

CONSTITUTION & BY-LAWS
AND POLICY & PROCEDURE STATEMENTS

of the

NANAIMO DISTRICT TEACHERS' ASSOCIATION



NDTA Constitution & Bylaws and Policy & Procedure Statements

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PART 1: Constitution and By-laws

1. NAME

The Association shall be known as the Nanaimo District Teachers' Association, a local association by charter of the British Columbia Teachers' Federation, hereinafter referred to as the "Association".

2. OBJECTIVES

The objectives of the Association shall be:

- a. To foster and promote the cause of education.
- b. To raise the status of the teaching profession.
- c. To promote the professional development of members.
- d. To promote the welfare of members.
- e. To represent its members and to regulate relations with the employer through collective bargaining of terms and conditions of employment.

3. MEMBERSHIPS

- a. Active membership in the Association shall be in accordance with the BCTF Constitution & By-Laws. Active members shall be the only persons entitled to vote, hold office, and sit on NDTA committees.
- b. Associate membership in the Association may be granted to any person who is an associate member of the British Columbia Teacher's Federation. Associate members may not vote and may not hold office, but may participate in any service of the Association except in matters relating to collective bargaining.

- c. Honorary Associate membership, without fee, may be granted by the Association in a General Meeting Assembly;
 - i. to retiring members who have been members for at least 10 years,
 - ii. to members for public service, such membership to expire at the end of the individual's term of office,
 - iii. to members whom the Association wishes to honour on the occasion of their leaving the profession, or
 - iv. to anyone else whom the Association wishes to honour, providing the individual has a teaching certificate.

Honorary members may not vote and may not hold office in the Association.

4. ORGANIZATION

- a. The Nanaimo District Teachers' Association is a Local of the British Columbia Teachers' Federation and observes that no clause of this *Constitution & By-Laws and Policy & Procedure Statements* shall be in any way at variance with the Constitution & By-Laws of the British Columbia Teachers' Federation.
- b. Delegates to the Annual General Meeting of the British Columbia Teachers' Federation shall be elected at a General Meeting of the Association.
- c. When a member is elected as a member of the BCTF Executive Committee, that individual shall be considered a non-voting member of the BCTF Representative Assembly for local purposes.

5. FEES

- a. The annual Association fee shall be determined at the Annual General Meeting and shall be continuing until changed at an Annual General Meeting. This fee together with the fee of the British Columbia Teachers' Federation shall be deducted from salary cheques each pay period or as arranged by the Association from time to time.
- b. Each Active or Associate Member shall pay the current annual fee.

6. EXECUTIVE COMMITTEE

- a. The Officers of the Association shall consist of a President, Grievance Officer, Professional Issues Officer, Secretary, Treasurer, and Immediate Past-President.
- b. In the event that the President is elected to an additional year of office, the position of Immediate Past-President shall be vacated.
- c. The Executive Committee of the Association shall consist of the:
 - i. Officers of the Association;
 - ii. Chairperson (or Co-Chairperson) of these Standing Committees;
 - Aboriginal Education Advisory,
 - Bargaining and Working and Learning Conditions (BWLC),
 - Health & Safety,
 - Political Action,
 - Professional Development,
 - Social,
 - Social Justice,
 - Teachers Teaching on Call (TTOC), and
 - Early Career Teachers
 - iii. Local Representatives to BCTF (LR's); and,
{total number pursuant to BCTF Procedure 25.B.02}
 - iv. Members-at-Large (2 elementary and 2 secondary representatives).

7. ELECTION OF OFFICERS, COMMITTEES, AND LOCAL REPRESENTATIVES TO BCTF

- a. The Executive Committee of the Association and members of Standing Committees shall be elected at the Annual General Meeting.
- b. All nominations shall be made in an open meeting, or by a Nominating Committee appointed by the Executive Committee, or both.
 - i. The Nominating Committee elects a chairperson from the nominating committee.
 - ii. The role of the chairperson is to chair the nominating committee and to chair the election portion of the AGM.
- c.
 - i. No member shall let their name stand for election to the Executive Committee or to the Bargaining Committee if the member has a concurrent application to an Administrative Officer or Excluded Staff position.
 - ii. No member shall be elected an Officer, or a member of any committee at any meeting at which the member is not present, unless the member has previously indicated their willingness to accept the appointment if elected.
- d. Members, who have teaching assignments at both the elementary and secondary levels, may stand for position(s) at either level.
- e.
 - i. Elections shall be conducted annually and in the following order:
 - (1) President
 - (2) Grievance Officer
 - (3) Professional Issues Officer
 - (4) Secretary
 - (5) Treasurer
 - (6) Chairpersons/Co-Chairpersons of Standing Committees
 - (7) Local Representatives to BCTF and one alternate
 - (8) Members-at-Large (2 elementary and 2 secondary representatives)
 - (9) Members of Standing Committees.
 - (10) Chairpersons for general meetings

- ii. Elections for the Pro-D Chair position shall be conducted as follows:

In alternating years one (1) Pro-D Chair position shall be elected as a 0.2 full time equivalent position for a two-year term of office.

- iii. All nominees in attendance shall be introduced to the meeting at the close of nominations.
- iv. Election of Executive Committee members shall be conducted by secret ballot.
- v. Ballots shall be distributed to members at the time and place designated by the agenda. No replacement ballots shall be permitted and no ballots shall be distributed at any other time or place than that specified by the agenda.
- vi. Should the validity of any ballot be questioned by any person assigned to count the ballots, it shall be the sole responsibility of the chairperson of the Nominating Committee to decide whether or not that ballot is valid. In the absence of the Chair of the Nominating Committee, the Chairperson of the Annual General Meeting shall make that decision.
- vii. On the completion of each ballot the chairperson of the Nominating Committee shall report to the meeting the number of votes received by each candidate, without attaching names to the numbers. Following an indecisive ballot, and before attaching names to the numbers, the candidate receiving the fewest votes shall be dropped from the ballot. At this time the meeting may at its discretion order the dropping of additional candidates from the next ballot.
- viii. No candidate shall be declared elected unless that candidate receives a majority of the number of valid ballots cast. Blank ballots and any ballots declared by the chairperson of the Nominating Committee to be spoiled shall not be valid ballots.
- ix. Candidates defeated in an election for any officer position shall be deemed to have been nominated for the next office to be filled. At any time prior to the conducting of a ballot any candidate may, by giving notice to the meeting, withdraw from that vote.
- f. Whenever a vacancy occurs in Committees, the vacancy shall be filled either by election at a General Meeting or by appointment by the Executive Committee subject to ratification at the next General Meeting. Any Standing Committee vacancies existing after the last school day in September may be filled without regard to whether a member is an elementary or secondary teacher.

