

Local and Sublocal Constitutions

Standard Local Constitution— with Local Council

[Approved by Provincial Executive Council 2021 09]

Name

1. The name of this local shall be local association of The Alberta Teachers' Association (the Association or the ATA).

Boundaries

2. The area served by this local association shall include [name school division(s)].

Membership

3. (1) All active members of The Alberta Teachers' Association employed within the boundaries are members of this local.

(2) Subject to approval by the Provincial Executive Council of The Alberta Teachers' Association, associate members of The Alberta Teachers' Association who hold the highest category of membership available to them and who pay the prescribed local association fee may become members of this local association with all rights and privileges of active members.

Objects

4. (1) The objects of this local association shall be to further the objects of The Alberta Teachers' Association as set out in Section 4 of the *Teaching Profession Act* and the General Bylaws of The Alberta Teachers' Association.

(2) A common bond of association as members committed to public education within the Catholic faith may be recognized in a mission statement that may form part of the general bylaws of the local association. Such mission statements shall be

- (a) not inconsistent with the objects and General Bylaws of The Alberta Teachers' Association,
- (b) developed under direction of the local council,
- (c) approved by a general meeting and
- (d) subject to review from time to time.

Fees

5. 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).

Rules of procedure

6. 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*.

1. Officers of The Alberta Teachers' 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*.

Organization

7. The governing body of this local shall be a general meeting of its members, *[state number]* of whom shall constitute a quorum.

(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 meeting of local council.

(2) In the event that the business of the Annual General Meeting 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 meeting.

8. A general meeting of this local shall be held *[state frequency; at least once a year is the minimum]* to hear reports and deal with same, approve and set policy, and deal with such other matters as may arise.

Local council

9. There shall be constituted a local council of this local consisting of

- (a) all members of the executive committee;
- (b) school representatives, other than executive committee members, elected in September by each staff according to the following schedule:
[eg, one for each 10 teachers or major fraction thereof on the staff];
- (c) one representative elected by the combined staff of all schools that have four or fewer teachers;
- (d) a chair and one other representative of the substitute teacher group;
- (e) the chairs of standing committees if not members of the executive committee, local representatives or school representatives; and
- (f) convention representatives if not included in (a) through (e).

10. 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.

11. The duties of the local council shall be

- (a) to administer the affairs of the local association, including adoption of an audited annual financial statement and approval of an annual budget;
- (b) to elect 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 elect or appoint representatives to the district convention association, at least one of whom must be a member of the local professional development committee;

- (f) to elect representatives, where appropriate, to the ATA Summer Conference and to other events requiring local representation on an ad hoc basis;
- (g) to elect or appoint representatives to the Joint Health and Safety Committee;
- (h) to act upon matters referred to it by an Annual General Meeting as outlined in clauses 7(1) and (2); and
- (i) to deal with other matters not inconsistent with this constitution or the General Bylaws of The Alberta Teachers' Association.

12. The local council shall meet [*state frequency of meetings*].

13. A majority vote of those present shall govern the decisions of the local council unless rules and regulations otherwise decree.

14. [*state a number or a percentage*] of the local council members are required to constitute a quorum.

Executive committee

15. The executive committee of this local shall consist of the president, vice-president, past president, secretary-treasurer (or secretary and treasurer), and communications officer; the communications officer shall be appointed but shall have no voting privileges.

16. 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 Alberta Teachers' 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 moneys are used to further the objects of the Association as set out in the *Teaching Profession Act*;
- (e) to ensure that there is liaison between the local and all employing boards within the local; and
- (f) when time is of the essence, to assume the functions of the local council.

17. The executive committee shall meet [*state frequency of meetings*] or as often as local business requires.

Notice of meetings

18. Notices of intent to hold a general meeting shall be provided to an authorized representative at each school or work site and the district representative(s) by the secretary at least [*state a number of days; 14 days is the minimum*] before such meeting is to be held, and such notices shall include an outline or agenda of business to be discussed at the meeting, 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.

