

# **SECTION B: BYLAWS**

(Consolidated)

## **1. MEMBERSHIP**

### **a. ACTIVE MEMBERS**

#### **i. ADMISSION OF ACTIVE MEMBERS**

All persons who are active members of the Federation pursuant to its Constitution and Bylaws and are employed in the public school system of Burnaby, except those persons whose job descriptions require membership in another recognized local association of the Federation or who are employed in a position which is excluded from the bargaining unit, shall be admitted as active members of the Association. Only active members shall participate in any manner in matters related to collective bargaining.

#### **ii. CESSATION OF ACTIVE MEMBERSHIP**

Active membership in the Association shall cease when the member ceases to be an active member of the Federation pursuant to its Constitution and Bylaws, or ceases to be employed in the public school system in Burnaby, or becomes employed in a position the job description of which requires membership in another recognized local association of the Federation, or becomes employed in a position which is outside of the bargaining unit.

#### **iii. EXPULSION**

No member may be expelled from the Association as such, but all members are subject to the provisions related to expulsion from the Federation contained in the Federation Constitution, and any member expelled from the Federation shall be deemed to have been expelled from the Association.

### **b. ASSOCIATE MEMBERSHIP in the Association may be granted by the Executive Council on application and on payment of a fee according to the scale of fees then in force.**

Associate membership shall be granted only to persons not eligible for active membership in the Association. Such persons must be active or associate members of the Federation.

Associate members shall not be entitled to vote or hold office.

### **c. HONORARY ASSOCIATE MEMBERSHIP without fee may be granted by the Representative Assembly to honour distinguished service by persons who have ceased to be active members.**

Honorary Associate Members shall not be entitled to vote or hold office.

### **d. HONORARY MEMBERSHIP may be conferred by the Annual General**

Meeting or the Representative Assembly on any person not a teacher which the Association wishes to honour.

Honorary members shall not be entitled to vote or hold office.

- e. A member or associate member shall cease to be in good standing in the event that they fail to pay the annual fee or any levy assessed pursuant to these bylaws within the time fixed by resolution of the General Meeting for payment of such fees and/or levies.

## 2. **FINANCES**

- a. Each active and associate member of the Association shall pay an annual fee.
- b. The annual fee for active and associate members of the Association shall be set by the Annual General Meeting of the Association.
- c. To meet extraordinary expenses, a General Meeting of the Association may make a levy upon the membership of the Association and such levy shall be paid by each active member in the manner and on or before the date fixed by such General Meetings.
- d. The financial year shall commence on July 1 each year.
- e.
  - i. The Association shall establish a Benevolent Fund for the purpose of granting emergency loans or grants to members.
  - ii. The Benevolent Fund shall be administered at the direction of the President in consultation with the Table Officers and the treasurer.

## 3. **GENERAL MEETINGS**

- a. The ANNUAL GENERAL MEETING shall be convened in the month of May and its agenda shall include:
  - i. the election of the Executive Council of the Association;
  - ii. the election of the members of Standing Committees;
  - iii. the presentation of the Financial Statement of the Treasurer;
  - iv. the presentation of a budget for the ensuing year;
  - v. the fixing of the annual membership fee;
  - vi. the appointment of an auditor;
  - vii. the receipt of the reports of Standing Committees and members of the Executive Council;
  - viii. such other business as may be brought forward by the Representative Assembly.

- b. GENERAL MEETINGS shall be called by the President as often as it is considered necessary at the request of:
  - i. the Executive Council;
  - ii. the Representative Assembly; or
  - iii. ten per cent (10%) or more of the voting members of the Association by petition.
- c. The QUORUM at an Annual General Meeting or General Meeting shall be the greater of ten per cent (10%), or three, of the active members.
- d. When it is necessary to reschedule a General Meeting due to lack of quorum, the number of members attending the rescheduled meeting shall constitute a quorum.
- e. That General Meetings at which there is no quorum shall be rescheduled for five minutes after the original meeting.
- f. A member in good standing present at a meeting of members is entitled to one vote.
  - i. Voting is by show of hands unless one-third or more of the members present demand a ballot;
  - ii. Voting for election of officers and committee members shall be by secret ballot;
  - iii. Voting by proxy is NOT permitted.
- g. NOTICE
  - i. Notice of a General or an Annual Meeting

Notice of a General or an Annual General Meeting shall be sent to every active member at least 14 days before the meeting. The notice shall specify the place, date, and time of the meeting, as well as the business to be conducted at the meeting. If a special resolution is to be considered at the meeting, the notice must also include either:

    - A. the exact text of the proposed special resolution; or
    - B. a summary of the proposed special resolution, and instructions as to the manner in which the exact text of the proposed special resolution may be accessed on the Association's website.
  - ii. Method of Giving Notice

Notice of a General or an Annual General Meeting may be sent by any one of the following methods:

    - A. mail addressed to the member at the member's registered address or last known school address;
    - B. delivery addressed to the member at the member's registered address or last known school address;

- C. email to the email address provided by the member for the purpose of receiving such notice; or
  - D. physical delivery to the member.
- iii. Deemed Receipt
 

A notice that is:

  - A. mailed to a member by ordinary mail to the member's registered address or last known school address is deemed to be received by the member on the day (Saturdays, Sundays and holidays excepted) following the date of the mailing;
  - B. delivered to a member's registered address or last known school address is deemed to be received by the member on the date of the delivery;
  - C. emailed to a member at the email address provided by the member for the purpose of receiving notices is deemed to be received by the member on the day it was emailed.
- h. Any meetings requested under Bylaws 3.b.iii shall be called within (15) school days of the receipt of such request.
- i. **RULES OF ORDER:** Federation Standing Rules of Order shall be followed in conducting meetings of the Association. When the Chair is required to make a ruling not covered by Federation Standing Rules of Order, guidance shall be sought from Newly Revised Robert's Rules of Order.
- j. The sovereign body of the Association shall be the General Meeting at which the attendance of every active member shall be invited and at which any member may speak.

#### 4. **REPRESENTATIVE ASSEMBLY**

- a. Membership of the Representative Assembly shall be comprised of:
  - i. the Staff Representative(s) of each school. (For purposes of representation, each Adult Educators' worksite will be considered a school, as will the Teachers-on-Call Committee.);
  - ii. the members of the Executive Council.
- b. Other members of the BTA are entitled to be present at meetings of the Representative Assembly. They may speak but they may not vote.
- c. The **QUORUM** at a meeting of the Representative Assembly shall be one-third of the members of the Representative Assembly.
- d. Meetings of the Representative Assembly shall be held on a regular basis with a minimum of five per year.
- e. An emergency meeting of the Representative Assembly shall be summoned by the President if petitioned by ten per cent (10%) of the members of the

Representative Assembly.

- f. Between General Meetings, a Representative Assembly shall manage the Association's affairs in the areas of:
  - i. initiation of general policy;
  - ii. budgetary control;
  - iii. advice and direction of the Executive Council on any matter concerning the welfare of the Association;
  - iv. authorizing or prohibiting any proposal of the Executive Council for action which is contrary to or beyond the scope of Association policy;
  - v. reports, submissions and recommendations to the Annual General Meetings of the Association and Federation;
  - vi. nominations of candidates for election to the Association's Executive Council and the Executive Committee of the Federation;
  - vii. reception of full reports of all actions of the Executive Council, its appointees, and the Association's committees;
  - viii. granting Honorary Association Membership or Honorary Membership in the Association;
  - ix. election of members to fill vacancies on Standing Committees;
  - x. election of members to other committees as required; and
  - xi. such other duties and powers as may, from time to time, be assigned to it by an Association General Meeting.

## 5. **OFFICERS - EXECUTIVE COUNCIL**

- a. Only active members may hold office on the Executive Council.
- b. The Executive Council shall consist of:
  - i. President;
  - ii. First Vice-President;
  - iii. Second Vice-President;
  - iv. Secondary Representative;
  - v. Elementary Representative;
  - vi. Secretary;
  - vii. Treasurer;
  - viii. Local Representatives to the Federation who are Association members;
  - ix. Elementary Member-at-Large;

- x. Secondary Member-at-Large;
  - xi. Immediate Past President;
  - xii. District Labour Council Representative;
  - xiii. Adult Educators' Chairperson;
  - xiv. Bargaining and Working and Learning Conditions Committee Chairperson;
  - xv. BIPOC Educators' Committee Chairperson
  - xvi. Health and Safety Chairperson;
  - xvii. Indigenous Educators' Committee Chairperson;
  - xviii. Mentorship Committee Chairperson;
  - xix. Political Action/Public Relations Chairperson;
  - xx. Professional Development Chairperson;
  - xxi. Social Justice Chairperson; and
  - xxii. Teacher-on-Call and Early Career Teachers Chairperson.
- c. The President, First Vice-President, Second Vice-President, Secondary Representative, Elementary Representative, Secretary, Treasurer, Local Representatives to the Federation, Elementary Member-At-Large, Secondary Member-At-Large and District Labour Council Representative shall be elected by the Annual General Meeting and shall hold office from July 1<sup>st</sup> to June 30<sup>th</sup> in the school year following their election.
  - d. A person filling the office of President, First Vice-President, or Second Vice-President shall hold no more than two consecutive terms in office.
  - e. Local Representatives to the Federation shall be chosen in accordance with the Constitution and Bylaws of the British Columbia Teachers' Federation.
  - f. Chairpersons of the Standing Committees
    - i. Each Standing Committee, except for the Grievance Committee, shall elect a Chairperson to the Executive Committee in accordance with the following procedure:
      - A. The Standing Committee shall hold a meeting in June each school year to which it shall invite the members of the Association who, effective July 1 the next school year, will be the members of the Standing Committee (the "Next School Year's Committee Members").
      - B. At the meeting, the Next School Year's Committee Members shall elect from amongst themselves a member to be the Standing Committee's Chairperson in the next school year.
      - C. The Standing Committee shall forward, for ratification, the name of the member elected by the Next School Year's Committee