- g. The Executive Committee may appoint a committee to deal with an emergent situation and will seek ratification of the appointment at the next General Meeting.
- h. That when Standing Committees positions are unfilled due to quotas for elementary and secondary representation, the meeting may amend those ratios by no more than two, and for one year only, in order to:
 - i. allow committee positions to be filled by members present at the meeting, and
 - ii. prevent unnecessary elections when there are fewer nominees than total positions
- i. That when Standing Committee positions have more nominees than positions available, the meeting may amend the number of positions to be increased by no more than two.
- j. That constitutional amendments made under the preceding articles still require the 75% majority vote by the members present, as stated in Article 17. Limitations of Power, section a., but not 30 days advanced notice.
- k. No candidate for office shall be a member of the Nominating Committee.
- l. Members serving as Chairpersons of Standing Committees may not hold an Officer position on the Executive Committee concurrently.

8. TERMS OF OFFICE

- a. The President and members of the Executive Committee and Standing Committees shall take office on the first day of July after their election.
- b. In years subsequent to 2016, the Term of Office of the Pro-D Chair position shall be for 2 years.
- c. No one Executive position shall be occupied by the same individual for more than four consecutive terms without notification to and approval of the AGM or at the general meeting prior to the AGM. In extraordinary circumstances an AGM could vary the policy.
- d. When, by decision of the membership, a Standing Committee becomes unnecessary, the chair of that committee shall not be filled until again needed.

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- e. Should any member of the Executive Committee submit or activate an application for an Administrative Officer or Excluded Staff position, the member shall notify the Executive Committee and vacate their seat forthwith. The vacancy shall then be filled in accordance with the *Constitution & By-Laws and Policy & Procedure Statements*.
- f. The positions of President and Grievance Officer shall be full time equivalent positions.
- g. The position of Professional Issues Officer shall be 0.6 full time equivalent positions.
- h. The Professional Development Chairperson shall be a 0.2 full time equivalent position.
- i. The Professional Development Chairperson shall be a 0.2 full time equivalent position and shall be funded by the NDTA Professional Development Fund.

9. DUTIES OF EXECUTIVE COMMITTEE

- a. The Executive Committee shall, subject to the direction of the Association,
 - i. direct and supervise Association business;
 - ii. ensure that the policies and procedures of each committee are functional and operative; and
 - iii. interpret the Collective Agreement.
 - iv. appoint an individual to act as chairperson of the Nominating Committee.
- b. The Executive Committee may authorize donations from established budget categories up to \$500. Information regarding such donations shall be circulated to Staff Representatives for distribution in schools and shall be reported to the next General Meeting.
- c. All motions duly moved and seconded at an Executive meeting shall be voted on by the Executive Committee present. There shall be one (1) vote each from the Table Officers, Committee Chairs, Local Representatives to BCTF and Members at Large.
- d. In the case of illness, injury, or emergency, the table officers can temporarily fill in a vacancy on the Executive Committee, preferably with a past officer if available.
- e. The President or Executive Committee may temporarily delegate authority to act as Association spokesperson to another member(s) on a specific issue.
- f. If any member of the Executive Committee resigns, or without reasonable excuse, is absent from three consecutive meetings, the Executive Committee may declare the position vacated.
- g. The Executive Committee shall be responsible for matters pertaining to the *Constitution & By-Laws and Policy & Procedure Statements* of the Association.
- h. **Duties of Officers**

The duties of the Officers shall be as defined in this *Constitution & By-Laws and Policy & Procedures Statements* and as generally defined in the BCTF Members' Guide.

i. President

The President shall:

- (1) be the presiding Officer of the Association;
- (2) be a member, ex officio, of all committees;
- (3) lead the BCTF Annual General Meeting delegation;
- (4) have general supervision of all matters and affairs of the Association;
- (5) be the official spokesperson for the Association;
- (6) serve as Local Representative to BCTF in absence of any other; and

In the absence or disability of the President, duties shall be performed by the Vice-Presidents, or in turn, through absence or disability, as determined by the Executive Committee.

iii. Grievance and Professional Issues Officer

The Grievance and Professional Issues Officer shall:

- (1) be responsible for grievances, member communications, policy, and other duties as assigned by the Executive Committee;
- (2) be responsible to monitor policy implementation and to take a leadership role in policy review; and,
- (3) be responsible to ensure that policy and revisions to policy are circulated to NDTA Staff Representatives as soon as possible after ratification.
- (4) attend Joint Health & Safety Committee meetings with the Health & Safety chair.

iii. Immediate Past-President

The position of Immediate Past-President may be occupied by the previous year's President, should they remain a member of the Bargaining Unit.

iv. Secretary

The Secretary shall:

- (1) record minutes of Executive Committee meetings, Staff Representative meetings, and General Meetings;
- (2) ensure that the archives of the Association are maintained.

v. Treasurer

The Treasurer shall:

- (1) collect and disburse money received by the Association except for the Professional Development Fund;
- (2) make a financial report to each Executive and General Meeting;
- (3) ensure that all money received is deposited;
- (4) oversee the books of account of the Association and submit them for audit at the end of June each year or when called upon to do so by the President, Executive Committee, or by resolution at a General Meeting of the Association;
- (5) assist the Executive Committee in drafting an annual budget for the Association and in presenting same at the first General Meeting of the school year; and
- (6) conduct all business in keeping with the following financial regulations:
 - All money received by the Association shall be deposited in a Chartered Bank or Credit Union;
 - Money shall be withdrawn by cheque;
 - Cheques shall be signed by any two of the following Officers:
 - Treasurer;
 - President;
 - Grievance Officer; or,
 - Professional Issues Officer.

i. Duties of Chairpersons/Co-Chairpersons of Standing Committees

The Chairpersons/Co-Chairpersons of Standing Committees shall:

1. be cognizant of committee duties and responsibilities;
2. hold regular committee meetings throughout the school year;
3. sit on, and report to, the Executive Committee; and,
4. attend BCTF Zone Meetings and Summer Conferences as required.

