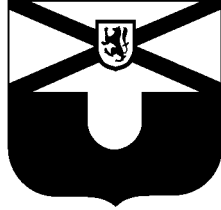


Nova Scotia Teachers Union



Northside-Victoria Local
Constitution

2011 Edition

Northside-Victoria Local Constitution

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Northside-Victoria Local Local Constitution

Article I *Name/Definition*

- [1] A Local shall be a committee of the NSTU for purposes within the area of such Local, and when acting as such shall be under the control of the Council, subject to the said Act and these By-Laws.
- [2] This committee shall be called the *Northside-Victoria Local* of the *Nova Scotia Teachers Union*, henceforth referred to as the “Local”.

Article II *Mandate*

The mandate of the *Northside-Victoria Local* shall be to advance and promote the teaching profession and the cause of education in Nova Scotia.

Article III *Membership*

- [1] A member of the *Northside-Victoria Local* shall be an active or active reserve member of the *Nova Scotia Teachers Union* in a designated public educational site within the jurisdiction of the *Cape Breton-Victoria Regional School Board* and the geographical boundaries of Cape Breton County, west of Leitches Creek, and all of Victoria County.
- [2] Every NSTU member shall belong to a Local and no member shall belong to more than one Local.
- [3] A membership registry shall be conducted on an annual basis in the month of September. Amendments to the registry are permitted monthly up to December 1 to determine Council representation and to March 1 for Local rebate purposes. This registry shall be the official record of membership and shall be used for such purposes as *Annual Council* representation and Local rebates.

Article IV

Roles and Responsibilities

- [1] Roles and Responsibilities shall be categorized as follows:
- (a) Local Executive – planning and implementation of the policies and directives of the Provincial Executive.
 - (b) Local Council – information sharing, problem solving and decision-making.
 - (c) General Membership – information gathering and information sharing.
- [2] A member shall have the right to vote on all motions at *General Local* meetings.

Article V

Local Executive

- [1] The *Northside-Victoria Local Executive* shall include the following from the active NSTU membership of the Local:
- a) *President*
 - b) *Immediate Past President*
 - c) *Vice-President – Communications (Public Relations)*
 - d) *Vice-President – Social***
 - e) *Vice-President – Economic Welfare*
 - f) *Vice-President – Professional Development*
 - g) *Vice-President – Public Affairs*
 - h) *Secretary*
 - i) *Treasurer*
 - j) *Provincial Executive Member*
 - k) *Six Members-at-Large, one from each of the following geographic areas: Sydney Mines, North Sydney, Memorial High School, Cape Breton County, Victoria North, Victoria South.*
- [2] The *Northside-Victoria Local Executive* shall meet a minimum of six (6) times per year at a location determined by the *Local President*.
- [3] The *Table Officers* shall be the *President, Secretary, Treasurer* and the *Local Vice - Presidents*.
- [4] The *Local President* and *Vice - President of Economic Welfare* shall serve as members of the *Regional Representative Council*.
- [5] All members of the *Local Executive* shall have voting privileges.
- [6] A quorum of the *Northside-Victoria Local Executive* shall be fifty percent plus one (50%+1) of *Local Executive* members.

Article VI

Local Council

- [1] The *Northside-Victoria Local Council* shall include:
 - (a) *Local Executive Members*
 - (b) *NSTU Representatives*
- [2] The *Northside-Victoria Local Council* shall meet a minimum of three (3) times per year.
- [3] A quorum of the *Northside-Victoria Local Council* shall be fifty percent plus one (50%+1) of the *Local Council* members.

Article VII

NSTU Representative

- [1] A *NSTU Representative* is an active member of the NSTU assigned to an educational site within the geographical or educational site boundaries of the Local.
- [2] All *Nova Scotia Teachers Union* members shall be counted in the formula. Each educational site shall be represented by a minimum of one NSTU representative. Educational sites with fewer than twenty-five (25) members shall be represented by one (1) NSTU representative. Educational sites with twenty-six (26) to fifty (50) members may be represented by two (2) NSTU representatives. Educational sites with more than fifty (50) members may be represented by a maximum of three (3) NSTU representatives.
- [3] Alternative representatives may be named in numbers equal to the educational site representative allocation.
- [4] A representative shall be a member of the *Local Council*.
- [5] Under exceptional circumstances, a Local General Meeting may approve additional NSTU representatives at an individual educational site.