18.1 Notices of intent to hold a special, local council or executive committee meeting shall be provided to an authorized representative at each school or work site and the district representative(s) by the secretary at least
..... [*state a number of days; seven days is the minimum*] before such meeting is to be held, and such notices shall include an outline or agenda of business to be discussed at the meeting,

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.

19. Meetings of this local association or of any bargaining unit(s) within the local shall be called by the president, or on the request of the executive committee or the local council, or on the written request of 10 members of the local, or at the request of the chair of the teacher welfare committee, or at the request of an ATA officer or of the district representative of whose district this local association forms a part.

20. A record shall be kept of all those attending general, special, local council and executive committee meetings of this local.

Duties of officers

21. (1) An ATA officer shall not vote. A district representative shall not vote except at a general meeting of a local of which the representative is a member.

(2) 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, special, local council and executive committee meetings of this local association;
- (c) to exercise general supervision over the affairs of this local association; and
- (d) to serve as a local representative to representative assemblies.

(3) 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 and
- (b) to assist the president in the discharge of duties.

(4) Secretary-treasurer—The duties of the secretary-treasurer shall be

- (a) to keep accurate records of all proceedings of this local association;
- (b) to prepare, at the direction of the executive committee, an annual budget for the local;
- (c) to keep accurate records of all moneys received and collected and to take charge of same;
- (d) to prepare an annual financial statement for audit purposes;
- (e) to bring before the executive committee of this local association all communications received by the local;
- (f) to make the necessary disbursements of the funds of this local association as authorized by the executive committee or local council;
- (g) to prepare and send to the head office of The Alberta Teachers' Association such statements and reports as may be required from time to time; and
- (h) to prepare and send notices calling all meetings, whether regular, special, local council or executive committee.

(5) Local representatives—The duties of each local representative of this local association shall be

- (a) to represent this local association at all representative assemblies of The Alberta Teachers' Association;
- (b) to report the proceedings of all representative assemblies to the local council and to such other gatherings as may be decided;
- (c) to attend meetings of the local council of this local association; and
- (d) to attend general meetings of this local association.

(6) School representatives—The duties of the school representatives shall include reporting on the activities of the local council to their respective staffs and such other duties as are requested by the local council or The Alberta Teachers' Association.

(7) Communications officer—It shall be the responsibility of this officer to carry out a communications program with the members in the local and between the local and its various publics. All actions of this officer shall be subject to prior approval by the executive of the local involved.

Committees

22. (1) Teacher welfare committee—There shall be a teacher welfare committee for each employing jurisdiction in the local. Each 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.

(2) Negotiating subcommittee—The negotiating subcommittee shall be chosen from and by the teacher welfare committee. It shall be the duty of this subcommittee to engage in collective bargaining with the board of trustees as per the teacher welfare committee frame of reference.

(3) Local communications committee—The duty of this committee shall be to render all assistance required by the communications officer to facilitate both internal and external communications.

(4) Professional development committee—The duty of this committee shall be to assume general responsibility for all professional development activities undertaken by this local association.

(5) Audit committee—The duty of this committee shall be to present an audited annual financial statement to a meeting of local council within three months of the end of the local's fiscal year. *[This committee may be replaced by an independent auditor employed by the local.]*

(6) *[Add duties for other committees that the local may elect from time to time.]*

23. Convention association representatives—The duties of the convention association representatives shall be

- (a) to ensure that the local receives the annual budget and the audited financial statement of the convention association;
- (b) to represent the local on the convention board;
- (c) to liaise with the local professional development committee; and
- (d) to serve as the communication link between the local and the convention association.

Elections

24. (1) The president, vice-president, secretary-treasurer (or secretary and treasurer), local communications committee members and professional development committee members shall be elected annually (or biennially) by a vote of the members of this local.

(2) Each bargaining unit within the local shall elect a teacher welfare committee.

(3) All persons elected under subsection (1) shall assume office on *[state date]* following their election.

(3.1) All persons elected under subsection (2) shall assume office on *[state date]* following their election or as otherwise specified in the teacher welfare committee frame of reference.

(3.2) Convention association representatives shall be elected (or appointed) in the number prescribed by the convention association to assume duties not later than April 1 of each year.

