

Constitution of Fort McMurray Local No 48 of the Alberta Teachers' Association

1. Name

The name of this local shall be Fort McMurray Local No 48 of the Alberta Teachers' Association (the Association or the ATA).

2. Boundaries

The area served by this local association shall include the Fort McMurray Roman Catholic Separate School Division and the Fort McMurray School Division.

3. Membership

3.1 All active members of the Alberta Teachers' Association employed within the boundaries are members of this local.

3.2 Teachers on call who teach for one day with the employing parties are active members of the local.

4. Objects

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.

5. Fees

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).

6. Rules of Procedure

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*.

6.1 Officers of the Alberta Teachers' Association and the district representative(s) of whose geographic division 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*.

7. Organization

The governing body of this local shall be a general meeting of its members, 10 per cent of whom shall constitute a quorum.

- 7.1 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.
- 7.2 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.
- 7.3 A general meeting of this local shall be held at least once a year to hear reports and deal with same, approve and set policy, and deal with such other matters as may arise. This meeting shall take place after May 15. If a quorum is not present, the business of the Annual General Meeting (AGM) will be conducted at the next scheduled local council meeting.

8. Local Council

- 8.1 There shall be constituted a local council of this local consisting of
- (a) all members of the executive committee;
 - (b) school teacher representatives, other than executive committee members, chosen in September by each school staff;
 - (c) one representative appointed by the local council or the executive committee for all schools that have four or fewer teachers;
 - (d) local representatives, if not members of the executive committee;
 - (e) the chairs of standing committees, if not members of the executive committee, local representatives or staff representatives;
 - (f) two convention representatives;
 - (g) the president or designate of regional specialist councils; and
 - (h) a representative of each of the local administrators' associations.
- 8.2 Members of this local who are not members of the local council may attend council meetings, as observers, and may speak with approval of the meeting but may not vote.
- 8.3 The duties of the local council shall be

- (a) to administer the affairs of the local association;
 - (b) to appoint all committees, including two professional development committees (one per division), education, nominating and other standing or special committees (teacher welfare and negotiating subcommittees), by employees of each bargaining unit within this local;
 - (c) to develop 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 one liaison person to the Greater Edmonton Teachers' Convention Association (GETCA) and other committees as decided by the local council; and
 - (f) to deal with other matters not addressed in this constitution or the General Bylaws of the Alberta Teachers' Association.
- 8.4 The local council shall meet at least once every two months, and a minimum of eight times per school year, at a time to be determined.
- 8.5 A majority vote of those present shall govern the decisions of the local council unless rules and regulations otherwise decree.
- 8.6 Fifty per cent of local council members are required to constitute a quorum.

9. Executive Committee

- 9.1 The executive committee of this local shall consist of the president, two vice-presidents (one per division), past president, secretary, treasurer, communications officer, professional development committee chair, teacher welfare committee chairs, GETCA liaison, Diversity, Equity and Human Rights (DEHR) chair, local political engagement officer and Women in Leadership chair.
- 9.2 It shall be the duty of the executive committee
- (a) to approve 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 monies are used to further the objects of the Association as set out in the *Teaching Profession Act*;
 - (e) to assume, when time is of the essence, the functions of the local council; and
 - (f) to oversee and approve all community donations brought forth by local executive or council of school representative members.

- 9.3 The executive committee shall meet at least once per month during the school year, or as often as local business requires.

10. Notice of Meetings

- 10.1 Notice of intent to hold a general, special, local council or executive committee meeting shall be provided to an authorized representative at each school or worksite and the district representative(s) by the secretary at least seven days before such meeting is to be held, and such notices by electronic means shall include an outline or agenda of business to be discussed at the meeting, provided, however, that any special or general meeting may, by a two-thirds majority vote of the total number of members on the roster, waive notice of a meeting or of any motion brought before the meeting.
- 10.2 Meetings of this local association shall be called by the president, or on the request of the executive committee or the local council, or on the written or electronic request of 10 members of the local, or at the request of an ATA officer or the district representative of whose district this local association forms a part.
- 10.3 A record shall be kept of all those attending general, special, local council and executive committee meetings of this local.

11. Duties of Officers

- 11.1 **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;
 - (c) to exercise general supervision over the affairs of this local association; and
 - (d) to act as the spokesperson of the local.
- 11.2 **Vice-presidents**—The duties of the vice-presidents 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 fulfillment of their duties.
- 11.3 **Secretary**—The duties of the secretary shall be
- (a) to keep accurate records, including attendance, of all proceedings of this local association;
 - (b) to bring before the executive committee of this local association all communications received by the local;

- (c) 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
- (d) to prepare and send notices calling all meetings, whether regular, special, local council or executive committee.

