

NSTU Operational Procedures 2019 – 2020

December 2019



**Nova Scotia
Teachers Union**



NOVA SCOTIA TEACHERS UNION

CODE OF ETHICS

1. CODE OF ETHICS

This Code of Ethics is a guide to members in maintaining at all times the high integrity of their profession including professional conduct in relation to all communication whether verbal, written or via social media.

A. MEMBER AND PUPIL

- I. The member regards as confidential, and does not divulge other than through professional channels any information of a personal or domestic nature, concerning either pupils or home, obtained through the course of professional duties.
- II. The member should be just, equitable, and fair in all relationships with pupils.
- III. The member should assume responsibility for the safety and welfare of pupils, especially under conditions of emergency.
- IV. The member should avoid giving offence to the moral principles of pupils and/or their parents/guardians.
- V. The member should be as objective and respectful as possible in dealing with controversial matters.

B. MEMBER AND MEMBER

- I. The member should not make defamatory, disparaging, condescending, embarrassing, or offensive comments concerning another member.
- II. The member shall not make derogatory remarks about the professional competence of another member.
- III. The member shall not accept a position arising out of the unsettled dispute between members, and their employers.
- IV. The member shall not sexually, physically or emotionally harass another member. Sexual harassment shall mean any unsolicited and unwanted sexual comments, suggestions, or physical contact directed to a specific member which that member finds objectionable or offensive and which causes the member discomfort on the job. As defined in the *Canadian Human Rights Act* harassment is a form of discrimination. It involves any unwanted physical or verbal behaviour that offends or humiliates you. Generally, harassment is a behaviour that persists over time. Serious one-time incidents can also sometimes be considered harassment. Harassment occurs when someone:
 - a. makes unwelcome remarks or jokes about your race, religion, sex, age, disability or any other of the grounds of discrimination as defined by current language in the *Nova Scotia Human Rights Act*;
 - b. threatens or intimidates you; or,
 - c. makes unwelcome physical contact with you, such as touching, patting, pinching, or punching, which can also be considered assault.The accused member must be made aware of the nature of the objection prior to action being taken.

TABLE OF CONTENTS

SECTION I – GOVERNANCE2

1. Annual Council Procedures	2
2. Atlantic Provinces Special Education Authority (APSEA)	3
3. Committees of the NSTU – General Terms of Reference	3
4. Committees – Standing Committees of the Provincial Executive	7
A. Comité de Programmation Acadienne	7
B. Curriculum Committee	8
C. Equity Committee	9
D. Finance and Property Committee	9
E. Governance AND Policy Committee	10
F. Member Services Committee	11
G. Nominating Committee	11
H. Pension Committee	12
I. Personnel Committee	12
J. Political Action Committee	14
K. Professional Associations Coordination Committee	15
L. Professional Development Committee	16
M. Public Relations Committee	16
N. Status of Women Committee	17
O. Substitute Teacher Committee	17
P. Technology Committee (To Be Disbanded July 2020)	18
5. Committees – Statutory, Quasi-Statutory, and Contractual Committees of the NSTU	18
A. Discipline Committee	18
B. Distributed Learning Committee	20
C. Pension Appeal Committee	20
D. Professional Committee	21
E. Program Development Assistance Fund Committee	23
6. Boards, Foundations, and Trustees of the NSTU	23
A. NSTU Group Insurance Trustees	23
B. Nova Scotia Teachers' Pension Plan Trustee Incorporated Board of Directors	24
C. Sheonorail Foundation – Board of Directors (Trustees)	24
D. Teachers' Pension Board	25
7. Conflict of Interest	25
8. Election Procedures	26
A. Voting Day Scheduling	26
B. Electronic Voting Procedures for Elections/By-Elections for Regional Provincial Executive Members	26
C. Electronic Voting Procedures for Election of the NSTU President by Universal Suffrage	29
9. Expense Guidelines	33
A. General Expense Guidelines	33
B. Conference Expense Guidelines	35
10. NSTU Locals	37
11. Policy Procedures	46
12. President's Benefits	47
13. Professional Associations	47
14. Provincial Executive	50
15. Regional Representative Council	56
16. Resolutions Procedures	59
17. Staffing	61

SECTION II – CURRICULUM62

I

TABLE OF
CONTENTS

Nova Scotia
Teachers Union

Operational
Procedures
2019-2020

II

TABLE OF CONTENTS

Nova Scotia
Teachers Union

Operational
Procedures
2019-2020

SECTION III – ECONOMIC WELFARE & WORKING CONDITIONS.....	62
18. Boycotts & Financial Support.....	62
19. Dispute Resolution – Province Wide Strike Procedures	63
20. Grievance, Arbitration and Legal Protection	67
21. Negotiations	68
A. Scheduling of Negotiations	68
B. Procedures for Provincial Negotiations	68
C. Single-Tier Bargaining.....	72
D. Guidelines for Regional Negotiations	73
E. Voting Instructions – Tentative Agreements	74
22. Member Evaluation	74
SECTION IV – GOVERNMENT	77
SECTION V – PROFESSIONAL DEVELOPMENT	77
23. Awards, Fellowships and Grants.....	77
A. Educational Research Award.....	77
B. Travel Fellowship (Johnson Inc.)	77
C. NSTU Full-Time Study Grants.....	77
D. Out-of-Province Conference Grants	78
24. In-Service Education	78
25. John Huntley Memorial Internship Program	78
26. Professional Development Support Services.....	78
A. Local Support Programs	78
B. Term of Office.....	79
C. Network and Communication	79
D. Annual Leadership Skills Development Institute	79
SECTION VI – GENERAL	79
27. Awards.....	79
A. Honourary Membership Award.....	79
B. Life Membership Award	80
C. Special Award.....	80
D. Local Service Award	81
E. Public Education Advocacy Award	82
F. Retired Member Recognition Award	82
G. Lieutenant Governor's Teaching Award.....	83
28. Benevolent Fund	83
29. Computer Equipment Guidelines.....	83
30. Educational Site Facilities — Physical Plant Closing & Opening.....	84
31. Labour Liaison	85
32. Member Engagement Day.....	85
33. NSTU and Privacy — PIPEDA.....	85
34. Publications.....	86
35. Research (External) Guidelines and Procedures.....	87
36. Services to Francophone Members.....	87
37. Sexual Harassment	88
38. Technology Use at NSTU Meetings & Conferences	88
39. Web Account Mailing Lists	89
40. Webmail Procedures	89

APPENDICES

Local Constitution Model	ii
NSTU Regional Representative Council Constitution	xii
Professional Association Model Constitution.....	xx

III

TABLE OF CONTENTS

Nova Scotia
Teachers Union

Operational
Procedures
2019-2020

IV

TABLE OF CONTENTS

Nova Scotia
Teachers Union

Operational
Procedures
2019-2020

NSTU OPERATIONAL PROCEDURES

December 2019



Introduction

The NSTU Operational Procedures is the official document of the NSTU that contains the organizations operational directives for policy implementation.

NSTU Operational Procedures are characterized as flexible, detailed statements of how the organization conducts its activities.

NSTU Operational Procedures are under the jurisdiction of the Provincial Executive and require Provincial Executive approval for revision. This document contains the following notations:

Reference: the date a motion was adopted, and the date(s) of any amendment(s).

SECTION I

GOVERNANCE

1. ANNUAL COUNCIL PROCEDURES

A. COUNCIL DOCUMENTS

- I. Annual Council Resolutions shall be published in both of Canada's official languages.
- II. An electronic copy of the Council Minutes can be found on the NSTU website.
- III. An electronic copy of the Annual Council Workbook will be created to complement the paper copy, and made available to delegates. (2014-42)

B. PREPARATION FOR COUNCIL

- I. The Provincial Executive shall annually appoint an independent Chair for Annual Council following criteria outlined in Standing Orders.
- II. The Executive Director in consultation with the NSTU President shall annually appoint a Council Parliamentarian.

C. COUNCIL PROCEDURES

- I. At Annual Council the Table Officers (President, Secretary-Treasurer, two (2) Vice-Presidents, and Past President) and the Executive Director shall sit at the head table. Provincial Executive Members shall sit at the head table during the Opening Session until immediately following the singing of the National Anthem, at which time they will be excused and allowed to sit with their Locals.
- II. The Chair or designate during the opening session of Annual Council will read the statement: "We would like to acknowledge that we are meeting on unceded Mi'kmaq territory. We are all privileged to be together in Mi'kma'ki. We are all treaty people and we would like to acknowledge this relationship. Many thanks to all for being here."
- III. The National Anthem shall be sung during the Opening Session and shall recognize both of Canada's official languages.
- IV. The Secretary-Treasurer shall be responsible for presenting audited Financial Statements to Council.
- V. The Annual Council agenda will include a thirty (30) minute question and answer period for the Executive Director.
- VI. The Annual Council agenda will include a thirty (30) minute question and answer period for the NSTU President.

D. COUNCIL EXPECTATIONS

- I. Delegates to Council shall observe a standard of conduct in all activities of Council, including business and social functions that inspires the respect of colleagues and reflects positively on the NSTU and the teaching profession in the community.
- II. Council Chambers shall be designated a scent sensitive environment.
- III. A range of options will be considered when determining social events during Annual Council.

E. LOCAL DELEGATIONS

- I. Where possible, each Local send at least one (1) new member to Annual Council each year. (2014-3)
Reference: Provincial Executive, Dec. 1975; 1994; 1995; 1997, November 2002; February 2003; Structure Review Report – Council 2004; January 2005; Recommendations #46 & #47 Structure Review Report, May, 2005; February, 2007, March 2007; April 3, 2009; January 2013; June 2014; 2014-3; 2014-42, March 2016, March 2017, July 2017, January 2019, May 2019

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

2. ATLANTIC PROVINCES SPECIAL EDUCATION AUTHORITY (APSEA)

A. APSEA LOCAL

- I. A Local structure for APSEA members was established as of August 1, 2012 subject to NSTU By-Laws.
- II. Negotiations for APSEA shall be handled through the APSEA Coordinators and NSTU central office.
- III. An NSTU Executive Staff Officer shall be assigned to liaise with APSEA.

B. APSEA REPRESENTATIVES

Each region shall be represented by a minimum of one NSTU representative. Regions shall be defined as outlined in the APSEA Constitution.

Reference: Provincial Executive, September, 1982, Amended December, 2012

3. COMMITTEES OF THE NSTU – GENERAL TERMS OF REFERENCE

A. AUTHORITY

- I. The authority to establish committees is granted to the Provincial Executive by NSTU By-Law.
- II. Committees of the NSTU are advisory, they answer to and make recommendations to the Provincial Executive.

Governance

Curriculum

B. COMMITTEES OF COUNCIL

Committees of Council are the Steering Committee, The Annual Council Elections Committee, and the Resolutions Committee. The terms of reference for these committees are given in NSTU Standing Orders.

Economic Welfare &
Working Conditions

Government

C. STANDING COMMITTEES OF THE PROVINCIAL EXECUTIVE

Standing Committees of the Provincial Executive are divided into Administrative, Program, and Coordinating Committees. The terms of reference for these committees are given in Operational Procedure 4. The Standing Committees are divided up in the following manner:

Professional
Development

I. Administrative Committees

- a. Finance and Property Committee
- b. Governance and Policy Committee
- c. Nominating Committee
- d. Personnel Committee

General

II. Program Committees

- a. Comité de programmation acadienne
- b. Curriculum Committee
- c. Equity Committee
- d. Member Services Committee
- e. Pension Committee
- f. Political Action Committee
- g. Professional Development Committee
- h. Public Relations Committee
- i. Status of Women Committee
- j. Substitute Teacher Committee
- k. Technology Committee (to be disbanded July 2020)

III. Coordinating Committee

- a. Professional Association Coordination Committee

D. STATUTORY, QUASI-STATUTORY, AND CONTRACTUAL COMMITTEES OF THE NSTU

Standing Committees required by law, allowed for by law, or required by agreement fall within this category of committees. The terms of reference for these committees are given in Operational Procedure 5. These committees may be divided in the following manner:

I. The Teaching Profession Act

- a. requires the Professional Committee
- b. allows for the Discipline Committee

II. The Teachers' Pension Act

- a. requires participation on the Pension Appeals Committee

III. The Teachers' Provincial Agreement

- a. requires participation on the Distributed Learning Committee
- b. requires participation on the Program Development Assistance Fund Committee

E. BOARDS, FOUNDATIONS, AND TRUSTS OF THE NSTU

The NSTU has membership on a number of boards, foundations, and trusts. The terms of reference for these quasi-committees are given in Operational Procedure 6. The boards, foundations, and trusts are:

- I. NSTU Group Insurance Trustees;
- II. Nova Scotia Teachers' Pension Plan Trustee Incorporated Board of Directors;
- III. Sheonorail Foundation – Board of Directors (Trustees); and,
- IV. Teachers' Pension Board.

F. SELECTION PROCESS AND CRITERIA

- I. The advertising for committee members shall allow applicants an opportunity to indicate general areas of interest as well as naming Standing Committees of interest. The information requested should be relevant and include activities other than NSTU involvement, which might show aptitude, or experience that would be useful for a specific committee.
- II. The NSTU should actively promote the importance of committees and of member participation to the membership at large. Further, all NSTU members shall be informed of the opportunity to serve on NSTU committees through the NSTU website and publication in *The Teacher*.
- III. Standing Committee appointments should be staggered to ensure that all committees have members with experience as well as new members to the Committee.
- IV. Unless otherwise stipulated by By-Laws, Standing Orders or NSTU Operational Procedures, Standing Committee selection shall be done through the Nominating Committee Process using the following criteria:
 - a. active and reserve NSTU members are eligible to serve;
 - b. regional and local representation;
 - c. experience in Union activities;
 - d. curriculum and/or grade level;
 - e. gender balance; and,
 - f. equity for under-represented groups, pursuant to current language in the *Nova Scotia Human Rights Act*.
- V. Unless explicitly stipulated, the Provincial Executive should endeavour to appoint only one Executive member to each Standing Committee.
- VI. There should be a break of at least one (1) year immediately following the last year on a committee before a person may be reappointed to a Standing Committee.
- VII. Other than Provincial Executive Members, NSTU Members shall not serve on more than one (1) Standing Committee at a time. This restriction does not include the Provincial Economic Welfare Committee or the Provincial Negotiating Team.
- VIII. The Nominating Committee Report to the Provincial Executive shall follow the process outlined here:
 - a. The Nominating Committee will circulate the name(s) it is recommending to the Provincial Executive prior to the start of the meeting at which the appointment will take place.
 - b. The list of applicants and nominees will be made available to the Provincial Executive but only at the meeting at which the appointment(s) are to be made.
 - c. Representation to the Nominating Committee concerning a candidate outside the context of a Provincial Executive meeting or a meeting of the Nominating Committee should be deemed inappropriate.
 - d. For each individual Committee, the Nominating Committee will place in nomination the name(s) it is recommending for appointment.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- IX. Each member selected to serve on an NSTU Committee shall receive a copy of Committee Expense Guidelines with their letter of appointment.
- X. A list of committees, the membership of each committee, along with the members' Locals, shall be published.

Reference: November, 2019

G. GUIDELINES OF THE NOMINATING COMMITTEE

- I. From the complete list of candidates submitted, the Nominating Committee shall select candidates to present to the Provincial Executive for appointment.
- II. Replacements to committees shall be recommended from the list of eligible candidates, wherever possible.
- III. No applications received after the published deadline will be considered by the Nominating Committee except in exceptional circumstances. Exceptional circumstances would include situations where there is a reasonable explanation for the lateness or where no other eligible application has been received for the vacancy to be filled and where to re-advertise would cause an unnecessary delay for the relevant committee to complete its work.
- IV. When the Nominating Committee is meeting to consider the selection of members to the Provincial Negotiating Team the two (2) provincial Executive members of the Provincial Economic Welfare Committee and the First Vice-President will be invited to attend in an advisory non-voting capacity.

H. SELECTION OF COMMITTEE CHAIR

- I. Unless otherwise stipulated by By-Laws, Standing Orders or NSTU Operational Procedures, the Provincial Executive shall designate the chair of all Standing Committees through recommendation of the Nominating Committee. The criteria for selecting the committee chair should be:
 - a. Union involvement;
 - b. area of expertise;
 - c. in the second year of the member's term;
 - d. recommendation of the Standing Committee; and,
 - e. additional criteria as determined by the Nominating Committee.
- II. At the final Committee meeting of the school year, a Standing Committee shall have the opportunity to recommend a chair for the following year, selected from their returning members.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

I. TERM OF OFFICE ON COMMITTEES

- I. Unless otherwise stipulated by By-Laws, Standing Orders, or NSTU Operational Procedures, the term of office for individuals serving on committees shall commence on August 1st and end on July 31st.
- II. Unless otherwise stipulated by By-Laws, Standing Orders, or NSTU Operational Procedures, in the event that an individual cannot complete their term of office for any reason the replacement will serve the remainder of the term.

J. MEETING PROTOCOLS FOR COMMITTEES

- I. Committees shall hold one of their meetings for the purpose of reviewing the resolutions to be presented to Annual Council. Committees should be prepared to make recommendations to Annual Council concerning the reviewed resolutions.
- II. Requests from committees to meet outside of Halifax shall be considered on their own merits and the request shall be approved or denied by the President in consultation with the Executive Director.
- III. All committees, when practical, should commence their meetings not earlier than 2:00 pm.
- IV. All committees will include a Restorative (Relational) Approach philosophy when conducting meetings.

K. YEAR END REPORTS FROM STANDING COMMITTEES

- I. The Chair of all Administrative, Program, and Coordinating Committees are responsible for submitting a detailed Year End Report outlining the Committee's activities, accomplishments, recommendations (if any) for the incoming committee members, and recommendations (if any) forwarded to the Provincial Executive.

- II. The Provincial Executive will review all Year End Reports coming from Standing Committees, consider recommendations, and act as it deems appropriate.
- III. Year End Reports are due by July 31st.
- IV. Year End Reports are kept on file with the NSTU and will be posted to the NSTU website.
- V. Program and Coordinating Committee Year End Reports shall:
 - a. be a minimum of 300 words and a maximum of 750 words in length;
 - b. list the names of committee members;
 - c. list the dates of meetings;
 - d. summarize the activities, accomplishments, and any major initiatives of the committee;
 - e. summarize, if any, committee endorsed recommendations adopted by the Provincial Executive;
 - f. summarize, if any, committee endorsed recommendations to the incoming committee; and,
 - g. reference the annual amount budgeted for the committee and the actual amount spent.
- VI. Administrative Committees' Year End Reports shall include all the detail outlined in J. V. for Program and Coordinating Committees except they will omit all confidential details of committee proceedings and any recommendations made to the Provincial Executive.
- VII. Year End Reports may, at the discretion of the Chair, reference external consultations undertaken during the year, conferences organized by the committee or attended by its members, and studies or reports issued during the year.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

L. Ad Hoc COMMITTEES

- I. Ad Hoc Committees may be established by the Provincial Executive for a specific time and purpose.
- II. Whenever the Provincial Executive establishes an Ad Hoc Committee it shall stipulate a clear mandate, the composition of the committee, and the number of meetings expected to complete the assigned work.
- III. Prior to the establishment of an Ad Hoc Committee, the mandate as outlined shall be compared to existing Standing Committees' mandates to ensure that an Ad Hoc Committee is required.
- IV. Should additional meetings be required, the Chair and the Executive Staff Officer assigned will seek authorization from the Provincial Executive.
- V. Whenever possible and practical, the Nominating Committee shall make recommendations to the Provincial Executive for appointments to Ad Hoc Committees.
- VI. Should consultation with members of the NSTU be required through questionnaires or similar instruments, these instruments will be approved by the President with guidance from the Executive Director and the use of these instruments shall be ratified by the Provincial Executive at its next meeting.
- VII. Ad Hoc Committees normally cease to exist once they submit their final report to the Provincial Executive.

M. TASK FORCES

- I. Task Forces may be established by the Provincial Executive where deeper research and problem-solving is required.
- II. Whenever the Provincial Executive establishes a Task Force it shall stipulate a clear mandate, composition, and the number of meetings expected to complete the assigned work.
- III. Prior to the establishment of a Task Force, the mandate as outlined shall be compared to existing Standing Committees' mandates to ensure that a Task Force is required.
- IV. Whenever possible and practical, the Nominating Committee shall make recommendations to the Provincial Executive for appointments to Task Forces.
- V. Should consultation with members of the NSTU be required through questionnaires or similar instruments, these instruments will be approved by the President with guidance from the Executive Director and the use of these instruments shall be ratified by the Provincial Executive at its next meeting.
- VI. Task Forces normally cease to exist once they submit their final report to the Provincial Executive.

N. REMOVAL OF A COMMITTEE MEMBER FOR CAUSE**I. Removal of a Committee Member**

Removing a committee member is a very serious action and should never be approached lightly. Due process must always be followed.

II. Grounds

Grounds for the removal of a committee member are:

- a. disruption of committee efforts (this is not to be considered the same as strenuous, spirited debate and such provision should never be used to stifle debate); or,
- b. inappropriate behaviour (such as the consumption of drugs or alcohol prior to or during a committee meeting, abuse of other committee members, or failure to attend three (3) consecutive committee meetings without a valid reason).

III. Procedures

- a. A complaint may be made by:
 - i. the Chair of the Committee;
 - ii. the Provincial Executive liaison; or,
 - iii. the Secretary-Treasurer.
- b. The complaint shall be made in writing to the President.
- c. If possible, the President should attempt to resolve the situation.
- d. If the complaint cannot be resolved through the informal intervention of the President, the Nominating Committee in consultation with both the President and the Executive Director will investigate the complaint.
- e. If the complaint is found to be valid and of such a nature to warrant removal from the committee, the Nominating Committee will present its recommendation to the Provincial Executive in closed session. The Nominating Committee will present the results of its investigation to the Provincial Executive. The Nominating Committee Chair should move a motion that its recommendation be adopted.
- f. If the motion passes, the member will be informed that he or she is no longer serving on the committee.
- g. The Nominating Committee will propose a candidate to replace the removed member for the remainder of that person's term. The completion of this term will not count as part of the term of appointment of the newly named member, irrespective of where in the original member's term the appointment occurs.

Reference: OP3 amended by substitution May 2019

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional

Development

General

4. COMMITTEES – STANDING COMMITTEES OF THE PROVINCIAL EXECUTIVE

A. COMITÉ DE PROGRAMMATION ACADIENNE**I. Mandate**

- a. The Comité shall:
 - i. study the curriculum and all proposed changes in it as it relates to Acadian educational sites under the direction of CSAP;
 - ii. report its findings and make recommendations to the Provincial Executive;
 - iii. inform CSANE members of trends and developments in curriculum;
 - iv. consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate; and,
 - v. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.
- b. The Comité should divide its areas of activities into:
 - i. Curriculum Monitoring – The NSTU Comité de programmation acadienne must critically evaluate proposed changes in the curriculum and it must make recommendations to the Provincial Executive based upon its evaluations;
 - ii. Development of Policy – Basic curriculum policy should be a matter of continuing study by the Comité de programmation acadienne and the Comité should be recommending policy on basic curriculum matters to the Provincial Executive;

- iii. Study and Research – The Comité de programmation acadienne should initiate from time to time special projects related to matters of current importance in the area of curriculum and its implementation; and,
- iv. Communication – It is essential that the Comité be aware of all significant activities being sponsored by the Department of Education (Section française) the Programmes éducatifs division of the CSAP, member and teacher organizations, school boards and universities so that the Comité de programmation acadienne can make recommendations with full knowledge of the situation. It is important for the Comité de programmation acadienne to inform CSANE members of trends and developments in curriculum as well as specific programs.

II. Composition and Term

- a. The Comité shall consist of five (5) Members appointed through the Nominating Committee process plus a Provincial Executive Member from CSANE.
- b. The Comité shall have representation from the three (3) Acadian regions of the province: Southwest, Central and Northeast.
- c. All Members appointed to the Comité through the Nominating Committee process shall serve a three (3) year term.
- d. The Provincial Executive Member appointed to the Committee shall serve a renewable one (1) year term.
- e. No site shall have more than one (1) Member on the Comité.
- f. Every reasonable effort will be made to ensure the Comité consists of at least one (1):
 - i. elementary school teacher;
 - ii. middle level/junior high school teacher;
 - iii. senior high school teacher; and,
 - iv. CSANE Executive member.

III. Meeting Frequency

It is anticipated that the Comité can fulfill its mandate in three (3) meetings per year.

Reference: Provincial Executive May, 1996; Feb., 2002, Oct., 2002; March 26-27, 2004; March 25 & 26, 2010; December 2010; March 2011, September 2012; June 2015

B. CURRICULUM COMMITTEE

I. Mandate

- a. The Committee shall:
 - i. study the curriculum and all proposed changes in it;
 - ii. report its findings and make recommendations to the Provincial Executive;
 - iii. inform members of trends and developments in curriculum;
 - iv. consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate; and,
 - v. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.
- b. The Committee should divide its areas of activities into:
 - i. Curriculum Monitoring – The NSTU Curriculum Committee must critically evaluate proposed changes in the curriculum and it must make recommendations to the Provincial Executive based upon its evaluations;
 - ii. Development of Policy – Basic curriculum policy should be a matter of continuing study by the Curriculum Committee and the Committee should be recommending policy on basic curriculum matters to the Provincial Executive;
 - iii. Study and Research – The Curriculum Committee should initiate from time to time special projects related to matters of current importance in the area of curriculum; and,
 - iv. Communication – It is essential that the Committee be aware of all significant activities being sponsored by the Department of Education and Early Childhood Development, teachers and teacher organizations, school boards and universities so that members can be informed and so that the Committee can make recommendations with full knowledge of the situation. It is important for the Curriculum Committee to inform members of trends and developments in curriculum as well as specific programs.