Article VIII

Committees

- [1] The *Local Executive* shall establish ten (10) standing committees.
- *Communications*
 - *Constitution and Operational Procedures Review*
 - *Economic Welfare*
 - *Finance*
 - *New **Member** Committee*
 - *Nominating*
 - *Professional Development*
 - *Social*
 - *Public Affairs*
 - *Resolutions*
- [2] The *Local Executive* may establish the following *Standing Committees*.
- (a) *Substitute Teacher*
 - (b) *Equity*
- [3] The *Local Executive* shall appoint members to each standing committee on an annual basis.
- [4] The *Local Executive* may appoint ad hoc committees as circumstances dictate.
- [5] The *Local Executive* shall appoint members to other committees as required.
- [6] The *Local Executive* shall appoint members to assignments as requested by staff upon the direction of the *Provincial Executive*.
- [7] All *Standing Committees* of the *Local* shall be chaired by a *Local Executive* member.
- [8] The *Immediate Past President* or designate shall chair the *Resolutions Committee* and the *Nominating Committee*.
- [9] The *Local Treasurer* shall chair the *Finance Committee*.
- [10] The *Vice President, Communications* shall chair the *Communications Committee*.
- [11] The *Vice-President, Social* shall chair the *Social Committee*.
- [12] The *Vice President, Professional Development* shall chair the *Professional Development Committee*.

- [13] The *Secretary* or designate shall chair the *Constitution and Operational Procedures Review Committee*.
- [14] The *Local Executive* shall appoint additional members to the *Regional Representative Council* following the procedures outlined in the *Northside-Victoria Local Operational Procedures*.

Article IX

Meetings

- [1] *Annual General Meeting*
- (a) There shall be an *Annual General Meeting* of the *Local* held in May or June for:
 - (i) receipt of annual reports;
 - (ii) presentation of a financial statement;
 - (iii) presentation of a proposed budget for the upcoming year; and,
 - (iv) election of officers for the upcoming year.
- [2] *General Meetings*
- (a) Including the *Annual General Meeting*, general meetings shall take place at least three (3) times per year during the periods:
 - Fall
 - Winter
 - Spring
 - (b) The times and locations of these meetings shall be posted within all educational sites by the *NSTU Representative*.
 - (c) The quorum for a general meeting shall be the number of active and active reserve members equivalent to fifty percent plus one (50% +1) of the *Northside-Victoria Local Council* membership.
- [3] *Special Meetings*
- (a) In the event of an emergency or other need, a special meeting shall be called by the *Table Officers* and/or the *Provincial Executive*.
 - (b) A special general meeting to address specified issue(s) shall be called by the *Local Table Officers* upon the written request of five percent (5%) of the members of the Local. Five (5) working days notice of such a meeting shall be given to the general membership.
 - (c) A special meeting shall consider only the business specified in the notice calling such a meeting.

- [4] *Local Council Meetings*
(a) Meetings of the *Northside-Victoria Local Council* shall be called by the *Northside-Victoria Local Executive*.