j. Duties of Local Representatives to BCTF

The Local Representatives to BCTF or Alternate shall:

1. assist with organizing Staff Representative Assembly meetings, and the Staff Representative network;
2. chair Staff Representative meetings;
3. sit on, and report to, the Executive Committee;
4. attend all BCTF Representative Assemblies and the BCTF Annual General Meeting; and,
5. exchange and interpret information between the BCTF office and the Local.

k. Members at Large

Members at Large shall:

1. attend and vote at Executive Committee meetings
2. support standing committees as needed
3. support ad hoc committees as needed

10. DEFINITION, RESPONSIBILITIES AND LIST OF STANDING COMMITTEES

a. Definition

A Standing Committee;

- i. is a committee that has an elected Chair or Co-Chairs and Members as determined at the Annual General Meeting,
- ii. manages its own Committee budget,
- iii. holds regular meetings throughout the school year, and
- iv. has a Chair (or Co-chairs) who sit(s) on, and reports to, the Executive Committee.

b. Responsibilities

- i. All Association Standing Committees shall:
 - (1) be cognizant of Committee Responsibilities;
 - (2) report their activities to the Executive Committee;
 - (3) recommend to the Executive Committee action in the interests of the membership as a whole, or in part; and,
 - (4) conduct such business as directed to them by the membership or by the Executive Committee.
- ii. Committees, or members thereof, shall neither implicate nor commit the Association or any of its members nor act on any proposal or suggestion without prior approval of the membership, or when this is not practicable, of the Executive Committee. Committees shall be mindful that the interests of individual members or groups of members shall not prejudice in any way the interests of the membership as a whole.

c. The Standing Committees of the Association shall be the:

- Aboriginal Education Advisory Committee

- Bargaining and Working and Learning Conditions Committee (BWLC)
- Health and Safety Committee
- Political Action Committee
- Professional Development Committee
- Social Committee
- Social Justice Committee
- Teachers Teaching-on-Call Committee (TTOC)
- Early Career Teachers

d. For committee make-up, district staff may be considered either elementary or secondary.

11. DUTIES AND COMPOSITION OF STANDING COMMITTEES

a. Aboriginal Education Advisory Committee

- i. The Aboriginal Education Advisory Committee shall:
 - (1) be responsible for matters pertaining to the establishment, promotion, and maintenance of NDTA initiatives and activities related to aboriginal education, educators, student programs, and liaison both within the community and beyond. The Committee shall also be used to provide NDTA input into the Aboriginal Enhancement Agreement; and,
 - (2) consist of a Chairperson and ten (10) other members.
- iii. The Aboriginal Education Advisory Committee may convene a meeting of members to discuss Aboriginal Education concern(s), which pertain specifically to that group.
- iv. A member, or a group of members, with a concern(s) regarding Aboriginal Education issues, may request a meeting with the Aboriginal Education Advisory Committee. The Aboriginal Education Advisory Committee shall call and conduct any meeting(s) to address the concern(s).

b. Bargaining and Working and Learning Conditions Committee (BWLC)

- i. The Bargaining and Working and Learning Conditions (BWLC) Committee, in combination with the BCTF Negotiating Team, shall constitute the sole bargaining agent for the members of the Association in all matters pertaining to the Collective Agreement.
- ii. The BWLC Committee shall:
 - (1) be responsible for negotiating any Local alterations to the Collective Agreement and shall, upon instruction by the membership at a General Meeting, prepare and present case(s) to the Board of School Trustees;
 - (2) be responsible for matters pertaining to the working conditions of members and the learning conditions of students;
 - (3) consist of a Chairperson and ten (10) other members. Five (5) elected members shall be elementary teachers and five (5) elected members shall be secondary teachers. The ten (10) elected members of the BWLC Committee and the Chairperson shall be elected at the Annual General Meeting; and,
 - (4) select from its elected members up to two (2) members to be members of the Personnel/Grievance Committee.
- iii. The Negotiating Team shall consist of the BWLC Committee Chairperson and three other BWLC Committee members as selected by the BWLC Committee. These members should have at least one year's experience on the BWLC Committee and there should be representation from both the elementary and secondary level.
- iv. Should any member of the BWLC Committee submit or activate an application for an Administrative Officer or Excluded Staff position, the member shall notify the Executive Committee and BWLC Committee and vacate their seat forthwith. The vacancy shall then be filled in accordance with the *Constitution & By-Laws and Policy & Procedure Statements*.
- v. The BWLC Committee may convene a meeting of members to discuss a bargaining concern(s) which pertain(s) specifically to that group.
- vi. A member, a group of members or a Standing Committee with a concern(s) regarding bargaining or working and learning conditions may request a meeting with the BWLC Committee. The BWLC Committee Chairperson shall call and conduct any meeting(s) that may be required to address the concern(s).

d. Early Career Teachers' Committee (ECTC)

- i. The Early Career Teachers' Committee may convene a meeting of members to discuss concern(s) which pertain specifically to that group.
- ii. The Early Career Teachers' Committee shall:
 - (1) be responsible for matters pertaining to the working conditions of teachers within the first five years of their career; and,
 - (2) consist of a Chairperson and twelve (12) other members. (Six (6) members shall be elementary and six (6) members shall be secondary)
 - (3) organize a new member BCTF induction ceremony.
- iii. A member, or a group of members, with a concern(s) regarding early career issues, may request a meeting with the Early Career Teachers' Committee. The committee shall call and conduct any meeting(s) to address the concern(s).

c. Health and Safety Committee (H & S)

- i. The Health & Safety (H & S) Committee shall:
 - (1) be responsible for all matters relating to health and safety;
 - (2) have the chair sit on the Joint Health & Safety Committee;
 - (3) monitor compliance with the *Workers' Compensation Board (WCB) Regulations* and guidelines;
 - (4) facilitate the operation of the Schools' Health and Safety Committees; and,
 - (5) consist of a Chairperson and six (6) other members. Three (3) members shall be elementary teachers and three (3) members shall be secondary teachers.
- ii. The H & S Committee may convene a meeting of members to discuss health and safety concern(s) which pertain specifically to that group.
- iii. A member, or group of members, with a concern(s) regarding Health and Safety issue(s) may request a meeting with the Health and Safety Committee. The H & S Committee shall call and conduct any meetings to address the concern(s).