Governance

Curriculum

Economic Welfare & Working Conditions

Government

Professional Development

General

II. Composition and Term

- a. The Committee shall consist of five (5) Members appointed through the Nominating Committee process plus a Provincial Executive Member.
- b. All Members appointed to the Committee through the Nominating Committee process shall serve a two (2) year term.
- c. The Provincial Executive Member appointed to the Committee shall serve a renewable one (1) year term.
- d. Every reasonable effort will be made to ensure the Committee consists of at least one (1):
 - i. elementary school teacher;
 - ii. middle level/junior high school teacher; and,
 - iii. senior high school teacher.

III. Meeting Frequency

It is anticipated that the Committee can fulfill its mandate in three (3) meetings per year.

Reference: Provincial Executive, May, 1981, October, 2002, March 26-27, 2004, December 2, 3, 2004, May 5, 2005

C. EQUITY COMMITTEE**I. Mandate**

The Committee shall:

- a. explore current practices, attitudes, and research regarding diversity, equity, and social justice;
- b. examine trends and themes with regard to equity in the teaching profession;
- c. make recommendations to the Provincial Executive regarding professional development workshops to assist members with equity and diversity as defined by the *Nova Scotia Human Rights Act*;
- d. make recommendations to the Provincial Executive regarding information and support to Locals on equity issues;
- e. consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate; and,
- f. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.

II. Composition and Term

- a. The Committee shall consist of six (6) Members appointed through the Nominating Committee process plus a Provincial Executive Member.
- b. All Members appointed to the Committee through the Nominating Committee process shall serve a two (2) year term.
- c. The Provincial Executive Member appointed to the Committee shall serve a renewable one (1) year term.

III Meeting Frequency

It is anticipated that the Committee can fulfill its mandate in three (3) meetings per year.

Reference: Provincial Executive, April, 1981; June, 1983; Oct. 1985; 2002-29; Oct., 2002; June, 2003; May 5, 2005; 2005-37; October 2014

D. FINANCE AND PROPERTY COMMITTEE**I. Mandate**

- a. Prepare an annual budget:
 - i. present draft budget to Provincial Executive;
 - ii. cost all resolutions to Annual Council; and,
 - iii. provide a schedule detailing budget items titled Programs and Services in the Annual Council Workbook. (2014-41)
- b. Exercise control over the finances of the NSTU:
 - i. monitor all expenditures of the NSTU;
 - ii. ensure checks and balances are in place for NSTU funds (see Treasurers' Guide on the NSTU website);
 - iii. receive regular reports on income, expenditures, investments and loans;
 - iv. ensure audits are conducted on a yearly basis;
 - v. receive and examine the internally reviewed reports of Locals, RRCs and Professional Associations;

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- vi. present regular financial statements to the Provincial Executive;
- vii. determine interest rates on repayment of money borrowed from the Reserve Fund; and,
- viii. receive reports from the Executive Director regarding unanticipated expenditures.
- c. Make recommendations to the Provincial Executive on the provision of financial and management services:
 - i. meet with current providers annually to ensure quality services;
 - ii. review proposals of service providers as required; and,
 - iii. provide recommendations to the Provincial Executive on contracts with service providers every three (3) years.
- d. Provide leadership, guidance and training for Local, RRC and Professional Association Treasurers:
 - i. ensure a handbook is prepared and updated for Treasurers; and,
 - ii. arrange for meetings and/or conferences for Treasurers on a regular basis.
- e. Exercise oversight and control of properties held or leased by the NSTU.
- f. Provide recommendations to the Provincial Executive on matters referred to the Committee by the Provincial Executive.
- g. Consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate.
- h. Participate as required in the NSTU Policy Review process by providing recommendations for the Provincial Executive's consideration.
- i. Provide advice to and representation on NSTU Employee Pension Plan Advisory Committee.

II. Composition and Term

- a. The Committee shall consist of three (3) Members appointed through the Nominating Committee process plus the Secretary-Treasurer (who shall serve as Chair) plus an additional Provincial Executive Member.
- b. All Members appointed to the Committee through the Nominating Committee process shall serve a two (2) year term.
- c. The Provincial Executive Member appointed to the Committee shall serve a renewable one (1) year term.
- d. The Executive Director shall serve as advisor, consistent with the roles and responsibilities of the office. Additional staff shall be assigned as appropriate.

III. Meeting Frequency

The Committee shall meet on a regular basis and report in a timely fashion to the Provincial Executive.

Reference: Provincial Executive, June, 1985, December 1989, April, 1999; Sept., 2001, October, 2002; January 20-22, 2005; June 29, 2005; October 19, 2006; April 3, 2009; October 2011; 2014-41

E. GOVERNANCE AND POLICY COMMITTEE

I. Mandate

The Governance and Policy Committee is to develop and maintain an ongoing consciousness of, commitment to, and practice of all aspects of good governance within the Provincial Executive and the Nova Scotia Teachers Union as a whole. The Committee shall:

- a. develop and review policy with a view to authority, responsibility and accountability;
- b. regularly review the governance relationships between and amongst: individual members, Annual Council, Provincial Executive, Locals, Regional Representative Councils, Professional Associations, Standing Committees, and Staff of the Nova Scotia Teachers Union;
- c. study the principles and practices of good governance;
- d. regularly review the terms of references for this Committee;
- e. set out annual priorities for the work of this Committee;
- f. make recommendations for the consideration of the Provincial Executive;
- g. consider such matters as referred by the Provincial Executive;
- h. consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate; and,
- i. manage the policy review process.

Governance

Curriculum

Economic Welfare & Working Conditions

Government

Professional Development

General

II. Composition and Term

- a. The Committee shall consist of nine (9) Provincial Executive Members representing each RRC, CSANE, and APSEA.
- b. Provincial Executive Members appointed to the Committee shall serve renewable one (1) year terms.
- c. The Chair of the Committee shall be elected from amongst its members annually.
- d. The NSTU President should exercise ex officio power and participate as regularly as possible.
- e. The Executive Director shall serve as advisor, consistent with the roles and responsibilities of the office. Additional staff shall be assigned as appropriate.

III. Meeting Frequency

The Committee shall meet on a regular basis and report in a timely fashion to the Provincial Executive.

Reference: Provincial Executive, April 28, 2011

F. MEMBER SERVICES COMMITTEE**I. Mandate**

The Committee Shall:

- a. identify bargainable items;
- b. prepare background information related to the merits of negotiable items;
- c. identify trends and developments in teacher bargaining across Canada with special emphasis on the Atlantic Provinces;
- d. review economic forecasts;
- e. forward recommendations to the Provincial Executive for consideration of other committees;
- f. make recommendations to the Provincial Executive regarding workshops for regional negotiators;
- g. review the results of the most recent provincial and regional contract bargaining;
- h. consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate; and,
- i. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.

II. Composition and Term

- a. The Committee shall consist of four (4) Members appointed through the Nominating Committee process plus the Provincial Executive Member representing APSEA and the First Vice-President (who shall serve as Chair).
- b. All Members appointed to the Committee through the Nominating Committee process shall serve a two (2) year term.
- c. The Committee shall have at least one (1) Member who is currently serving as a Local First Vice-President.

III. Meeting Frequency

It is anticipated that the Committee can fulfill its mandate in three (3) meetings per year.

Reference: Provincial Executive, January 1993, October, 2002; June 2011, November 2019

G. NOMINATING COMMITTEE**I. Mandate**

The Committee has the responsibility to recommend, to the Provincial Executive for its approval, a slate of members to serve on the various committees of the NSTU. The Committee shall:

- a. ensure committee vacancies are advertised;
- b. encourage member engagement in NSTU committee participation; and,
- c. follow the Nominating selection process, criteria, and Committee guidelines as set out in Operational Procedures Committees of the NSTU – General Terms of Reference.

II. Composition and Term

- a. The Committee shall consist of five (5) Provincial Executive Members.
- b. Provincial Executive Members appointed to the Committee shall serve renewable one (1) year terms.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- c. The Chair of the Committee shall be elected from amongst its members annually.
- d. The NSTU President should exercise ex officio power and participate as regularly as possible.
- e. The Executive Director shall serve as advisor, consistent with the roles and responsibilities of the office.

III. Meeting Frequency

The Committee shall meet shortly following Annual Council to create a slate of candidates for NSTU committee vacancies for the upcoming school year to present to the Provincial Executive at a meeting prior to August 1st. The Committee will meet as required to fill vacancies on committees throughout the year.

Reference: Provincial Executive, November 2001; February 2005

Reference: Provincial Executive, May, 2002, April 22, 2004, June, 2010 (2010-NB3), January 2012

H. PENSION COMMITTEE

I. Mandate

The Committee shall:

- a. identify pension concerns which require Provincial Executive attention;
- b. recommend to the Provincial Executive pension resolutions for Annual Council;
- c. consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate;
- d. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration;
- e. be educated on the basics of the pension plan; understand and be updated on valuation of the plan and the investment portfolio; and,
- f. if requested, facilitate sessions for Locals or Regions or educational sites on pension in geographic regions by staff liaison officer with Pension Committee member in attendance.

II. Composition and Term

- a. The Committee shall consist of six (6) Members appointed through the Nominating Committee process representing the six (6) geographical regions of the province, plus a Provincial Executive Member and a Member appointed by the RTO.
- b. All Members appointed to the Committee from the geographical regions through the Nominating Committee process shall serve a three (3) year term.
- c. The Provincial Executive Member appointed to the Committee shall serve a renewable one (1) year term.
- d. The RTO Member appointed to the Committee shall serve a renewable one (1) year term.
- e. Two (2) Executive Staff Officers who are responsible for pension matters, one of whom shall act as the liaison between the Teachers' Pension Board and the Pension Committee.

III. Meeting Frequency

It is anticipated that the Committee can fulfill its mandate in three (3) meetings per year.

Reference: Provincial Executive, Nov., 1987, June, 1995, Oct., 2002, March 26-27, 2004;

February 24-26, 2005; Amended February 2009; June 5, 2009, April 25, 2013

I. PERSONNEL COMMITTEE

I. Mandate

The Executive Director is the senior administrator of the NSTU; is responsible to the President and the Provincial Executive; and is solely responsible for the general day-to-day administration of the NSTU including hiring of and assigning duties to the staff of the organization. The Committee shall act as a small, functional working group to assist the Executive Director, specifically the Committee shall:

- a. review program area requirements, aims, and objectives, in particular, examine staff deployment and relative workload and make recommendations to the Executive Director regarding same;
- b. develop and review policies and procedures regarding the human resources of the NSTU and make recommendations to the Executive Director regarding same;

Governance

Curriculum

Economic Welfare & Working Conditions

Government

Professional Development

General

- c. recommend to the Provincial Executive for their ratification a candidate to hire for the position of Executive Director, where the Provincial Executive has decided to conduct a search for candidates;
- d. prepare and conduct negotiations with the various classifications of staff and present asking pack-ages and tentative agreements to the Provincial Executive for their ratification; and,
- e. follow the procedures outlined in Operational Procedures 17 – Staffing & Human Resources.

II. Composition and Term

- a. The Committee shall consist of four (4) Provincial Executive Members, one of which will be the Second Vice-President (who shall serve as Chair).
- b. Provincial Executive Members appointed to the Committee shall serve renewable one (1) year terms.
- c. The NSTU President is a full voting member of the Committee, exercising ex officio power, and should participate as regularly as possible.
- d. The Executive Director shall serve on the Committee, consistent with the roles and responsibilities of the office.
- e. A quorum of the Committee shall be three (3) Members.
- f. The Provincial Executive should make every reasonable attempt to ensure a carry-over of at least one (1) member from year-to-year.

III. Meeting Frequency

The Committee shall meet regularly and report at least semi-annually to the Provincial Executive.

IV. Training

There shall be a training session at the beginning of each year for all members of the Committee.

Reference: Provincial Executive, January 1978; April 1982; December 1986; February 2004; January 20-22, 2005; April 1, 2006; April 27, 2006, March 2007; March 2015, November 2019

Governance

Curriculum

Economic Welfare &
Working Conditions

J. POLITICAL ACTION COMMITTEE

I. Mandate

a. Political Action

The Committee shall:

- i. monitor the policies and practices of the major provincial political parties for the purpose of identifying matters with an impact on education and/or NSTU Members; then advise the NSTU President and Provincial Executive regarding these matters;
- ii. during provincial elections, monitor the major provincial political parties for their public education platforms and policies and inform the NSTU President and Provincial Executive of any concerns;
- iii. identify educational matters for consideration by the Provincial Executive for political action;
- iv. identify corporate social responsibility and social justice concerns for consideration by the Provincial Executive for political action;
- v. develop strategies for encouraging NSTU member involvement in the political process;
- vi. develop strategies for encouraging NSTU member involvement in the election process including exercising their democratic right to vote; and,
- vii. identify opportunities to build relationships with educational stakeholders and report to the NSTU President and the Provincial Executive.

b. Support for Locals

The Committee shall:

- i. review resource material to assist Local leaders in carrying out their mandate;
- ii. review plans to build grassroots political action in each region of the province; and,
- iii. plan a biennial conference in conjunction with the Public Relations Committee to provide opportunities for Local leaders to network.

Government

Professional
Development

General

c. General

The Committee shall:

- i. consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate; and,
- ii. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.

II. Composition and Term

- a. The Committee shall have eight (8) Members representing each of the RRCs and CSANE.
- b. The Committee shall consist of five (5) Members appointed through the Nominating Committee process and three (3) Provincial Executive Members.
- c. The Provincial Executive liaison to the Public Relations Committee shall be one (1) of the three (3) Provincial Executive Members on this Committee.
- d. All Members appointed to the Committee through the Nominating Committee process shall serve a two (2) year term.
- e. The Provincial Executive Members appointed to the Committee shall serve renewable one (1) year terms.

III. Meeting Frequency

It is anticipated that the Political Action Committee will be able to accomplish the mandated tasks through four (4) meetings per year. The Political Action Committee and the Public Relations Committee shall have one (1) joint meeting per year to allow for discussion and exchange of initiatives, concerns, and objectives.

Reference: Provincial Executive, September 2018

K. PROFESSIONAL ASSOCIATIONS COORDINATION COMMITTEE**I. Mandate**

The Committee shall:

- a. review resolution submissions forwarded by Professional Associations prior to submission to the Provincial Executive;
- b. recommend procedures to the Provincial Executive with regard to the operation of Professional Associations;
- c. make recommendations to the Provincial Executive regarding the formation or disbandment of Professional Associations;
- d. advise the Provincial Executive on Professional Association matters;
- e. monitor the financial status of Professional Associations;
- f. circulate PACC Minutes to PA Presidents once approved;
- g. assist the officers of Professional Associations in organizing, managing, and directing the business and affairs of their respective Associations;
- h. receive the annual reports of Professional Associations;
- i. consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate;
- j. organize and facilitate an annual Professional Associations Conference; and,
- k. perform such other functions or tasks as assigned by the Provincial Executive of the NSTU.

Reference: Amended: April 27, 2006; February 2009

II. Composition and Term

- a. The Committee shall have six (6) Members representing the participating associations as chosen by lottery plus a Provincial Executive Member. Interested associations shall submit their names to the Chair of the Committee.
- b. Any associations having a Member on the current Committee must withdraw from the lottery for a period of one (1) year following their term of office.
- c. Notwithstanding b, in the event that there are not enough submissions to serve on the Committee, associations having a Member on the current Committee may submit the name of another individual from their association to serve on the Committee.
- d. All members chosen for the Committee through the lottery shall serve a two (2) year term commencing November 1st.
- e. The Provincial Executive Member appointed to the Committee shall serve a renewable one (1) year term.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- f. The incoming Chair shall be chosen by the Members of the Committee on an annual basis at the last meeting of the school year from amongst the Committee members in their first year of their term of office.

III. Meeting Frequency

It is anticipated that the Committee can fulfill its mandate in three (3) meetings per year.
Reference: Provincial Executive, November 23, 2000; Oct., 2001; (Professional Services Committee disbanded, September, 2001, Council 2002); February 2012

L. PROFESSIONAL DEVELOPMENT COMMITTEE

I. Mandate

The Committee Shall:

- a. support and develop strategies and programs to promote professional development for the membership of the Nova Scotia Teachers Union at the individual, educational site, Local, and provincial levels;
- b. provide advice to the Provincial Executive on matters relating to professional development and in-service education;
- c. monitor the professional development needs of the membership;
- d. liaise with Local Professional Development Committees to support and assist in their efforts;
- e. administer the following funding programs:
 - i. NSTU Full Time Study Grant,
 - ii. Out-of-Province Study Grant, and
 - iii. Travel Fellowship, and the Educational Research Award Program;
- f. recommend policy to the Provincial Executive on matters relating to the professional development needs of the membership;
- g. plan a biennial conference to provide opportunities for Local leaders to network and learn about professional development trends;
- h. consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate; and,
- i. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.

II. Composition and Term

- a. The Committee shall consist of six (6) Members appointed through the Nominating Committee process plus a Provincial Executive Member.
- b. All Members appointed to the Committee through the Nominating Committee process shall serve a two (2) year term.
- c. The Provincial Executive Member appointed to the Committee shall serve a renewable one (1) year term.

III. Meeting Frequency

It is anticipated that the Committee can fulfill its mandate in three (3) meetings per year.
Reference: Provincial Executive, September, 1991; May, 1995; May, 2002, October, 2002, March 27-28, 2004, June 4-5, 2004 (Editorial Advisory Committee disbanded; February 2009

M. PUBLIC RELATIONS COMMITTEE

I. Mandate

The Committee shall:

- a. review and plan strategies for provincial public relations programs for the organization and report recommendations to the Provincial Executive;
- b. support the work of the Political Action Committee as necessary;
- c. consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate;
- d. advise the Provincial Executive regarding the communications practices and procedures of the NSTU;
- e. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration; and,
- f. plan a biennial conference in conjunction with the Political Action Committee to provide opportunities for Local leaders to network.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

II. Composition and Term

- a. The Committee shall consist of four (4) Members appointed through the Nominating Committee process plus one (1) Provincial Executive Member.
- b. The Provincial Executive liaison will be one (1) of the Provincial Executive Members on the Political Action Committee.
- c. All Members appointed to the Committee through the Nominating Committee process shall serve a two (2) year term.
- d. The Provincial Executive Member appointed to the Committee shall serve a renewable one (1) year term.

III. Meeting Frequency

It is anticipated that the Committee can fulfill its mandate in three (3) meetings per year. The Public Relations Committee and the Political Action Committee shall have one (1) joint meeting per year to allow for discussion and exchange of initiatives, concerns and objectives.

Reference: Provincial Executive, September 2018

N. STATUS OF WOMEN COMMITTEE**I. Mandate**

The Committee shall:

- a. advise the Provincial Executive on ways of enhancing the status of women in the teaching profession and in society;
- b. develop policy recommendations for the Provincial Executive to support policies of the employer that are relevant to women's issues;
- c. provide advice to the Provincial Executive on the content, delivery, and design of status of women programs;
- d. make recommendations to the Provincial Executive for possible action on issues related to the status of women;
- e. make recommendations to the Provincial Executive on outreach to community-based women's organizations;
- f. advise the Provincial Executive on how to include women members in all aspects of the NSTU organization and programs;
- g. advise the Provincial Executive on how to promote opportunities for networking, leadership, and professional development for women members;
- h. consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate; and,
- i. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.

II. Composition and Term

- a. The Committee shall consist of six (6) Members appointed through the Nominating Committee process plus a Provincial Executive Member.
- b. All Members appointed to the Committee through the Nominating Committee process shall serve a two (2) year term.
- c. The Provincial Executive Member appointed to the Committee shall serve a renewable one (1) year term.

III. Meeting Frequency

It is anticipated that the Committee can fulfill its mandate in three (3) meetings per year.

Reference: March 2015, December 2015

O. SUBSTITUTE TEACHER COMMITTEE**I. Mandate**

The Committee shall:

- a. advise the Provincial Executive on issues affecting and of concern to substitute teachers;
- b. advise the Provincial Executive regarding workshops for substitute teachers;
- c. consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate; and,
- d. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.

Reference: November 2019

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

II. Composition and Term

- a. The Committee shall consist of five (5) Members appointed through the Nominating Committee process plus a Provincial Executive Member.
- b. Preference, where possible, will be given to Reserve Members.
- c. All Members appointed to the Committee through the Nominating Committee process shall serve a two (2) year term.
- d. The Provincial Executive Member appointed to the Committee shall serve a renewable two (2) year term.

Reference: April 2018, November 2019

III. Meeting Frequency

It is anticipated that the Committee can fulfill its mandate in three (3) meetings per year.

Reference: October 29, 1999; March 31, 2000; February 2002; Feb., 2003; June 5, 2004; Aug. 13, 2004; February 24-26, 2005; April 1, 2006, Budget, May 2013, October 2017

P. TECHNOLOGY COMMITTEE (TO BE DISBANDED JULY 2020)**I. Mandate**

The Committee shall:

- a. ensure that the NSTU technology integration principles are being upheld;
- b. explore how technology is used in the schools and how it affects teachers' workplace environment;
- c. develop policy and recommendations for Provincial Executive to support the policies of the employer that are relevant to technology issues;
- d. provide advice to the Provincial Executive on the content, delivery and design of technology;
- e. make recommendations to the Provincial Executive for possible action on issues related to technology;
- f. explore equity issues relating to technology for both teachers and students;
- g. inform the Provincial Executive regarding trends and developments in technology;
- h. consider such resolutions submitted to Annual Council to make recommendations for Council's consideration where appropriate; and,
- i. participate as required in the NSTU Policy Review process by providing recommendations for the Provincial Executive's consideration.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional

Development

General

II. Composition and Term

- a. The Committee shall consist of six (6) Members appointed through the Nominating Committee process plus a Provincial Executive Member.
- b. All Members appointed to the Committee through the Nominating Committee process shall serve a two (2) year term.
- c. The Provincial Executive Member appointed to the Committee shall serve a renewable one (1) year term.

III. Meeting Frequency

It is anticipated that the Committee can fulfill its mandate in three (3) meetings per year.

Reference: Resolution 2016-25, September 2016

Reference: OP4 amended by substitution May 2019

5. COMMITTEES – STATUTORY, QUASI-STATUTORY, AND CONTRACTUAL COMMITTEES OF THE NSTU

A. DISCIPLINE COMMITTEE**I. Authority**

Pursuant to the *Teaching Profession Act*, the NSTU has the authority to discipline its Members. The terms of reference for this Committee are provided in NSTU Standing Orders.

II. Due Process

The concept of due process requires that the Committee must ensure that all who appear before it are fairly heard. Due process must involve the following principles:

- a. the Respondent receives a clear statement of the complaint;
- b. the Respondent has the right to attend in person and be represented by counsel; and,
- c. the Respondent has the right to contradict the evidence by means of contrary statements or cross-examination.

III. Attendance by Committee Members

It is a fundamental principle of quasi-judicial procedure that all who decide, must hear. A Committee Member, who, for whatever reason, cannot hear all the evidence and argument upon which a decision is based is disqualified from deciding.

IV. Committee Member Conflict of Interest

Where a Committee Member has a conflict of interest in a matter before the Committee, the Committee Member shall disclose the conflict and recuse themselves from the hearing. Where a Committee Member is uncertain regarding whether they may or may not have a conflict of interests, the Committee Member shall disclose the potential conflict and the Committee will make a determination regarding whether a conflict exists or not.

V. Counsel

Legal counsel is available to the Committee through the NSTU solicitors. It is recommended that the attendance and opinion of the solicitors be available to the Committee as a matter of routine.

VI. NSTU Staff

At the request of the Executive Director or the Committee an Executive Staff Officer may be asked to investigate the complaint; the investigation will be presented to the Committee. If at any time during an investigation, the Executive Staff Officer concludes that the complaint is frivolous or vexatious or does not raise matters which lie within the mandate of the Committee, the Executive Staff Officer shall report that conclusion to the Committee, and the Committee may dismiss the complaint.

VII. Procedure

- a. A quorum of the Committee consists of a majority of members of the Committee.
- b. All decisions of the Committee shall be by way of majority vote.
- c. At the commencement of a hearing, the Committee shall elect one of its members to act as Chair for the purpose of hearing and disposing of the complaint.

VIII. Notice

- a. A complaint filed pursuant to Standing Orders – Discipline Committee shall:
 - i. be in writing to the Executive Director;
 - ii. shall identify the individual subject to the complaint (the Respondent);
 - iii. shall identify the conduct complained of; and,
 - iv. shall be sufficiently detailed to allow the Respondent or the Respondent's solicitor an opportunity to prepare an adequate response.
- b. Upon receipt of a complaint the Executive Director shall, as soon as practicable,
 - i. advise the Respondent that the complaint has been filed and provide a copy of the complaint; and,
 - ii. refer the matter to the Discipline Committee.
- c. The Executive Director, after consulting the Discipline Committee, shall set a hearing date and shall, not fewer than thirty (30) days before the hearing date, cause to be served on the Respondent, a notice of the hearing stating the date, time and place at which the Committee will hold the hearing. The notice shall further advise the Respondent of the right to appear in person, with or without counsel, and that the Committee may proceed at the hearing and dispose of the complaint in the absence of the Respondent.