(3.3) ARA local representatives shall be selected as follows:

.1 by virtue of office, as specified in the local constitution, or

.2 as selected by council, first from

(a) executive, then

(b) council, then

(c) others who let their name stand.

(4) A vacancy on the executive committee occurring between annual or biennial elections shall be filled by election of a member of this local association by the remaining members of the executive committee.

(5) Should one or more of the local representatives be unable to fulfill the term of office, replacements shall be elected by the local council.

Substitute teachers' group

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

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

(3) An appropriate budget for the group shall be established.

(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, a secretary-treasurer and two members at large 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 an annual report of its activities and of the disbursement of its funds.

Provincial Association intervention

26. (1) In this section,

(a) *investigated local officer* means a local officer whose conduct is under investigation pursuant to subsection (2);

(b) *investigator* is the individual appointed by the table officers pursuant to subsection (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 35;

(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

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

- (a) has neglected their duties to the extent that the proper operation of the local association is being negatively affected,
- (b) is mentally incapacitated,
- (c) is engaging in corrupt practices,
- (d) is engaging in financial malpractice or
- (e) has undertaken activities inconsistent with the principles and policies of The Alberta Teachers' Association,

the table officers may initiate an investigation into the conduct of the local officer by appointing an individual to conduct an investigation and to provide a written report to the table officers within a specified time with respect to the results of the investigation.

(3) In the course of the intervention under Section 26, an investigated local officer is entitled to have access to an executive staff officer for advice.

(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.

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

(6) The investigated local officer may appeal a suspension from office under subsection (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.

(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.

(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.

(9) An investigated local officer may, in the course of the investigation, submit a resignation to the executive secretary.

(10) Where an investigated local officer resigns in accordance with subsection (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.

(11) The investigated local officer has a duty to cooperate during the investigation, and the investigator may direct the investigated local officer or any other member of The Alberta Teachers' Association to

- (a) answer any inquiries the investigator may have relating to the investigation;
- (b) produce any records or other property in the investigated local officer's possession or under their control that are or may be related in any way to the investigation;
- (c) give up possession of any record for the purpose of allowing the investigator to make a copy and return the records within a reasonable time of receiving the records; and
- (d) attend before the investigator for the purpose of complying with (a), (b) or (c) of this subsection.

(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.

(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.

(14) The table officers, upon consideration of the report of the investigator, may make one or more of the following orders:

- (a) remove the investigated local officer from office;
- (b) restrict the investigated local officer's eligibility for office in the future; and/or
- (c) if the investigated local officer was suspended during the investigation, reinstate the investigated local officer to office and impose any conditions or restrictions that the table officers consider appropriate in the circumstances;

and shall advise the investigated local officer and Provincial Executive Council of their decision.

(15) 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) The investigated local officer may appeal the decision of the table officers under subsection (14) by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.

(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.

(18) In an appeal under subsection (7) or (17), the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.

Official trustee

(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 Section 11 or
- (b) when the Provincial Executive Council considers it in the interests of the Association to do so.

(20) The local may appeal the appointment of an official trustee to a representative assembly.

(21) An official trustee appointed under subsection (19) has the powers and duties conferred by the General Bylaws on a local and conferred by this constitution.

(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.

(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.

Governance emergency

27. 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.

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

(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;

(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;

(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;

(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;

(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

(6) that, without restricting the general application of subsection (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.

General

29. The financial year of this local shall be July 1 to June 30.

30. (1) This local association shall reimburse members acting on its behalf for all necessary out-of-pocket expenses.

(2) This local association shall pay all expenses as determined and authorized by the local council.

31. 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.

32. Effective 2021 09 30 and notwithstanding any other provision in this constitution or in related policies or frames of reference,

(1) the local shall not enter into or renew any contract of employment, collective agreement or contract for the provision of personal services without submitting the proposed terms of the contract or agreement to the executive secretary of The Alberta Teachers' Association or an Association official designated by the executive secretary for review and approval prior to its execution;

(2) the executive secretary or other signing officer of The Alberta Teachers' Association shall be a required signatory to any contract of employment or contract for the provision of personal services entered into by the local; and

(3) the most recent, fully executed copy of contract of employment or contract for the provision of personal services and/or related collective agreement shall be filed with The Alberta Teachers' Association and shall be deemed to be the authoritative copy of the contract or collective agreement.