d. Political Action Committee

- i. Political Action Committee shall:
 - (1) be responsible for working with the President Grievance Officer, and Professional Issues Officer of the NDTA to implement local or BCTF initiatives designed to promote Association or Federation political action plans; and,
 - (2) consist of a Chairperson and ten (10) other members.
- ii. The Political Action Committee may convene a meeting of members to discuss Public Education or Political Action concern(s), which pertain specifically to that group.
- iii. A member, or a group of members, with a concern(s) regarding Public Education or Political Action issues, may request a meeting with the Political Action Committee. The Political Action Committee shall call and conduct any meeting(s) to address the concern(s).

e. Professional Development Committee (Pro-D)

- i. The Professional Development Committee shall:
 - (1) be responsible for the administration of the Professional Development Fund as outlined in the Professional Development Policy Handbook;
 - (2) make recommendations to the Association with regard to policies and procedures for activities;
 - (3) initiate and facilitate opportunities for the professional growth of members;
 - (4) facilitate the operations of School-based Professional Development Committees;
 - (5) plan and coordinate the NDTA District-Wide Professional Development days and other NDTA Professional Development Committee sponsored activities; and,
 - (6) Consist one Chairpersons and ten (10) other members. Five (5) members shall be elementary teachers and five (5) members shall be secondary teachers.

- ii. The Professional Development Committee may convene a meeting of members to discuss a professional development concern(s) which pertain(s) specifically to that group.
- iii. A member or a group of members with a concern(s) regarding a professional development matter may request a meeting with the Professional Development Committee. The Professional Development Committee Chairperson shall call and conduct any meeting(s) that may be required to address the concern(s).

f. Social Justice Committee

- i. The Social Justice Committee shall:
 - (1) be the umbrella committee responsible for matters pertaining to Social Justice;
 - (2) work towards elimination of discrimination based on gender, gender identity, sexual orientation, race, ethnicity, socio economic status and/or perceived gender, gender identity, sexual orientation, race, ethnicity, socio economic status;
 - (3) be responsible to apply for and oversee the use of BCTF Grants; and shall be responsible to write and submit a final report to the BCTF;
 - (4) consist of the Chairperson and up to ten (10) other members. Representation should be from both the elementary and secondary level; and,
 - (5) be open to those with other concerns around Social Justice issues and who wish to address those concerns through the Social Justice Committee structure.
- ii. From time to time, a sub-committee(s) may be established to address issues such as Lesbian, Gay, Bisexual, Transgendered, and Questioning Rights, Status of Women, and Programs Against Racism.
- vii. The Social Justice Committee may convene a sub-committee meeting of members to discuss a concern(s) which pertain(s) specifically to that group.
- vi. A member or a group of members with a concern(s) regarding a Social Justice Committee matter(s) may request a meeting with the Committee. The Social Justice Committee Chairperson shall call and conduct any meeting(s) required to address the concern(s).

g. Social Committee

- i. The Social Committee shall:
 - (1) be responsible for;
 - (a) providing opportunities for members to meet in social situations,
 - (b) organizing social functions of the Association;
 - (c) organizing a function in recognition of retiring members, and
 - (d) providing refreshments at Staff Rep, Executive Committee and all General meetings.
 - (2) consist of a Chairperson and four (4) other members.

h. Teachers Teaching on Call Committee (TTOC)

- i. The Teachers Teaching on Call Committee (TTOC) shall:
 - (1) be responsible for matters pertaining to the working conditions of Teachers Teaching on Call; and,
 - (2) consist of a Chairperson and twelve (12) other members.
- iii. The TTOC Committee may convene a meeting of members to discuss TTOC concern(s) which pertain specifically to that group.
- iv. A member, or a group of members, with a concern(s) regarding TTOC issues, may request a meeting with the TTOC Committee. The TTOC Committee shall call and conduct any meeting(s) to address the concern(s).

i. Teachers of French as a First and/or Working Language Committee (TFFWL)

- i. The Teachers of French as a First and/or Working Language Committee (TFFWL) shall:

- (1) be responsible for matters pertaining to the working conditions of Teachers of French as a First and/or Working Language; and,
 - (2) consist of a Chairperson and ten (10) other members. Representation should be from both the elementary and secondary level.
- ii. The TFFWL Committee may convene a meeting of members to discuss TFFWL concern(s) which pertain specifically to that group.
 - iii. A member, or a group of members, with a concern(s) regarding TFFWL issues, may request a meeting with the TFFWL Committee. The TFFWL Committee shall call and conduct any meeting(s) to address the concern(s)

12. OTHER COMMITTEES

a. Personnel/Grievance Committee

- i. The Personnel/Grievance Committee shall:
 - (1) be responsible for reviewing all grievances and interpretations of the Collective Agreement;
 - (2) represent the Association on personnel matters; and,
 - (3) consist of the President, the Grievance Officer, the Professional Issues Officer and up to two members appointed by the Bargaining Committee.
- ii. The Committee advises the President on the conduct of grievances and makes recommendations to the Executive Committee regarding referral of grievances to arbitration.
- iii. The Personnel/Grievance Committee may convene a meeting of members to discuss a personnel matter(s) which pertain(s) specifically to that group.
- iv. A member or a group of members with a concern(s) regarding a personnel matter may request a meeting with the Personnel/Grievance Committee. The Personnel/Grievance Committee Chairperson shall call and conduct any meeting(s) that may be required to address the concern(s).

- v. Any contractual committees or sub-committees established pursuant to the Collective Agreement that address personnel issues shall have representation from this committee.

- b. Finance Committee**
 - i. The Finance Committee shall:
 - (1) Review and make recommendations on the budget of the association
 - (2) Review and make recommendations on the fee set by the association

- a. Trustee Teacher Liaison (TTLC) Committee**
 - i. The Trustee Teacher Liaison Committee shall:
 - (1) Meet with Trustees to communicate and inform them about teacher issues
 - (2) Consist of at least two members

13. AD HOC COMMITTEES

From time to time, the Executive Committee may find it necessary to establish a committee to deal with an emergent issue. The makeup and mandate of that Committee shall be established by the Executive Committee at the time the Committee is established.

14. MEETINGS

- a. At least two General Meetings shall be held during the school year – one (1) prior to the Winter Break and one (1) following.
 - i. One meeting shall be held in September for the approval of the budget and the Professional Development schedule of fund allotments.