IX. Action Open to the Committee

- a. If the complaint is not proven on a balance of probabilities, in the opinion of the Committee, the Committee may dismiss the complaint.
- b. If the complaint is proven on a balance of probabilities, in the opinion of the Committee, but the Committee does not believe the complaint is of a severity which warrants reprimand the Committee may state this finding.
- c. If the Committee is satisfied that the complaint is proven on a balance of probabilities, the Committee may decide that:
 - i. the Respondent be reprimanded;
 - ii. the Respondent's membership in the NSTU be suspended for a stated term of time; or,
 - iii. the Respondent be expelled from the NSTU.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

X. The Conduct of Hearings

- a. If the Respondent fails to appear at the hearing, the Committee may proceed with the hearing and deal with the complaint in the absence of the Respondent, upon being satisfied that due notice of the hearing was provided.
- b. Evidence may be given before the Committee in any manner that the Committee considers appropriate and the Committee is not bound by the rules of law respecting evidence applicable to judicial proceedings.
- c. Except as provided herein, the Committee may determine its own procedure.
- d. All proceedings before the Committee shall be conducted “in-camera” unless the Committee, the Complainant and the Respondent agree otherwise.
- e. Where a proceeding is commenced before the Committee pursuant to these procedures, and the term of office on the Committee of a member sitting for a hearing expires or is terminated, other than for cause, before the proceeding is disposed of but after evidence has been heard, the member shall be deemed to remain a member of the Committee for the purpose of completing the disposition of the proceeding in the same manner as if the term of office of the member had not expired or had not been terminated.
- f. The Chair of the Committee may from time-to-time adjourn a hearing.
- g. The Complainant, either the Local, the Executive of the Local, the Provincial Executive, or an individual acting on behalf of the Complainant, will present its case first.
- h. An opportunity for the Respondent, representative(s) for the Respondent, or members of the Committee to examine the evidence of the Complainant, shall then be provided.
- i. The Respondent will present second.
- j. An opportunity for the Complainant, representative(s) for the Complainant, or members of the Committee to examine the evidence of the Respondent, shall then be provided.
- k. An opportunity to make a statement in summary in rebuttal will be given first to the Respondent.
- l. An opportunity to make a statement in summary in rebuttal will be given second to the Complainant.
- m. No statements are made under oath.
- n. The failure of one party or the other to appear before the Committee will not relieve the Committee of its responsibility to make the best assessment of the facts possible under those circumstances.
- o. The decision of the Committee will consist in one part of a simple statement of its decision and in the second part of reasons leading to its decision.
- p. The Committee shall notify the Respondent and the Complainant of its decision by prepaid, registered letter and will also file copies of the decision with the Provincial Executive.

XI. Implementation

Upon filing of the decision with the Provincial Executive, it shall be the responsibility of the Provincial Executive to implement the decision.

Reference: Provincial Executive, Jan., 1976; July, 1995; 97-92

B. DISTRIBUTED LEARNING COMMITTEE**I. Authority**

Pursuant to the *Teachers' Provincial Agreement*, the NSTU is required to participate on this Committee.

II. Composition and Term

- a. The Committee shall consist of three (3) Members appointed through the Nominating Committee process plus an Executive Staff Officer.
- b. Appointments shall be for a three (3) year term and be appropriately staggered.

III. Meeting Frequency

The Committee shall meet at the request of either the Department or the Union but in any event not less than twice a year.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

C. PENSION APPEAL COMMITTEE**I. Authority**

Pursuant to the *Teachers' Pension Act*, the NSTU is required to participate on this Committee.

II. Appointment and Term

- a. The NSTU appointment to the Nova Scotia Teachers' Pension Appeals Committee shall be by the Provincial Executive upon recommendation of the NSTU Table Officers.
- b. The appointment to the Committee shall be for a two (2) year term to coincide with the *Teachers' Pension Act*.

Reference: Provincial Executive, November, 1996; June, 2002

D. PROFESSIONAL COMMITTEE**I. Authority**

The *Teaching Profession Act* requires the NSTU to have a Professional Committee and dictates some of its terms; other terms of reference for this Committee are provided in NSTU By-Laws.

II. Due Process

The concept of due process requires that the Committee must ensure that all who appear before it are fairly heard. Due process must involve the following principles:

- a. the Respondent receives a clear statement of the complaint;
- b. the Respondent has the right to attend in person and be represented by counsel; and,
- c. the Respondent has the right to contradict the evidence by means of contrary statements or cross-examination.

III. Attendance by Committee Members

It is a fundamental principle of quasi-judicial procedure that all who decide, must hear. A Committee Member, who, for whatever reason, cannot hear all the evidence and argument upon which a decision is based is disqualified from deciding.

IV. Committee Member Conflict of Interest

Where a Committee Member has a conflict of interest in a matter before the Committee, the Committee Member shall disclose the conflict and recuse themselves from the hearing. Where a Committee Member is uncertain regarding whether they may or may not have a conflict of interests, the Committee Member shall disclose the potential conflict and the Committee will make a determination regarding whether a conflict exists or not.

V. Counsel

Legal counsel is available to the Committee through the NSTU solicitors. It is recommended that the attendance and opinion of the solicitors be available to the Committee as a matter of routine.

VI. NSTU Staff

At the request of the Executive Director or the Committee an Executive Staff Officer may be asked to investigate the complaint; the investigation will be presented to the Committee. If at any time during an investigation, the Executive Staff Officer concludes that the complaint is frivolous or vexatious or does not raise matters which lie within the mandate of the Committee, the Executive Staff Officer shall report that conclusion to the Committee, and the Committee may dismiss the complaint.

VII. Procedure

- a. A quorum of the Committee consists of a majority of members of the Committee.
- b. All decisions of the Committee shall be by way of majority vote.
- c. At the commencement of a hearing, the Committee shall elect one of its members to act as Chair for the purpose of hearing and disposing of the charge/complaint.

VIII. Notice

- a. A complaint filed pursuant to Section 11 of the *Teaching Profession Act* shall:
 - i. be in writing to the Executive Director;
 - ii. shall identify the individual subject to the complaint (the Respondent);
 - iii. shall identify the conduct complained of; and,
 - iv. shall be sufficiently detailed to allow the Respondent or the Respondent's solicitor an opportunity to prepare an adequate response.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- b. Upon receipt of a complaint the Executive Director shall, as soon as practicable,
 - i. advise the Respondent that the complaint has been filed and provide a copy of the complaint; and,
 - ii. refer the matter to the Professional Committee.
- c. The Executive Director, after consulting the Professional Committee, shall set a hearing date and shall, not fewer than thirty (30) days before the hearing date, cause to be served on the Respondent, a notice of the hearing stating the date, time and place at which the Committee will hold the hearing. The notice shall further advise the Respondent of the right to appear in person, with or without counsel, and that the Committee may proceed at the hearing and dispose of the complaint in the absence of the Respondent.

IX. Matters to be Proven

The *Teaching Profession Act* indicates that the Complainant must prove that the Respondent is “guilty of conduct unbecoming a member of the teaching profession.” The term “unbecoming conduct” may include, but is not limited to:

- a. a violation of the Code of Ethics; or,
- b. conduct that is likely to scandalize the community with which the profession must deal.

X. Action Open to the Committee

- a. If the complaint is not proven on a balance of probabilities, in the opinion of the Committee, the Committee may dismiss the charge.
- b. If the complaint is proven on a balance of probabilities, in the opinion of the Committee, but the Committee does not believe the complaint is of a severity which warrants reprimand the Committee may state this finding.
- c. If the complaint is proven on a balance of probabilities, in the opinion of the Committee, the Committee may decide to apply either internal or external sanctions:
 - i. Internally the Committee may decide that:
 - 1. the Respondent be reprimanded;
 - 2. the Respondent’s membership in the NSTU be suspended for a stated term of time; or,
 - 3. the Respondent be expelled from the NSTU.
 - ii. Externally the Committee may decide to recommend to the Minister that:
 - 1. the Respondent’s license be suspended for a term of time; or,
 - 2. the Respondent’s certificate be cancelled.

XI. The Conduct of the Hearing

- a. If the Respondent fails to appear at the hearing, the Committee may proceed with the hearing and deal with the complaint in the absence of the Respondent, upon being satisfied that due notice of the hearing was provided.
- b. Evidence may be given before the Committee in any manner that the Committee considers appropriate and the Committee is not bound by the rules of law respecting evidence applicable to judicial proceedings.
- c. Except as provided herein, the Committee may determine its own procedure.
- d. All proceedings before the Committee shall be conducted “in-camera” unless the Committee, the Complainant and the Respondent agree otherwise.
- e. Where a proceeding is commenced before the Committee pursuant to these procedures, and the term of office on the Committee of a member sitting for a hearing expires or is terminated, other than for cause, before the proceeding is disposed of but after evidence has been heard, the member shall be deemed to remain a member of the Committee for the purpose of completing the disposition of the proceeding in the same manner as if the term of office of the member had not expired or had not been terminated.
- f. The Chair of the Committee may from time-to-time adjourn a hearing.
- g. The Complainant, either the Local, the Executive of the Local, the Provincial Executive, or an individual acting on behalf the Complainant, will present its case first.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- h. An opportunity for the Respondent, representative(s) for the Respondent, or members of the Committee to examine the evidence of the Complainant, shall then be provided.
- i. The Respondent will present second.
- j. An opportunity for the Complainant, representative(s) for the Complainant, or members of the Committee to examine the evidence of the Respondent, shall then be provided.
- k. An opportunity to make a statement in summary in rebuttal will be given first to the Respondent.
- l. An opportunity to make a statement in summary in rebuttal will be given second to the Complainant.
- m. No statements are made under oath.
- n. The failure of one party or the other to appear before the Committee will not relieve the Committee of its responsibility to make the best assessment of the facts possible under those circumstances.
- o. The decision of the Committee will consist in one part of a simple statement of its decision and in the second part of reasons leading to its decision.
- p. The Committee shall notify the Respondent and the Complainant of its decision by prepaid, registered letter and will also file copies of the decision with the Provincial Executive.

XII. Implementation

Upon filing of the decision with the Provincial Executive, it shall be the responsibility of the Provincial Executive to implement the decision.

Reference: Provincial Executive, January 1976, July 1995

E. PROGRAM DEVELOPMENT ASSISTANCE FUND COMMITTEE

I. Authority

Pursuant to the *Teachers' Provincial Agreement*, the NSTU is required to participate on this Committee.

II. Composition and Term

- a. The Committee shall have two (2) Members appointed through the Nominating Committee process plus an Executive Staff Officer (who shall be the non-voting Chair).
- b. Appointments shall be for a three (3) year term and be appropriately staggered.

Reference: Provincial Executive, January 1997

Reference: OP5 amended by substitution May 2019

6. BOARDS, FOUNDATIONS, AND TRUSTEES OF THE NSTU

A. NSTU GROUP INSURANCE TRUSTEES

I. Mandate

The mandate of the Insurance Trustees is to manage the NSTU Group Insurance plans as defined by the Trust Deed between the NSTU and the Trustees of the Nova Scotia Teachers Union Group Insurance Trust Fund.

- a. The replacements on the Insurance Trustees shall be representative of various geographical areas throughout the province.
- b. The Insurance Trustees shall submit an audited annual financial report to the Provincial Executive.
- c. The Insurance Trustees shall consider such resolutions as may be referred by Annual Council and make appropriate recommendations.
- d. The Insurance Trustees shall participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.

II. Composition and Term

- a. The maximum number of Trustees shall be six (6) Members appointed by the Provincial Executive.
- b. Trustees shall serve a term of five (5) years and are not eligible for reappointment.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- c. An Insurance Trustee shall not hold or run for any elected office in the NSTU while serving as a Trustee.
- d. Insurance Trustees may attend Annual Council as a Local Delegate. (*January 2015, May 2019*)
- e. Where any Trustee has died, resigned, or been removed, the Provincial Executive shall appoint a successor for such Trustee and the new Trustee shall serve a term of five (5) years.
- f. When the vacancy occurs after the first Trustee's meeting of the school year, the new Trustee will complete that year and the five (5) year term will begin at the end of that school year.
- g. Every effort shall be made to provide that at least one (1) of the Trustees be fluent in both official languages.
- h. No term, probationary or permanent NSTU staff member shall be eligible to serve as an Insurance Trustee.

III. Meeting Frequency

The Insurance Trustees typically meet ten (10) times per academic year. The Trust Deed stipulates that the Trustees determine their rules of procedure.

Reference: Provincial Executive, January, 1986, October, 2002, January, 2003; February 24, 2005; December 1-2, 2005; January 19-20, 2006; April 1, 2006, December 2011; October 2012; January 2015

B. NOVA SCOTIA TEACHERS' PENSION PLAN TRUSTEE INCORPORATED BOARD OF DIRECTORS

I. Mandate

This Board oversees the investment and administration of the Teachers' Pension Fund.

II. Composition and Term

- a. The Board of Directors, Teachers' Pension Plan Inc. are appointed by the Provincial Executive upon recommendation of the NSTU Table Officers.
- b. Composition shall include:
 - i. one (1) Retired Member, for a three (3) year term, renewable for a second three (3) year term;
 - ii. one (1) Active Member, for a three (3) year term, renewable for a second three (3) year term;
 - iii. an NSTU Executive Staff Officer; for a three (3) year term, term may be renewed indefinitely; and,
 - iv. one (1) person whose professional background involves actual experience managing/overseeing the investments of a pension/insurance fund(s), preferably with a CFA or CFP designation (or equivalent). Their term would be a three (3) year term, renewable for a second three (3) year term.
- c. Criteria for selection:
 - i. person(s) have considerable knowledge about the Teachers' Pension Plan;
 - ii. person(s) have experience in and/or knowledge about investments particularly the investments of pension funds; and,
 - iii. person(s) have experience as a Trustee or has a working knowledge of Trusts.

III. Announcement of Vacancy

Application for these positions will be through *The Teacher* and the NSTU website.

Reference: September 16-17, 2005; replaces the Minister of Finance's Pension Investment Advisory Committee; amended October 2011.

C. SHEONOROIL FOUNDATION – BOARD OF DIRECTORS (TRUSTEES)

The Sheonoroil Foundation is an arms-length charitable agency created to fund school-based projects and research directed at reducing violence in schools. The Board of Directors is the governing body of the Foundation; it develops Foundation policy, mandates Foundation initiatives and approves project funding.

I. Mandate

The objects of the Sheonoroil Foundation are:

- a. to engage in or support research and investigation into the effects of educational site violence on the physical and emotional health and welfare of teachers and other

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

stakeholders in the public education system, and the corresponding impact upon the ability of individuals to perform their roles in the system and otherwise support the education process;

- b. to develop and support appropriate intervention strategies to deal with violence in the public school system; and,
- c. to serve as a central repository for the preparation, collection, and distribution of resources on school violence.

II. Composition and Term

- a. There shall be six (6) persons appointed as Trustees for terms of three (3) years, with one (1) such Trustee to be a Retired Teachers' Organization Member, and the remaining five (5) Trustees to be Active Members; and,
- b. one (1) additional member from the Provincial Executive for a term of two (2) years, renewable for an addition one (1) year term.

Reference, February 2003

D. TEACHERS' PENSION BOARD

I. Composition and Term

- a. The NSTU representatives on the Nova Scotia Teachers' Pension Board consist of:
 - i. the NSTU President;
 - ii. the Immediate Past President, or person designated by the Provincial Executive;
 - iii. the Executive Director; and,
 - iv. an Executive Staff Officer responsible for pension matters.
- b. In the event that a Teachers' Pension Board member named for office is unable to serve, then the NSTU shall appoint a replacement on a temporary or permanent basis.

Reference: October 2007

II. Pension Board Representation

The Executive Staff liaison to the Teachers' Pension Board is named designate to the NSTU Pension Committee.

Reference: Provincial Executive, September, 1998; amended February 24-26, 2005

Reference: OP6 amended by substitution May 2019

7. CONFLICT OF INTEREST

A. POLICY

The Policy on Conflict of Interest is set out in NSTU Standing Orders and reads: *Individuals in an elected or appointed leadership role of the NSTU, its employees, and others acting on the organization's behalf have the obligation to avoid conflicts of interest; the perception of conflict of interest; and to ensure that their activities and interests do not conflict with their responsibilities to the Nova Scotia Teachers Union.*

B. DEFINITION

A conflict of interest arises in situations where an individual's private affairs or financial interests are in conflict, or could result in the perception of conflict, with their duties or responsibilities. A real or apparent conflict of interest includes, but is not limited to, where a person:

- I. has the potential for monetary gain or access to increased status or power;
- II. has a direct or indirect interest in any enterprise which transacts business with the Union;
- III. serves on a selection committee where a personal relationship with an applicant may create undo bias.
- IV. renders service for compensation and that compensation is an attempt to gain favour; and,
- V. has a leadership role with an external body that may render a decision inimical to the interests of the Union.

C. SELF DISCLOSURE

- I. Persons in leadership roles shall:
 - a. be sensitive to the perception of conflict of interest;
 - b. make known in advance any possible conflict of interest;

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- c. err on the side of caution rather than presume that no conflict may be perceived; and,
 - d. consult the Executive Director when in doubt whether a conflict may exist.
- II. Upon assuming membership on the Provincial Executive or appointment to a staff position, that person shall report to the Executive Director any affiliation which may lead to any perceived or potential conflict.
- III. Where a person in a leadership role, has a conflict of interest, in any matter and is present at a meeting at which the matter is the subject of consideration, the member shall:
 - a. prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - b. absense themselves from the portion of the meeting where the matter is discussed (such absence to be recorded in the minutes);
 - c. not take part in the discussion of, or vote on any question in respect of the matter; and,
 - d. not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- IV. When a person in a leadership role continues to participate despite a possible conflict of interest, it is acceptable to ask for the group's concurrence in this choice, and it is acceptable for another participant to challenge this decision and put the matter to a vote by the assembly.

D. VOTING IN ELECTIONS OR ON COLLECTIVE GAINS

Notwithstanding these conflict of interest procedures, individuals do have the right to vote for themselves in elections. Additionally, where there is a potential collective gain, as in a motion to increase a subsidy allocated for attending conventions, all members continue to have a right to vote.

E. POLICY ENFORCEMENT PROCEDURES

If a person in a leadership role or an NSTU employee does not declare a possible conflict of interest and a conflict of interest is found to exist, or where a conflict of interest is determined to have occurred, the person(s) may be liable to the Nova Scotia Teachers Union and subject to such actions as deemed legal and appropriate. Procedures, processes, and reporting under this Policy and Procedures shall be under the advisement and direction of the Executive Director of the NSTU.

F. APPEAL

Any decision of the Executive Director taken as a result of the application of this Policy and Procedures shall be subject to appeal to the Table Officers of the NSTU.

Reference: Provincial Executive, February 1999, October 2019

Governance

Curriculum

Economic Welfare &

Working Conditions

Government

Professional

Development

General

8. ELECTION PROCEDURES

A. VOTING DAY SCHEDULING

The election for NSTU President and the election of Regional Provincial Executive Members shall not take place on the same day.

Reference: Provincial Executive, November 19, 1999

B. ELECTRONIC VOTING PROCEDURES FOR ELECTIONS/BY-ELECTIONS FOR REGIONAL PROVINCIAL EXECUTIVE MEMBERS

Regional Elections for Provincial Executive members shall be conducted using electronic voting.

(Reference: June 2009)

I. Election Nominations

- a. On or before a date not less than sixty (60) days prior to the upcoming Annual Council, the Provincial Executive shall designate a Provincial Executive member, Local President or officer to convene the initial meeting and such a convenor will not be a candidate in the election.
- b. The business of that meeting shall be:

- i. to decide the date or dates of the election which must be on Tuesday, Wednesday, or Thursday, and must be held on or before a date not less than fifteen (15) days prior to the upcoming Annual Council;
- ii. to arrange for the appointment of a Nominating Committee consisting of two (2) members from each Local within the electoral region (each Local should appoint one (1) alternate member), or consisting of a minimum of four (4) members where there is only one Local in the electoral region;
- iii. to name a Chair of the Nominating Committee who will also be the Regional Electoral Officer; (The person so named shall not be a member of the Provincial Executive); and,
- iv. to forward from that meeting at least Thirty (30) days prior to Annual Council to NSTU Central Office, the names of the Nominating Committee and the dates of the election so that they may be published in *The Teacher* preceding the election dates.

II. By-Election Nominations

Notwithstanding the procedures outlined in I. b., in the event of a By-Election the following procedures shall apply.

- a. At least thirty (30) days prior to the By-Election date set by the Provincial Executive, the Provincial Executive shall designate a Provincial Executive member, Local President or officer to convene the initial meeting and such a convenor will not be a candidate in the election.
- b. The business of that meeting shall be:
 - i. to be informed of the date for the by-election;
 - ii. to arrange for the appointment of a Nominating Committee consisting of two (2) members from each Local within the electoral region (each Local should appoint one alternate member), or consisting of a minimum of four (4) members where there is only one Local in the electoral region;
 - iii. to name a Chair of the Nominating Committee who will also be the Regional Electoral Officer; and,
 - iv. to forward from that meeting the names of the Nominating Committee to NSTU Central Office, immediately following the meeting.

III. The Nominating Committee

The Nominating Committee thus constituted shall meet at least twice.

- a. The first meeting shall be at the call of the Chair, and all procedures should be reviewed and agreed upon.
 - b. The first meeting of the Nominating Committee shall take place as set forth in I. a. above.
 - c. The Chair of the Committee shall be the Regional Electoral Officer who shall have general oversight and management of the election process subject to the Constitution and this procedure.
- IV.** The Nominating Committee shall meet one (1) week prior to the close of nominations. Any member of the Committee who intends to stand for election should make this intent known to the Nominating Committee and the Local President in time to find a replacement.
- V.** The Nominating Committee thus constituted shall receive nominations for the office until thirty (30) days prior to the date of the election.
- VI.** At the close of nominations, the Nominating Committee shall:
- a. forward names of nominees to NSTU Central Office for the preparation of the ballot;
 - b. cause to be circulated, a brief curriculum vitae for each candidate to each educational site in sufficient number for each member. (NSTU Central Office will assist in providing clerical assistance if the regional Nominating Committee deems it advisable);
 - c. the Regional Electoral Officer shall contact each NSTU representative at an appropriate date prior to the election to ensure that the NSTU representative understands the duties in respect to conducting the election;
 - d. if a single name is received by the Nominating Committee, the Nominating Committee shall declare the individual so nominated elected by acclamation; and,

Governance

Curriculum

Economic Welfare & Working Conditions

Government

Professional Development

General

- e. if no names are placed in nomination for a vacant Regional Provincial Executive Member position, the Provincial Executive shall convene another meeting of the Regional Nominating Committee at a later date. In the interim, the Provincial Executive would appoint a member from the Local(s) affected to hold the Provincial Executive position until such time as an election has been held.

VII. Ballot

- a. The electronic ballot shall have candidates listed in alphabetical order on the NSTU voting page of the website. Unless otherwise instructed by a candidate, the full name of the candidate shall be posted on the ballot.
- b. Voters will be provided with a voting card which contains a private voting key to access the electronic ballot.

VIII. Distribution of Voting Cards

- a. Voting cards and nominal lists will be sent by registered mail to NSTU representatives by the NSTU Central Office.
- b. Voting cards will be sent to Reserve Members directly from NSTU Central Office. NSTU Representatives must ensure that substitute teachers who are Reserve Members only receive the one (1) voting card.
- c. Additional voting cards will be available from the Regional Electoral Officer.
- d. A list of voting keys issued shall be maintained at NSTU Central Office.
- e. NSTU Representatives shall confirm receipt of voting cards by email to the Regional Electoral Officer.

IX. Advance Issue of Voting Cards

- a. Voting cards shall be available to the NSTU Representative for distribution the day before the vote to be issued to an NSTU member(s) who certifies an inability receive a voting card on voting day because of an anticipated absence from the regular worksite during the voting period.
- b. The NSTU Representative shall have the member sign the nominal list and provide the member with a voting card and instructions on how to vote during the voting period.

X. On Voting Day

- a. NSTU Representatives are encouraged to make arrangements to have a dedicated computer available for staff to use for the voting period and that the computer automatically display the NSTU website where members can vote.
- b. NSTU Representatives shall:
 - i. identify voters;
 - ii. provide voters with a voting card (which contains a private voting key under the scratch box); and,
 - iii. ensure voters sign the nominal list next to their name to confirm receipt of the voting card.
- c. NSTU Representatives are to instruct voters to go to the NSTU website (www.nstu.ca), select the icon for the vote and follow the instructions for voting.
- d. NSTU Representatives are to return the original signed nominal list as well as all unused voting cards to the Regional Electoral Officer.
- e. Regional Electoral Officers with the assistance of an electoral committee, if necessary, shall:
 - i. confirm that all NSTU Representatives have received voting cards;
 - ii. contact all worksites on voting day to make sure voting is proceeding as scheduled; and,
 - iii. ensure all worksites return signed nominal lists to the Regional Electoral Officer.

XI. Verification and Counting

Voting keys will be validated and counted electronically.

XII. Eligibility to Vote

- a. All NSTU members employed on the designated voting day shall be eligible to vote, including members on educational or deferred salary leave, or active reserve members.
- b. Substitute teachers employed on the day designated as voting day shall be eligible to vote.