Members, to the next Executive Council Meeting, General Meeting or Representative Assembly, whichever occurs first following the election.

- ii. The Chairperson of a Standing Committee shall hold office from July 1<sup>st</sup> of the school year for which they were elected, or the date their election is ratified pursuant to Bylaw 5.f.i.C, whichever is later, until June 30<sup>th</sup> the school year for which they were elected.
- g. The quorum of the Executive Council shall be a majority of the number of people holding office in Bylaw 5.b, one of whom shall be the President, First Vice-President or Second Vice-President
- h. Meetings of the Executive Council shall be held on a regular basis with a minimum of one per month.
- i. A meeting of the Executive Council shall be called by the President if petitioned by any seven Executive Council members.
- j. The members of the Executive Council are the Association's Directors.
- k. The duties of the Executive Council shall include:
  - i. The conduct of the current business of the Association under the direction of the Representative Assembly and General Meeting.
  - ii. The preparation of agendas for Representative Assembly Meetings and General Meetings.
  - iii. The provision of advice to the Representative Assembly and General Meeting on any matter concerning the welfare of the Association.
  - iv. The management of such duties and powers as may, from time to time, be assigned to it by the Representative Assembly or General Meeting.
- l. The Executive Council shall have the power to borrow from any person or persons any sum or sums of money, and for that purpose shall be entitled to charge the assets of the Association either by way of mortgage, lien or otherwise, provided, however, that such power as aforesaid, shall not be exercised except it be assented to by at least two-thirds of the Executive Council. However, a debenture shall not be issued without the sanction of a special resolution of a General Meeting.
- m. The Executive Council shall not sanction unbudgeted expenditures in excess of:
  - i. ten per cent (10%) of any budgeted items, or
  - ii. one hundred dollars (\$100.00)whichever is greater, provided that total budget expenditure is not exceeded.
- n. An officer or director of the Association shall be deemed to have been removed from office in the event that they cease to be a member or a

member in good standing of the Association, pursuant to the provision of Bylaws 1.a.ii., 1.a.iii., or 1.e of these Bylaws.

6. **DUTIES OF OFFICERS**

a. **PRESIDENT**

The President shall:

- i. be a full-time officer of the Association.
- ii. be the presiding officer of the Association.
- iii. be a member, ex-officio, of all committees and sections appointed by the Association.
- iv. have general supervision of all matters and affairs of the Association.
- v. conduct and have charge of the correspondence of the Association.

b. **FIRST VICE-PRESIDENT**

- i. The First Vice-President shall be a full-time officer of the Association and shall have duties that include support for the tasks of the President.
- ii. The First Vice-President shall carry out the duties of the President during their absence or disability.
- iii. If the First Vice-President is required to carry out the duties of the President during their absence, the Second Vice-President shall carry out the duties of the Vice-President.
- iv. If the First Vice-President is absent, the Second Vice-President shall carry out the duties of the First Vice-President.

c. **SECOND VICE-PRESIDENT**

- i. The Second Vice-President shall be a full-time officer of the association, and shall have duties which include
  - A. support for the tasks of the President and First Vice-President;
- ii. The Second Vice-President shall carry out the duties of the First Vice-President during their absence or disability.
- iii. If the Second Vice-President is required to carry out the duties of the First Vice-President during their absence, a member of the Association's Executive Council shall carry out the duties of the Second Vice-President.
- iv. If the Second Vice-President is absent, a member of the Association's Executive Council shall carry out the duties of the Second Vice-President.

d. **PROFESSIONAL DEVELOPMENT CHAIRPERSON**



The Professional Development Chairperson shall:

- i. be a part time officer of the Association, at a minimum of 0.28 FTE release time.
- ii. coordinate and lead the work of the Professional Development Committee in accordance with BTA Policies and Procedures.
- iii. represent the BTA in meetings with the Joint Professional Development Committee in accordance with the Collective Agreement.