 - ii. One meeting shall be held in January to elect Delegates and Alternate Delegates to the B.C.T.F. Annual General Meeting and to discuss AGM resolutions. At this meeting, candidates shall be given the opportunity to address the membership for a period of time not to exceed three minutes.

 - iii. Prior to the opening of negotiations, a General Meeting shall be held for the purposes of direction as provided for in Section 14.f.ii.

- b. Staff Representative Meetings may be held as prescribed in Section 15.
- c. Meetings shall be limited to ninety (90) minutes. Agenda items that can be dealt with quickly shall be placed near the beginning of the meeting. Agenda items likely to generate lengthy debate shall be placed nearer the end of the agenda.
- d. The Annual General Meeting shall be held in the month of May. At the Annual General Meeting the membership shall:
 - i. receive Standing Committee reports;
 - ii. elect members to the Executive and Standing Committees in accordance with Section 7 and Section 8;
 - iii. review the draft budget for the following school year;
 - iv. determine the Association annual fee for the following school year;
 - v. appoint an auditor; and,
 - vi. elect Chairpersons for General Meetings.
- e. A Special General Meeting shall be held upon the decision of the President of the Association or the Executive Committee or through the Executive Committee upon written request of not less than ten percent of the membership. A Special General Meeting shall be held for a special purpose which shall be stated in the notice for the meeting.
- f.
 - i. For General Meetings held during the time school is in session (during the school term) notices shall be posted in all schools or work sites. At least one school day shall elapse following the day notices are delivered to schools and before the day of the General Meeting.
 - ii. During a job action or in an emergent situation the provision of notice and posting may be waived and a Special General Meeting called upon the decision of the President or of the Executive Committee provided that;
 - (1) there has been communication to the membership advising them of the meeting and the purpose, or
 - (2) a message has been communicated to Staff Representatives for posting in the schools/work sites.

- g. The President shall prepare, in advance, a written order of business and agenda for General Meetings and Representative Assemblies. The agenda shall be distributed prior to a call to order. The Chairperson shall be guided by the B.C.T.F. Standing Rules of Order.

- h. NDTA Delegates to the BCTF AGM commit to attending three meetings:
 - i. a one-hour meeting after school to divide up the readings in the Recommendations and Resolutions booklet.
 - ii. an afternoon and evening meeting with release time and dinner provided to review the Recommendations and Resolutions.
 - iii. an after-school meeting with dinner provided to debrief after the AGM.

15. STAFF REPRESENTATIVES AND REPRESENTATIVE MEETINGS

- a. It shall be the responsibility of the school NDTA Staff Representative (Staff Rep) to:
 - i. distribute to each member or post on the NDTA bulletin board, when appropriate, notices, newsletters, surveys, or other information sent to schools or worksites by the BCTF, NDTA, Executive or NDTA Staff Rep meeting;
 - ii. hold Association staff meetings at the school level as required;
 - iii. attend monthly Staff Rep meetings;
 - iv. advocate for and support school staff members from time to time in meeting with school administration;
 - v. attend Staff Rep training;
 - vi. be aware of and support the implementation of the Collective Agreement at the school level;
 - vii. provide assistance to teachers concerning grievances at the school level;
 - viii. assist the officers in processing the grievance; and,
 - ix. keep the grievor and the staff informed about developments in pursuing a grievance;
 - x. review decisions of the executive committee.

- b. The Staff Representative Assembly shall be a decision-making body in all matters of the Association except for:
 - i. amendment of the Constitution & By-Laws and Policy & Procedure Statements;
 - ii. setting of the annual fee;
 - iii. approval of the budget;
 - iv. binding of B.C.T.F. AGM delegates;

- v. determination of terms and conditions of employment; and,
- vi. election of Executive Committee members, members of Standing Committees, and AGM Delegates.

- c. Staff Representatives elected by the staff of each school or particular work unit shall constitute the Staff Representative Assembly. A staff or work unit is entitled to elect one Representative for every 15 members or fraction thereof and one alternate. Learning Services, and members who are Teachers Teaching On Call shall be considered respective work units.
- d. The Alternate Staff Representative may be delegated to assume the responsibilities of a/the Staff Representative.
- e. Staff Representatives and Alternates shall be elected by September 15.
- f. A Staff Representative Meeting shall be called no later than 3 days prior to a B.C.T.F. Representative Assembly at which time guidance may be given to Local Representatives to BCTF (LR's).
- g. A Special Staff Representative Meeting may be called by the President or the Executive Committee.
- h. All Association members are entitled to attend and to speak at Staff Representative Meetings.

16. QUORUMS

- a. A quorum of the Association's Committees shall be a majority of the members thereof.
- b. A quorum of the Staff Representative Meeting shall be the worksites represented.
- c. A quorum at a General Meeting or a Special General Meeting shall be the members present.

17. LIMITATIONS OF POWER

- a. The *Constitution & By-Laws and Policy & Procedure Statements* may be amended at a General Meeting when written notice of the amendment has been submitted at the General Meeting immediately preceding or when written notice has been published 30 days in advance of the General Meeting, as per Bylaw 14 f). Such notice may be given by mail or email to all members, by published notice at all schools/work locations, or by publication in the Association Newsletter. Amendments to the *Constitution & By-Laws and Policy & Procedure Statements* require the approval of seventy-five percent (75%) of the members present.
- b. Minor amendments to the Constitution & By-Laws and Policy & Procedure Statements that do not change the intent of the article (eg. spelling, punctuation, grammar, numbering, etc.), may also be made by the Executive Committee or Staff Rep Assembly, and do not require notice of motion.
 - i. Any objection to the minor amendment moved at an Executive Committee meeting or Staff Rep Assembly will require that notice of motion be given and the motion be moved at a general meeting.
 - ii. The next General Meeting will be informed of any such minor amendments made.
- c. Expenditures beyond the approved budget shall be exceeded only upon the authorization of a General Meeting or a staff rep meeting.

18. ASSOCIATION POLICY

Notice of motion shall be given for any policy proposals or any revisions to policy at the General Meeting immediately prior to the General Meeting at which the matter is to be dealt with, or 30 days prior to this meeting. Notice shall be circulated to work sites for posting.