XIII. Nominal Lists

A list of eligible voters (effective April 1) shall be available to the candidates prior to the election.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

XIV. Announcement of Balloting Results

- a. Within twenty-four (24) hours of the close of electronic voting, the Chair of the Nominating Committee shall inform NSTU Central Office, the Locals and the candidates promptly of the vote results with an indication of the total votes received by each candidate. The information to NSTU Central Office shall be confirmed in writing by the Chair of the Nominating Committee.
- b. The Regional Electoral Officer shall keep the nominal lists and unused voting cards in a safe place for a period of sixty (60) days.
- c. The Regional Electoral Officer may, at the request of the Nominating Committee, delay a final declaration of a result, should there be reason to believe that an irregularity has occurred in respect to the election and additional information is required.
- d. The period by which a final declaration of a result may be delayed shall not exceed five (5) days.

XV. All elections are decided by a plurality of the votes cast.

XVI. A quorum of the Nominating Committee shall be a majority of its membership.

XVII. The Presidents of the Locals in the region may make all other determinations necessary for the proper conduct of the election(s) in the region, not inconsistent with the matters outlined herein, or the By-Laws, or the Standing Orders of the Union and shall supervise the functions of the Regional Electoral Officer.

XVIII. In the event that the Presidents of the Locals are unable to agree, an appeal may be made to the Provincial Executive of the NSTU, which may refer the matter to the Chief Electoral Officer of the Union for determination.

XIX. The Nominating Committee Chair shall accept calculations of the expenses of NSTU representatives engaged in the election. He/she shall submit these and his/her own expenses to NSTU Central Office where these will be checked, and if approved, he/she and the NSTU reps shall be reimbursed.

Reference: Provincial Executive, Sept. 1979; Feb., 1983; Jan. '86, Oct. '87, Dec., 1997; March, Sept., Dec. '99, June 6, 2003; Structure Review Report, Council 2004 Paper balloting Rescinded February 2009

Electronic Balloting Procedures September 2009; Amended January 2010; June 2011, January 2018

C. ELECTRONIC VOTING PROCEDURES FOR ELECTION OF THE NSTU PRESIDENT BY UNIVERSAL SUFFRAGE**I. Eligibility of Candidates**

Candidates for the office of President must be active members of the Nova Scotia Teachers Union.

II. Nominations

- a. Nominations for the office of President of the Nova Scotia Teachers Union shall be submitted on the official nomination form and may be made in the following manner:
 - i. any candidate may be nominated by obtaining the signatures of twenty-five (25) active or reserve members of the Nova Scotia Teachers Union; and,
 - ii. each nomination form must also contain the signature of the candidate.
- b. Nomination forms for the position of the President of the Nova Scotia Teachers Union must be received by the Executive Director of the Union by not later than 4:00 p.m. on the third Friday in February. Nomination forms must be delivered to the Executive Director via mail, courier or in person. Nominations received by telephone, facsimile or other electronic means will be considered invalid.
- c. Nomination forms may be obtained from the Executive Director of the Nova Scotia Teachers Union.

III. Regional Electoral Officers

- a. Prior to the deadline for nominations, the Provincial Executive shall appoint a Regional Electoral Officer for each geographic region of the province. These individuals shall be responsible for the conduct of the election in their region.
- b. As per Article 31.02 (iv) of the Teachers' Provincial Agreement, the Regional Electoral Officer may request to be released from teaching duties on voting day if they deem it necessary to carry out their duties.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional

Development

General

IV. Ballot

- a. The electronic ballot shall have candidates listed in alphabetical order on the NSTU voting page of the website. Unless otherwise instructed by a candidate, the full name of the candidate shall be on the ballot.
- b. Voters will be provided with a voting card which contains a private voting key to access the electronic ballot.

V. Distribution of Voting Cards

- a. Voting cards and nominal lists will be sent by registered mail to NSTU representatives by the NSTU Central Office.
- b. Voting cards will be sent to Reserve Members directly from NSTU Central Office. NSTU Representatives must ensure that substitute teachers who are Reserve Members only receive the one (1) voting card.
- c. Additional voting cards will be available from the Regional Electoral Officer.
- d. A list of voting keys issued to each Local shall be maintained at NSTU Central Office.
- e. Members will receive an email to their NSTU web mail address from NSTU Central Office reminding them that it is voting day and to see their NSTU representative to receive a voting card.
- f. NSTU Representatives shall confirm receipt of voting cards by email to the Regional Electoral Officer.

VI. Promotion of the Vote

- a. Posters shall be created and mailed to Reps to display at worksites that remind members of the election dates and times and encourage voting.
- b. The NSTU website shall be used to post messages reminding members to vote; Locals are encouraged to use their websites as well to promote the vote.
- c. NSTU webmail shall be used to send reminders to reps, local leaders, and Provincial Executive members of the election, both before and during the voting period.
- d. On voting day, an email will be sent to each member with an NSTU webmail address to remind them to vote, with a link to the website voting page.
- e. Locals shall be encouraged to include training for NSTU Reps at Rep Retreats on the procedures to follow for electronic voting.

VII. On Voting Day

- a. NSTU Reps are encouraged to make arrangements to have a dedicated computer available for staff to use for the voting period and that the computer automatically display the NSTU website where members can vote.
- b. NSTU Representatives shall:
 - i. identify voters;
 - ii. provide voters with a voting card (which contains a private voting key under the scratch box); and,
 - iii. ensure voters sign the nominal list next to their name to confirm receipt of the voting card.
- c. NSTU Representatives are to instruct voters to go to the NSTU website (www.nstu.ca), select the icon for the vote and follow the instructions for voting.
- d. NSTU Representatives are to return the original signed nominal list as well as all unused voting cards to NSTU Central Office in a Postage Paid Envelope at the end of the day.
- e. Regional Electoral Officers with the assistance of an electoral committee, if necessary, shall:
 - i. confirm that all NSTU representatives have received voting cards;
 - ii. contact all worksites on voting day to make sure voting is proceeding as scheduled; and,
 - iii. ensure all worksites return signed nominal lists to NSTU Central Office.

VIII. Verification and Counting

- a. Voting keys will be validated and counted electronically.
- b. The counting and recording of votes shall be conducted on a Local-by-Local basis.

IX. Election of Candidate

- a. A candidate must obtain a majority of the votes cast to be declared elected as the President of the Nova Scotia Teachers Union.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- b. In the event that a candidate does not obtain a majority, there shall be a second ballot. The second ballot shall contain only the names of the two (2) candidates obtaining the highest number of votes cast on the first ballot.
- c. In the event of an equality of votes, the choosing of candidates for the second ballot or for the election of President, the decision shall be by lottery. (i.e. placing the names of the candidates on equal size pieces of paper placed in a box and one (1) name being drawn by a person chosen by the Chief Electoral Officer.)

X. Announcement of Balloting Results

- a. The Executive Director or designate shall, as soon as the results are known:
 - i. Notify all candidates of the vote results with an indication of the total votes received by each candidate. Results on a Local-by-Local basis shall be sent via email.
 - ii. Announce within the NSTU to the Provincial Executive, Local Presidents and members the results as in i. above by posting to the NSTU website.
- b. The NSTU shall, upon completion of a. above, issue a media release announcing the outcome of the vote but not containing the vote count.
- c. The results of the vote shall be published in the issue of *The Teacher* subsequent to the election.

XI. Appeal

- a. A defeated candidate receiving at least ninety-eight percent (98%) of the votes cast for the leading candidate is entitled to appeal the vote.
- b. Notwithstanding a. above a candidate receiving at least ninety-eight percent (98%) of the votes cast for the candidate receiving the second highest number of votes is also entitled to appeal the vote.
- c. A candidate requesting an appeal of the vote must do so within forty-eight (48) hours of the notification of results and shall provide in writing the reasons for the appeal to the Chief Electoral Officer.
- d. The Chief Electoral Officer shall, as soon as possible, respond to the candidate's appeal and either shall deny the appeal or order a revote in the identified Local(s).

XII. Nominal Lists

- a. A list of eligible voters, effective the first Monday in December, shall be available to candidates by February 28.
- b. A revised list of eligible voters, effective the first Monday in March, shall also be available to candidates prior to the election.

XIII. Eligibility to Vote

- a. All NSTU members employed on the designated voting day shall be eligible to vote, including members on educational or deferred salary leave, or reserve members.
- b. Substitute teachers employed on the day designated as voting day shall be eligible to vote.

XIV. Voting

- a. The election of the NSTU President shall be conducted by electronic voting.
- b. The election of the NSTU President shall be held within ten (10) calendar days following Victoria Day.
- c. If required, notwithstanding XI. d. – Appeal, a second ballot shall be conducted ten (10) calendar days following the first vote or sooner, if possible.
- d. The voting day shall be from 6:00 a.m. – 8:00 p.m.
- e. The vote shall be conducted by the NSTU representative (or designate in their absence).

XV. Advance Issue of Voting Cards

- a. Voting cards shall be available to the NSTU Representative for distribution the day before the vote to be issued to an NSTU member(s) who certifies an inability receive a voting card on voting day because of an anticipated absence from the regular worksite during the voting period.
- b. The NSTU representative shall have the member sign the nominal list and provide the member with a voting card and instructions on how to vote during the voting period.

Governance

Curriculum

Economic Welfare & Working Conditions

Government

Professional Development

General

XVI. Financial

- a. Candidates shall be eligible to be reimbursed for election expenses incurred after nomination up to two thousand dollars (\$2,000.). In addition, candidates on a run-off vote may claim an additional five hundred dollars (\$500.) to a total of two thousand five hundred dollars (\$2,500.) for election expenses incurred. The NSTU will cover up to fifteen (15) substitute days. Each candidate in a run-off vote is allowed to have a replacement substitute paid for two (2) additional days.
- b. To be eligible for financial assistance candidates must receive at least ten percent (10%) of the total votes cast in the first round of voting. The percentage shall be rounded to the nearest percent.
- c. The claim for expenses must be submitted on an Election Claim Form available from the Chief Electoral Officer. Allowable expenses include travel, accommodations, meals, postage, stationery, substitute days, telephone costs, printing and other promotional costs. All expenses must be substantiated by receipts and approved by the Executive Director or designate.
- d. Total campaign spending, excluding substitute days (to a maximum of fifteen (15) days) and travel, by or on behalf of each candidate may not exceed four thousand dollars (\$4,000.).
- e. Total campaign spending for candidates on a run-off vote may include an additional one thousand dollars (\$1,000.) for a total of five thousand dollars (\$5,000.).
- f. A financial statement report must be submitted on the prescribed form to the Executive Director or designate Officer within sixty (60) days of the election. Such reports to be published in *The Teacher*.
- g. Costs incurred by Locals for the distribution of voting cards during the election of the NSTU President be reimbursed to Locals upon receipt of the appropriate documentation verifying these costs.

XVII. Candidates' Publicity

- a. In an election year the NSTU shall publish two (2) special election issues of *The Teacher*. Each candidate for office will be entitled to one (1) page per issue, content to be determined by the candidate. The first issue will also contain an explanation of the method of voting. Candidate material shall appear in alphabetical order. Once nominated all candidates' input to *The Teacher* shall be limited to the special election issues. The incumbent President may continue to include the "From the NSTU President" column in *The Teacher*.
- b. Following the close of nominations, candidates for NSTU President shall be provided a static webpage on the NSTU website, which will host the candidate information that is published in *The Teacher* and the candidate's election poster. Links to the candidate webpages shall be highlighted on the NSTU homepage during the active campaigning timeframe.
- c. Candidates' statements carried in *The Teacher* will also be carried on the NSTU website during the campaign.
- d. Paid advertisements in any medium (press, radio, television, *The Teacher*) are prohibited.
- e. The NSTU will produce an election poster containing a photograph and brief statement from each candidate. Posters shall be 11" X 17" in size and be a maximum of two colours including background. Colours may be of the candidate's choice. Posters will be mailed to NSTU worksites not later than April 10 and shall be provided on the basis of one poster per NSTU worksite.
- f. The NSTU shall provide each candidate with two (2) complete sets of mailing labels, upon request.

XVIII. Campaigning

- a. The NSTU shall conduct the Provincial all candidates' forum and post to the NSTU website within one (1) week.
- b. The use of Employer email is prohibited for campaigning purposes.
- c. The use of the Membership Registry is prohibited for campaigning purposes.
- d. Active campaigning for the office of NSTU President may begin no sooner than the Monday following March Break.
- e. No invitation to prospective candidates shall be given by Locals or RRC's prior to the close of nominations.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- f. If Locals invite candidates to attend a meeting or any Local event, the invitation must be extended all candidates.

XIX. Administrative

- a. All candidates shall be offered the same NSTU services.
- b. The Executive Director or designate, shall arrange an all candidates' orientation to occur before the March Break.
- c. The candidate information kit shall be sent prior to the orientation meeting and shall include a list of the dates of known Local meetings.
- d. Following the election, the Executive Director or designate and the Regional Electoral Officers, with the assistance of NSTU Central Office, shall conduct an evaluation of the election procedures, by surveying the candidates. A report shall be made to the Provincial Executive at its November meeting. The evaluation forms and report shall be kept on file to facilitate periodic overall reviews.

XX. Attendance at Annual Council

- a. If not otherwise eligible to attend, Candidates may attend the Annual Council at the expense of the Union.
- b. A Provincial all candidates' forum at 2:00 p.m. Saturday consisting of seven minute presentations and a question and answer period of up to thirty (30) minutes shall be arranged at Annual Council. The forum will be moderated by the Independent Chair of Annual Council. Extension to the question and answer period will be at the discretion of the Independent Chair with consideration being given to the overall agenda of the business meeting.

Reference: Provincial Executive, April 2008, Amended January/February 2009; previous procedures rescinded February 2009; Amendment October 15, 2009; January 2010; June 2015, September 2015, January 2018

Governance

Curriculum

Economic Welfare & Working Conditions

Government

Professional Development

General

9. EXPENSE GUIDELINES

A. GENERAL EXPENSE GUIDELINES

I. Expense Forms

- a. The Nova Scotia Teachers Union has adopted the revised Committee expense account form, which specifically references Article 31.07 (i) (b) of the Teachers' Provincial Agreement.
- b. The expense form for Provincial Executive members was revised to reference Article 31.07 (i) (a) of the Teachers' Provincial Agreement.

Reference: Provincial Executive, September, 1998

- c. In the event of an ambiguity concerning the consistency of an expense claim with NSTU expense guidelines, the expense form will be submitted to the next Finance and Property Committee meeting for review and disposition.

Reference: Provincial Executive, February 21, 2003

II. Guidelines for Meeting Expenses

Barring unforeseen circumstances, weather or road conditions, all members attending NSTU meetings shall abide by the following guidelines recommended by the Finance and Property Committee:

a. Release Time for Purpose of Travel

When travel time is required by a member due to distance, the member shall utilize no more than one-half (1/2) day release time for the purposes of travel to and no more than one-half (1/2) day release time for the purposes of travel from a meeting.

Reference: February 2014

b. Release Time for Purpose of Travel to Annual Council

A half (1/2) day substitute be provided for all members who travel beyond two hundred and fifty (250) kilometres to attend Annual Council. (*Reference: 2014-17*)

c. Accommodations

- i. Accommodation for the previous night may not be claimed for meetings that begin at 2:00 p.m. or later; and,
- ii. Accommodation for the night of the meeting may not be claimed for meetings that conclude at 1:00 p.m. or earlier.

d. Meal Claims

When attendance at a meeting or travel to and from a meeting occurs during the normal meal hours, members may claim for the respective meals. In cases where a meal is provided by the Union, the meal claim is invalid.

Reference: Provincial Executive, May 5, 2000

e. Incidental Charges

When staying overnight on approved NSTU business, an amount of eight dollars (\$8.00) per overnight is claimable.

Reference: September 2007; 2015-2016 Budget

III. Family Care

- a. The Union will cover the necessary family care expenses for members if they are participants at:

- i. Annual Council;
- ii. Committees of the NSTU;
- iii. meetings of Provincial Executive;
- iv. Local Presidents' Conference;
- v. negotiating sessions; and,
- vi. other authorized Union business.

- b. All claims must be accompanied by a properly completed expense form and will be paid on the basis of amounts approved from time to time by the Provincial Executive.

- c. The rate for family care shall be set at the minimum hourly wage rate set by the Province of Nova Scotia up to a maximum of eight (8) hours/day for children under the age of fourteen (14) years, or ten (10) hours/day maximum if overnight is required if the child is eighteen (18) years of age or younger. These rates will apply to special needs dependents and elder care with the approval of the Finance & Property Committee.

- d. Before claims are paid, receipts must be provided from the person/agency providing such childcare.

- e. The Union will reimburse receipted pet care expenses to a maximum of twenty dollars (\$20.00) including tax per day

Reference: Resolution 99-18, amended February 22, 2001; February 21, 2003, February, 2007, November 2009, March 5, 2010; November, 2012; April 2013; 2014-17

IV. Reimbursement

- a. NSTU members are eligible to claim hotel, meals, travel and other appropriate expenses while attending or while en route to or from NSTU approved provincial NSTU meetings and conferences, according to rates established from time to time by the Provincial Executive.

- b. NSTU members may claim hotel accommodations en route to an approved NSTU meeting, conference or event providing that the distance from the member's home to the event venue is in excess of four hundred and fifty (450) km. Reimbursement shall be the cost of the en route accommodation or the amount negotiated at the NSTU contract hotel, whichever is the lesser.

- c. The cost of taxi travel to and from the hotel to the Union building will only be reimbursed with receipt and approval.

- d. If not staying at any hotel, parking fees up to a maximum of twenty five dollars (\$25.00) per diem with official parkade receipts will be accepted.

Reference: Revised February 2003; Amended March, 2003; April 2003, September 2007, February 2008

V. Expense Differential

- a. NSTU reps who attend either coincidentally held meetings, or closely scheduled meetings, of an NSTU committee and an outside agency or group, shall be entitled to collect an expense reimbursement from the outside agency or group, plus the appropriate differential for NSTU committee-related expenses, should NSTU expense guidelines differ or exceed those of the outside agency or group.

Reference: December 1986

- b. NSTU representatives who are entitled to expenses paid by any organization or group other than the NSTU shall be subject to the expense guidelines and conditions of that organization or group, and shall not be entitled to expense reimbursement from the NSTU.

Reference: Provincial Executive, November, 1986

Governance

Curriculum

Economic Welfare &

Working Conditions

Government

Professional

Development

General

VI. NSTU Expense Rates**a. Meal Allowance**

The NSTU meal allowance is fifty four dollars per day (\$54.00/day), including tax and gratuities as follows:

- i. eleven dollars (\$11.00) for breakfast;
- ii. thirteen dollars (\$13.00) for lunch; and,
- iii. thirty dollars (\$30.00) for dinner.

Reference: Provincial Executive, December, 1985, March, 1991; Reviewed February & March, 2003; March, 2006, February 2008; 2015-2016 Budget

b. Metrage Rate

The NSTU metrage rate for NSTU members is forty-four cents per kilometre (44¢/km).

Reference: Provincial Executive, March 2001; September 2005; March 2006; April 2006

c. Hotel Claim

Without a receipt for hotel accommodations, the Union will accept a claim for twenty dollars (\$20.00) per overnight for members who require accommodation other than his/her own residence.

Reference: Provincial Executive, Amended February 2003

VII. Canadian Teachers' Federation Travel

NSTU members attending CTF meetings and/or Conferences will be reimbursed expenses following CTF expense guidelines.

Reference: Provincial Executive, April 2007

B. CONFERENCE EXPENSE GUIDELINES**I. Provincially–Organized Conferences**

- a. Two (2) members from a Local shall be permitted to attend the following conferences, with the Local responsible for all authorized expenses incurred by the second delegate, except for the Communications Conference where two (2) participants/Local are budgeted to attend. These conferences will take place at the contract hotel when possible.: (*October 2014*)
 - i. Communications Conference;
 - ii. Equity;
 - iii. New Member Contact;
 - iv. Professional Development;
 - v. Status of Women.
- b. Two (2) members from a Local shall be permitted to attend the following two (2) conferences, with the Local responsible for all authorized expenses incurred by the second delegate. Provincial Executive members shall also be invited to attend these conferences. These two (2) Conferences will take place at the contract hotel when possible: (*October 2014*)
 - i. Member Services; REWC Chairs are also invited to attend (no alternates); and,
 - ii. Pension Symposium.
- c. Further to *By-Laws, Article III 8 (a) (iv)* the President shall host two (2) conferences per year of NSTU Local Presidents and RRC Chairs. The April Conference shall also include the Provincial Executive.
- d. The NSTU budget includes one (1) member per Professional Association to attend the Professional Association Leaders Conference. In specific instances, Associations may send a second participant, with the Association responsible for all authorized expenses.
- e. Locals shall be informed of all estimated conference expenses prior to the deadline date for registration and will be billed based on the final costs per delegate following the conference.
- f. If a Local agrees to send a member to a provincially-sponsored conference and the member does not show, the Local shall be responsible to pay the member's share of the final conference costs.
- g. The NSTU shall pay one-half (1/2) day substitute costs, if necessary, for one (1) member per Local when traveling more than two (2) hours from their workplace when attending NSTU Standing Committee sponsored conferences commencing at 7:00 p.m.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- h. RCH Coordinators of the Regional Centres for Education/Boards are invited to attend the biennial Equity Conference and they shall be responsible for all expenses incurred. *(October 2014)*
- i. Conference Agendas will be sent to all registered conference participants at least one (1) week prior to the first day of the conference. *(October 2014)*
- j. All participants will have the opportunity to provide feedback about the conference on an Evaluation Form. This Form will be distributed to participants before the end of the Conference. *(October 2014)*

Reference: Provincial Executive, Sept. 1983; 1984; 1992; 1993; April 2005; February 2007; March 2008; April 2014, June 2014, September 2014, October 2014

II. Executive Planning Conference

- a. all expenses of the Provincial Executive members will be paid;
- b. lodging and meal expenses for a guest and dependent children, eighteen (18) and under, accompanying Provincial Executive members will be paid;
- c. all approved expenses of executive staff members will be paid;
- d. all approved expenses of invited guests will be paid; but,
- e. expenses of others, either accompanying or in addition to those identified in a, b, c, or d, will NOT be paid, unless special prior approval is granted by the President and Executive Director or by the Provincial Executive.

Reference: Provincial Executive, November 1983; July 1996

III. Out of Province Travel

NSTU members approved to represent the Union outside the province of Nova Scotia shall be entitled to claim compensation for expenses not paid by other groups or organizations, in accordance with the following:

- a. Hotel Accommodation – Single room rate (receipt required)
- b. Meals – (NSTU rates)
- c. Travel Expenses
 - i. Within Maritime Provinces, either:
 - return economy air/bus/train fare (receipt required),
OR
 - return metrage (NSTU rates).
 - ii. All other provinces, either:
 - return economy air/bus/train fare (receipt required),
OR
 - return metrage (NSTU rates), to a maximum of the return economy airfare.
- d. Other Expenses
 - i. Family care (NSTU rates)
 - ii. Taxi fare/car rental (receipt required)
 - iii. Conference fees (receipt required)
 - iv. Airport parking

Reference: Provincial Executive, September, 1987

IV. Education International

The NSTU shall be represented at the Education International General Assembly by the President who is in office on July 31st of the year of the General Assembly, and by the Executive Director.

Reference: Provincial Executive, November, 1985

V. Financial Assistance – National and International conferences

Requests for financial assistance from recognized national or international education organizations, whose mandate directly relates to the work of the NSTU and members in Nova Scotia are subject to the following guidelines:

- a. Counterparts or affiliates of the NSTU or NSTU Professional Associations with:
 - i. expected participation of less than one hundred and fifty (150) delegates up to five hundred dollars (\$500.00);
 - ii. expected participation of one hundred and fifty to five hundred (150 – 500) delegates up to one thousand dollars (\$1,000.00); and,
 - iii. expected participation of more than five hundred (500) delegates up to one thousand five hundred dollars (\$1,500.00).
- b. Other recognized education organizations with:

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- i. expected participation of up to five hundred (500) delegates up to five hundred dollars (\$500.00); and,
- ii. expected participation of over five hundred (500) delegates up to one thousand dollars (\$1,000.00).
- c. Disbursements according to these guidelines should be made by the Table Officers, subject to ratification by the Executive.

Reference: January, 1987; December, 1987

10. NSTU LOCALS

A. STRUCTURE AND GOVERNANCE

Note: The Provincial Executive has the authority to establish NSTU Local governance and structure granted under Article IV of the By-Laws.

I. Local Constitution Model

- a. The Provincial Executive adopted a Local Constitution Model which forms part of these Operational Procedures and is found in Appendix A. This Local Constitution Model outlines the structure and governance Locals must follow.
- b. The Provincial Executive reviews the Local Constitution Model on a regular basis and makes amendments as required.

II. Local Operational Procedures

- a. A Local must adopt Local Operational Procedures as appropriate to complement the Local's Constitution.
- b. Once Operational Procedures are adopted by a Local these procedures must be filed with NSTU Central Office.