Article X

Elections/Voting Privileges

- [1] Active and active reserve NSTU members of the Local have the right to vote in any Local election.
- [2] Active and active reserve NSTU members of the *Northside-Victoria Local* are eligible to serve as *Annual Council* delegates.
- [3] Active NSTU members of the *Northside-Victoria Local* are eligible to serve as *NSTU Representatives*.
- [4] The term of office for all *Northside-Victoria Local Executive* members except the *Immediate Past President* shall be two (2) years – starting August 1st and ending July 31st.
- [5] The term of office for the *Immediate Past President* shall be one (1) two (2) year term – starting August 1st and ending July 31st.
- [6] Any *Northside-Victoria Local Executive* position may be held by the same person for a maximum of two (2) consecutive terms.
- [7] Should any *Northside-Victoria Local Executive* position except *Immediate Past President* remain vacant following elections at the *Annual General Meeting*, the *Nominating Committee* shall conduct a by-election at the next *General Meeting* of the *Local*. **In the event that no one comes forward, the member currently holding the position may seek re-election.**
- [8] In the event that the *Northside-Victoria Local President* cannot fulfill duties or complete a term of office, the *Vice-President*, *Economic Welfare* shall assume the duties of the *Northside-Victoria Local President* in the interim. The *Nominating Committee* shall seek nominations for the position at the next *General Meeting* of the *Local* and conduct an election at that meeting. The term of office for this position shall be until the completion of the vacated term of office. The election for President will take place at the end of that year.
- [9] In the event that a *Northside-Victoria Local Executive* member other than the *Local President* cannot complete a term of office, the position shall be filled through a by-election administered by the *Nominating Committee*. The *Nominating Committee* shall seek nominations for the position at the next *General Meeting* of the *Local* and an

election conducted at that meeting. The term of office for this position shall be until the completion of the vacated term of office.

- [10] The term of office for *NSTU Representative* shall be one (1) year, August 1st through July 31st.
- [11] The *NSTU Representative(s)* and alternate representative(s) shall be elected by the individual educational site members no later than September 15th.
- [12] If the *NSTU Representative* or alternate representative is unable to complete the term of office, the site shall elect another representative or alternate for the duration of the vacated term of office.
- [13] Delegate selection to *Annual Council* shall be based according to the procedures outlined in the *Northside-Victoria Local's Operational Procedures*.
- [14] The *Northside-Victoria Local Executive* shall be elected by secret ballot.
- [15] The *Northside-Victoria Local President* shall be elected by all members of the *Local* following procedures outlined in the *Northside-Victoria Local's Operational Procedures*.
- [16] Active NSTU members of the *Local* are eligible to be elected as Northside-Victoria Local Executive Members following procedures outlined in the *Northside-Victoria Local's Operational Procedures*.

Article XI

Finances

- [1] The fiscal year shall be from August 1st to July 31st.
- [2] Based on NSTU Membership Fees, a *Local Rebate* shall be determined by the *Annual Council* of the *Nova Scotia Teachers Union*.
- [3] Three signing officers shall be bonded for the disbursement of *Northside-Victoria Local* funds and other banking purposes.
- [4] The signing officers shall be selected from the *Northside-Victoria Local Table Officers*.
- [5] The *Northside-Victoria Local Executive* may make expenditures up to five (5) percent of the *Local's* budget to a maximum of \$3,000.00 without prior approval of the general membership.
- [6] *Northside-Victoria Local Executive* members shall receive honoraria as determined by motion at the *Annual General Meeting*.

- [7] When *Local Council* and *Committee Members* are required to attend meetings, they shall be reimbursed at the provincial rate.
- [8] When attending *Northside-Victoria Local* meetings, *NSTU Representatives*, *NSTU Local Committee Members* and *NSTU Local Executive Members* shall be eligible to claim family care costs (taxable) in the amount approved by the *NSTU Provincial Executive*.
- [9] A minimum of ten (10) percent of the *Local's* budget shall be designated for *NSTU Representative* training.
- [10] The financial records of the Local shall be subjected to an annual review in accordance with guidelines provided by the *Finance and Property Committee* of the *NSTU*.

Article XII

Accountability

- [1] Individuals in an elected or appointed leadership role, *NSTU* employees and others acting on the organization's behalf have the obligation to avoid conflicts of interest; the perception of conflict of interest; and, ensure that their activities and interests do not conflict with their responsibilities to the *Nova Scotia Teachers Union*.
- [2] *Northside-Victoria Local Executive and Local Council* members are expected to fully attend as well as actively participate in all meetings of the *Local*.
- [3] *Northside-Victoria Local Executive* members are responsible to fairly represent *Local Executive* decisions when speaking on issues addressed by the *Local Executive*.