19. VOTING

- a. Voting at meetings shall be by show of hand except when a motion to vote by ballot is approved.
- b. Members whose assigned teaching hours prevent attendance at General Meetings shall have the right to a proxy vote where ballot wording has been circulated in advance of the

meeting. The NDTA should be advised in writing of the name of the person to hold the right of proxy.

20. AUDIT

The Auditor's Report on the Operating Budget, Reserve Fund and Professional Development shall be made available to all members.

PART 2 Policy & Procedure Statements

Definitions of “Policies” and “Procedures”

The statements appear in two categories, “policies” and “procedures”. Policy statements are statements of objectives the NDTA wants to attain or retain, and/or beliefs expressed by the NDTA on any matter. They can deal with matters over which the NDTA does not have complete control (a government, school board or other organization is involved). Procedure statements are statements of practice adopted or regulations established by the NDTA to handle business over which it does have complete control.

All NDTA policy statements are to be consistent with the BCTF Constitution, By-Laws and Policy Statements and the NDTA Constitution and By-laws.

Ratified policy & procedure statements and revisions to policy & procedure shall be available to all NDTA members and shall be located in schools in the NDTA staff handbook and online. It is the obligation of each member to be aware of policy and to conduct themselves in accordance with such policy.

1. Association Business

A. General

PROCEDURES

- 1.A.02 Any member who has been requested by the Executive or elected to attend to local Association business at any time during the calendar year shall be able to claim all reasonable out-of-pocket expenses (unless otherwise provided for) consistent with BCTF guidelines. Examples of such legitimate expenses include travel, meals (paid at the per

diem rate) accommodation, child care, etc. Expenses are to be itemized and receipted (with the exception of meals) and may be subject to Executive review.

proposed	
ratified	AGM 89/05
revised	AGM 17/05

1.A.04 Any member who has been requested by the Executive to attend to local Association business during the regular school year and has been granted leave, shall have their TTOC costs paid for by the Association unless otherwise provided for.

proposed	
ratified	AGM 89/05
revised	AGM 17/05

1.A.06 Any member who is unemployed, on leave, retired, or teaching part-time and who has been requested by the President or Executive to attend to local Association business shall be paid a per diem at the TTOC rate.

proposed	
ratified	AGM 89/05
revised	

2. CLC/BC Federation of Labour

A. General

PROCEDURES

2.A.02 That the NDTA write a letter of endorsement for the \$10 a Day Child Care Plan.

proposed	EC 15/03
ratified	GM 17/09
revised	

3. Committees

A. General

PROCEDURES

- 3.A.01 Any member or group of members of the NDTA must have submissions to the School Board ratified by the Executive Committee, Representative Assembly or General Meeting prior to submission.

proposed
ratified AGM 89/05
revised

B. Executive Committee

PROCEDURES

- 3.B.02 That when the NDTA Executive Committee has a motion to recommend to a General Meeting or a staff rep meeting of the NDTA, an Executive mover and seconder be designated and that they speak to the motion.

proposed
ratified GM 90/11/13
revised AGM 17/05

C. Staff Committees

PROCEDURES

- 3.C.02 Administrative Officers shall not chair school staff committees.

proposed
ratified AGM 89/05
revised

D. Trustee Teacher Liaison Committee

PROCEDURES

3.D.02 Association representatives to the Teacher Trustee Liaison Committee sub-committee (RAC) should be experienced in Association affairs and the budget setting process.

proposed
ratified AGM 89/05
revised

E. Selection Committees: NDTA/CUPE Positions

PROCEDURES

3.E.02 NDTA members, in their areas of specialty, may:

- i. Have input as to questions that will be asked during a job interview.
- ii. Be asked on rare occasions to determine if a candidate has the specialized skill required for a specific job, such as sign language or a spoken language other than English.
- iii. Observe job interviews to ensure fairness.

3.E.04 And further, must not be involved in the actual decision making of who gets a union position in SD 68.

proposed GM 95/12
ratified GM 96/02
revised

F. District Committees

PROCEDURES

3.F.02 NDTA members are appointed to District Committees as follows:

- i. NDTA members submit a nomination form to the Executive Committee expressing their interest in sitting on a District Committee;

- ii. The NDTA Executive Committee shall appoint members for a two-year period from the list of nominated members to sit on District Committees;
- iii. If a District Committee position is vacated during the two-year period, then the nomination and subsequent appointment will occur at the earliest possible date after the position was vacated.

Proposed	GM 07/09
Ratified	GM 07/11
revised	

G. Standing Committees

PROCEDURES

3.G.02 That when Standing Committees positions are unfilled due to quotas for elementary and secondary representation, the meeting may amend those ratios by no more than two, and for one year only, in order to:

- iii. allow committee positions to be filled by members present at the meeting, and
- iv. prevent unnecessary elections when there are fewer nominees than total positions

3.G.04 That when Standing Committee positions have more nominees than positions available, the meeting may amend the number of positions to be increased by no more than two.

3.G.06 That constitutional amendments made under the preceding articles still require the 75% majority vote by the members present, as stated in Article 17. Limitations of Power, section a., but not 30 days advanced notice.

proposed	EC 17/12
ratified	GM 18/01
revised	

4. Education Policy

A. General

POLICIES

4.A.01 That students should have the opportunity to be educated in their own community.

Proposed EC 16/01
ratified (without dissent) GM 17/09
revised

PROCEDURES

4.A.02 That the NDTA advocate for the creation of a Curriculum Resource centre to support teachers' delivery of the provincial curriculum.

Proposed GM 15/11
Ratified GM 17/09
Revised

B. Finance

POLICIES

4.B.01 That students not be required to pay user fees in SD68 schools.

Proposed EC 16/01
ratified (without dissent) GM 17/09
revised

4.B.03 That the NDTA supports a broad based education, accessible for all students, and that fees are not charged for SD68 programs.

Proposed EC 16/06
ratified (without dissent) GM 17/09
revised

4.B.05 That the NDTA opposes any program requiring a licensing fee to deliver provincial or board approved curriculum

Proposed EC 16/06
ratified (without dissent) GM 17/09
revised

C. Professional Learning Communities

POLICIES

4.C.01 That the NDTA adopt the following position statement on PLCs:

1. NDTA Definition:

- i. PLCs are groups of school professionals participating in collaborative work and
- ii. information to evaluate the progress of students; and,
- iii. Identifying problems and working discussion
- iv. PLCs may include, but are not limited to the following components:
- v. Focussing on teaching and learning within their collaborative work;
- vi. Collecting assessment out solutions with collaborative support.