B. ROLES AND RESPONSIBILITIES

- I. Roles and Responsibilities are categorized as follows:
 - a. Local Executive – plans and implements policies and directives of the Provincial Executive.
 - b. NSTU Representative – duties for NSTU representatives include, but are not limited to:
 - i. The timely distribution and posting of NSTU information received through the provincial NSTU representative network.
 - ii. The timely distribution and posting of information received from the NSTU Local.
 - iii. Directing members' requests to the appropriate Local or provincial support persons.
 - iv. Coordinating the collection of annual membership registry data in his/her educational site.
 - v. Requesting time on the staff meeting agenda for NSTU updates.
 - vi. Calling other meetings as necessary.
 - vii. Assisting new members to become informed NSTU members.
 - viii. Identifying themselves to all members new to their educational site.
 - ix. Ensuring all members understand the NSTU representatives' roles and duties.
 - x. Conducting other functions as outlined in these Operational Procedures.
 - c. General Membership – gathers and shares information.
- II. A member of the Local has the right to vote on all motions at Local General Meetings.

C. NSTU REPRESENTATIVE

- I. 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.
- II. Each educational site shall elect a minimum of one NSTU representative. Educational sites with up to twenty five (25) members shall elect a maximum of one NSTU representative. Educational sites with twenty six (26) to fifty (50) members may elect a maximum of two NSTU representatives. Educational sites with over fifty (50) members may elect a maximum of three NSTU representatives. The educational site shall be entitled to an equal number of alternate representatives.
- III. Notwithstanding C II above, under exceptional circumstances, a Local may at a Local General Meeting approve additional NSTU representatives at an individual educational site for an academic year.

Governance

Curriculum

Economic Welfare & Working Conditions

Government

Professional Development

General

D. ELECTION PROCEDURES FOR NSTU REPRESENTATIVES

- I. Notice shall be sent from the Local President to the incumbent NSTU representative at each site on or before the opening day of school outlining:
 - a. the procedure for electing new NSTU Representatives; and,
 - b. the duties and responsibilities of NSTU Representatives.
- II. Prior to the end of the first week of school, nominations for the position of NSTU representative, shall be opened for a period of not less than forty eight (48) hours.
- III. The first working day following the close of nominations a meeting shall be called to elect NSTU Representative(s) for the site. Clear notice of the place, time, and reason for the meeting shall be given to each member at the site. At this meeting the following shall take place:
 - a. the names of any nominee(s) for NSTU Representative should be announced;
 - b. there should be three calls for further nominations before nominations are closed;
 - c. if the number of nominations is equal to or less than the number of NSTU Representative(s) allowed under Operational Procedure 10 C II the nominees will be acclaimed;
 - d. if the number of nominations is greater than the number of NSTU representative(s) allowed under Operational Procedure 10 C II there shall be a vote by secret ballot;
 - e. the names of any nominees for NSTU Alternate Representative should be announced;
 - f. There should be three calls for further nominations before nominations are closed;
 - g. if the number of nominations is equal to or less than the number of NSTU Alternative Representative(s) allowed under Operational Procedure 10 C II the nominees will be acclaimed; and,
 - h. if the number of nominations is greater than the number of NSTU representative(s) allowed under Operational Procedure 10 C II there shall be a vote by secret ballot.

E. STRUCTURE OF THE LOCAL SUB UNITS

- I. The Executive of any Local may designate a sub unit which may meet:
 - a. for geographical convenience to discuss matters of interest within the designated geographical area; or,
 - b. for professional development purposes when these interests are different from the Local.
- II. A designated sub unit shall be financed from the general revenue of the Local as the Local may direct from time to time at a Local General Meeting. The financial records of the sub unit shall be submitted to the Local Treasurer by September 30 and are subject to an annual review in accordance with guidelines provided by the Finance and Property Committee of the NSTU.
- III. A designated sub unit shall operate subject to the general oversight and supervision of the Local and Executive and shall faithfully adhere to all policies and practices which the Local may make.
- IV. All sub units of NSTU Locals shall conform to the following characteristics:
 - a. Members in the sub unit shall appoint such officers as they deem necessary which shall include at least a President and Treasurer.
 - b. Members in the sub unit shall appoint a member of the Local Executive to represent them on the Local Executive.
 - c. Members in the sub unit are entitled to run for any office locally or provincially subject to any conditions which may apply to any other members of the Local.
 - d. Members in the sub unit are entitled to services and facilities provided by the host Local.
 - e. The host Local shall provide a percentage of the amount rebated to the Local by the central office in respect of members in the sub unit for administration and programming of the sub unit.
 - f. The host Local shall reserve at least one place from among the active delegates entitled to attend Annual Council for a member from each sub unit.

F. FUNDING FOR LOCALS

- I. Authority to set rebates for NSTU Locals is granted in NSTU By-Laws Article IV 4. (a).

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- II. Currently the rebate to Locals is fifteen percent (15%) of the NSTU membership fees paid by members of the Local.
- III. Notwithstanding I and II above, small Locals of two hundred (200) or fewer members will receive a five thousand dollar (\$5,000.) top up when their net assets per member are less than the average net assets per member of all Locals across the province (based on year end of the previously published Summary of Statement of Revenue & Expenditures by Locals). No Local belonging to an RRC shall receive less than the smallest Local contributing to an RRC.
- IV. Notwithstanding I and II above, CSANE's Local rebate is topped up by an additional five thousand dollars (\$5,000.) per year.
- V. Any Local is permitted to appeal to the Finance and Property Committee for extraordinary operating funds during any given fiscal year.
- VI. Any Local of three hundred (300) or fewer members experiencing undue financial hardship due to extraordinary expenses incurred as the result of a provincial initiative, may apply to the Provincial Executive for additional operating funds in the amount of the actual expenses incurred. Such application shall include a current financial statement for the Local, documentation of the expenses incurred and a rationale of the financial hardship incurred.

Reference: May 2019

G. REAL ESTATE, PURCHASE AND ASSIGNMENT OF USE OF LOCALS

I. General

- a. It is recognized that operations and activities within a Local required to provide an adequate standard of service to members of the Local may reach a level where the demand for space for offices, meetings, and related activities can most effectively be met through the acquisition of premises dedicated to those purposes.
- b. The NSTU may purchase property for occupancy and use by a Local for the purposes referred to in G I a.
- c. The following terms used in this section have the meanings assigned below:
 - i. "costs and expenses" means all direct and indirect costs and expenses, as determined by the Provincial Executive, associated with the purchase, use, maintenance, renovation, management or sale of a property. Costs and expenses include but are not limited to costs arising out of due diligence investigations and negotiations preceding a purchase, the purchase price, commissions, costs of construction and renovation including labour and materials, permits, insurance, taxes, utilities, supplies, furnishings and equipment, maintenance, professional fees, penalties, uninsured liabilities, NSTU administrative costs and such other costs or expenses as the Provincial Executive may in its discretion from time to time determine;
 - ii. "property" or "properties" means real property acquired and owned by the NSTU, or intended to be acquired by the NSTU, for the purpose of occupancy and use by a Local under this section; and,
 - iii. "purchase" means the purchase of a property and, where applicable, includes the construction of a building or other improvements on a property, or the initial renovation of an existing building on a property.

II. Authorization for Purchase or Sale

- a. The NSTU may purchase property for the occupancy and use of a Local, and sell such property where the Provincial Executive is satisfied that:
 - i. the purchase or sale is in the interest of the NSTU;
 - ii. the purchase or sale is warranted on the basis of providing efficient service to the members of the Local;
 - iii. in the case of a proposed purchase:
 - 1. the proposed acquisition of office premises has sufficient support among the members of the Local, having regard to the results of the referendum referred to in article G V a;
 - 2. the finances of the Local are, and are expected to be, satisfactory, having regard to the anticipated costs and expenses associated with the purchase, maintenance and use of a property; and,

Governance

Curriculum

Economic Welfare & Working Conditions

Government

Professional Development

General

3. the specific property proposed to be purchased is suitable for the purposes of the NSTU and the Local.
- iv. the proposed terms and conditions for the purchase or sale are reasonable; and,
- v. the purchase or sale is consistent with the terms and intention of this section, and the Provincial Executive approves the purchase or sale of the property.
- b. Every transaction relating to the purchase or sale of a property, including but not limited to agreements of purchase and sale and agreements related to development or renovation of a property (e.g. construction contracts), shall have the prior authorization of the Provincial Executive and all associated documents shall be executed on behalf of the NSTU only by those officials of the NSTU having authority to sign documents on its behalf.
- c. Where the approval and authorization of the Provincial Executive referred to in articles G II a and b are given, the Executive Director shall manage and oversee all aspects of the proposed purchase or sale of a property as in the Executive Director's judgment is necessary to implement the decision of the Provincial Executive and to protect the interests of the NSTU. Matters for which the Executive Director is responsible include but are not limited to:
 - i. negotiation of the purchase or sale;
 - ii. due diligence investigations;
 - iii. engagement and instruction of required professional advisors; and,
 - iv. engagement and supervision of a contractor(s) to carry out approved improvements or renovations. Items ii, iii, and iv shall be carried out by local suppliers where possible.
- d. Where, as a result of investigations, negotiations, or other steps taken under G II c, the Executive Director concludes that the purchase or sale of a property should not proceed, or that further direction is required, the Executive Director may suspend or discontinue the purchase or sale process and, except in circumstances covered by article G III c, refer the matter back to the Provincial Executive for decision.

III. Financial Matters

- a. All costs and expenses relating to a property are for the account of the Local to which occupancy and use of the property is intended to be assigned, is assigned, or has been assigned, as the case may be. Costs and expenses shall be paid out of the funds of the Local in the manner provided by this section.
- b. The Provincial Executive has, where necessary, conclusive authority to identify, and determine the amounts of, costs, and expenses for all purposes of this section.
- c.
 - i. Without limiting the generality of article G II a, and in particular clause iii of that Article, the Provincial Executive shall not approve the purchase of a property under this section unless it is satisfied that the Local has a sound financial plan to pay the estimated purchase price in full, together with all estimated costs of development or renovation if applicable, and all other costs and expenses associated with the purchase of a property.
 - ii. Every approval given by the Provincial Executive for the purchase of a property under this section shall be subject to the condition, among any others prescribed by the Provincial Executive, that the approval shall not be effective until the Local has first transferred, to the NSTU Local facilities account, funds in an amount determined by the Provincial Executive to be sufficient to meet the costs referred to in article G III c i. No expenses or obligations shall be incurred, or other steps taken in connection with an intended purchase, until funds in the required amount have been deposited by the Local in the NSTU Local facilities account.
 - iii. Where it becomes apparent in negotiating an intended purchase of a property that the funds transferred under article G III c ii will not be sufficient to meet the costs referred to in article G III c i, the Executive Director shall advise the Local Executive of that fact, and shall suspend the purchase process until the Local has transferred to the NSTU Local facilities account additional funds sufficient, in the opinion of the Executive Director, to enable those costs to be met. If the Local Executive advises the Executive Director that the required additional funds will not be transferred, or if the additional funds have not been transferred

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

within a reasonable period of time as determined by the Executive Director, the purchase process shall be discontinued by the Executive Director.

- iv. Where the intended purchase of a property is discontinued by the Provincial Executive or the Executive Director, or the purchase is for any other reason not completed, the funds referred to in G III c ii shall be returned to the Local, less all costs and expenses incurred by the NSTU in connection with the intended purchase.
- d. Costs and expenses shall be paid as follows:
 - i. costs and expenses associated with the purchase of a property shall be paid by the NSTU out of the funds of the Local transferred under article G III c ii to the NSTU Local facilities account for that purpose. Where the transferred funds exceed the costs and expenses actually incurred, the difference shall be returned to the Local. Where expenses exceed the transferred funds, the difference shall be deducted from the Local's rebate;
 - ii. costs and expenses other than those paid under i may be paid by the NSTU or the Local. In the event that these costs and expenses are paid by the NSTU, the NSTU shall be reimbursed by the Local for such costs and expenses. Reimbursement shall be made by way of deductions, from each of the semi-annual payments to the Local on account of rebates of membership fees, of amounts sufficient to cover all costs and expenses incurred by the NSTU as of the date of the rebate payment.
- e. The payment and reimbursement of all costs and expenses shall be under the administrative supervision and authorization of the Executive Director.

IV. Maintenance and Use

- a. The Executive Director has supervision of all matters relating to the use, maintenance, upkeep, renovation, and management of properties, including the establishment and implementation of such practices and procedures as are in the judgment of the Executive Director required to protect the interests of the NSTU.
- b. Occupancy and use of a property shall be assigned to the Local, following purchase, effective on a date determined by the Executive Director.
- c. In taking up occupancy and use of a property, Locals accept the terms and conditions prescribed by or under this section relating to occupation and use of the property.
- d. Occupancy and use of a property by a Local shall continue until otherwise determined by the Provincial Executive acting under article G V f or g article.
- e. Properties shall be used by Locals in accordance with terms and conditions of use prescribed from time to time by the Provincial Executive, which terms and conditions shall include but not be limited to the following:
 - i. properties shall be used for carrying on the business and affairs of the Local and NSTU as may be determined from time to time by the Provincial Executive;
 - ii. properties shall be used, managed and maintained in accordance with all NSTU policies, practices and procedures in effect from time to time;
 - iii. no portion of a property may be devoted to the regular use of any third party;
 - iv. no activity for profit shall be carried on within a property;
 - v. no permanent liquor bar or ongoing social use shall be established or conducted on a property;
 - vi. no activity shall be carried on a property which is contrary to the interests of the NSTU; and,
 - vii. no renovations or improvements shall be made to a property, in excess of five thousand dollars (\$5,000.), except as authorized by the Finance and Property Committee and carried out by the Local Executive as approved by the Executive Director.
- f. All properties shall be furnished and equipped, at the cost of the Locals, through a consultative process between the Executive Director and Local Executives.
- g. The Local Executive of a Local to which the occupancy and use of a property is assigned under this section shall be accountable to the Provincial Executive for the day to day use of the property in accordance with this section, and shall liaise with the Executive Director concerning all matters referred to in this Article G IV.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

V. Procedures for Initiating Purchase or Sale Process

Purchase

- a. Where a Local is proposing that the NSTU purchase office premises for the Local as contemplated by this section, the Local Executive shall conduct a referendum of the members of the Local as to whether or not the members support the purchase of premises and the use of the funds of the Local for that purpose.
- b. Where, after conducting the referendum referred to in G V a, a Local proposes the establishment of office premises under this section, and has identified a property or properties for potential purchase, the Local shall by resolution passed at a general meeting request that the Provincial Executive consider the proposal. The request shall include a completed submission in a form that may from time to time be determined by the Provincial Executive. The information and materials to be provided as part of the proposal of the Local shall include but not be limited to:
 - i. particulars of the need for premises to efficiently serve the members of the Local;
 - ii. the results of the referendum referred to in article G V a;
 - iii. information respecting the current financial position of, and the financial outlook for, the Local;
 - iv. information respecting the property or properties which the Local has identified for potential purchase, including the estimated costs of purchase;
 - v. details of the process by which the properties were identified, including searches conducted and reports and advice received from real estate consultants;
 - vi. the estimated annual costs of maintenance, upkeep and use of the property or properties;
 - vii. confirmation by the Local of its awareness of, and adherence to, the terms and conditions of this section; and,
 - viii. any other information requested by the Provincial Executive.
- c. Upon receipt of such a proposal, and complete information of the type required under article G V b, the Provincial Executive shall consider the proposal, having regard to, among other things, the criteria set out in article G II a.
- d. Where the Provincial Executive is satisfied that the proposal meets the requirements of this section, including the criteria set out in article G II a, and that the proposal is in the interest of the NSTU, the Provincial Executive may by resolution approve the purchase of a property by the NSTU and associated transactions, in accordance with this section, and subject to such conditions not inconsistent with this section as the Provincial Executive determines to impose.

Sale

- e. A Local may at any time by resolution passed at a general meeting propose to the Provincial Executive that a property assigned to its occupancy and use be sold. Such a proposal shall include but not be limited to:
 - i. information as to why the property is considered by the Local no longer to be required or suitable for the purposes of efficiently serving the members of the Local; and,
 - ii. any other information requested by the Provincial Executive.
- f. Where under article G V e the Provincial Executive, after consultation with a Local decides that a property be sold, all costs associated with the sale shall be deducted from the sale price and the balance shall be deposited in the Local facilities account. Disbursement of such funds from this account shall be at the direction of the Provincial Executive.
- g. The Provincial Executive, acting on its own initiative, may at any time by resolution determine, after consultation with the affected Local, either or both of the following:
 - i. that the occupancy and use of a property by the Local shall end temporarily or permanently as of a date determined by the Provincial Executive; and,
 - ii. that the property shall be sold on terms prescribed by the Provincial Executive.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

H. REAL ESTATE, LEASING AND ASSIGNMENT OF USE OF LOCALS**I. General**

- a. It is recognized that operations and activities within a Local required to provide an adequate standard of service to members of the Local may reach a level where the demand for space for offices, meetings and related activities can most effectively be met through the leasing of premises dedicated to those purposes.
- b. The purpose of this section is to establish guidelines for the lease by the NSTU of property to be assigned to the occupancy and use of Locals for the purposes referred to in article H I a.
- c. The following terms shall have the meanings assigned below:
 - i. "costs and expenses" means all direct and indirect costs and expenses, as determined by the Provincial Executive, associated with the lease or termination of a lease of a property and use of a property by a Local. Costs and expenses include but are not limited to costs arising out of due diligence investigations and negotiations preceding a lease, commissions, rent, common area costs, maintenance and operating costs, landlord administrative fees, leasehold improvement costs, costs of parking, security, permits, insurance, taxes, utilities, supplies, furnishings and equipment, professional fees, penalties, uninsured liabilities, NSTU administrative costs and such other costs and expenses as the Provincial Executive may in its discretion from time to time determine;
 - ii. "property" or "properties" means real property leased, or intended to be leased, by the NSTU for the purpose of occupancy and use by a Local under this section; and,
 - iii. "lease" means the lease of a property, or any renewal thereof, and, where applicable, include the carrying out of initial leasehold improvements.

II. Authorization for Lease

- a. The NSTU may lease property for the occupancy and use of a Local, or terminate a lease of such a property, where the Provincial Executive is satisfied that:
 - i. the lease or termination of lease is in the interest of the NSTU;
 - ii. the lease or termination of lease is warranted on the basis of providing efficient service to the members of the Local;
 - iii. in the case of a proposed lease,
 1. the finances of the Local are, and are expected to be, satisfactory, having regard to the anticipated costs and expenses associated with the lease; and,
 2. the specific property proposed to be leased is suitable for the purposes of the NSTU and the Local;
 - iv. the proposed terms and conditions of the lease or termination of lease are reasonable; and,
 - v. the proposed lease or termination of the lease is consistent with this section, and the Provincial Executive decides to approve of the lease or termination of lease.
- b. Every transaction relating to the lease or termination of a lease of a property, including but not limited to agreements of lease and agreements related to improvements of a leased property, shall have the prior authorization of the Provincial Executive and all associated documents shall be executed on behalf of the NSTU only by those officials of the NSTU having authority to sign documents on its behalf.
- c. The Provincial Executive may, acting within this section, impose such terms, restrictions, or requirements or give or withhold such approvals or authorizations as it determines are necessary or desirable in giving effect to the terms and intention of this section.
- d. Where the approval and authorization of the Provincial Executive referred to in articles H II a and b are given, the Executive Director shall manage and oversee all aspects of the proposed lease or termination of lease as in the Executive Director's judgment is necessary to implement the decision of the Provincial Executive and to protect the interests of the NSTU. Matters for which the Executive Director is responsible include but are not limited to:
 - i. negotiation of the lease or termination of lease;
 - ii. due diligence investigations;

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- iii. engagement and instruction of required professional advisors;
 - iv. supervision of leasehold improvements; and,
 - v. items ii, iii and iv shall be carried out by local suppliers where possible.
- e. Where, as a result of investigations or negotiations or other steps taken under article H II d, the Executive Director concludes that a property should not be leased or that a lease should not be terminated, or that further direction is required, the Executive Director may suspend or discontinue the lease or termination process and refer the matter back to the Provincial Executive for decision.

III. Financial Matters

- a. All costs and expenses relating to a property, including but not limited to, the lease or termination of a lease respecting the property, are for the account of the Local to which occupancy and use of the property is intended to be assigned, is assigned, or has been assigned, as the case may be. Costs and expenses shall be paid out of the funds of the Local in the manner provided by this section.
- b. The Provincial Executive has conclusive authority, where necessary, to identify and determine the amounts of, costs and expenses for all purposes of this section.
- c. Where and for so long as the Executive Director consents, the payment of costs and expenses shall be made directly by the relevant Local. In the absence of such consent, payment of costs and expenses shall be made by the NSTU and the NSTU shall be reimbursed by the Local for such costs and expenses. Reimbursement shall be made by way of deductions, from each of the semi-annual payments to the Local on account of rebates of membership fees, of amounts sufficient to cover all costs and expenses incurred by the NSTU as of the date of each rebate payment.
- d. The payment and reimbursement of all costs and expenses shall be under the administrative supervision and authorization of the Executive Director.

IV. Maintenance and Use

- a. The Executive Director has supervision of all matters which are the responsibility of the tenant under a lease, including, as applicable, matters relating to the use, maintenance, upkeep, renovation, and management of properties. The Executive Director may establish and implement such practices and procedures relating to these matters as are in the judgment of the Executive Director required to protect the interests of the NSTU.
- b. Occupancy and use of a property shall be assigned to the Local, following conclusion of a lease, effective on a date determined by the Executive Director.
- c. In taking up occupancy and use of a property, Locals accept the terms and conditions of use prescribed by or under this section relating to occupation and use of property.
- d. Occupancy and use of a property by a Local shall continue until otherwise determined by the Provincial Executive acting under article H V e or f.
- e. Properties leased by the NSTU shall be used by Locals in accordance with the lease, and in accordance with such terms and conditions of use as are prescribed from time to time by the Provincial Executive, which shall include but not be limited to the following:
 - i. leased properties shall be used for carrying on the business and affairs of the Local and NSTU as may be determined from time to time by the Provincial Executive;
 - ii. leased properties shall be used, managed and maintained in accordance with all NSTU policies, practices and procedures in effect from time to time;
 - iii. no portion of a leased property may be devoted to the regular use of any third party;
 - iv. no activity for profit shall be carried on within that portion of the property leased by the NSTU;
 - v. no permanent liquor bar or ongoing social use shall be established or conducted on a property;
 - vi. no activity shall be carried on, on a property which is contrary to the interests of the NSTU; and,
 - vii. no improvements shall be made to a property, in excess of five thousand dollars (\$5,000.), except as authorized by the Finance & Property Committee.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- f. All leased properties shall be furnished and equipped at the cost of the affected Local.
- g. The Local Executive of a Local to which the occupancy and use of a property has been leased under this section shall be accountable to the Provincial Executive for the day to day use of the property in accordance with this section and shall liaise with the Executive Director concerning all matters referred to in this article.

V. Procedures for Initiating Lease or Termination of Lease Lease

- a. Where a Local proposes the establishment of office premises under this section, and has identified a property or properties for potential lease, the Local shall by resolution request that the Provincial Executive consider the proposal. The request shall include a completed submission in a form that may from time to time be determined by the Provincial Executive. The information and materials to be provided as part of the proposal of the Local shall include but not be limited to:
 - i. particulars of the need for premises to serve the members of the Local;
 - ii. information respecting the current financial position of the Local, and the financial outlook for the Local;
 - iii. except where the proposal is for renewal of a lease:
 - 1. information respecting the property or properties which the Local has identified for potential lease, including the estimated rent and associated costs; and,
 - 2. details of the process by which the properties were identified, including searches conducted and reports and advice received from real estate consultants;
 - iv. confirmation of acknowledgement of and adherence to this section; and,
 - v. any other information requested by the Provincial Executive.
- b. Upon receipt of such a proposal, and complete information of the type required under article H V a, the Provincial Executive shall consider the proposal, having regard, among other things, to the criteria set out in article H II a.
- c. Where the Provincial Executive is satisfied that the proposal meets the requirements of this section, including the criteria set out in article H II a, and that the proposal is otherwise in the interest of the NSTU, the Provincial Executive may by resolution approve the lease of a property and associated transactions, subject to such conditions not inconsistent with this section as the Provincial Executive determines to impose.

Termination of Lease

- d. A Local may at any time by resolution propose to the Provincial Executive that a lease respecting a property assigned to its occupancy and use be terminated. Such a proposal shall include but not be limited to:
 - i. information as to why the property is considered by the Local no longer to be required or suitable for the purposes of efficiently serving the members of the Local; and,
 - ii. any other information requested by the Provincial Executive.
- e. Where under article H V d it is proposed by a Local that a lease respecting a property be terminated, the Provincial Executive shall decide whether the lease shall be terminated and, if so, the terms and conditions for termination of the lease and occupancy and use of the property by the Local.
- f. The Provincial Executive, acting on its own initiative, may at any time by resolution determine, after consultation with the affected Local Executive, either or both of the following:
 - i. that the occupancy and use of a property by the Local shall end temporarily or permanently as of a date determined by the Provincial Executive; and,
 - ii. that a lease shall be terminated on terms prescribed by the Provincial Executive.

VI. Transitional

Notwithstanding any other provision hereof, this section does not apply in respect of a property occupied and used under a lease concluded prior to the date of adoption of this section, but does apply to the property as of the renewal of any such lease.

Reference: Provincial Executive, September 2018

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

11. POLICY PROCEDURES

A. AUTHORITY

Council's authority to set and amend Policy is outlined in the NSTU Constitution.