e. **SECRETARY**

The Secretary shall:

- i. issue or cause to be issued notice of meetings of the Association.
- ii. be the custodian of the property of the Association including the seal and archives.
- iii. keep, or cause to have prepared and kept, a record of meetings of the Executive Council, Representative Assembly and General Meetings; and
- iv. maintain or cause to be maintained the register of members.

f. **TREASURER**

The Treasurer shall:

- i. oversee the keeping of all financial records as are necessary to comply with the Societies Act;
- ii. render financial statements to the Executive Council, Representative Assembly and General Meetings when required; and
- iii. sign and execute all instruments pertaining to their responsibilities as Treasurer as authorized to do so.

7. **COMMITTEES OF THE ASSOCIATION**

a. Each committee shall be responsible for:

- i. reporting to the Executive Council or Representative Assembly of the Association before making a presentation to the school board, and as the committee otherwise deems necessary;
- ii. reporting on demand to the Executive Council or the Representative Assembly of the Association; and
- iii. preparing a report to the Association's Annual General Meeting.

b. All such reports shall be the responsibility of either the chairperson of the committee or the Association reporting member of a joint committee.

c. **Standing Committees**

- i. The Association shall establish and maintain the following Standing Committees:
  - A. Adult Educators' Committee;
  - B. Bargaining and Working and Learning Conditions Committee;
  - C. BIPOC Educators' Committee
  - D. Grievance Committee;
  - E. Health and Safety Committee;
  - F. Indigenous Educators' Committee-;
  - G. Mentorship Committee;
  - H. Political Action/Public Relations Committee;
  - I. Professional Development Committee;
  - J. Social Justice Committee; and
  - K. Teachers-on-Call Committee.
- ii. The Standing Committees shall have such duties, responsibilities, and objectives as determined from time to time by the Association in General Meeting, the Representative Assembly, or the Executive Council.
- iii. If there is a vacancy on a Standing Committee other than the BIPOC Educators' Committee:
  - A. A member may be appointed or elected to fill the vacancy in one of the following ways:
    - (1) election by the Representative Assembly;
    - (2) election by the Association in General Meeting; or
    - (3) appointment by the Executive Council when the Executive Council deems there to be insufficient time for an election, such appointment to be ratified by the Representative Assembly;
  - B. A member so appointed or elected shall serve the remainder of the term of the member they are replacing.
- iv. Adult Educators' Committee
  - A. The Adult Educators' Committee shall consist of six members of the Association elected by the Annual General Meeting, who shall hold office for two year terms commencing July 1<sup>st</sup> following their election.
  - B. Vacancies on the Adult Educators' Committee shall be filled in accordance with Bylaw 7.c.iii.

- v. Bargaining and Working and Learning Conditions Committee
  - A. The Bargaining and Working and Learning Conditions Committee shall consist of the following members of the Association:
    - (1) The President, First Vice-President, or Second-Vice President who shall be the Executive Council's representative to the Bargaining and Working and Learning Conditions Committee;
    - (2) Six members of the Association elected by the Annual General Meeting, who shall hold office commencing July 1<sup>st</sup> following their election, until June 30<sup>th</sup> in the school year in which a collective agreement is ratified;
    - (3) A representative of each of the Association's Standing Committees, elected by the respective Committee at its first meeting for a school year, who shall hold office from the date of their election until the earlier of:
      - (a) the end of their term on the Standing Committee that elected them to the Bargaining and Working and Learning Conditions Committee; or
      - (b) June 30<sup>th</sup> in the school year in which a collective agreement is ratified.
  - B. Vacancies on the Bargaining and Working and Learning Conditions Committee shall be filled in accordance with Bylaw 7.c.iii.
- vi. BIPOC Educators' Committee
  - A. The BIPOC Educators' Committee shall be open to all members who are Black, Indigenous or persons of colour, without limit as to number of members or length of term and without requiring election at an Annual General Meeting or in any other form.
  - B. Vacancies on the BIPOC Educators' Committee shall be filled in accordance with Bylaw 7.c.iii.
- vii. Grievance Committee
  - A. The Grievance Committee shall consist of the following members of the Association:
    - (1) the President;
    - (2) the First Vice-President;
    - (3) the Second Vice-President;