2. Beliefs:

- i. Collaboration time is a critical component of the work of a professional
- ii. PLCs are not about conformity; but rather more about support.
- iii. Collaboration time should be the job embedded within the bookends of the teachers' workday.
- iv. Collaborative groups would not be required to formally report to administration, but would periodically be invited to share their activities and findings within the staff.
- v. The activities of each collaborative group shall be determined by that group.

proposed	EC 13/12
ratified	GM 07/11
revised	

D. Working and Learning Conditions

POLICIES

4.D.01 That portables are not an appropriate working and learning environment.

proposed	EC 16/01
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ratified (without dissent) GM 17/09
revised

5. Evaluation

A. General

PROCEDURES

5.A.01 It is the Association's position that Article C.25.1.d (EVALUATION) of the 2013-2019 Collective Agreement does not mean that teachers would be evaluated more than once every five years (not withstanding other sections of the contract).

proposed
ratified AGM 89/05
revised AGM 17/05

6. General

A. General

PROCEDURES

6.A.02 Any active member of the Nanaimo District Teachers' Association may propose policy or revisions to policy.

proposed
ratified AGM 89/05
revised

6.A.04 Proposed policy or revisions to policy must be addressed to a standing committee of the NDTA or the Executive Committee.

proposed
ratified AGM 89/05
revised

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6.A.06 The Executive Committee shall forward all policy proposals and revisions to policy to the general membership.

proposed	
ratified	AGM 89/05
revised	

6.A.08 Policy proposals and revisions to policy must be ratified by the general meeting.

proposed	
ratified	AGM 89/05
revised	

6.A.10 Notice of motion shall be given for any policy proposals or any revisions to policy at the general meeting immediately prior to, or 30 days prior to, the general meeting at which said policy proposals or revisions is/are to be ratified.

proposed	
ratified	AGM 89/05
revised	AGM 17/05

64.A.12 The NDTA shall inform the BCTF and BOARD and CUPE (606) of NDTA policy and revisions thereto.

proposed	
ratified	AGM 89/05
revised	

6.A.14 NDTA policy statements and revisions shall be available online.

proposed	
ratified	AGM 89/05
revised	AGM 17/05

6.A.16 Any policy or policy proposals regarding a particular committee shall be referred to that committee for comment.

proposed	
ratified	AGM 89/05
revised	

6.A.18 All of the above also apply to new procedures and procedure revisions.

proposed	
ratified	AGM 89/05
revised	

6.A.20 That the addition of sections to the Policy and Procedures be done in a way as to align with the Members' Guide to the BCTF whenever possible, and the subsequent sections be renumbered accordingly

proposed	EC 17/06
ratified	GM 17/09
revised	

7. Grievance Process

A. General

PROCEDURES

7.A.02 Members with possible school based grievances should immediately inform the staff representative.

7.A.04 Members with possible grievances arising at the district level should immediately inform a released officer.

proposed	
ratified	
revised	AGM 17/05

7.A.06 i. On behalf of the Executive, the Grievance Officer, working with the Personnel/Grievance committee, shall have the overall responsibility for the processing of grievances.

h. The Grievance Officer shall keep the BCTF staff and the local executive informed of the state of grievances as necessary, and shall advise the BCTF in all cases where a formal grievance is filed.

i. The Grievance Officer shall advise the BCTF staff whenever it appears likely that Board action involving dismissal or long-term suspension may be contemplated.

7.A.08 The duty and composition of the Personnel/Grievance committee is outlined in the Constitution.

7.A.10 A member dissatisfied with a BCTF decision to not proceed in the member's grievance can request an appeal through the NDTA executive

proposed	
ratified	AGM 89/05
revised	AGM 17/05

8. Liaison

A. General

PROCEDURES

8.A.02 The NDTA will continue to communicate with other educational groups in the community.

proposed	
ratified	AGM 89/05
revised	

9. Newsletter

A. General

PROCEDURES

9.A.02. The NEWSLETTER shall be supportive of the goals, objectives, policies and procedures of the NDTA.

9.A.04 In its reporting, the NEWSLETTER shall present information comprehensively, accurately and fairly, and acknowledge mistakes when they occur.

9.A.06 The NEWSLETTER shall provide a forum for the exchange of members' views.

- 9.A.08 All members of the Association shall be entitled to submit articles to the NEWSLETTER.

- 9.A.10 All letters to the editor and articles shall conform to the normal restrictions imposed by any responsible publication as to brevity, clarity, legality and taste. Any submission which does not meet these standards may be edited to conform or returned to the author for revision.

- 9.A.12 If the Vice-President decides not to publish a letter or article submitted by a member, or to change it significantly, the writer shall be so notified.

- 9.A.14 Articles printed in any NDTA NEWSLETTER shall bear the name of the author.

- 9.A.16 The NDTA NEWSLETTER shall not carry paid advertising.

- 9.A.18 Prior to the distribution of the NEWSLETTER to the membership, copies shall be made available to the NDTA office.

- 9.A.20 A copy of the NDTA NEWSLETTER shall be forwarded to the BCTF.

proposed	
ratified	EX 86/01/14
revised	AGM 17/05

10. Privacy Policy For Members

A. General

PROCEDURES

- 10.A.02 The Nanaimo District Teachers' Association (NDTA) is committed to protecting the privacy and confidentiality of our its members' personal information.

- 8.A.04 The NDTA is committed to complying with the British Columbia *Personal Information Protection Act*, S.B.C. 2003, C. 63 (PIPA). This includes managing the collection, use, disclosure, storage, and ultimate disposition of our its members' personal information in ways that safeguard the privacy of our its members.

B. Definitions

PROCEDURES

10.B.02 *Personal Information* - for the purposes of this policy means information about an individual. It does not include aggregate information which cannot be associated with a specific individual, and it does not include the name, title, business address, business e-mail address, or business telephone number of an individual. Examples of personal information include home address and phone number, social insurance number, and medical information of an individual.

10.B.04 *Privacy Officer* - means the individual elected officer designated responsibility for ensuring that the NDTA complies with this policy and PIPA.