B. OPERATIONAL PRINCIPLES

NSTU policy is:

- I. the Union's official position on issues of significant weight to the membership;
- II. formulated with input from the membership;
- III. determined as a result of an Annual Council resolution, and recorded in Council's official minutes;
- IV. stated in clear and concise language;
- V. published and updated as necessary;
- VI. supplemented with position papers where appropriate; and,
- VII. reviewed in a six-year cycle.

C. DEVELOPMENT

I. Step One Identification

Using one or more of the following:

- a. resolutions to Council
- b. focus groups
- c. surveys
- d. public forums

II. Step Two Data Collection

Using one or more of the following:

- a. literature research by staff, Standing Committee, or ad hoc committee
- b. workshops at the Local and/or Regional level
- c. workshops at the Professional Association level
- d. questionnaires

III. Step Three Confirmation

By resolution to Annual Council

D. PARAMETERS

I. Definition

NSTU policy is a statement reflecting a goal, value, or belief of the Union used to guide decisions of the organization.

II. Role

An NSTU policy statement communicates the Union's position on an issue. An NSTU policy statement provides the context for decision-making and action on an issue.

Reference: January, 2002

E. REVIEW PROCEDURES

The review procedure will be conducted with the Provincial Executive in the fall of each year under the coordination of the Governance and Policy Committee Chair (or designate) and the staff liaison.

I. Step One

Policy is forwarded to the appropriate NSTU Committee(s) for analysis and recommendation.

II. Step Two

The NSTU Governance and Policy Committee compiles step one results and provides the Provincial Executive with a set of recommendations concerning policies under review.

III. Step Three

The Provincial Executive adopts resolutions to Annual Council regarding policies under review recommended for amendment or to be rescinded. Reaffirmed policy shall be so noted in the Guidebook along with the Provincial Executive meeting date on which the reaffirmation took place.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

IV. Step Four

When existing policy is being recommended for amendment, new words be in bold and deleted language be crossed out.

Reference: June 5, 2004; April 30, 2009, June 2011

F. DOCUMENTATION, CIRCULATION, AND COMMUNICATION

- I. NSTU policies shall be compiled in a single document of statements. Policy statements will generally not exceed 100 words.
- II. NSTU Policy and Position Papers will be posted on the website.
- III. Policy will be communicated using one or more of the following:
 - a. NSTU Guidebook
 - b. Information Sessions
 - c. Column in *The Teacher*

Reference: Provincial Executive, October, 1997, September 2013, October 2019

12. PRESIDENT'S BENEFITS

The President has a right to the following benefits:

- A. All contractual benefits of the member shall continue in effect while the member is serving as NSTU President and for such purposes the member shall be deemed to continue in the employ of their Employer.
- B. The President is paid salary on the basis of one point six (1.60) times the maximum salary for TC 8/ATC 3 on the current Teachers' Provincial Agreement salary scale.
- C. With respect to entertaining done by the President, claims covering the costs of such entertainment shall be submitted by the President when they feel that such expense has been incurred on behalf of the NSTU.
- D. On taking office, a lump sum allowance shall be given to the President equivalent to the cost of moving from their normal place of residence to Halifax and return.
- E. The Provincial President shall be paid a monthly allowance of two thousand dollars (\$2,000.) upon moving to the Halifax Regional Municipality, providing they maintain their principal residence upon taking office. If the President's principal residence should change during their term of office, they must advise the Union immediately.
- F. While travelling with the President on NSTU business, the following President's spousal expenses shall be authorized for payment: meal and accommodation expenses while travelling within the province of Nova Scotia. Appropriate receipts must accompany the submission of President's spousal expense forms, where possible. The total allowable President's spousal expenses for any one fiscal year shall not exceed five hundred dollars (\$500.).

Reference: Provincial Executive, 1975; 1985; 2000; February 2002; March 25, 26, 2004; February 24, 2005; October 2012, October 2017, April 2019, May 2019

13. PROFESSIONAL ASSOCIATIONS**A. GOVERNANCE**

The model Constitution and model Operational Procedures for NSTU Professional Associations shall be adopted by all NSTU Professional Associations with ratification by the Provincial Executive.

B. FORMATION/DISSOLUTION

- I. Formation of a Professional Association may occur under the following guidelines:

a. Step One

- i. At least one hundred (100) NSTU members who are potential members of the association shall submit a petition to the Professional Association Coordination Committee, requesting establishment of the association.
- ii. With the petition, the applicants include a rationale explaining why their professional needs cannot be met through existing associations.
- iii. Existing Professional Associations are then requested to make provision to reflect the varied needs of the petitioning group.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- iv. The Professional Association Coordination Committee shall forward a recommendation to the Provincial Executive.
- b. Step Two**
 - i. NSTU Staff meets with Organizing Committee representatives to prepare a Constitution and Operational Procedures for the new Professional Association consistent with the NSTU model constitution and operational procedures.
 - ii. The Organizing Committee serves as the Nominating Committee to compile a slate of officers for the new Professional Association.
 - iii. Two (2) members of the Organizing Committee are identified as signing officers for the association's account.
- c. Step Three**
 - i. NSTU Staff serves as Chair of the Founding Meeting of the new Professional Association for the following agenda items:
 - 1. Provincial Executive motion to establish Professional Association
 - 2. Mandate of Professional Association
 - 3. Adoption of Constitution and Operational Procedures
 - 4. Election of Officers
 - ii. The President of the new Professional Association assumes the Chair and conducts the remainder of the meeting's agenda.
 - iii. The Provincial Executive considers a motion to ratify the new Professional Association's Constitution at its next scheduled meeting.
 - iv. Copies of the Professional Association's Constitution and Operational Procedures are filed with the NSTU.
- II. Dissolution of a Professional Association shall occur under any of the following conditions:
 - a. If the annual membership of the association should drop below fifty (50) active NSTU members for two (2) successive years and if the paid conference attendance should drop below fifty (50) active NSTU members for two (2) successive years.
 - b. If a Professional Association does not hold an annual conference or its equivalent on Professional Development Day for two (2) successive years.
 - c. If any of the conditions for grant disbursement are not met over one (1) year, the second year shall be considered the probationary year. The Coordination Committee will make contact with the President of the Professional Association regarding probationary status and that non-compliance will result in dissolution.
 - d. The Coordination Committee will review the recommendations to ensure that procedures for dissolution have been respected. The Coordination Committee will then forward the recommendation to the Provincial Executive.
 - e. The final decision as to dissolution rests with the Provincial Executive.

Reference: April 1, 2006

C. FINANCES

- I. NSTU Professional Associations set membership fees annually. Each Professional Association of the Nova Scotia Teachers Union shall submit annually to the Finance & Property Committee of the Union, an internally reviewed statement of its financial record for the past year, and shall be requested to submit a budget for the ensuing year. Professional Associations are encouraged to establish expense policies that would ensure that no member is out-of-pocket for work done on behalf of the Association. The guidelines set out in the Professional Association Treasurers Guide must be followed.
- II. Professional Associations may qualify for their executive meeting expenses to be paid for if, at the end of their previous fiscal year, their financial net assets are less than thirteen thousand three hundred and fifty dollars (\$13,350.). Meeting expenses will be paid for three (3) executive meetings for a maximum of eight (8) executive members. NSTU expense guidelines will be followed for reimbursement. Any expenses that appear unreasonable will be subject to the approval of the Finance and Property Committee.
- III. Professional Associations whose Financial Net Assets are less than thirteen thousand three hundred and fifty dollars (\$13,350.) in the previous year shall have costs for three (3) executive meetings paid for by the NSTU. Any Professional Association experiencing undue financial hardship due to the implementation of this operational procedure may

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

apply to the NSTU Provincial Executive for consideration of additional funding to deal with cost over-runs. *April 2012*

- IV. There shall be no purchases of capital equipment over one thousand dollars (\$1,000.) without prior approval of the NSTU Finance & Property Committee. *June 2014*
- V. Professional Associations may provide gifts to presenters, special guests and conference organizers. Limited random draws of names of conference delegates for prizes of a modest value may take place. Alternatively, a draw for a single item of a value not to exceed two hundred dollars (\$200.) shall be allowed. Professional Associations shall not purchase gifts, prizes or door prizes for each delegate or attendee. This restriction does not apply to gifts that have been donated to the Professional Association by an unrelated party.
- VI. Should a Professional Association receive a request for financial assistance from a recognized national or international education organization, they must follow the guidelines outlined in Operational Procedure 9. B. Conference Guidelines V. Financial Assistance – National and International Conferences.

Reference: October, 2012; June 2014; January 2016

D. COMMUNICATIONS

- I. Upon request, NSTU Professional Association Presidents shall have a designated NSTU web account mailing list.
- II. Members of NSTU Professional Associations are expected to communicate via NSTU webmail.

E. PROVINCIAL PROFESSIONAL DEVELOPMENT DAY

- I. NSTU Professional Associations are encouraged to include in conference advertising the intended interest level of each workshop: introductory, developmental or research. Programs and resource persons used as part of a Professional Association conference shall not be used twenty four (24) hours prior to or after the Professional Association conference unless written permission has been granted by the Professional Association president. Locals may use the resource persons in conjunction with Professional Associations.
- II. The Provincial Professional Development Day shall continue to be retained and maintained as an annual Professional Association professional day of the Nova Scotia Teachers Union. Regional Centres for Education/Boards shall be encouraged to promote the attendance of their professional staff at the Annual Conferences.
- III. Professional Associations shall distribute receipts of payment and attendance at the conclusion of all Provincial Professional Development Day Conferences.
- IV. No Professional Association is to partner with a national or other external organization for a multi-day conference over NSTU Annual Conference week. Professional Associations are to only organize a conference for their Association within the parameters of Provincial Professional Development Day.

June 2014; January 2015

F. TRAVEL ACCIDENT INSURANCE

- I. All members of the Executive of the Professional Associations, all members of committees of the Professional Associations, and all conference volunteers who are required to travel to meetings of the Professional Associations shall be included in the NSTU Master Travel Accident Insurance Policy.
- II. Each Professional Association will be billed for the cost of this Travel Accident policy as the cost relates to that Association.
- III. Any Professional Association experiencing undue financial hardship due to the implementation of this operational procedure may apply to the NSTU Provincial Executive for consideration of additional funding to deal with cost over-runs.

Reference: Provincial Executive, June, 1987; April, 1992; 1993; 1994; 1995; 1998; Renamed and amended January 2005; September 2006; March 2008; June 2008, October 2008, February, 2009, April 30, 2009, March 5, 2010; February 2012, June 2014; January 2015

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

14. PROVINCIAL EXECUTIVE

A. CODE OF ETHICS

This Code of Ethics is a guide to members of the Provincial Executive of the Nova Scotia Teachers Union in maintaining the high traditions of their profession and the trust placed in them by the membership of the Union as a whole.

- I. The Executive member shall be guided at all times by the Code of Ethics of the teaching profession.
- II. The Executive member upon assuming office shall undertake to fulfill the obligations and duties of office to the best of the member's ability.
- III. All discussion and decisions taken while in camera or in Closed Session are to be considered confidential.
- IV. The Executive member shall not make any allegations or statements of a derogatory nature about any individual, individuals, or group of individuals, unless documented evidence exists to substantiate the claims, or such claims are of a very exceptional and serious nature. Such evidence must have been obtained only through legitimate and legal means, and shall be made available, on request, to all members of the Provincial Executive.
- V. The Executive member shall consider all decisions of the Executive to be decisions of the Executive as a whole, unless the individual member's objection is recorded in the minutes of the Executive and is a matter of record.

Reference: January, 1974

B. ACCOUNTABILITY

- I. 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.
- II. Provincial Executive members are expected to fully attend as well as actively participate in all meetings of the Provincial Executive.
- III. Provincial Executive members are responsible to fairly represent Provincial Executive decisions when speaking on issues addressed by the Provincial Executive.

C. OBLIGATIONS

- I. Once a decision has been made at the Executive table, an Executive member shall be duty bound to support that decision and to explain it in a reasonable manner. *(June 2014)*
- II. Provincial Executive members agree that support can be given to an Executive decision while indicating that the individual recorded a nay vote "It is the decision of the majority of my colleagues and, therefore, I am prepared to support it."
- III. Personnel matters, discipline and professional relations cases shall be regarded as confidential. Neither the views expressed in debate nor the vote of individuals on any issue shall be considered public information.
- IV. The Executive member should be a positive liaison and link between the Provincial Executive and the Local, providing effective two-way communication.
- V. It is essential that the Executive member keep the channels of communication open to develop confidence within the Local/Region regarding the actions of the Provincial Executive and staff. If a difference of opinion should arise between a Local and central office as to a particular course of action taken, the Executive member is in a key position to help resolve any dispute or grievance by contacting and arranging a meeting with the involved parties, and helping to bring about an amicable solution by whatever means are practical.
- VI. The Provincial Executive shall conduct information sessions across the province as deemed necessary.
- VII. A Provincial Executive member shall resign from all provincial committees, Professional Associations Committees and Executive; Sheonoroil Board, and Sheonoroil Committees upon taking office on the Provincial Executive.

Reference: December, 1975, August, 1998, March, 2007(May 2010 Res. 2010-6) June 2014, September 2015, April 2019

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

D. RESPONSIBILITIES

- I. The Provincial Executive member has the responsibility to present provincial NSTU issues to the Local(s).
- II. The Provincial Executive member has the responsibility to present regional issues to the Provincial Executive.
- III. The Provincial Executive member has the responsibility to attend Local Executive, Local Council, Local General, Regional Representative Council and Provincial Executive meetings.
- IV. The Provincial Executive member has the responsibility to promote the programs and services of the NSTU.
- V. The Provincial Executive member has the responsibility to attend the annual Provincial Executive Planning Meeting and may attend the NSTU Leadership Conference. *June 2014*
- VI. The Provincial Executive member has the responsibility to attend tentative agreement presentations.
- VII. The Provincial Executive member has the responsibility to attend Annual Council.
- VIII. Provincial Executive members shall be eligible to serve on or chair Standing Committees as appointed by the Provincial Executive.
- IX. Provincial Executive members shall be eligible to serve on ad hoc Committees, Task Forces and Annual Council Committees as assigned by the Provincial Executive members.
- X. Provincial Executive members shall serve as members of designated Regional Representative Councils where an RRC exists.
- XI. The Conseil syndical acadien de la Nouvelle-Écosse Member shall serve as a member of the CSANE Local's Economic Welfare Committee.
- XII. The APSEA Member shall serve as a member of the APSEA Local's Economic Welfare Committee.
- XIII. Provincial Executive members shall engage in such duties as assigned by the Provincial Executive.

Reference: March 2007; January 2008; June 2014; September 2015

E. TABLE OFFICERS' RESPONSIBILITIES

- I. Provide recommendations to the Provincial Executive on matters that arise between Provincial Executive meetings.
- II. Facilitate the business of the NSTU.
- III. Review agendas for Provincial Executive meetings.
- IV. Recommend items for closed sessions for Provincial Executive meetings.
- V. Prepare recommendations for a schedule of Provincial Executive meetings.
- VI. Approve benevolent fund requests.
- VII. Process general funding requests and make recommendations to the Provincial Executive.
- VIII. Prepare Provincial Executive Planning agenda.
- IX. Report on Canadian Teachers' Federation activities.
- X. In the event that the NSTU President is serving as a CTF Vice-President, NSTU representation to the CTF Board of Directors in the place of the NSTU President, shall be the First Vice-President, or if unable to attend, the Second Vice-President.
- XI. Report on CAPTO activities.
- XII. Such other duties as requested by the Provincial Executive.
- XIII. The NSTU Past President shall act in an advisory capacity to the NSTU President and shall perform such duties and exercise such powers as may be delegated to them from time-to-time by the NSTU President and/or the Provincial Executive. *(June 2014)*

Reference: Provincial Executive, April 26, 2007, August 14, 2007, June 2014

F. MEETINGS OF THE PROVINCIAL EXECUTIVE**I. Introductory Acknowledgements**

Each regular meeting of the Provincial Executive shall begin with:

- a. an acknowledgement of the NSTU's recognition that we are meeting on the unceded traditional territory of the Mi'kmaw;
- b. followed by an acknowledgement of the NSTU's support for Human Rights.

Reference: October 2018, May 2019

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

II. Location

- a. Regular meetings of the Provincial Executive will be held in rooms 201 – 206 of the Dr. Tom Parker Building.
- b. Provisions will be made in Rooms 201-206 for an Executive table, staff table and seating accommodations for observers.

III. Meeting Status

- a. The closed portion of the meeting will be scheduled at the beginning of the Executive meeting.
- b. Executive members may put the motion that the meeting move “in-closed session” at any time during the meeting if warranted. Decision to move “in closed session” shall be by a simple majority vote.
- c. The First Vice-President shall chair Closed Sessions of the Provincial Executive meetings.
- d. The staff report, table officers’ report, nominating committee and personnel committee reports will be given during the closed portion of the meeting. Other items addressed during the closed portion of the meeting will be recommended by the Table Officers and ratified by the Executive.

IV. Voting Procedures

Votes of the *Provincial Executive* may be taken as *voice votes*, *show-of-hands votes*, *ballot votes* and *roll call votes*. *Roll call votes* are taken upon the approval of 20% of the members of the *Provincial Executive*.

V. Publicity

The schedule of regular meetings of the Provincial Executive will be published in *The Teacher*, distributed to Local Presidents and NSTU representatives.

VI. Materials

Observers will be provided with a copy of the meeting agenda upon arrival at the meeting.

VII. Observers

- a. The regular meetings of the Provincial Executive are declared open to any interested member of the Nova Scotia Teachers Union (active, associate, active reserve, regular reserve, retired, honorary) provided the appropriate fees have been paid and proof of membership can be provided, if requested.
- b. Individual observers are not required to provide advance notification of attendance at meetings of the Provincial Executive. Groups attending meetings shall provide advance notice of time and numbers to attend to ensure adequate space can be provided.
- c. Observers are required to sign a registry of attendance for each meeting attended.
- d. Observers are expected to behave in a manner that is not disruptive to the conduct of the meeting. Arrangements for presentations to the Executive can be made in advance of Executive meetings.

Reference: Provincial Executive, July, 1996; Council, 1997; Updated July 2002, March 2007

VIII. Inter-Meeting Donation Requests

- a. As part of the NSTU annual Community Support budget, an amount of one thousand five hundred dollars (\$1,500) shall be available for donations to external organizations that, due to the timing of the request and the event, cannot be approved at a regular Provincial Executive meeting.
- b. A donation may be provided in an amount not to exceed five hundred dollars (\$500) with the approval of the Table Officers. All donations allocated through this provision shall be documented in the Report of the Table Officers at the Provincial Executive meeting immediately following the donation.

Reference: April 2012

IX. Special Meetings of the Provincial Executive

- a. A special meeting of the Provincial Executive shall take place on the decision of the President in consultation with the Executive Director. A special meeting called by the President may be conducted by electronic means.
- b. A special meeting of the Provincial Executive shall take place following the request to the President of two-thirds (2/3) of the Provincial Executive. The process shall be as follows:
 - i. One or more members of the Provincial Executive shall contact the President requesting a special meeting of the Provincial Executive.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- ii. If the President is in agreement, the meeting will be held under the authority specified in a. above.
- iii. If the President is not in agreement with the need for a special Provincial Executive meeting, the President will contact Provincial Executive members within thirty six (36) hours from when the President received the initial request.
- iv. Each member will indicate through the Provincial Executive Listserv whether or not they are in favour of the special Provincial Executive meeting. Provincial Executive members must respond to the call for a vote on a special Provincial Executive meeting within seventy two (72) hours of the receipt of the initial request.
- v. If a Provincial Executive member has not responded, NSTU Central Office will make a specific effort to contact the Provincial Executive member to ensure the initial request was received.
- vi. If two-thirds (2/3) of the Provincial Executive respond in the affirmative, the meeting shall take place.
- c. The format of the special meeting, whether by electronic means or in person, may be determined by a majority of the Provincial Executive.

Reference: April 2012

X. Voting Between Provincial Executive Meetings

No vote of the Provincial Executive shall be conducted unless it is a business item of a Provincial Executive Meeting.

Reference: April 2012

XI. Restorative (Relational) Approach

The Provincial Executive will include a Restorative (Relational) Approach philosophy when conducting meetings.

Reference: Resolution 2015-1

G. PROVINCIAL EXECUTIVE HONORARIUM

Each Provincial Executive member, except the NSTU President, shall be paid an honorarium of two hundred dollars per month (\$200./month).

Reference: March, 1988; November, 1992; November, 2001; April 1, 2005, May 2019

H. MINUTES

- I. Meetings of the Provincial Executive shall be recorded, in conjunction with minute taking, as a means of reference for the future. Recordings will be retained for a minimum of one (1) year.
- II. On the Monday following an Executive Meeting, meeting highlights are posted on the NSTU website and emailed to the Provincial Executive, Local Presidents and RRC Chairs.
- III. Draft minutes are emailed to the Provincial Executive in the week following an Executive meeting and to Local Presidents and RRC Chairs one (1) week later. Final minutes are posted on the NSTU website once they have been officially adopted by the Executive.

Reference: Provincial Executive, March, 1996; March, 2000; August 13, 2004, February 2012

I. RELEASE TIME

Any Provincial Executive member requiring release time in excess of twelve (12) days provided by Article 31.07 (i) (a) of the Provincial Agreement must seek prior approval from the President or Executive Director.

Reference: Provincial Executive, September, 1998

J. TRAINING

- I. Members elected to the Provincial Executive will be invited to attend an Executive Meeting (as observers) prior to assuming the position.
- II. A training program will be provided to new members of the Provincial Executive. New Provincial Executive members will be brought in one (1) day early for orientation prior to their first Executive Meeting.
- III. New Executive members will be given the option to attend the first John Huntley Memorial Internship Program during the year.

Reference: February, 1985; June 4, 5, 2004

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

K. COMMUNICATIONS ALLOWANCE OPTIONS**I. Option 1:**

- a. The Union will provide reimbursement (upon presentation of receipts) up to five hundred dollars (\$500.) annually for costs associated with communication expenses. This includes, but is not limited to, the installation and maintenance of a separate telephone/internet line, the purchase of communications supplies/equipment, such as printers, long distance charges, internet charges, paper, toner, and inkjet cartridges (excluding any computer) or any other such expenses as approved by the Finance and Property Committee.
- b. The Union is not responsible for any costs incurred with personal cell phone usage; furthermore, the Union will not provide cell phones to any individual members, including members of the Provincial Executive. The provincial President is excluded from this limitation.

OR**II. Option 2:**

- a. Alternatively, Provincial Executive members may elect to receive an annual taxable allowance of five hundred dollars (\$500.) to cover all costs associated with communication expenses. This includes, but is not limited to, the installation and maintenance of a separate telephone/internet line, the purchase of communications supplies/equipment, such as printers, long distance charges, internet charges, paper, toner, and inkjet cartridges (excluding any computer) or any other such expenses.
- b. The communication allowance of five hundred dollars (\$500.) shall be paid in full or, upon notification to the secretary-treasurer, two (2) payments of two hundred and fifty dollars (\$250.).

L. WEB ACCOUNT MAILING LISTS

Upon request, designated NSTU web account mailing lists shall be established for NSTU Provincial Executive.

Reference: Provincial Executive, Amended February 21, 2003; September 17-18, 2004; September 2010, February 2014, June 2014; March 2015

M. REPRIMAND, SUSPENSION, OR REMOVAL FROM THE PROVINCIAL EXECUTIVE**I. Preamble**

Removing a Provincial Executive member is a very serious action and should never be approached lightly. Due process must always be followed.

II. Grounds for Reprimand, Suspension, or Removal

A Member of the Provincial 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 Provincial Executive Member.
- c. Failure to attend two (2) consecutive Executive Meetings without valid reasons satisfactory to the Provincial 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 Provincial 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.

III. Procedures

- a. A complaint alleging that a Provincial Executive Member should be Reprimanded, Suspended, or Removed may be made by:

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- i. The NSTU President; or,
 - ii. A Provincial Executive Member.
- (the “Complainant”)

Informal Resolution

- b. The Complainant shall, where possible, communicate promptly with the Provincial Executive Member complained against (the “Respondent”) in order to resolve the complaint.
- c. If possible, the President or First Vice President may attempt to resolve the complaint informally, possibly with the assistance of the Executive Director.
- 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 President or First Vice President, the Complainant shall make the complaint in writing to the President, or First Vice President.
- f. The 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 Provincial Executive will investigate the complaint in closed session(s), or cause the complaint to be investigated, the results of which will be presented to the Provincial Executive 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 Provincial Executive, the Provincial 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, and the reasons for the recommendation. The President will provide the Recommendation to the Respondent.

IV. 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 Executive called to consider the Recommendation.
- c. The Respondent shall be given full opportunity to hear the President present the Recommendation to the Provincial Executive, and to be heard by the Executive.
- d. The Respondent shall be given full opportunity at the Special Meeting to make full answer and defence.

Special Meeting Vote

- e. A vote to reprimand, suspend, or remove a Provincial Executive Member from the Executive will be conducted by secret ballot at the Executive Special Meeting.
- f. 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.
- g. If the motion passes, the Respondent will be informed at the Special Meeting whether they have been reprimanded, suspended, or removed as a Provincial Executive Member.
- h. In the event the vote results in the removal of the Respondent, the Respondent’s former position shall be filled according to the by-elections procedures in NSTU Operational Procedures.

