Nova Scotia Teachers Union

Halifax County Local Constitution

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HALIFAX COUNTY LOCAL CONSTITUTION

Preamble

NSTU Locals are committees of the NSTU and as such shall have a Constitution which is not inconsistent with the NSTU's Constitution, Policy, or Operational Procedures. NSTU By-Laws Article IV – Local Governance and NSTU Operational Procedures 10 – NSTU Locals defines Local governance structures and procedures.

Article I
Name

[1] This committee shall be called the Halifax County Local of the NSTU, hereinafter referred to as the "Local".

Article II
Mandate

[1] The mandate of the Local shall be to advance and promote the teaching profession and the cause of education in Nova Scotia.

Article III
Membership

[1] The Halifax County Local shall be comprised of Active Members of the NSTU employed by the Halifax Regional Centre for Education, within the approved geographic boundaries as set by the Provincial Executive; and

[2] Reserve Members who have selected the Local on their membership application form.

Article IV
Local Executive

Role: Planning, and implementation of the policies and directives of the Provincial Executive.

[1] The Local Executive includes the following from the Active Membership of the Local:
- (a) President
- (b) Immediate Past President
- (c) First Vice President – Economic Welfare and Resolutions
- (d) Vice-President – Communications (Public Relations, Public Affairs)
- (e) Vice-President – Professional Development
- (f) Vice-President – Nominating
- (g) Vice-President – Equity and NSTU Representatives
- (h) Vice- President – Social and Wellness
- (i) Secretary
- (j) Treasurer
- (k) One (1) Member at Large

[2] Local Executive Members are expected to fully attend as well as actively participate in all meetings of the Local.

[3] Local Executive Members are responsible to fairly represent Local Executive decisions when speaking on issues addressed by the Local Executive.

[4] The President and First Vice-President shall serve as Members of the Regional Representative Council.

[5] A Member of the Local Executive shall be designated as the New Member Contact person.

[6] A Member of the Local Executive shall be designated as the Substitute Teacher Contact person.

Article V
NSTU Representative

Role: Disseminating information and directing member requests.

[1] An 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] The number of NSTU Representatives per educational site is based on a formula outlined in the NSTU Operational Procedures.

[3] NSTU Representatives shall be elected according to election procedures outlined in NSTU Operational Procedures.

[4] The NSTU Representative shall be responsible for such duties as outlined in NSTU Operational Procedures.

Article VI
Committees

[1] The Local Executive establishes the following Standing Committees.

(a) Finance
(b) Nominating
(c) Communications (Public Relations/Public Affairs)
(d) Professional Development
(e) Economic Welfare and Resolutions
(f) Social and Wellness
(g) Equity and NSTU Representatives

[2] The Local Executive shall appoint members to each Standing Committee on an annual basis.

[3] The Local Executive may appoint *ad hoc* committees as circumstances dictate.

[4] All Standing Committees of the Local shall be chaired by a Local Executive Member.

[5] The Local Treasurer shall chair the Finance Committee.

Article VII
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 the audited financial statement;
  (iii) approval of the budget for the upcoming fiscal year; and,
  (iv) election of officers for the upcoming year, with the exception of those elected by universal suffrage.

[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 communicated by the NSTU Representative prior to September 30th in each school year.

(c) The quorum for a General Meeting shall be a majority of the sum of Local Executive Members and NSTU Representatives.

[3] Local Executive Meetings

(a) The Local Executive shall meet at least four (4) times per year at a location determined by the Local President.

(b) A quorum of the Local Executive shall be a majority of Local Executive Members.

[4] Special Meetings

(a) In the event of an emergency or other need, a Special Meeting may be called by the Local Executive.

(b) A Special Meeting to address a specified issue may be called by the Local Executive 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.

Article VIII
Annual Council Delegation

[1] Active and Reserve NSTU Members of the Local are eligible to serve as Annual Council delegates.

[2] The Local Executive shall attend Annual Council as Voting Delegates.

[3] The remaining Local Voting Delegates shall be selected through a nominations process, vetted by the Nominating Committee and approved by the Local Executive.

