
- (b) The Secretary-Treasurer shall be the legal custodian of all of the property of the Association including the seal and the archives. The Secretary-Treasurer shall prepare and keep or cause to have prepared and kept a record of all meetings, general and otherwise, of the Association and of the Executive Committee. The Secretary-Treasurer shall be the chair of the Finance Committee. The Secretary-Treasurer shall have the care and custody of all monies of the Association, shall deposit the same in the financial institution designated by the Executive Committee, and shall disburse and dispose of the same on the order of the Executive Committee. All cheques shall be signed by any two (2) of the following: President, 1st Vice-President, Secretary-Treasurer. Each signing officer shall be required by the Executive Committee to furnish a bond for the faithful discharge of their duties in such sums as the Executive Committee shall require, the premiums of such bonds to be paid from the funds of the Association.
- (c) In the absence or disability of the President, the 1st Vice- President, and in his/her absence, the 2nd Vice-President, shall perform the duties of the President.
- (d) The Local Association Representatives shall serve on the Representative Assembly of the BCTF, and shall keep the Association informed of the business of the BCTF.

Bylaw III 2 (d) (Cont'd.)

The number of Local Association Representatives shall be determined by BCTF policy. Until such time as the BCTF recognizes the VESTA Adult Educators' Sublocal, one position of Local Association Representative shall be allocated to an adult educator.

3. Powers

- (a) The Executive Committee shall, subject to the action of the Association in General Meeting assembled, exercise all powers of the Association, the direction and supervision of its business and the conduct of its affairs.
- (b) Whenever any vacancy shall occur in the Executive Committee or any office of the Association by death, resignation or otherwise, the vacancy shall be filled by an Executive Committee appointment until the next Annual General Meeting.
- (c) The Executive Committee shall have power to appoint, dismiss and, subject to the terms of any applicable contract or collective agreement, fix the remuneration and working conditions of employees of the Association.

4. Nomination

- (a) Nominations shall be made by Active Members in good standing. The names of candidates for the various positions on the Executive Committee shall be submitted to the President not later than April 15 of each year. Each nomination shall be accompanied by the qualifications, service and policy statement of the candidate and shall be published at least two (2) weeks prior to the Annual General Meeting.
- (b) Further nominations shall be accepted at the Annual General Meeting provided that each such nomination shall be accompanied by the written consent of the nominee.

5. Term of Office

The members of the Executive Committee shall be elected for a term of one year and shall take office on the first day of August of each year, but the term of office of all Table Officers shall continue until successors are elected.

6. Membership Attendance

All members of the Association shall have the right to attend and speak to all meetings of the Executive Committee but only members of the Executive Committee may vote.

**BYLAW IV: COMMITTEES**

The Executive Committee may appoint advisory committees and create sections to carry on the activities necessary for the attainment of the objects of the Association. The powers and duties of advisory committees and sections shall be such as may from time to time be prescribed or approved by the Executive Committee. No action shall be taken by any advisory committee or section without the authorization of the Executive Committee.

The standing committees shall be established by the Annual General Meeting. Membership in all Standing Committees shall be open to every member of the Association but no Standing Committee shall consist of more than twelve (12) voting members.

**BYLAW V: STAFF REPRESENTATIVES**

1. Duties

- (a) The Staff Representatives shall represent the school or worksite staff in matters pertaining to the school or worksite's business with the Association.
- (b) Where a school or worksite elects two or more Staff Representatives one shall be specifically designated by the staff as Senior Staff Representative.
- (c) The Senior Staff Representative shall (1) ensure that democratic structures, such as staff committees, are in place so that all members can be involved in decisions that affect them and (2) serve as the school or worksite advocate for all staff members regarding services and benefits, contractual rights and responsibilities, and grievance procedure and Association policy.
- (d) The Senior Staff Representative shall ensure that the VESTA President and/or Vice-President(s) is/are aware of any issues related to the interpretation or application of the collective agreement that are of concern to his/her staff.