C. Personal Information Collected

PROCEDURES

10.C.02 The NDTA collects personal information to fulfill its obligations to members and in the course of providing a variety of services. The types of information collected include:

- i. your name
- ii. home address and telephone number
- iii. social insurance number
- iv. birth date
- v. gender
- vi. home email address

10.C.04 Additional information may be collected to administer the collective agreement, to fulfill the NDTA's duty of representation our obligations to you, or to provide you with specific services.

D. Purposes for Collection, Use and Disclosure

PROCEDURES

10.D.02 The NDTA collects, and uses, and discloses personal information for the purposes of fulfilling our its obligations to you as a member, as set out in NDTA including the Constitution & By-laws and Policy & Procedure Statements to provide specific services as required, and to fulfill our its role as the bargaining agent in representing members. The purposes for which NDTA collects, and uses, and discloses personal information include:

- i. to identify you;
- ii. to communicate with you;
- iii. to confirm your eligibility for services;
- iv. to comply with various professional legal and regulatory requirements;
- v. to provide services related to the Salary Indemnity Plan, legal services, grievances, Workers' Compensation Board (WorkSafeBC) advocacy, Teacher Regulation Branch advocacy, and pension plan advocacy and assistance; and
- vi. to conduct research

E. Protection of Personal Information

PROCEDURES

10.E.02 The NDTA is committed to protecting your personal information from unauthorized use or disclosure. Our Its commitment means that:

- i. We it will use your personal information only for the purposes we have it has identified;
- ii. We it will not disclose your personal information without your permission unless it is we are required or authorized by law to do so;
- iii. We it will employ appropriate security measures to ensure only authorized individuals have access to your personal information;
- iv. We it will keep your personal information only as long as is reasonably necessary required; and,

- v. When your personal information is no longer required we it will destroy your information it in using a confidential, and secure method. when your personal information is no longer required.

F. Individual access

PROCEDURES

10.F.02 Individuals have the right to request access to their personal information under the control of the NDTA. The Privacy Officer will assist them with their access requests.

10.F.04 Access requests must be submitted by completing the NDTA Access Request Form. You may request a form by sending an e-mail to the NDTA Privacy Officer at ndta@shaw.ca and returning the form by mail to NDTA, 3137 C Barons Road, Nanaimo, BC V9T 5W5 Attention Privacy Officer. In certain situations, further to privacy legislation, we the NDTA may not be able to provide access to certain personal information that we it holds about an individual. Examples of where we it may not provide access include, but are not limited to, the following situations where:

- i. where the provision may reveal personal information about another individual;
- ii. where the information is subject to solicitor-client privilege;
- iii. where the information was collected in relation to an investigation or a contravention of a federal or provincial law; or
- iv. where the provision could reasonably be expected to threaten the health or safety of an individual.

10.F.06 If access cannot be provided, the NDTA will notify the individual making the request, in writing, of the reasons for the refusal. Where access has been provided and where the information is demonstrated to be inaccurate or incomplete, the NDTA will amend the information as required.

G. Questions or Concerns Regarding NDTA's Privacy Procedures

PROCEDURES

10.G.02 An individual may direct their general questions regarding privacy at NDTA, as well as any questions or concerns regarding NDTA's compliance with this policy, by mail to the NDTA at 3137 C Barons Road Nanaimo, BC V9T 5W5, Attention Privacy Officer.

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10.G.04 The NDTA will investigate any complaints received in writing. If a complaint is found to be justified, the NDTA will take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. An individual will be informed in writing of the outcome of the investigation regarding his or her their complaint.

proposed	EX 11/06/21
ratified	GM 11/11/22
revised	

Personal Information Retention Periods

File Type	Retention Period	Notes
Member files, staffing	1 year*	*Post resignation
Grievance, non-precedential	10 years	
Grievance, precedential	10 years	Precedential materials—keep permanently. Personal information should be removed from file and securely destroyed.
Grievance, incomplete hearing (arbitration)	20 years	
Grievance, hearing	20 years	Arbitration decision—keep permanently.
Grievance, physical contact with students	35 years	
Code of ethics	10 years	
Health and Safety	10 years	
Privacy—Access Requests	1 year	
Medical Records	1 year	Medical records not associated with a case file (i.e. grievance, LTD, etc.) should not be kept for an extended period.
Rehabilitation, Return to Work	2 years*	*Current school year and one year prior
Resumes, CVs, applications	1 year	
Investigation files	10 years	
HR meeting notes	10 years	
Phone logs	5 years	
Grievance meeting notes	10 years*	*Prior to the oldest active grievance
LRB Ballot forms	1 year	Kept for one year pending potential challenge to the vote

Note: retention periods begin when file is closed, not the date of individual documents.

11. Professional Development

A. General

POLICIES

11.A.01 That the NDTA does not give up any control of Professional Development Days to administration

proposed	EC 15/03
ratified	GM 17/09
revised	

PROCEDURES

See separate booklet "Professional Development – Policies and Procedures".

12. Public Relations

A. General

PROCEDURES

12.A.02 The NDTA will continue to develop and pursue positive public relations programmes sponsored and paid for by the NDTA members. The Executive Committee and general membership shall decide whether to join with other organizations in public relations programmes.

proposed	EX 88/05/17
ratified	AGM 89/05
revised	

13. Social

A. General

PROCEDURES

13.A.02 For NDTA sponsored retirement functions, exclusive of retirees, NDTA members and one guest and NDTA employees and one guest can attend. School based administrators and one guest and CUPE members and one guest are allowed to attend. (Note: Retirees and one guest are invited guests of the Association. Retirees may invite as many guests as they desire.)

proposed
ratified AGM 88/05/24
revised

13.A.04 For the NDTA retirement dinner, an invitation shall be extended as a courtesy to the Chairperson of the Board, the President of the BCTF, the President of Nanaimo Administrators Group, the President of CUPE (606) and the Superintendent of Schools.

proposed EX 89/11/04
ratified AGM 89/05
revised

14. Teachers Teaching On Call

A. General

PROCEDURES

14.A.02 Teachers Teaching on Call shall be provided for all approved workshops.

proposed
ratified AGM 89/05
revised

15. Working and Learning Conditions

A. General

POLICY

15.A.01 That the NDTA write a letter to the board expressing opposition to the policy of prohibiting cycling between worksites for work-related purposes.

proposed

SRA 13/04

ratified

AGM 17/09

revised