Standard Local Constitution— Without Local Council

[Approved by Provincial Executive Council 2020 05]

Name

1. The name of this local shall be
local association of The Alberta Teachers' Association (the Association or the ATA).

Boundaries

2. The area served by this local association shall include
..... *[name school division(s)]*.

Membership

3. (1) All active members of The Alberta Teachers' Association employed within the boundaries listed in Section 2 are members of this local.

(2) Subject to approval by the Provincial Executive Council of The Alberta Teachers' Association, associate members of The Alberta Teachers' Association who hold the highest category of membership available to them and who pay the prescribed local association fee may become members of this local association with all rights and privileges of active members.

Objects

4. (1) The objects of this local association shall be to further the objects of The Alberta Teachers' Association as set out in Section 4 of the *Teaching Profession Act* and the General Bylaws of The Alberta Teachers' Association.
- (2) A common bond of association as members committed to public education within the Catholic faith may be recognized in a mission statement that may form part of the general bylaws of the local association. Such mission statement shall be
- (a) not inconsistent with the objects and General Bylaws of The Alberta Teachers' Association,
 - (b) developed under direction of the local executive,
 - (c) approved by a general meeting and
 - (d) subject to review from time to time.

Fees

5. 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).

Rules of procedure

6. The proceedings of all meetings—general, special and executive committee—shall be regulated by the official rules of order and procedure as published in the *Members' Handbook*.
- (1) Officers of The Alberta Teachers' 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*.

Organization

7. The governing body of this local shall be a general meeting of its members, [*state number*] of whom shall constitute a quorum.
- (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 meeting of the executive committee.
- (2) In the event that the business of the Annual General Meeting is referred to an executive committee meeting, that executive committee meeting shall have the authority to deal with such business as though it were a general meeting.
8. A general meeting of this local shall be held..
[*state frequency; at least once a year is the minimum*] to hear/deal with reports, including an annual audited financial statement and an annual budget; to approve and set policy; and to deal with such other matters as may arise.

Executive committee

9. The executive committee of this local shall consist of the president, vice-president, past president, secretary-treasurer (or secretary and treasurer), and such others as may be decided by a

general meeting, as well as a communications officer; the communications officer shall be appointed but shall have no voting privileges.

10. [*state number; eg, over one-half*]
members of the executive committee shall constitute a quorum.

11. The duties of the executive committee shall be

- (a) to act as the administrative body of the local;
- (b) to prepare the agenda of business for all meetings;
- (c) to prepare and transmit to the head office of The Alberta Teachers' 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 moneys are used to further the objects of the Association as set out in the *Teaching Profession Act*;
- (e) to ensure that there is liaison between the local and all employing boards within the local;
- (f) to elect or appoint the local representatives to the district convention association, ensuring at least one of the representatives is a member of the local professional development committee;
- (g) to elect or appoint representatives to the Joint Health and Safety Committee;
- (h) to act upon matters referred to it by an Annual General Meeting as outlined in clauses 7(1) and (2); and
- (i) to deal with other matters not inconsistent with this constitution or the General Bylaws of The Alberta Teachers' Association.

12. The executive committee shall meet [*state frequency of meetings*] or as often as local business requires.

Notice of meetings

13. Notices of intent to hold a general meeting shall be provided to an authorized representative at each school or work site and the district representative(s) by the secretary at least [*state a number of days; 14 days is the minimum*] before such meeting is to be held, and such notices shall include an outline or agenda of business to be discussed at the meeting, 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.

13.1 Notices of intent to hold a special or executive committee meeting shall be provided to an authorized representative at each school or work site and the district representative(s) by the secretary at least [*state a number of days; seven days is the minimum*] before such meeting is to be held, and such notices shall include an outline or agenda of business to be discussed at the meeting, 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.