11.4 ***Treasurer***—The duties of the treasurer shall be

- (a) to ensure accurate records are kept of all monies received and collected and to take charge of same;
- (b) to make the necessary disbursements of the funds of this local association as authorized by the executive committee or local council;
- (c) to prepare a monthly statement; and
- (d) to prepare an annual budget for the local with the approval of the executive committee.

11.5 ***Local ARA Representatives***—The duties of each local representative of this local association shall be

- (a) to represent this local association at the representative assembly of the Alberta Teachers' Association;
- (b) to report the proceedings of all representative assemblies of the Alberta Teachers' Association to the local council and to such other gatherings as may be decided;
- (c) to attend provincial budget and resolution meetings held by the local; and
- (d) to fulfill duties as identified in local policies.

11.6 ***School Teacher Representatives***—It shall be the duty of the schoolteacher representatives to

- (a) report on the activities of the local council to their respective schoolteacher staffs and such other duties as are requested by the local council or the Alberta Teachers' Association; and
- (b) to support and facilitate communication for central and local bargaining by ensuring that they report information, which is specific to local and central bargaining, to teachers on staff and further, to report teacher questions and concerns related to bargaining to local council meetings

11.7 ***Communications Officer***—It shall be the duty of this officer to expedite communications between teachers and all local projects, and between the local and external bodies.

11.8 ***Convention Representative (elected) and Liaison Person (elected by council)***—to attend convention board meetings and attend and report to local council meetings.

12. Committees

- 12.1 ***Teacher Welfare Committees***—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 subject to ratification by the Provincial Executive Council of the Alberta Teachers' Association. An amendment procedure shall be specified in the frame of reference.
- 12.2 ***Negotiating Subcommittees***—Each negotiating subcommittee shall ordinarily be chosen from and by its Teacher Welfare Committee. It shall be the duty of each subcommittee to engage in collective bargaining with the board of trustees as per the Teacher Welfare Committee frame of reference.
- 12.3 ***Local Communications Committee***—It shall be the duty of this committee to render all assistance required by the communications officer to facilitate both internal and external communications.
- 12.4 ***Professional Development Committee***—It shall be the duty of this committee to assume general responsibility for all professional development activities undertaken by this local association.
- 12.5 ***Diversity, Equity and Human Rights Committee (DEHR)***—It shall be the duty of this committee to assume general responsibility for all DEHR activities undertaken by this local association.
- 12.6 ***Induction and Retirement Committee***—This committee will be cochaired by both vice-presidents and additionally consist of the president and secretary. It shall be the duty of this committee to plan and oversee both the induction of new teachers to the Alberta Teachers' Association and the retirement ceremony of members each year.
- 12.7 ***Women in Leadership Committee***—It shall be the duty of this committee to assume general responsibility for all women in leadership activities undertaken by this local association.
- 12.8 Such other committee(s) as the local may appoint from time to time.

13. Elections

- 13.1 The officers—president, vice-presidents, secretary, treasurer, local communications officer and local political engagement officer—shall be elected every two years by a vote of the members of this local association not later than May 31.

- 13.2 If an elected member of the executive (president, vice-president public, vice-president Catholic, secretary, treasurer, political engagement officer, communications officer) vacates their position with more than six months left in the two-year term, there will be a general by-election. If there is six months or less left in the two-year term, an eligible member of this local association shall be appointed by the remaining members of the Council of Representatives (CSR) and executive committees.
- 13.3 Should one or more of the local representatives be unable to fulfill their term of office, replacements shall be made by the local council.
- 13.4 At the March local council meeting, a returning officer for local elections will be selected.
- 13.5 The returning officer shall, at the April council meeting, call for nominations for president, vice-presidents, secretary, treasurer, communications officer, local political engagement officer and two convention representatives. A minimum of 10 days must pass before the close of nominations. If a school teacher representative is absent from the meeting, the returning officer will notify the school of the call for nominations.
- 13.6 Any 10 members of the local association may nominate a candidate for office provided that, in each case, nomination forms prescribed by the returning officer are completed with an acceptance form signed by the candidate.
- 13.7 The closing date for nominations shall be at least 15 days before the day set for election.
- 13.8 Voting will be conducted via online voting, for a period of time not to exceed two consecutive school days.
- 13.9 Once the election is complete and election results are in, the returning officer will inform all candidates of the result of the vote. Afterwards, membership will receive the results of the vote as a total of how many people voted and the percentage of votes received per candidate.