Reference: Provincial Executive, April 9, 2015, May 2019

15. REGIONAL REPRESENTATIVE COUNCIL

A. DUTIES

I. Duties of the Regional Representative Council

Governance

Curriculum

Economic Welfare & Working Conditions

Government

Professional Development

General

- a. Ensure adherence to terms and conditions of employment as incorporated into Regional and Provincial agreements.
- b. Determine an application and selection process for identifying committee members of the Regional Representative Council committees.
- c. Administer the selection and appointment of committee members to Regional Representative Council committees, including but not limited to:
 - i. REWC
 - ii. Negotiating Team
 - iii. Grievance Committee
- d. Receive reports from Regional Representative Council committees appointed by the Regional Representative Council.
- e. Promote member rights and responsibilities.
- f. Address such other duties as assigned by the Provincial Executive.
- g. Appoint the Regional Negotiating Team from among the members of the REWC and such other persons as determined by the RRC.
- h. Appoint the Chair of the Regional Negotiating Team from the members of the Regional Economic Welfare Committee.
- i. Report to the Provincial Executive any member in violation of the Accountability Article.

II. Duties of the Regional Representative Council Chairperson

- a. The Chair shall be the sole official spokesperson for the Regional Representative Council on Regional bargaining unit issues.
- b. The Chair or Vice Chair shall preside at all meetings of the Regional Representative Council.
- c. The Chair shall prepare agendas for all Regional Representative Council meetings.
- d. The Chair shall call a special meeting in the event of an emergency.
- e. The Chair shall cause to be presented to the Annual General Meetings of Locals:
 - i. a Regional Representative Council financial statement;
 - ii. a proposed Regional Representative Council budget for the upcoming year; and,
 - iii. a report of the Regional Representative Council activities for the year.

III. Duties of the Regional Representative Council Secretary

- a. The Secretary shall record and maintain copies of the minutes of all meetings of the Regional Representative Council.
- b. The Secretary shall prepare copies of the minutes for distribution at Regional Representative Council meetings.
- c. The Secretary shall maintain a record of the attendance at all meetings of the Regional Representative Council.
- d. The Secretary shall maintain all official records of the Regional Representative Council including the Constitution and Operational Procedures and ensure that appropriate revisions are processed.
- e. The Secretary shall obtain a current list of contact information for NSTU Representatives; Local Executives; Regional Representative Council committee members; Regional Representative Council members; and, membership lists of participating Locals.
- f. The Secretary shall forward to the NSTU Central Office names, and contact information for members of the Regional Representative Council.
- g. The Secretary may keep an Action Register for each Regional Representative Council meeting.

IV. Duties of the Regional Representative Council Treasurer

- a. The Treasurer shall administer all financial matters associated with the Regional Representative Council and report to the Regional Representative Council by means of a financial statement.
- b. The Treasurer shall prepare a proposed budget for submission to Provincial Executive.
- c. The Treasurer shall be responsible for an annual audit review as outlined by the NSTU Finance and Property Committee.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

V. Duties of Local President

- a. The Local President shall be an active participant in activities of the Regional Representative Council.
- b. The Local President shall make known the views of members of their Local.
- c. The Local President shall report Regional Representative Council activities to Local meetings.
- d. The Local President shall provide the Regional Representative Council Secretary with Local Membership Lists.

VI. Duties of Provincial Executive Member

- a. The Provincial Executive Member shall keep the Regional Representative Council informed of Provincial Executive activities.
- b. The Provincial Executive Members shall conduct the election of Regional Representative Council Chair.

VII. Duties of Local First Vice-President

- a. The Local First Vice-President shall be an active participant in activities of the Regional Representative Council.
- b. The Local First Vice-President shall communicate Local concerns to the Regional Representative Council.
- c. The Local First Vice-President shall direct member requests to the Regional Economic Welfare Council, Regional Representative Council or provincial authority.
- d. The Local First Vice-President shall encourage new member involvement with Regional Representative Council activities.

VIII. Duties of the Member(s)-At-Large

- a. The Member(s)-At-Large shall communicate bargaining unit concerns to the Regional Representative Council.

IX. Duties of the Regional Economic Welfare Committee

- a. Seek input from the bargaining unit's membership for regional asking packages.
- b. Prepare a regional asking package for presentation to the RRC.
- c. Be responsible for the dissemination of information regarding regional negotiations and the ratification of regional tentative agreements.
- d. Plan for and promote improved working conditions for members.

X. Duties of the Chairperson, Regional Economic Welfare Committee

- a. The Chair, Regional Economic Welfare Committee shall chair the committee responsible for the preparation of an Asking Package.
- b. The Chair, Regional Economic Welfare Committee shall chair the committee responsible for negotiating the Collective Agreement between the NSTU and the Regional Centre for Education.
- c. The Chair, Regional Economic Welfare Committee shall chair the Regional Grievance Committee.
- d. The Chair, Regional Economic Welfare Committee shall present each Regional Asking Package to the Regional Representative Council for approval prior to the start of negotiations.
- e. The Chair, Regional Economic Welfare Committee shall coordinate Local/Regional economic welfare training.

XI. Duties of the Staff Liaison Officer

- a. The Staff Liaison Officer shall act as a resource person to the Regional Representative Council and its standing committees.

B. MEETINGS

- I. The Regional Representative Council shall meet a minimum of seven (7) times per year at a location determined by the Chair.
- II. A schedule of regular meetings of the Regional Representative Council shall be provided to the membership by September 30th in each year.
- III. Emergency meetings of the Regional Representative Council shall be called as necessary by the Chair of the Regional Representative Council.
- IV. A quorum of the Regional Representative Council shall be a majority of its membership provided that each Local is represented in the quorum.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- V. Meetings of the Regional Representative Council shall be governed by Rules of Order adopted by the Nova Scotia Teachers Union.

C. COMMITTEES

- I. Members of participating Locals shall be eligible to serve on Regional Representative Council committees.
- II. Selection of committee members shall be made on an annual basis.
- III. All committees of the Regional Representative Council shall have a Regional Representative Council member as liaison.
- IV. All committees of the Regional Representative Council shall report to the Regional Representative Council.

D. APPOINTMENTS/VACANCIES

- I. The Regional Representative Council shall elect from its membership, a Vice-Chair to represent the Chair as required.
- II. Should a vacancy occur in the membership of the Regional Representative Council, the appropriate election procedure shall be carried out.
- III. An NSTU staff officer shall be assigned to the Regional Representative Council by the Executive Director.

E. FUNDING FOR REGIONAL REPRESENTATIVE COUNCILS AND SURPLUS FUNDS

- I. Ten percent (10%) of the total NSTU Local Rebate will be withheld to be equally divided and distributed to the seven Regional Representative Councils to be used to assist in covering the expenses of the RRC.
- II. The CSANE and APSEA Locals are exempt from this ten percent (10%) withholding.
- III. A Regional Representative Council shall be permitted to appeal to the Provincial Executive for investigation and guidance during any given fiscal year.
- IV. The Regional Representative Council proposed budget for the upcoming fiscal year shall be submitted to the Provincial Executive for approval.
- V. The fiscal year shall be from August 1st to July 31st.
- VI. The three signing officers, duly bonded, for the disbursement of Regional Representative Council funds shall be the following; Treasurer, Chair, and one other member of the Regional Representative Council.
- VII. Regional Representative Council members shall be reimbursed expenses at the provincial NSTU rate.
- VIII. When attending Regional Representative Council meetings, members shall be eligible to claim family care costs in the amount approved by the NSTU Provincial Executive.
- IX. The financial records of the Regional Representative Council shall be subject to an annual review in accordance with guidelines provided by the Finance and Property Committee of the NSTU.
Reference: May, 2002; September 17, 18, 2004, June 30, 2005; December 1, 2006; February 2007; March 2008
- X. If at July 31, the cash balance of an RRC exceeds an amount necessary to fund the activities of the RRC until the November rebate, then the excess monies shall be returned to the locals.
- XI. Excess monies should be returned using the same calculation in which they were originally paid; the total amount to be returned multiplied by the number of members per Local divided by the total number of members in the RRC (using the March Registry numbers for the year end that the payout applies).
Reference: June 2008; September 2015

F. ACCOUNTABILITY

- I. The Regional Representative Council shall provide the NSTU Provincial Executive and its member Locals with a Report of Activities on an annual basis in June of each year.
- II. The Regional Representative Council shall provide the NSTU Provincial Executive and its member Locals with financial records in accordance with procedures outlined by the Finance and Property Committee.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- III. 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.
- IV. Regional Representative Council members are expected to fully attend as well as actively participate in all meetings of the Regional Representative Council.
- V. A member of the Regional Representative Council who is absent from two (2) consecutive meetings of the Regional Representative Council without reasons satisfactory to the Regional Representative Council, shall have those absences reported to the affected Local by the Chair of the Regional Representative Council.
- VI. Regional Representative Council members are responsible to fairly represent Regional Representative Council decisions when speaking on issues addressed by the Regional Representative Council.

G. RULES OF ORDER

The current edition of Robert's Rules of Order, Newly Revised governs the Nova Scotia Teachers Union in all parliamentary situations not provided for in legislation, By-Laws, and Standing Orders.

H. AMENDMENTS TO CONSTITUTION

Amendments to the Regional Representative Council Constitution require the approval of the NSTU Provincial Executive.

Reference: Provincial Executive, February, 2007; May 2009, March 2011

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

16. RESOLUTIONS PROCEDURES

A. AUTHORITY

The NSTU Constitution.

B. DEFINITION AND PURPOSE

- I. NSTU Resolutions to Council are proposals, which when adopted:
 - a. amend NSTU By-Laws,
 - b. amend NSTU Standing Orders,
 - c. set, amend, or rescind NSTU Policy, or
 - d. direct the action of the NSTU.
- II. The purpose of Council and the resolution process is to provide a democratic means for Member input into the structures and policies of the NSTU.

C. ELIGIBILITY

- I. The Provincial Executive may submit resolutions directly to Council.
- II. NSTU Locals submit resolutions to Council via the Resolutions Committee.
- III. NSTU Regional Representative Councils submit resolutions to the Provincial Executive for approval.
- IV. NSTU Professional Associations submit resolutions through the Professional Association Coordination Committee subject to the approval of the Provincial Executive.

D. RESOLUTION SUBMISSION

I. Procedures

- a. Local submissions must be sent directly to the Resolutions Committee via the NSTU Central Office by the deadline in December. Submissions must be followed by the draft minutes of the General Meeting were the Local approved the submission by the deadline in January.
- b. RRC submission must be sent directly to the Provincial Executive via a notice of motion from a Provincial Executive Member sitting on the RRC at least one (1) week prior to the Provincial Executive Meeting in January. The submission must be accompanied by the draft minutes of the meeting were the RRC approved the submission.

- c. Professional Association submissions must be sent directly to the Professional Association Coordination Committee at least one (1) week prior to PACC's fall meeting. Submissions must be accompanied by the draft minutes of the General Meeting were the Professional Association approved the submission.
- d. NSTU Locals are requested to use submission forms available on the NSTU website (www.nstu.ca) under Annual Council – Resolution Submission or by emailing the form to (resolutions@nstu.ca).
- e. RRCs and Professional Associations must fill out the submission form and submit to the Provincial Executive or PACC respectively.

Reference: June 2007; June 2011, November 2013; July 2014

II. Guidelines

- a. Issues that could be addressed by alternate means within the organization are not suitable as resolutions.
- b. A resolution that repeats existing policy shall not be submitted.
- c. Two (2) or more thoughts in a single resolution shall be avoided.
- d. Resolutions should not specifically refer to NSTU programs or committees.
- e. Reference should be made to the specific By-Law or Standing Order article number when amendments to the NSTU Constitution are proposed.
- f. Reference should be made to the specific Policy number when amendments to NSTU Policy are proposed.

Reference: January 2013

E. VOLUNTARY SCREENING PROCESS

Locals, RRCs, or Professional Associations wishing to receive input regarding the appropriateness and accuracy of a resolution submission may contact the Executive Staff Officer liaison to the Resolutions Committee.

Governance

Curriculum

Economic Welfare &
Working Conditions

F. DOCUMENTATION

- I. The costing of a resolution is recorded with the actual resolution in the Resolutions Booklet.
- II. The Disposition of Resolutions from the previous Council will be included in the Council Workbook and will include the URL of an electronic compilation of memos and letters regarding adopted resolutions.
- III. All Reports generated by Council Resolutions are directed to the Provincial Executive as Information Items prior to Council.

Reference: April 1, 2005; February 16-18, 2006, Res. 2012-29; January 2013

Government

Professional

Development

General

G. TIME LINES

- I. Locals are required to appoint their Local Resolution Committee Chair by October 1st and submit the name to NSTU Central Office.
- II. The deadline for resolution submissions by Professional Associations is by the fall meeting of PAAC following Conference Day.
- III. The deadline for resolution submissions by Locals is the third (3rd) Friday in December.
- IV. The deadline for Locals to submit draft minutes from their General Meeting where submissions were approved is the third (3rd) Friday in January. Minutes should be sent to resolutions@nstu.ca.
- V. The deadline for resolution submissions by RRCs is by the January meeting of the Provincial Executive.
- VI. Provincial Executive addresses Professional Association and Regional Representative Council Committee submissions by the fourth (4th) Friday in January.
- VII. Recommendations from Committees concerning resolutions are prepared in advance of Council.
- VIII. Resolutions are made available to the membership at least thirty (30) days prior to Council.
- IX. Resolutions are considered at Annual Council in May.
- X. A preliminary Disposition of Resolutions is presented to the Provincial Executive following Annual Council.

Reference: January 2008; June 2011; July, 2014

H. READING OF COUNCIL RESOLUTIONS

- I. Resolutions for consideration by Annual Council shall be identified by their respective numbers only and the text of resolutions shall not be read aloud in Council Chambers.
- II. The Local submitting a resolution shall be the initial speaker to that resolution.

Reference: April 3, 2009, June 2011

I. ANNUAL COUNCIL NEW BUSINESS RESOLUTIONS

- I. The NSTU Resolutions Committee coordinates the New Business Resolutions of Annual Council.
- II. It is the responsibility of the NSTU Resolutions Committee to make the determination whether or not a New Business Resolution will be advanced for consideration.
- III. New Business submissions require the Local President's signature of the sponsoring Local or the NSTU President's signature of a Provincial Executive submission.
- IV. Eligibility requirement for a New Business submission shall be one of the following:
 - a. Time – an issue arises after the official closing date for resolution submissions to Annual Council (third Friday in December).
 - b. New Information – an issue has incurred new developments after the official closing date for resolution submission to Annual Council.

Reference: June 2011

Reference: Provincial Executive, Oct., 1997; Feb., 1998; Oct., 2000; 2001-NB1; 2002-35, 36, Oct, 2002; June 2004; February 2005, February 2007; January 2010, April 29, 2010, June 2011; January 2013, October 2019

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

17. STAFFING & HUMAN RESOURCES**A. APPOINTMENT OF EXECUTIVE DIRECTOR**

- I. When the Provincial Executive has decided to conduct a search for candidates for the position of Executive Director, the Personnel Committee is responsible for making a recommendation to the Provincial Executive for their ratification a candidate to hire for the position of Executive Director. The Personnel Committee will develop and share the hiring process with the Provincial Executive.

B. APPOINTMENT OF A PROFESSIONAL EXECUTIVE STAFF OFFICER

- I. The Executive Director is responsible for making a recommendation to the Provincial Executive for their ratification a candidate to hire for the position of Professional Executive Staff Officer.
- II. Every reasonable effort shall be made to maintain at least two (2) bilingual Professional Executive Staff Officers, one to work in Professional Learning and the other to work in Member Services. Provincial Executive October 18/19, 2019
- III. Hirings for replacement staff positions should occur three (3) to six (6) months before the current Professional Executive Staff Officer is due to leave, when possible and/or necessary.
- IV. Successful candidates for staff positions will be given appropriate job training experiences and opportunities before assuming full job responsibilities when possible and/or necessary.

C. SECONDMENT OF STAFF

- I. Only Active Members of the Nova Scotia Teachers Union may be seconded.
- II. The Provincial Executive, on the recommendation of the Executive Director, shall make the decision as to whether to supplement staffing levels through secondment, and if so, the duration of the appointment.
- III. Individuals may be seconded to supplement the work of the permanent staff of the Union; to increase the staff available to the Union when the demand exceeds the capacity of the permanent staff; or to respond to a specific need of the organization.
- IV. Individuals may be seconded to provide a service or program over a period of weeks; to serve as a resource person or liaison with a Union committee or group; or to initiate and/or implement a specific program, project, or task on behalf of the Union.

- V. Candidates for secondment shall be identified through periodic placement of advertisement in The Teacher, through the NSTU Webmail, and through the NSTU Website. The purpose in advertising is to solicit expressions of interest in performing a staff function in various aspects of Union work.
- VI. Interested individuals shall be requested to complete an application form that is held for a period of one (1) year. Seconded individuals shall be selected from the existing file.
- VII. Individuals shall be seconded through recommendation by the Executive Director to the President and Second Vice-President (Chair of the Personnel Committee).

D. PROGRAM REVIEWS & STAFF EVALUATIONS

- I. The Executive Director, as senior administrator of the NSTU, is responsible for conducting program reviews and staff evaluations.
- II. Complaints pertaining to performance by an individual Professional Executive Staff Officer shall be handled at the administrative level. Except in unusual circumstances, a complaint should first be made, in writing, to the individual Professional Executive Staff Officer involved. If the complainant is not satisfied with the response from the Staff Officer, then the complainant may refer the complaint, in writing, to the Executive Director. The Executive Director has the explicit authority to conduct an investigation and to consult legal counsel for advice. The Executive Director's response to the complaint shall be final.
- III. Complaints pertaining to performance by the Executive Director shall be handled at the senior Executive level. Except in unusual circumstances, a complaint should first be made, in writing, to the Executive Director. If the complainant is not satisfied with the response from the Executive Director, then the complainant may refer the complaint, in writing, to the Second Vice-President (Chair of the Personnel Committee). The Second Vice-President has the explicit authority to conduct an investigation and to consult legal counsel for advice.

Reference: Provincial Executive, July, 1995, January 18, 2007, November 2019

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

SECTION II CURRICULUM

The NSTU currently has no operational procedures within the area of curriculum. Please refer to the Policy section of the Guidebook, Curriculum.

SECTION III

ECONOMIC WELFARE & WORKING CONDITIONS

18. BOYCOTTS & FINANCIAL SUPPORT

The Executive may provide financial support to other organizations or unions involved in a job action. A "job action" for the purposes of this procedure will be defined as a legal strike or lockout that threatens either some principle of labour relations or the integrity of the collective bargaining process. This procedure is subject to the following:

- A. NSTU Executive Staff must conduct a thorough investigation into the basis for the strike or lockout and present a report to the Provincial Executive outlining the pertinent details along with the implications of involvement for the Nova Scotia Teachers Union.
- B. In order for assistance to be given, the strike or lockout must be of a legal nature under the Provincial Labour Code unless extenuating circumstances exist at the time of the

recommendation that would cause the Nova Scotia Teachers Union to become involved.

Assistance given pursuant to this clause would only be considered in extreme situations.

Notwithstanding A and B, clauses C, D, and E will apply to non-affiliate unions or organizations.

- C. The strike, lockout, or dispute must be of no less than thirty (30) days duration at the time of the request.
- D. In the case of a union, or the local of a union, there must be a written request for assistance from the president of the union or local involved.
- E. In the case of a coalition, there must be a written request for assistance from the president of the coalition or from the president of a member organization involved in the coalition.

Reference: Provincial Executive, October, 1985; 2000

19. DISPUTE RESOLUTION – PROVINCE WIDE STRIKE PROCEDURES

A. WARNING NOTICE

- I. In the event of a province-wide strike, a warning notice will be given to each Local President and member of the Provincial Executive in the affected bargaining unit.
- II. Upon receipt of a warning notice, the Local President must be available for contact by the NSTU.

B. STRIKE NOTICE

- I. The time of a province-wide strike will be set by the President and Provincial Executive of the NSTU.
- II. The strike notice will be conveyed to the Local Presidents by the NSTU. The strike notice will consist of a statement of date, time, and type of strike.
- III. The strike notice will be delivered by the NSTU in any way required by law to the Minister responsible for Labour.

C. THE ROLE OF KEY PERSONNEL

- I. **NSTU President and Executive Staff shall:**
make any changes required to ensure that NSTU Central Office may function as a Central Clearing House during a province-wide strike.
- II. **The Local President shall:**
 - a. immediately define the location of a Local Clearing House;
 - b. then use appropriate means to inform the Local Executive of the strike notice and the location of the Local Clearing House;
 - c. then use appropriate means to inform the NSTU representatives of the strike notice and the location of the Local Clearing House;
 - d. then proceed to establish and direct the operation of the Local Clearing House; and,
 - e. provide such leadership and decisions as circumstances require during the strike, including the maintenance of necessary communication with the NSTU Central Clearing House.
- III. **The Local Executive shall:**
Shall provide support services to the Local President in the operation of the Local Clearing House.
- IV. **The NSTU Representative**
Once the strike notice is received from the Local President or their representative the NSTU Representative shall:
 - a. Convey the strike notice directly to the members in the educational site for which they are responsible. In larger educational sites, some delegation of this task will be necessary.
 - b. Then inform the Local Clearing House that all members at their educational site have been contacted:
 - i. a prerequisite for the smooth operation of this phase is for the NSTU representative to have in their possession a complete staff list, including addresses and telephone numbers;

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- ii. at the effective date and time of the strike, the NSTU representative shall personally check the educational site and determine that the strike is in fact effective;
- iii. the NSTU representative should then inform the Local Clearing House of the fact that the strike is effective and/or seek advice and assistance if difficulties exist;
- iv. the NSTU representative shall establish picket lines as directed by the Local Executive.

V. The Provincial Executive Member shall:

- a. make themselves available to the Local President(s) for advice and consultation;
- b. maintain a highly visible leadership role in the Local area(s);
- c. be easily accessible to the NSTU Central Clearing House for information; and,
- d. be prepared at short notice to meet at the NSTU Central Clearing House.

D. ORGANIZATION

In any strike, it is essential to establish a physical base of operations. This base will be called the NSTU Central Clearing House or the Local Clearing House.

I. The NSTU Central Clearing House

- a. In the event of a province-wide strike, the NSTU Central Clearing House will be the Dr. Tom Parker Building.
- b. The NSTU Central Clearing House shall:
 - i. inform all Locals of the imminence of a strike (the warning notice);
 - ii. inform all Locals of the strike notice;
 - iii. receive all information from Locals relating to the progress of the strike;
 - iv. maintain close liaison with each Member of the Provincial Executive;
 - v. be solely responsible for public and press relations; and,
 - vi. advise Locals and make decisions when necessary.

II. The Local Clearing House

- a. The location of the Local Clearing House will be decided by the Local President(s) having due regard to Local conditions. Among the options are:
 - i. a room in a private home;
 - ii. a room or rooms in a convenient hotel or motel; or,
 - iii. rental of office space on a short term basis.
- b. The Local President shall be assisted by the Local Executive and Provincial Executive Members in:
 - i. preparing a duty roster; and,
 - ii. ensuring access by telephone to fellow executive and reps.

Governance

Curriculum

**Economic Welfare &
Working Conditions**

Government

Professional
Development

General

E. COMMUNICATION

The key to a successful strike is communication. This is especially true in the early hours of the action and continues to be true as the strike lengthens and efforts must be made to maintain morale.

F. PICKETING

Pickets are of two types:

I. Informational pickets

- a. May be mounted at any time and any place.
- b. The purpose of such a picket is to provide information to the public.
- c. The information may be provided by means of placards, printed handouts or discussion with members of the public.
- d. It is essential that such pickets be conducted with dignity and intelligence.
- e. Personnel selected for such duty should have a high tolerance for abuse.
- f. Check with local authorities on local By-Laws regarding pickets or demonstrations.
- g. Never leave a picket site untidy. Assign a crew to pick up abandoned signs, leaflets, etc.

II. Defensive pickets

- a. Are mounted around the educational site in order to prevent the intrusion of personnel who will purport to carry on the functions of the striking members. Such persons may be unqualified individuals, perhaps concerned parents who might wish

to utilize facilities of the educational site to provide education services. Qualified substitute teachers might be used as strike breakers. Disaffected members might intrude in an effort to break the strike.

- i. Any persons listed above must be discouraged from entering the educational site.
- ii. The discouragement should be only in the form of an oral request to respect the picket.
- b. The following persons should never be interfered with by pickets: other staff of the employer not in the bargaining unit.
- c. There is no right to physically restrain a person entering an educational site. Do not confront anyone attempting to cross the picket line.
- d. Defensive pickets may be subject to limitation in their number by the courts.
- e. Defensive pickets will be directed by the NSTU representative.
- f. The NSTU representative should implement a picket rotation system as directed.
- g. Defensive pickets should be conducted with dignity and decorum. A sincere “thank you” to those who honour a picket will win friends.
- h. A defensive picket should only be in respect of the educational site, never the bus garages or maintenance shops.
- i. The NSTU representative or their designate should be available immediately to resolve potentially troublesome situations.

G. REMUNERATION

Remuneration for a member who allows their name to be placed on a picket line roster in a province-wide dispute shall follow these guidelines:

- I. Payments become effective on the first day of the strike.
- II. Financial support of the membership in a withdrawal of services shall be determined by the Provincial Executive and the terms of such support shall be made known to the membership prior to a job action vote being taken. The Executive determined that members shall be paid a rate of fifty dollars per day (\$50./day), (excluding weekends) and fifteen dollars per day (\$15./day) for each dependent living in the members’ household.
- III. In the case of extreme hardship a member may apply for special compensation via the Local to the Provincial Executive.