14. Meetings of this local association or of any bargaining unit(s) within the local shall be called by the president or on the request of the executive committee or on the written request of 10 members of the local or at the request of the chair of the teacher welfare committee or at the request of an ATA officer or of the district representative of whose district this local association forms a part.

15. A record shall be kept of all those attending general, special and executive committee meetings of this local.

Duties of officers

16. (1) An ATA officer shall not vote. A district representative shall not vote except at a general meeting of a local of which the representative is a member.

(2) 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, special and executive committee meetings of this local association;
- (c) to exercise general supervision over the affairs of this local association; and
- (d) to serve as a local representative to representative assemblies.

(3) 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 and
- (b) to assist the president in the discharge of duties.

(4) Secretary-treasurer—The duties of the secretary-treasurer shall be

- (a) to keep accurate records of all proceedings of this local association;
- (b) to prepare, at the direction of the executive committee, an annual budget for the local;
- (c) to keep accurate records of all moneys received and collected and to take charge of same;
- (d) to prepare an annual financial statement for audit purposes;
- (e) to bring before the executive committee of this local association all communications received by the local;
- (f) to make the necessary disbursements of the funds of this local association as authorized by the executive committee;
- (g) to prepare and send to the head office of The Alberta Teachers' Association such statements and reports as may be required from time to time; and
- (h) to prepare and send notices calling all meetings, whether regular, special or executive.

(5) Local representatives—The duties of each local representative of this local association shall be

- (a) to represent this local association at all representative assemblies of The Alberta Teachers' Association;
- (b) to report the proceedings of all representative assemblies to the executive committee and to such other gatherings as may be decided; and
- (c) to attend meetings of this local association.

(6) Communications officer—It shall be the responsibility of this officer to carry out a communications program with the teachers in the local and between the local and its various publics. All actions of this officer shall be subject to prior approval by the executive of the local involved.

(7) School representatives—The duties of each school representative shall include two-way communication with the executive committee and the school staff and such other duties as requested of them by the local executive and The Alberta Teachers' Association.

Committees

17. (1) Teacher welfare committee—There shall be a teacher welfare committee for each employing jurisdiction in the local. Each teacher welfare committee shall operate under a frame of reference approved by the local executive committee 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.

(2) Negotiating subcommittee—The negotiating subcommittee shall be chosen from and by the teacher welfare committee. It shall be the duty of this subcommittee to engage in collective bargaining with the board of trustees as per the teacher welfare committee frame of reference.

(3) Local communications committee—The duty of this committee shall be to render all assistance required by the communications officer to facilitate both internal and external communications.

(4) Professional development committee—The duty of this committee shall be to assume general responsibility for all professional development activities undertaken by this local association.

(5) Audit committee—The duty of this committee shall be to examine the annual financial statement and report to the Annual General Meeting on the receipts and disbursements of the funds of this local association at least once per year. *[This committee may be replaced by an independent auditor employed by the local.]*

(6) *[Add duties for other committees that the local may elect from time to time.]*

18. Convention association representatives—The duties of the local convention association representatives shall be

- (a) to ensure the local receives the annual budget and the audited statement of the convention association;
- (b) to represent the local on the convention board;
- (c) to liaise with the local professional development committee; and
- (d) to serve as the communication link between the local and the convention association.

Elections

19. (1) The president, vice-president, secretary-treasurer (or secretary and treasurer), local communications committee members and professional development committee members shall be elected annually (or biennially) by a vote of the members of this local association.

(2) Each bargaining unit within the local shall elect a teacher welfare committee.

(3) All persons elected under subsection (1) shall assume office on *[state date]* following their election.

(3.1) All persons elected under subsection (2) shall assume office on *[state date]* following their election or as otherwise specified in the teacher welfare committee frame of reference.

(3.2) Convention association representatives shall be elected (or appointed) in the number prescribed by the convention association to assume duties not later than April 1 of each year.

(3.3) ARA local representatives shall be selected as follows:

- .1 by virtue of office, as specified in the local constitution, or
- .2 as selected by council, first from
 - (a) executive, then
 - (b) council, then
 - (c) others who let their name stand.