2. Election

- (a) Each school or worksite should elect one Staff Representative for the first seven members on staff and one Staff Representative for each additional five members or portion thereof, and in no case less than the number required to cast votes as described in Section 4, sub-section (a).
- (b) Staff Representatives shall be elected by the staff of their own school or worksite in September for a term of one year.
- (c) If a Staff Representative resigns, or becomes ineligible for his/her office because of transfer or other cause, or if the school or worksite becomes eligible for an additional Staff Representative, the staff concerned shall forthwith elect a new Staff Representative.
- (d) Where an Association member is not by his/her duties specifically attached to any one school or worksite, the Executive Committee shall determine to which staff he/she is attached for the purpose of Staff Representative.

3. Staff Meetings

- (a) The Senior Staff Representative shall conduct staff meetings to enable the Staff Representatives to report to their colleagues on the last Representative Assembly and to vote on issues on the agenda of the next Representative Assembly.
- (b) At a staff meeting a minority group of at least five members shall be able to demand in writing that the Staff Representatives be bound to cast ballots at the following Staff Representative Assembly on any particular issue, in the same ratio as voted by their staff, and not as an expression of a majority vote or opinion.

Bylaw V (Cont'd.)

4. Representative Assemblies

- (a) The Staff Representative Assembly shall be a proportionately representative body as described in Bylaw V.4, empowered with all the policy making authority of a general meeting with the following exceptions:
- i. the adoption of bargaining objectives, the ratification of amendments to the collective agreement, and recommendations for strike votes, which are the purview of a VTF general meeting
  - ii. the election of the executive committee and delegates to the BCTF annual general meeting
  - iii. the adoption of constitutional changes
  - iv. fees and levies
  - v. the budget
- (ii. - v. are the purview of a VESTA general meeting.)
- (b) The Staff Representatives at Representative Assemblies shall cast ballots as representatives of their staffs by means of voting cards, provided that in all cases the following table shall define the voting strength of any school or worksite, and the minimum number of Staff Representatives who must be present to exercise the full voting strength of the school or worksite.

| Members on staff<br>of school or worksite | Number of<br>Voting Cards |
|---|---------------------------|
| 1 - 7 inclusive                           | 1 At least                |
| 8 - 12 "                                  | 2 ONE                     |
| 13 - 17 "                                 | 3 representative          |
| 18 - 22 inclusive                         | 4 At least                |
| 23 - 27 "                                 | 5 TWO                     |
| 28 - 32 "                                 | 6 representatives         |
| 33 - 37 inclusive                         | 7 At least                |
| 38 - 42 "                                 | 8 THREE                   |
| 43 - 47 "                                 | 9 representatives         |
| 48 - 52 inclusive                         | 10 At least               |
| 53 - 57 "                                 | 11 FOUR                   |
| 58 - 62 "                                 | 12 representatives        |

For these Representative Assemblies, each school or worksite shall have at least one Staff Representative; and any Association member may attend and address any or all Representative Assemblies, but only Staff Representatives may vote.

- (c) The Staff Representative shall cast ballots by means of voting cards defined in sub-section (c) of this section, on any business that arises at Representative Assemblies, without precise voting instructions from their staffs, but subject to the restriction defined in sub-section (b) of section 3. However, at the request of a majority of the voting cards of the Staff Representatives present at a Representative Assembly, any issue must be settled by a vote from all Association members taken at staff meetings, in the school or worksite, and not be a vote expressed proportionally.

Bylaw V (Cont'd.)

- (d) Each Staff Representative may hold not more than three (3) voting cards.
- (e) A quorum for any Representative Assembly shall consist of fifty percent (50%) of the voting strength, by card, of the Staff Representatives.
- (f) Meetings of the Representative Assembly shall generally be conducted on a monthly basis.
- (g) The Representative Assembly shall annually elect a Chairperson at its first meeting of the year and shall establish a Steering Committee. The Steering Committee shall consist of the elected Chairperson, three Staff Representatives elected by the Representative Assembly, and a member appointed from the Executive Committee. The Steering and Executive Committees shall jointly set the agendas of the Representative Assembly. All business which has not been transacted at General Meetings, but concerning which the Executive Committee requires advice from the membership shall be transacted at a Representative Assembly.
- (h) Minutes of each meeting shall be recorded and distributed to all job sites.
- (i) TOCs shall be represented by four staff reps to be determined by the TOC standing committee.