14. Delegates to the Annual Representative Assembly

Delegates to the Annual Representative Assembly shall be appointed by the president, opened up first to executive members, then to school representatives, then to the general membership.

15. Human Rights Statement

- 15.1 The following Human Rights statement is required to be read aloud and/or distributed electronically and/or provided in print at the outset of all Association meetings, events, and activities.

As an organization that promotes and is committed to respecting human rights and ensuring a safe, secure, and healthy environment for all, the Alberta Teachers' Association (ATA) works to ensure that all present at or participating in ATA programs and events are protected from violence and harassment.

All ATA members are therefore expected to promote and defend the fundamental human rights of everyone engaged in ATA programs, activities or other ATA work. ATA members are expected to treat one another with fairness, respect and dignity and to uphold the highest standards of professionalism, accountability, competence and integrity as representatives of the provincial Association as well as their respective locals and subgroups.

Furthermore, ATA members are obliged to act to prevent violence and harassment wherever possible and report to the appropriate person in authority any suspected breaches of this statement that come to their attention.

- 15.2 An appropriate person at each subgroup meeting will be identified as an authority to receive complaints. Typically, this will be a district representative, staff officer or local official.
- 15.3 The Association president and the presidents of locals, specialist councils and convention associations or persons designated by the presidents, are authorized to warn, reprimand and/or remove from a meeting, event, activity or representative role any participant whom they reasonably believe to be in breach of the statement.
- 15.4 Any further investigation or measures would be undertaken in accordance with other existing policies, procedures and processes.

16. Provincial Association Intervention

16.1 In this section

- (a) *investigated local officer* means a local officer whose conduct is under investigation pursuant to subsection 16.2;
- (b) *investigator* is the individual appointed by the table officers pursuant to subsection 16.2;
- (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 37;
- (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

16.2 Where the table officers have or receive information that leads them to believe 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.

16.3 In the course of the intervention under section 16, an investigated local officer is entitled to have access to an executive staff officer for advice.

16.4 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.

- 16.5 The table officers may appoint another individual to assume the duties of the investigated local officer during the period of the suspension.
- 16.6 The investigated local officer may appeal a suspension from office under subsection 16.4 to the Provincial Executive Council by filing a notice of appeal with the executive secretary within 30 days of being notified of the suspension.
- 16.7 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.
- 16.8 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.
- 16.9 An investigated local officer may, in the course of the investigation, submit a resignation to the executive secretary.
- 16.10 Where an investigated local officer resigns in accordance with subsection 16.9, 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.
- 16.11 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.
- 16.12 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.

- 16.13 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.
- 16.14 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;
 - (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.
- 16.15 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.
- 16.16 The investigated local officer may appeal the decision of the table officers under subsection 16.14 by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.
- 16.17 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.
- 16.18 In an appeal under subsection 16.7 or 16.17, the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.

Official Trustee

- 16.19 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 subsection 8.3, or
 - (b) when the Provincial Executive Council considers it in the interests of the Association to do so.
- 16.20 The local may appeal the appointment of an official trustee to a representative assembly.

- 16.21 An official trustee appointed under subsection 16.19 has the powers and duties conferred by the General Bylaws on a local and conferred by this constitution.
- 16.22 On appointment of an official trustee to the local association, the officers of the local cease to hold office as officers of the local.
- 16.23 An official trustee continues in office until the Provincial Executive Council or a representative assembly determines that the official trusteeship is no longer necessary.

17. Governance Emergency

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.

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

- 17.1 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;
- 17.2 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;
- 17.3 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;
- 17.4 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;
- 17.5 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

- 17.6 that, without restricting the general application of subsection 17.5, 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.

18. General

- 18.1 The financial year of this local shall be July 1 to June 30.
- 18.2 This local association shall reimburse members acting on its behalf, subject to local and Provincial bylaws and Fort McMurray Local No 48's expense claim forms.
- 18.3 This local association shall pay all expenses as determined and authorized by the local council.
- 18.4 Amendments to this constitution may be made after a one-month notice of motion, and on recommendation of the executive committee, and by a two-thirds majority vote at a general meeting of this local association and subject to ratification by the Provincial Executive Council of the Alberta Teachers' Association.
- 18.5 The executive committee or council may from time to time assign additional duties to officers or committees of the local.
- 18.6 The term of office for executive members will be from July 1 to June 30.
- 18.7 Effective 2021 09 30 and notwithstanding any other provision in this constitution or in related policies or frames of reference,
- (a) 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;
 - (b) 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
 - (c) 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.

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