Article XIII

Removal from Local Executive

- [1] A member of the *Local Executive* may be removed from office for any of the following reasons:
- (a) continued gross or willful neglect of the duties of the office;
 - (b) failure or refusal to disclose necessary information on matters of organization business;
 - (c) unauthorized expenditures, signing of cheques, or misuse of organization funds;
 - (d) unwarranted attacks on a president or refusal to cooperate with the president;
 - (e) misrepresentation of the organization and its officers to outside persons; and
 - (f) conviction for a felony.
- [2] Examples of invalid grounds for removal are:
- (a) poor performance as an officer due to lack of ability;
 - (b) negligence that is not gross or willful;
 - (c) a tendency to create friction and disagreement; and

- (d) mere unsuitability to hold office.
- [3] Commencing Proceedings:
- (a) A notice of motion to remove an *Executive Member* may be moved by a member at a *Local General Meeting*. The threshold of acceptance for this vote will be fifty percent plus one (50 % + 1) of those members in attendance who vote.
 - (b) A notice of motion to remove an *Executive Member* may be conducted by the local executive. The threshold of acceptance for this vote will be fifty percent plus one (50% +1) of the *Local Executive*.
- [4] Notice of Motion
- Members of the *Local* must be given thirty (30) days notice of a *Special General Meeting* to remove a member of the *Local Executive*.
- [5] Removal Procedure:
- The affected member must be given:
- (a) adequate notice of the motion (30 days);
 - (b) a fair hearing (the opportunity to speak to the motion at the meeting called for the purpose of removal) scheduled as the single agenda item of a Special General Meeting of the Local;
 - (c) the right to consult counsel at the member's cost (during 30 day notice of motion time frame);
 - (d) a reasonable opportunity to present a defense (the opportunity to speak to the motion at the meeting called for the removal to be debated); and,
 - (e) notice that failure by the member to attend the meeting will not delay the proceedings.
- [6] The Vote:
- (a) The vote will be conducted by secret ballot at a *Special General Meeting* of the *Local*.
 - (b) Only active and active reserve members of the Local in attendance at the meeting are eligible to vote.
 - (c) The affected member may request an observer to view the counting of ballots.
 - (d) The threshold of acceptance for the vote will be fifty percent plus one (50 % + 1) of the eligible members attending the meeting who cast a ballot. Spoiled ballots will not be counted.
 - (e) The result will be binding as of the release of the vote result.

Article XIV

Rules of Order

All meetings of the *Local* shall be governed by *The Standard Code of Parliamentary Procedure, (4th Edition)* by Alice Sturgis supplemented by *Rules of Order by Robert (10th Edition)*.

Article XV

Operational Procedures

- [1] *Operational Procedures* shall be established by a *Local* to address:
- (a) the duties and responsibilities of the *Local Executive*;
 - (b) the duties and responsibilities of *Committees*;
 - (c) the duties and responsibilities of *NSTU Representatives*;
 - (d) other areas deemed necessary by the *Local Executive*.
- [2] A *Local's Operational Procedures* shall be adopted, amended, or rescinded by a majority of the votes cast by members present at a *Local Council*, a *Special Meeting* or *General Meeting* provided that written notice of motion to adopt, amend, or rescind has been sent to all *NSTU Representatives* or alternate representatives not less than ten (10) days prior to the meeting.

Article XVI

Amendments

- [1] A *Local's Constitution* may be amended by a two-thirds (2/3) majority of votes cast by the members present at a *General Meeting* or *Special Meeting* convened for that purpose.
- [2] Notice of proposed amendment(s) shall be given to members ten (10) working days prior to the meeting.
- [3] Amendments to a *Local's Constitution* require ratification by the *NSTU Provincial Executive* at a scheduled meeting following approval by the *Local's* general membership.