[4] Local Alternate Delegates shall be selected through a nominations process, vetted by the Nominating Committee and approved by the Local Executive.

[5] Local Observer, the Local may sponsor one (1) Observer to Annual Council. The Local Observer must not have attended a previous Annual Council as part of a Local Delegation. The Local Executive shall determine if the Local is to send a Local Observer

in any given year and select a Local Observer where appropriate.

[6] Where possible, the Local send at least one (1) new member to Annual Council each year.

Article IX
Elections/Voting Privileges

[1] Active and Reserve NSTU Members of the Local have the right to vote in any Local election.

[2] Active NSTU Members of the Local are eligible to be elected as Local Executive Members.

[3] Active NSTU Members of the Local are eligible to serve as NSTU Representatives.

[4] The Local President shall be elected by universal suffrage, such election to take place at least five (5) working days before the Annual General Meeting of the Local.

[5] The remainder of the Local Executive shall be elected by secret ballot at the Annual General Meeting of the Local.

[6] The term of office for all Local Executive Members shall be two (2) years starting August 1st and ending July 31st.

[7] Any Local Executive position may be held by the same person for a maximum of two (2) consecutive terms.

[8] Notwithstanding [5], [6] and [7] above, the term of office for the Immediate Past President shall be a single one (1) year term immediately following their presidency starting August 1st and ending July 31st.

[9] In the event a Local President has not been elected prior to the Annual General Meeting, the Nominating Committee shall seek nominations for the position at the Annual General Meeting and conduct an election in a timely manner following the meeting.

[10] Should any Local Executive position 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.

[11] In the event that the Local President cannot fulfill duties or complete a term of office, the First Vice-President shall assume the duties of the Local President in the interim. The Nominating Committee shall seek nominations for the position and conduct an election in a timely manner. The term of office for this position shall be until the completion of

the vacated term of office.

[12] In the event that a 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 using the same process that is used during the elections at the AGM with the exception that the election will be held at the next General Meeting following the six-week period. The term of office for this position shall be until the completion of the vacated term of office.

[13] The term of office for NSTU Representatives shall be one (1) year, August 1st through July 31st.

[14] The NSTU Representative(s) and Alternate Representative(s) shall be elected by the individual educational site members no later than the second Wednesday in September.

[15] 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.

Article X
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 NSTU.

[3] A minimum of three (3) signing officers shall be bonded for the disbursement of Local funds and other banking purposes.

[4] The signing officers shall be selected from the Local Executive.

[5] The Local Executive may make expenditures up to five percent (5%) of the Local's budget to a maximum of $3,000 without prior approval of the general membership.

[6] Local Executive members may receive honoraria as determined by motion at the Annual General Meeting.

[7] When attending Local meetings, individuals shall be reimbursed according to NSTU expense guidelines.

[8] A minimum of ten percent (10%) of the Local's budget shall be designated for NSTU Representative training.

[9] 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.

[10] The Local shall not assume any financial liability accounts (e.g. lines of credit, loans, credit cards).

[11] Local Reserves and Financial Assets

The following guidelines shall apply to Local Reserve Funds and Financial Assets of the Locals:

(a) While Locals of the NSTU are not required to have a Reserve Fund, from time to time Locals may have revenue greater than expenditures and therefore, have surplus funds that are in excess of cash flow needs that shall be transferred to a Local Reserve Fund.

(b) The monies shall be invested to maximize return while minimizing risk of loss keeping in mind the cash flow needs of the Local.

(c) The Fund may be used:

(i) when the Local incurs expenditures in the Operating Budget greater than the revenue received in a fiscal year (funds needed to balance the Budget);

(ii) when the Local incurs reasonable costs during a legal strike; or

(iii) when the Local requires additional revenue in cases of emergency.

Article XI
Reprimand, Suspension or Removal from Local Executive

Preamble

Removing a Local Executive Member is a very serious action and should never be approached lightly. Due process and current NSTU policies must always be followed.