(4) A vacancy on the executive committee occurring between annual or biennial elections shall be filled by election of a member of this local association by the remaining members of the executive committee.

(5) Should one or more of the local representatives be unable to fulfill the term of office, replacements shall be elected by the executive committee.

(6) School representatives shall be selected by a meeting of all ATA members on a school or work site staff in the number deemed necessary by said staff members.

Substitute teachers' group

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

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

(3) An appropriate budget for the group shall be established.

(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, a secretary-treasurer and two members at large 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 an annual report of its activities and of the disbursement of its funds.

Provincial Association intervention

21. (1) In this section,

(a) *investigated local officer* means a local officer whose conduct is under investigation pursuant to subsection (2);

(b) *investigator* is the individual appointed by the table officers pursuant to subsection (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 35;

(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

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

(a) has neglected their duties to the extent that the proper operation of the local association is being negatively affected,

(b) is mentally incapacitated,

(c) is engaging in corrupt practices,

- (d) is engaging in financial malpractice or
- (e) has undertaken activities inconsistent with the principles and policies of The Alberta Teachers' Association,

the table officers may initiate an investigation into the conduct of the local officer by appointing an individual to conduct an investigation and to provide a written report to the table officers within a specified time with respect to the results of the investigation.

(3) In the course of the investigation under Section 24, an investigated local officer is entitled to have access to an executive staff officer for advice.

(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.

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

(6) The investigated local officer may appeal a suspension from office under subsection (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.

(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.

(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.

(9) An investigated local officer may, in the course of the investigation, submit a resignation to the executive secretary.

(10) Where an investigated local officer resigns in accordance with subsection (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.

(11) The investigated local officer has a duty to cooperate during the investigation, and the investigator may direct the investigated local officer or any other member of The Alberta Teachers' Association to

- (a) answer any inquiries the investigator may have relating to the investigation;
- (b) produce any records or other property in the investigated local officer's possession or under their control that are or may be related in any way to the investigation;
- (c) give up possession of any record for the purpose of allowing the investigator to make a copy and return the records within a reasonable time of receiving the records; and
- (d) attend before the investigator for the purpose of complying with (a), (b) or (c) of this subsection.

(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.

(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.

(14) The table officers, upon consideration of the report of the investigator, may make one or more of the following orders:

- (a) remove the investigated local officer from office;
- (b) restrict the investigated local officer's eligibility for office in the future; and/or
- (c) if the investigated local officer was suspended during the investigation, reinstate the investigated local officer to office and impose any conditions or restrictions that the table officers consider appropriate in the circumstances;

and shall advise the investigated local officer and Provincial Executive Council of their decision.

(15) 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) The investigated local officer may appeal the decision of the table officers under subsection (14) by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.

(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.

(18) In an appeal under subsection (7) or (17), the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.

Official trustee

(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 the executive committee of a local fails to comply with the requirements of Section 11 or
- (b) when the Provincial Executive Council considers it in the interests of the Association to do so.

(20) The local may appeal the appointment of an official trustee to a representative assembly.

(21) An official trustee appointed under subsection (19) has the powers and duties conferred by the General Bylaws on a local and conferred by this constitution.

(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.

(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.

Governance emergency

22. 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.

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

(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;

(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;

(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;

(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;

(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

(6) that, without restricting the general application of subsection (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.

General

24. The financial year of this local shall be July 1 to June 30.

25. (1) This local association shall reimburse members acting on its behalf for all necessary out-of-pocket expenses.

(2) This local association shall pay all expenses as determined and authorized by the executive committee.

26. 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.

27. Effective 2021 09 30 and notwithstanding any other provision in this constitution or in related policies or frames of reference,

(1) the local shall not enter into or renew any contract of employment, collective agreement or contract for the provision of personal services without submitting the proposed terms of the contract or agreement to the executive secretary of The Alberta Teachers' Association or an Association official designated by the executive secretary for review and approval prior to its execution;

(2) the executive secretary or other signing officer of The Alberta Teachers' Association shall be a required signatory to any contract of employment or contract for the provision of personal services entered into by the local; and

(3) 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 Alberta Teachers' Association and shall be deemed to be the authoritative copy of the contract or collective agreement.