**BYLAW VI: MEETINGS**

1. General Meetings

Three General Meetings, the dates of which shall be announced in advance each September, shall be held during the course of each school year. One such meeting shall be held in the fall term (September to December), one such meeting shall be held in the spring term (January to Spring Break) and one such meeting, the Annual General Meeting, shall be held during the month of May. Other General Meetings may be called (a) by the President, as necessary, or (b) by the Executive Committee, in co-operation with the Executive Committee(s) of Vancouver Secondary Teachers' Association and/or other teachers' associations, at which members of the concerned associations shall be entitled to participate. Decisions reached by majority vote at such meetings shall be binding upon each participating association. All General Meetings shall be chaired by the President or by a person designated by the President.

2. Annual General Meeting

The business of the Annual General Meeting shall include:

- (a) Receipt of Reports and Financial Statements
- (b) Nomination and Election of Table Officers
- (c) Nomination and Election of Members-at-Large
- (d) Nomination and Election of Standing Committee Chairpersons
- (e) Appointment of Auditor
- (f) Approval of the Budget and the setting of the Membership Fee for the ensuing year
- (g) General Business

Bylaw VI (Cont'd.)

3. Special General Meeting

A Special General Meeting shall be called by the President within twenty- one (21) days of receipt of a request in writing for such a meeting and specifying the object of the meeting signed by not less than ten per centum (10%) of the Active Members, providing always that at least fourteen (14) days' notice of such meeting shall have been given by the President to the members of the Association.

4. Quorum

A quorum for any General Meeting shall consist of five per centum (5%) of the Active Members of the Association but never less than three persons. In the event that a General Meeting fails through lack of quorum to accomplish the business on the Agenda, the Meeting shall be reconvened after a fifteen (15) minute recess. The Members present at the reconvened Meeting shall constitute a quorum. When the meeting reconvenes the actual number of members present is to be recorded in the minutes.

**BYLAW VII: BCTF ANNUAL GENERAL MEETING**

Delegates from the Association to the BCTF Annual General Meeting shall be elected at a General Meeting. The number of such delegates shall be determined by BCTF policy.

**BYLAW VIII: POWERS OF AFFILIATION**

The Association shall be empowered to affiliate with or receive into affiliation any association with similar objectives, providing that the Constitution and Bylaws of the said association shall not be in conflict with any clause or section in this Constitution or these Bylaws nor with the Constitution and Bylaws of the BCTF, and providing that the affiliation is approved by a two-thirds majority vote at a General Meeting.

**BYLAW IX: AMENDMENT OF CONSTITUTION AND BYLAWS**

The Association may in General Meeting assembled amend or alter the Constitution and Bylaws providing that notice of such meeting shall be given fourteen (14) days in advance and shall clearly state the amendment(s) of the Constitution and Bylaws which is/are to be considered. The majority required to amend the Constitution or any Bylaw shall be a three-fourths majority of the Active Members present and voting at such a meeting.

**BYLAW X: VOTING**

Voting at all General Meetings shall be by show of hands, unless one-third of the active members attending such a meeting demand a vote by secret ballot. All elections shall be by secret ballot. If at the time of balloting for a particular office there is a sole nominee for that office, that person shall be declared elected. There shall be no proxy voting.

**BYLAW XI: BORROWING POWERS**

The Executive Committee shall have the power to borrow from any person or persons any sum or sums of money, and for that purpose shall be entitled to charge the assets of the Association either by way of mortgage, lien or otherwise, provided, however, that such power as aforesaid shall not be exercised except it be assented to by at least two-thirds of the Executive Committee. No debenture shall be issued without the sanction of a Special Resolution.

**BYLAW XII: EXAMINATION OF THE BOOKS**

Subject to current privacy statutes and regulations, all books, documents and other papers shall be kept in the custody of the President of the Association, and may be examined by any member upon giving to the President fourteen (14) days notice in writing.

**BYLAW XIII: RULES OF ORDER**

Meetings of the Association shall be conducted in accordance with the Rules of Order adopted by the BCTF.

**BYLAW XIV: SPECIAL FUNDS**

The Association by resolution of a General Meeting may create a fund to promote the general welfare of the members. The regulations governing the operation and administration of such fund(s) shall be determined by the Executive Committee, subject to the approval of the membership in General Meeting.

**BYLAW XV: USE OF SEAL**

The common seal of the society shall be affixed only when authorized by a resolution of the Executive Committee and then only in the presence of the persons prescribed in the resolution or if no persons are prescribed in the presence of two of the Signing Officers.