- (4) the Immediate Past President, if that office is filled on the Executive Council;
    - (5) six members of the Association elected by the Representative Assembly at its June meeting, who shall hold office for two year terms commencing July 1<sup>st</sup> following their election.
  - B. Vacancies on the Grievance Committee shall be filled in accordance with Bylaw 7.c.iii.
- viii. Health and Safety Committee
  - A. The Health and Safety Committee shall consist of the following members of the Association:
    - (1) the President or their nominee; and
    - (2) Seven members of the Association (three elementary, three secondary, and one member from any area) elected by the Annual General Meeting, in alternating elections of three members and four members, for two year terms commencing July 1<sup>st</sup> following their election.
  - B. Vacancies on the Health and Safety Committee shall be filled in accordance with Bylaw 7.c.iii.
- ix. Indigenous Educators' Committee
  - A. The Indigenous Educators' Committee shall consist of seven members of the Association elected by the Annual General Meeting, who shall hold office for two year terms commencing July 1<sup>st</sup> following their election.
  - B. Vacancies on the Indigenous Education Committee shall be filled in accordance with Bylaw 7.c.iii.
- x. Mentorship Committee
  - A. The Mentorship Committee shall consist of 7 members of the Association (2 elementary, 2 secondary, 3 members from any area) elected by the Annual General Meeting for three year terms commencing July 1<sup>st</sup> in the school year following their election.
  - B. Vacancies on the Mentorship Development Committee shall be filled in accordance with Bylaw 7.c.iii.
- xi. Political Action / Public Relations Committee
  - A. The Political Action / Public Relations Committee shall consist of five members of the Association elected by the Annual General Meeting, in alternating elections of three

members and two members, for two year terms commencing July 1<sup>st</sup> following their election.

- B. Vacancies on the Political Action / Public Relations Committee shall be filled in accordance with Bylaw 7.c.iii.

xii. Professional Development Committee

- A. The Professional Development Committee shall consist of twelve members of the Association (four elementary members, four secondary members, one adult educator, and three members from any area) elected by the Annual General Meeting for three year terms commencing July 1<sup>st</sup> following their election.
- B. Vacancies on the Professional Development Committee shall be filled in accordance with Bylaw 7.c.iii.

xiii. Social Justice Committee

- A. The Social Justice Committee shall consist of nine members of the Association elected by the Annual General Meeting, for two year terms commencing July 1<sup>st</sup> following their election.
- b. Vacancies on the Social Justice Committee shall be filled in accordance with Bylaw 7.c.iii.

xiv. Teachers-on-Call and Early Career Teachers Committee

- A. The Teachers-on-Call and Early Career Teachers Committee shall consist of Teachers-on-Call or Teachers within their first 5 years of teaching who hold active membership in the Association and the Federation, who are elected by the Annual General Meeting for two year terms commencing July 1<sup>st</sup> following their election.
- B. The membership of the Teachers-on Call and Early Career Teachers Committee shall be limited to a maximum of seven (7) Teachers.
- C. Vacancies on the Teachers-on-Call and Early Career Teachers Committee shall be filled in accordance with Bylaw 7.c.iii.
- D. Teachers-on-Call who take a temporary contract during their tenure shall not be required to vacate their seat.
- E. Early Career Teachers who, during their term on the committee surpass 5 years of service, shall not be required to vacate their seat.
- F. Up to two vacancies may be filled by teachers who are not Teachers-on-Call or Early Career Teachers.

8. **ASSOCIATION DELEGATES TO THE FEDERATION'S ANNUAL GENERAL MEETING** shall be elected by a General Meeting of the Association pursuant to The Societies Act of BC.
9. **THE SEAL OF THE ASSOCIATION** Shall be kept in the custody of the Secretary and shall not be affixed except by authority of a resolution of the Executive Council and in the presence of such officers as may be prescribed in and by such resolution, or (if no officers are prescribed by the resolution) in the presence of the Secretary, and one of the following Officers:
  - a. The President;
  - b. The First Vice-President; or
  - c. The Second Vice President.
10. **SPECIAL RESOLUTIONS**

In these Bylaws, the term “special resolution” has the same meaning as the definition of that term in the Societies Act, except that the voting threshold is 3/4<sup>ths</sup> of the votes cast, instead of 2/3<sup>rds</sup> of the votes cast.

This altered definition of the term “special resolution” will apply in respect of all matters which must under these Bylaws or the Societies Act be conducted by special resolution, except for the removal of a Director under the Act.
11. **AMENDMENTS TO THE CONSTITUTION AND BYLAWS**

The Constitution and Bylaws may be amended at a General or Annual General Meeting of the Association by special resolution.
12. **PROVISIONS MOVED FROM THE CONSTITUTION ON TRANSITION TO-THE SOCIETIES ACT**

The operations of the Society are to be chiefly carried on in the Municipality of Burnaby, Province of British Columbia, as a branch of the British Columbia Teachers’ Federation.