Standard Sublocal Constitution

[Approved by Provincial Executive Council 2020 05]

Name

1. The name of this sublocal association shall be sublocal association of the local association of The Alberta Teachers' Association (the Association).

Membership

2. All teachers in thelocal association within the *[describe the boundaries of the sublocal]* shall be members of this sublocal association.

Objects

3. This sublocal association shall further the aims and objects of the local association and The Alberta Teachers' Association and shall regard the promotion of professional development activities among its members as its primary function.

Fees

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

Meetings

5. (1) Regular meetings of this sublocal association shall be called not less than once each month.

(2) The regular meeting shall be called on
[state date].

(3) Each member shall be given at least two days' notice of all meetings and an outline or agenda of business to be transacted, provided, however, that any meeting may, by vote of two-thirds of the total number of members on the roster, waive notice of a meeting or any motion brought before the meeting.

(4) The number of members required to constitute a quorum at any meeting shall be one-third of the number of members on the roster, and in no case shall the number be less than six.

(5) A report on professional development activities shall be given at each meeting.

(6) A record of all members attending each meeting shall be kept.

Rules of procedure

6. The proceedings of all meetings shall be regulated by the official rules of order and procedure as published in the *Members' Handbook*.

(1) Officers of The Alberta Teachers' Association and the district representative(s) of whose geographic district this sublocal association forms a part shall be entitled to attend all meetings of the sublocal association referenced in Section 6 and any other meetings of sublocal committees, including those portions of any meetings declared to be *in camera*.

Executive committee

7. The executive committee of this sublocal shall consist of

- (a) officers—president, vice-president, past president and secretary-treasurer;
- (b) a local association representative (or representatives); and
- (c) a communications officer.

Duties of the executive committee

8. The duties of the executive committee shall be

- (a) to prepare the agenda of business for all meetings;
- (b) to have general supervision of the affairs of this sublocal association;
- (c) to authorize all expenditures of this sublocal association;
- (d) to prepare and transmit to the head office of The Alberta Teachers' Association or to the secretary-treasurer of the local association such forms and statements as may be required from time to time; and
- (e) to ensure that all Association moneys are used to further the objects of the Association as set out in the *Teaching Profession Act*.

Election of officers

9. (1) The officers of this sublocal association shall be elected annually by vote of the members of this sublocal association not later than [state date] of each year.

(2) A vacancy on the executive committee occurring between annual meetings shall be filled by election at the following regular monthly meeting.

Duties of officers

10. (1) President—The duty of the president shall be to call and preside at all meetings and to be chair of the executive committee of this sublocal association.

- (2) Vice-president—The duty of the vice-president shall be to take charge of the affairs of this sublocal association in the absence of the president.
- (3) Secretary-treasurer—The duties of the secretary-treasurer shall be
- (a) to keep accurate records of all proceedings of this sublocal association;
 - (b) to keep accurate records of all moneys received and collected and to take charge of same and of all expenditures made and to report both receipts and expenditures to the membership from time to time;
 - (c) to bring before the executive committee and all meetings of this sublocal association all official notices and communications received from The Alberta Teachers' Association or from the local association;
 - (d) to make the necessary disbursements of the funds of this sublocal association as authorized;
 - (e) to prepare and forward all reports required from time to time by the local association and The Alberta Teachers' Association; and
 - (f) to prepare and send notices calling all meetings.
- (4) Local association representative—The duty of the local association representative shall be to act as the liaison between this sublocal association and the local association.
- (5) Communications officer—The duties of the communications officer shall be those approved by the executive committee.
- (6) School representatives—The duties of the school representatives shall include attending meetings of this sublocal association.