[1] Grounds for Reprimand, Suspension or Removal

A Member of the Local Executive may be reprimanded, suspended or removed from office for reasons such as:

(a) Disruption of any meeting to the extent that business cannot be conducted in an orderly fashion.
(This is not to be considered the same as strenuous, spirited debate and such provision should never be used to stifle debate).

(b) A significant instance of harassment, or continued harassment of another Local Executive Member.
(The standard of proof, even to begin such an inquiry, should be very high).

(c) Failure to attend two (2) consecutive Local Executive meetings without valid

reasons satisfactory to the Local Executive.

(d) A significant instance, or continued, gross or willful neglect of the duties of the office.

(e) Unauthorized expenditures, signing of cheques, or misuse of organization funds.

(f) Actions that bring the organization into disrepute.

(g) Misrepresentation of the organization and its officers to outside persons.

(h) Incapacity of the Member to continue serving on the Local Executive.

(i) Failure to meet eligibility criteria to hold office.

(j) Significant and/or continued failure to adhere to current NSTU Policies and Operational Procedures.

[2] Procedures

(a) A complaint alleging that a Local Executive Member breached the aforementioned *Grounds for Reprimand, Suspension or Removal* may be made by:

(i) The Local President

(ii) A Local Executive Member

(the "Complainant")

Informal Resolution

(b) The Complainant shall, were possible, communicate promptly with the Local Executive Member complained against (the "Respondent") in order to resolve the complaint.

(c) If possible, the Local President or First Vice President may attempt to resolve the complaint informally with possible assistance from the NSTU Executive Staff Officer.

(d) Informal resolution may include, but is not limited to, an official resignation of the Respondent.

Formal Resolution

(e) If the complaint cannot be resolved through the informal intervention of the Local President or First Vice President, the Complainant shall make the complaint in writing to the Local President, or First Vice President.

(f) The Local President or First Vice President shall provide a copy of the complaint to the Respondent.

(g) The Respondent shall be provided the opportunity to respond to the complaint in writing.

(h) The Local Executive will investigate the complaint in closed session(s).

(i) If the complaint is considered to be warranted so that it may result in a reprimand, suspension or removal from the Local Executive, the Local Executive will prepare a recommendation for reprimand, suspension or removal (the "Recommendation") and will refer the Recommendation to a vote.

(j) The Recommendation shall include a clear statement of the complaint against the Respondent, the results of the investigation in the closed session(s), and the reasons for the recommendation. The Local President will provide the Recommendation to the Respondent.

[3] Special Meeting

(a) A Special Meeting to vote on the Recommendation shall be called, and must occur, within thirty (30) days of the Recommendation being provided to the Respondent.

(b) The Respondent shall be given at least ten (10) days' notice in writing of the date, time and location of the Special Meeting of the Local Executive called to consider the Recommendation.

Special Meeting Vote

(c) The Respondent shall be given full opportunity to hear the Local President present the Recommendation to the Local Executive, and to be heard by the Local Executive.

(d) A vote to reprimand, suspend or remove a Local Executive Member from the Local Executive will be conducted by secret ballot at the Local Executive Special Meeting.

(e) The threshold of acceptance for the vote will be a majority of the eligible Members attending the meeting who cast a ballot. Spoiled ballots will not be counted.

(f) If the motion passes, the Respondent will be informed at the Special Meeting whether they have been reprimanded, suspended or removed as a Local Executive Member.

(g) In the event the vote results in the removal of the Respondent, the Respondent's former position shall be filled according to Article IX.

Article XII
Rules of Order

[1] For all parliamentary situations not provided for in legislation, By-Laws and Standing Orders, the Local shall be governed by Parliamentary Procedures as set forth by the Provincial Executive.

Article XIII
Operational Procedures

[1] Operational Procedures may be established by a Local to address other duties and responsibilities of the following:

(a) the Local Executive;

(b) committees;

(c) NSTU Representatives; and

(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 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.

[3] Local Operational Procedures shall not be inconsistent with NSTU By-Laws, Standing Orders, NSTU Operational Procedures or the Local Operational Procedures model approved by the Provincial Executive.

[4] All Local Operational Procedures shall be filed with the NSTU.

Article XIV
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.