Provincial Association intervention

11. (1) In this section,

- (a) *investigated sublocal officer* means a sublocal officer whose conduct is under investigation pursuant to subsection (2);
- (b) *investigator* is the individual appointed by the table officers pursuant to subsection (2);
- (c) *sublocal officer* means the president, vice-president, past president or secretary-treasurer of a sublocal association or any other officer appointed or elected by a sublocal 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 35;
- (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 sublocal officers

- (2) Where the table officers have or receive information that leads them to believe that a sublocal officer
- (a) has neglected their duties to the extent that the proper operation of the sublocal association is being negatively affected,
 - (b) is mentally incapacitated,
 - (c) is engaging in corrupt practices,
 - (d) is engaging in financial malpractice or

- (e) has undertaken activities inconsistent with the principles and policies of The Alberta Teachers' Association,
- the table officers may initiate an investigation into the conduct of the sublocal 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.
- (3) In the course of the intervention under Section 11, an investigated sublocal officer is entitled to have access to an executive staff officer for advice.
- (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 sublocal officer, suspend an investigated sublocal 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.
- (5) The table officers may appoint another individual to assume the duties of the investigated sublocal officer during the period of the suspension.
- (6) The investigated sublocal officer may appeal a suspension from office under subsection (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.
- (7) If an investigated sublocal officer appeals the suspension, Provincial Executive Council shall, as soon as practicable, consider representations of the table officers and the investigated sublocal officer and shall determine if the suspension should be continued pending the conclusion of the investigation or should be set aside.
- (8) During the investigation, the investigated sublocal officer shall be provided with an opportunity to provide a response to the investigator with respect to the concerns about the investigated sublocal officer's conduct.
- (9) An investigated sublocal officer may, in the course of the investigation, submit a resignation to the executive secretary.
- (10) Where an investigated sublocal officer resigns in accordance with subsection (9), the investigation shall be continued with the cooperation of the investigated sublocal officer, and the resignation does not extinguish any liability that the investigated sublocal officer may have with respect to acts that occurred during the period the office was held.
- (11) The investigated sublocal officer has a duty to cooperate during the investigation, and the investigator may direct the investigated sublocal officer or any other member of The Alberta Teachers' Association to
- (a) answer any inquiries the investigator may have relating to the investigation;
 - (b) produce any records or other property in the investigated sublocal 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.
- (12) In the event that the investigated sublocal 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.

(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 sublocal officer.

(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 sublocal officer from office;
- (b) restrict the investigated sublocal officer's eligibility for office in the future;
- (c) if the investigated sublocal officer was suspended during the investigation, reinstate the investigated sublocal officer to office and impose any conditions or restrictions that the table officers consider appropriate in the circumstances;

and shall advise the investigated sublocal officer and Provincial Executive Council of their decision.

(15) If the table officers remove the investigated sublocal officer from office, then the table officers may appoint another individual to assume the duties of the investigated sublocal officer until a new sublocal officer is elected or appointed to the position in accordance with this constitution.

(16) The investigated sublocal officer may appeal the decision of the table officers under subsection (14) by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.

(17) If an investigated sublocal 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 sublocal officer and shall determine if the decision of the table officers shall be confirmed, varied or set aside.

(18) In an appeal under subsection (7) or (17), the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.

Official trustee

(19) Subject to a two-thirds majority vote, Provincial Executive Council may appoint an official trustee to conduct the affairs of the sublocal, subject to any terms and conditions the Provincial Executive Council considers necessary,

- (a) when the executive committee of a sublocal fails to comply with the requirements of Section 8 or
- (b) when the Provincial Executive Council considers it in the interests of the Association to do so.

(20) The sublocal may appeal the appointment of an official trustee to a representative assembly.

(21) An official trustee appointed under subsection (19) has the powers and duties conferred by the General Bylaws on a sublocal and conferred by this constitution.

(22) On appointment of an official trustee to the sublocal association, the officers of the sublocal cease to hold office as officers of the sublocal.

(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.

Committees

12. This sublocal association shall have the power to appoint special committees as determined by a general meeting.

Executive committee expenses

13. This sublocal association shall reimburse executive committee members or committee members for all necessary out-of-pocket expenses incurred while on business of the sublocal association.

Amendments to the constitution

14. Amendments to this constitution may be made after a one-month notice of motion at a general meeting of this sublocal association by a two-thirds vote, subject to ratification by the executive committee of the local association and the Provincial Executive Council of The Alberta Teachers' Association.