Reference: April, 1975; October, 1982; March, 1990, November 29, 2002; October 15, 2009

H. UNAUTHORIZED ACTIVITIES DURING A STRIKE

It is the policy of the NSTU Executive that during a province-wide strike or rotating strike, no NSTU member in the affected bargaining unit shall engage in:

- I. normal classroom duties;
- II. tutoring of pupils;
- III. instruction of adult education classes; or,
- IV. extracurricular or co-curriculum school activities whether conducted within or without the school premises on a province-wide basis from the first day of a strike that is held on either a province-wide or rotating basis.

(The intent of d. above is that all extracurricular activities will cease provincially and not recommence in any school in the province as long as there is a strike in any school in the province.)

Reference: Provincial Executive, April, 1975

I. STUDENT TRAVEL DURING MEMBER STRIKE

The accompaniment of students by members on student travel programs is considered to be an activity that will not be done by members during the time of a strike. When members associate themselves with student travel programs, they should be assured that alternative arrangements can be made so that during a strike, either:

- I. persons other than members can accompany these students on the trip; or,
- II. the trip can be cancelled without any loss of money by the students.

Governance

Curriculum

**Economic Welfare &
Working Conditions**

Government

Professional
Development

General

J. STRIKES BY NON-NSTU PERSONNEL – GUIDELINES FOR NSTU MEMBERS**I. Contracts and Teaching**

- a. Members of the Nova Scotia Teachers Union have individual contracts that must be honoured.
- b. Members of the Nova Scotia Teachers Union have a negotiated agreement currently in force. A failure to work under this contract may be classed as an illegal strike by the Labour Relations Board under the *Teachers' Collective Bargaining Act*. An illegal strike may attract penalties. The existence of peaceful picket lines and the respect many members have for them is not a defense to conviction under the *Teachers' Collective Bargaining Act*.
- c. It follows from sections i and ii above that it is the duty of members to teach during time of strike by support personnel.
- d. It is the position of the NSTU that teaching includes direct instruction to students, specific preparation for instruction, general preparation for instruction, evaluation of instruction and professional development.

II. Student Absenteeism

- a. Since absenteeism may be high during a strike of bus services, the NSTU expects members to adjust teaching services to prevailing conditions during and after a strike.
- b. Should absenteeism cause reorganization of classes or closure of sections or departments, members not engaging in direct instruction should engage in non-instructional teaching duties.

III. Health and Safety

- a. It is the duty of the Regional Centres for Education/Boards to ensure that educational sites are safe and healthy environments for pupils.
- b. It is the firm contention of the NSTU that there is a duty of the Regional Centres for Education/Boards to maintain safe and healthy conditions of work for members.
- c. Members will report unsafe and/or unhealthy conditions to their Principal and if required the Joint Occupational Health and Safety Committee. If after consultation with the Principal and JOHS Committee the unhealthy/unsafe conditions are not remedied, the Department of Labour and Workforce Development should be contacted. Staff at Central Office are available to discuss with members whether contact with the Department of Labour and Workforce Development is necessary/appropriate in particular circumstances
- d. Only the Regional Centres for Education/Boards/the Minister of Education/the Department of Labour and Workforce Development may close an educational site because of health or safety concerns.
- e. Should the Regional Centres for Education/Boards, the Minister, or the Department of Labour and Workforce Development close part of an educational site operation for health or safety reasons, members not required for direct instruction duties should request a safe and healthy area in which to carry out their non-instructional teaching duties.

IV. Protracted Closures

- a. Should a Regional Centres for Education/Boards or the Minister close an educational site or workplace pursuant to the Letter of Understanding (3) School Closure of the Teachers' Provincial Agreement, the Chair of the RRC should consult with the superintendent or designate to determine that the requirements of said Letter of Understanding will be met.
- b. Should an educational site be closed by order of an authority for a protracted period and should extraordinary meetings of members be called by the Regional Centres for Education/Boards, members will attend.

V. NSTU Communications

For matters of advice or with educational site staffs during educational site closures, the NSTU will utilize its NSTU representative communication network. Local Presidents will be asked to check the effectiveness of this network prior to any apprehended difficulty and advise the RRC Chairpersons.

Governance

Curriculum

**Economic Welfare &
Working Conditions**

Government

Professional
Development

General

VI. Extracurricular Activities

Members should maintain inter-educational site and extracurricular activities such as sporting events, debating meets and music festivals. Because a strike by non-NSTU bargaining units (such as CUPE members) will affect various educational sites very differently, the NSTU central office will provide all possible assistance in matters of difficulty.

Reference: January, 1986; November 2008, January 2019

20. GRIEVANCE, ARBITRATION AND LEGAL PROTECTION**A. GRIEVANCES**

In the case of a grievance under the Provincial or Regional Agreement, requests for legal assistance are handled as follows:

- I. The member or in the case of a Regional Agreement the Regional Grievance Committee, consults with the assigned Executive Staff Officer, after which the Executive Staff Officer determines whether the NSTU will carry the grievance forward to arbitration.
- II. If the member or Regional Grievance Committee does not agree with the Executive Staff Officer's decision, an appeal of the decision may be made in writing to the Executive Director by using Form A within fourteen (14) calendar days of receiving the Executive Staff Officer's decision. The decision of the Executive Director on whether the NSTU will carry the grievance is final.
- III. When the NSTU determines that the grievance will be referred to arbitration, the NSTU, after consultation with the member and/or the Regional Grievance Committee, makes all decisions relating to the carriage of the grievance, including, but not limited to, instructing counsel and making strategic decisions including withdrawing or settling the grievance prior to or during arbitration.
- IV. Notwithstanding 20 A II, if the grievance arises from the suspension, termination, or discharge from employment and the member does not agree with the Executive Director's decision regarding the NSTU's carriage of the grievance, the member may appeal within fourteen (14) calendar days of receipt of the Executive Director's decision in writing to the Provincial Executive by using Form D. The decision of the Provincial Executive on whether to assume carriage of the grievance is final. All other provisions of 20 A. apply to the provision of legal services in this instance.

B. ARBITRATION PROCEDURE FEES**I. Interest Arbitration**

The maximum cost to each Local in a bargaining unit of an Interest Arbitration, full or partial, or any part thereof, shall not exceed five dollars per capita (\$5.00/capita) for the Locals concerned.

II. Rights Arbitration

The maximum cost to each Local in a bargaining unit of a Rights Arbitration, full or partial, or any part thereof, shall not exceed five dollars per capita (\$5.00/capita) for the Locals concerned.

In the above cases, costs:

- a. shall be those associated with preparing and presenting a case;
- b. shall not include staff expenses or such others as the Union ordinarily incurs; and,
- c. may be appealed by a Local to the Provincial Executive for a reassessment.

Reference: Provincial Executive, October 1983, January 15, 2004

C. GRIEVANCE PROCEDURE – DOCUMENTATION AND FEES

Pursuant to Article 42 of the Teachers' Provincial Agreements, once a formal grievance has been initiated, the NSTU will provide written confirmation to the Grievor(s) as each stage of the grievance procedure has been concluded and inform the Grievor(s) of the direction the NSTU plans to proceed.

- I. The maximum cost to each Local in a bargaining unit of a grievance procedure, full or partial, or any part thereof, shall not exceed five dollars per capita (\$5.00/capita) for the Locals concerned.
- II. Requests for legal opinions that affect all members of the bargaining unit:

Governance

Curriculum

**Economic Welfare &
Working Conditions**

Government

Professional

Development

General

- a. must come from the bargaining unit; and,
 - b. will be charged back to each Local in the bargaining unit at a rate not to exceed one dollar per capita (\$1.00/capita).
- III. Any requests for legal opinions from a Local may be charged back to that Local at a rate not to exceed one dollar per capita (\$1.00/capita).

Reference: Provincial Executive, November, 1980; September, 1999; January, 2004

D. CRIMINAL MATTERS

In the case of a criminal charge arising from the member's employment, requests for legal assistance are handled as follows:

- I. The member consults with an Executive Staff Officer, after which the Executive Staff Officer determines if legal services will be provided by the NSTU.
- II. If the member does not agree with the Executive Staff Officer's decision, the member may appeal the Executive Staff Officer's decision in writing to the Executive Director within ten (10) calendar days of receiving the Executive Staff Officer's decision by using Form E. The decision of the Executive Director on whether to provide legal services is final.
- III. If the NSTU determines to provide legal services, the NSTU has the right to be kept informed of developments and strategy and to be consulted by legal counsel. The provision of legal services may be withdrawn by the NSTU if the member fails to aid and co-operate with NSTU and its appointed legal counsel and/or fails to reasonably follow the advice and direction or follow the reasonable advice of the NSTU and its appointed legal counsel. As well, the NSTU may place monetary and other reasonable restrictions on the provision of legal services.

E. AUTHORIZATION OF LEGAL SERVICES

The NSTU will not be responsible for any bills for legal services that have not been authorized by an Executive Staff Officer, Executive Director or Provincial Executive in advance.

(The Forms referenced here are available from the NSTU Member Services Department)

Reference: 98-51; February, 1999; December 2009, January 2019

Governance

Curriculum

**Economic Welfare &
Working Conditions**

Government

Professional

Development

General

21. NEGOTIATIONS

A. SCHEDULING OF NEGOTIATIONS

I. Stagger Expiry Dates of Contracts

In future rounds of negotiations, the NSTU should take every opportunity to stagger expiry dates of Public School, Regional and staff agreements to avoid the problems associated with the complicated process.

Reference: September 20, 2002

II. Scheduling Dates

The NSTU President must agree prior to dates being scheduled for:

- a. the Provincial Asking Package for the Teachers' Provincial Agreement; and,
- b. negotiations for the Teachers' Provincial Agreement.

Reference: March 2014, January 2016

B. PROCEDURES FOR PROVINCIAL NEGOTIATIONS

I. The Provincial Economic Welfare Committee

- a. The Provincial Economic Welfare Committee shall be appointed by the Provincial Executive.
- b. The Provincial Economic Welfare Committee shall be twelve (12) in number as follows:
 - i. four (4) members of the Provincial Executive as follows:
 - 1. the NSTU President;
 - 2. the NSTU First Vice-President who shall serve as Chair of the Committee; and,
 - 3. two (2) additional Provincial Executive Members; plus

- ii. eight (8) other members, selected by the Nominating Committee, using the following criteria;
 - 1. all regions shall be represented, including CSANE, should members from all regions apply;
 - 2. experience in Union activities;
 - 3. curriculum/grade level/diversity of assignment representation; and,
 - 4. representation will reflect gender diversity.
- c. The Provincial Economic Welfare Committee shall report directly to the Provincial Executive.
- d. The Provincial Economic Welfare Committee shall act upon request, in an advisory capacity to the Provincial Negotiating Team.
- e. Committee members shall hold office from the date of appointment until an agreement has been concluded and signed unless they are removed by the Provincial Executive for cause or no longer an active member.
- f. NSTU Staff members shall act as advisors to the Committee.
- g. Background material for the Committee shall be prepared by the staff, and by contract when deemed necessary.
- h. Should a replacement of a Provincial Economic Welfare Committee member be necessary, the Table Officers shall appoint, in consultation with the Chair of the Nominating Committee, a replacement with ratification of the appointment by the Provincial Executive at the next meeting of the Provincial Executive.

Amendments: January 20-22, 2005; February 24-26, 2005, January 2012, January 2016, July 2017, September 2018

II. Input in the Asking Package

- a. Input will be by means of:
 - i. direct proposals from members;
 - ii. proposals from a Local;
 - iii. proposals from Professional Associations;
 - iv. proposals from the Provincial Executive;
 - v. proposals from educational site staffs;
 - vi. proposals from Standing Committees of the NSTU;
 - vii. proposals from ad hoc committees of the NSTU (as appropriate);
 - viii. proposals from Regional Economic Welfare Committees;
 - ix. proposals from Regional Representative Councils; and,
 - x. proposals from NSTU staff.
- b. Economic Welfare resolutions adopted by Annual Council shall receive greater consideration when presented to the Provincial Economic Welfare Committee.
- c. All proposals shall be in writing or by online submission giving a clear explanation of intent and reasons for the proposal being made.
- d. Proposals shall be submitted to the Provincial Economic Welfare Committee.
- e. Any items submitted to the Provincial Economic Welfare Committee that are Regional in nature will be forwarded to the REWC Chair of the submitting Region and will be maintained at Central Office for the next round of Regional bargaining. *(December 2014)*
- f. A direct link to the online submission form regarding negotiations shall be available on the NSTU home page. *(June 2014)*

Reference: March 25, 26, 2004; January 2010; June 2011, Res. 2012-69; June 2014, December 2014, January 2016

III. The Asking Package

- a. The Provincial Economic Welfare Committee shall prepare the Asking Package.
- b. The Asking Package shall be forwarded to the Provincial Executive for consideration and final approval.
- c. If changes are made to the Asking Package by the Provincial Executive the Provincial Economic Welfare shall be informed.
- d. The Asking Package is to be presented to the membership in a conceptual format rather than specific contract language.

Reference: March 25, 26, 2004, January 2016

Governance

Curriculum

**Economic Welfare &
Working Conditions**

Government

Professional
Development

General

IV. Informing the Membership Regarding the Asking Package

- a. A summary of the Asking Package shall be sent or presented to NSTU representatives and Local Presidents at a time, and in a manner, to be determined by the Provincial Executive pending the development of a negotiation strategy.
- b. The Employer asking package shall be included.

Reference: January 2016

V. The Provincial Negotiating Team

- a. The Provincial Negotiating Team shall be appointed by the Provincial Executive.
- b. Appointees to the Provincial Negotiating Team shall be as follows:
 - i. The NSTU President and the Executive Director;
 - ii. Two (2) members from the Economic Welfare Committee who are not Executive members;
 - iii. NSTU Staff;
 - iv. The Chair of the Economic Welfare Committee, who shall be the First Vice-President of the Union;
 - v. additional member(s) as determined by the Provincial Executive;
 - vi. If the Provincial Executive or Provincial Negotiating Team determine that an outside expert should be brought in to assist with Provincial contract negotiations, primary consideration will be given to individuals with teaching and union experience in Nova Scotia; and,
 - vii. legal counsel is retained and consulted, and may be present at the negotiating table.
- c. The Chair shall be the President of the NSTU, and spokesperson on topics shall be determined by the Chair in consultation with the Negotiating Team.
- d. The Provincial Negotiating Team shall report directly to the Provincial Executive.
- e. If agreement is reached at the negotiating table, the Negotiating Team will report this to the Provincial Executive.
- f. The Provincial Negotiating Team may consult the Provincial Economic Welfare Committee at any time it is deemed advisable.
- g. Bargaining Sessions or meetings of the Provincial Bargaining Team will not normally proceed beyond 7:00 pm except upon the agreement of the Team or upon request of a Conciliation Officer, Mediator, or Arbitrator.

Reference: January 2016, July 2017, October 2017, December 2018

VI. Informing the Membership during Negotiations

- a. During negotiations, confidential bulletins shall be sent to all NSTU web account holders in the bargaining unit and Provincial Executive and posted to a password protected page on the NSTU website.
- b. NSTU representatives shall be responsible for informing members at their site of the contents of the bulletin.

Reference: January 2016, April 2016

VII. Tentative Agreement

- a. No release shall be made concerning the details of the Tentative Agreement prior to the holding of the Provincial Executive Meeting to consider the Tentative Agreement.
- b. As soon as possible following a Tentative Agreement being finalized by the Negotiating Team, the Provincial Executive shall meet.
- c. At this meeting the Provincial Executive shall determine the method(s) by which the Tentative Agreement will be presented and provided to the members of the bargaining unit.
- d. Provincial Executive Members shall not divulge any information respecting the Tentative Agreement until such time as the Tentative Agreement has been presented or provided to the members of the bargaining unit.

Reference April 2012, January 2016, October 2019

VIII. Informing the Membership of the Tentative Agreement

- a. Every reasonable effort shall be made to have NSTU staff present a summary of the Tentative Agreement to NSTU representatives, Local officers, and any other interested members either on the day the Provincial Executive considers the Tentative Agreement or on the days immediately following consideration by the

Governance

Curriculum

**Economic Welfare &
Working Conditions**

Government

Professional

Development

General

Provincial Executive. When scheduling these regional meetings, consideration shall be given to such logistical factors as previous presentation schedules, geography and NSTU staff availability.

- b. Within three (3) days of the first meeting held in an electoral region represented by a Provincial Executive Member, any Provincial Executive Member may request a second regional presentation by NSTU staff to address questions and concerns that may arise after members have had an opportunity to study the tentative agreement and prior to the ratification vote.
- c. There will be an interval of at least ten (10) calendar days between the presentations of the Tentative Agreement to the last Local and the day of the provincial ratification vote.
- d. NSTU staff shall be available during the four (4) to ten (10) day window, in the event there is a request for a second presentation.
- e. Notwithstanding (c), in the event that a tentative agreement is achieved during the period in which Public School members are on strike, the Provincial Executive authorize the NSTU President to set the ratification vote date.
- f. Notwithstanding (c), in the event that a tentative agreement is achieved during the period in which Public School members have a strike date pending, the Provincial Executive authorize the NSTU President to set the ratification vote date.
- g. The format of provincial tentative agreements shall be of a quality and clarity that makes it easy to read and be understood by the members. Details such as format and size of type must be considered.

Reference: Amended June 1, 2006; December 2009, January 2016

IX. Arbitration, Ratification, and Strike Vote Procedures

- a. An arbitration, ratification, or strike vote shall be conducted using electronic voting.
- b. Prior to an arbitration, a ratification, or a strike vote, regional meetings shall be held for the purposes of information and clarification.
- c. A Provincial Executive Member from each region shall serve as a Regional Electoral Officer.
 - i. For regions served by more than one Provincial Executive Member, the longest serving Member shall serve as the Regional Electoral Officer.
 - ii. CSANE sites shall be served by the Regional Electoral Officer who represents the geographic area surrounding the site.
- d. Pursuant to Article 31.02 (iv) of the Teachers' Provincial Agreement, the Regional Electoral Officer may request to be released from teaching duties on voting day if deemed necessary to carry out assigned duties.
- e. In the event that an NSTU representative has not been selected for an educational site, cannot act, or refuses to act in voting procedures, an alternate shall be appointed by the Regional Electoral Officer.

Reference: Amended March 2016, February 2018

X. Distribution of Voting Cards

- a. Voting cards and nominal lists will be distributed by the NSTU Central Office to NSTU Representatives.
- b. Additional voting cards will be available from the Regional Electoral Officer.
- c. A list of voting keys issued shall be maintained at Central Office.
- d. Members will receive an email to their NSTU webmail address from Central Office reminding them that it is voting day and to see the NSTU representative to receive a voting card.
- e. NSTU Representatives shall confirm receipt of voting cards by email to the Regional Electoral Officer.

XI. Eligibility to Vote

- a. All NSTU members employed by way of permanent, term and probationary contracts with Regional Centres for Education/Boards and members on sabbatical leave, and deferred salary leave or reserve members are eligible to vote.
- b. Substitute teachers employed in the bargaining unit on the day designated as voting day shall be eligible to vote.

Governance

Curriculum

**Economic Welfare &
Working Conditions**

Government

Professional

Development

General

XII. Advance Issue of Voting Cards

- a. Voting cards shall be available to the NSTU Representative for distribution the day before the vote to be issued to NSTU members who certify that they are unable to receive a voting card on voting day because of an anticipated absence from the regular worksite during the voting period.
- b. The NSTU Representative shall have the member sign the nominal list and provide the member with a voting card and instructions on how to vote during the voting period.

XIII. Voting Day

- a. On any vote conducted under the *Teachers' Collective Bargaining Act*, the voting day shall be determined by the President of the Nova Scotia Teachers Union in accordance with NSTU procedure.
- b. The voting day shall be from 6:00 am – 8:00 pm.
- c. NSTU representative(s) are encouraged to make arrangements to have a dedicated device available to staff to use for the voting period and that the device automatically display the NSTU website where members can vote.
- d. NSTU representative(s), after a voter has been identified, provide a voter with a voting card which contains a private voting key under the scratch box. Voters will sign next to their name on the nominal list confirming that they have received a voting card.
- e. NSTU representative(s) are to instruct voters on the voting procedures.
- f. NSTU representative(s) are to mail the original signed nominal list as well as all unused voting cards to the NSTU Central Office in a postage paid envelope at the end of the day.
- g. Regional Electoral Officers with the assistance of an electoral committee, if necessary, shall:
 - i. confirm that all NSTU representative(s) have received voting cards;
 - ii. contact all educational sites on voting day to make sure voting is proceeding as scheduled; and,
 - iii. contact all educational sites to ensure that signed nominal lists are forwarded to Central Office.
- h. Designated NSTU staff will be available to address concerns of Regional Electoral Officers during voting hours.

Reference: January 2016

XIV. Verification and Counting

Voting keys will be validated and counted electronically.

XV. Announcement of Vote Results

The Provincial Executive shall, by motion, set:

- a. what the vote result will contain;
- b. how the vote result will be announced;
- c. when the vote result will be announced; and,
- d. to whom the vote result will be announced.

Reference: January, 1979; 1982; 1983; 1985; 1989; 1997; 1999; March 25-26, 2004; July, 2010; January 2016, April 2016, February 2018

C. SINGLE-TIER BARGAINING**I. Process Required**

- a. A committee shall be formed known as the Provincial Single-Tier Committee and will be comprised of:
 - i. one (1) representative from each region chosen by the Regional Representative Council (not including the Provincial Executive Member);
 - ii. one (1) representative from CSANE chosen by the CSANE Local (not including the Provincial Executive Member);
 - iii. two (2) Provincial Executive Members;
 - iv. the NSTU President; and,
 - v. the First Vice-President as Chair.
- b. The Provincial Single-Tier Committee will prepare the articles from Categories 1 and 2 that will be required for bargaining. The Committee will prepare articles

Governance

Curriculum

**Economic Welfare &
Working Conditions**

Government

Professional
Development

General

from Category 1 that will require bargaining with the Minister. The Committee will also prepare articles from Category 2 that will be given to the Provincial Economic Welfare Committee for inclusion in the Provincial Asking Package.

- c. All recommendations from the Provincial Single-Tier Committee are subject to approval by the Provincial Executive.
- d. A committee shall be formed known as the Provincial Bargaining Committee and will be comprised of:
 - i. President as Chair;
 - ii. Executive Director;
 - iii. two (2) members from staff;
 - iv. two (2) representatives from the Provincial Single-Tier Committee; and,
 - v. the First Vice-President.
- e. The mandate of the Provincial Bargaining Committee will be to bargain the articles with the Minister as prepared by the Provincial Single-Tier Committee from Category 1, and prepare a package of items that require ratification.

II. Ratification Process

The package of articles mutually agreed to by the Provincial Bargaining Committee and the Minister shall become part of the tentative agreement put before the members in a Provincial Ratification Vote.

Reference: Provincial Executive, February, 2001, December 2018

D. GUIDELINES FOR REGIONAL NEGOTIATIONS

- I. A Regional Representative Council shall appoint a Regional Economic Welfare Committee.
- II. A Regional Economic Welfare Committee shall contact Central Office prior to developing an Asking Package.
- III. The Executive Staff Officer assigned meets with the Regional Economic Welfare Committee to lend assistance in drawing up an Asking Package.
- IV. Regional Economic Welfare Committees are guided by the provisions of the *Teachers' Collective Bargaining Act* and regional guidelines to determine items to be included for submission. Further input to the content of the asking package may come from the following sources:
 - a. previous asking packages;
 - b. Regional Representative Council;
 - c. Executive Staff Officer;
 - d. recommendations and direction from the Provincial Executive;
 - e. recommendations and direction from Council Resolutions;
 - f. submissions from individual members;
 - g. recommendations that may result from the review of Rights Arbitrations; and,
 - h. recommendations that might result from the review of other Regional Agreements.
- V. The Executive Staff Officer liaison, in consultation with the Regional Economic Welfare Committee, draws up the final draft of the Asking Package.
- VI. Before commencing negotiations, the Economic Welfare Committee shall refer its proposed Asking Package to the Regional Representative Council for approval.
- VII. The Negotiating Committee appointed by the Regional Representative Council informs the Executive Staff Officer liaison that it wishes to open negotiations or where necessary, the Executive Staff Officer liaison prompts the Negotiating Committee to do the same.
- VIII. Only the appointed/elected members of a negotiating committee, or those requested by the Union, shall meet with the Regional Centre for Education/Board to negotiate.
- IX. The Executive Staff Officer liaison acts as advisor to the Negotiating Committee between its meetings with the Regional Centre for Education/Board and/or carries out the negotiations with the Regional Centre for Education/Board on behalf of the members.
- X. Possible "Trade-Off"
 - a. When an item in Regional negotiations is being considered as a "trade-off" and that action may have province-wide effects, the Executive Staff Officer liaison shall advise the Chair of the Regional Representative Council and the Chair of the Regional Negotiating Committee of the perceived difficulty. If the Chair of the Regional Representative Council and the Chair of the Regional Negotiating Committee decide

Governance

Curriculum

**Economic Welfare &
Working Conditions**

Government

Professional

Development

General

to proceed with the “trade-off”, they shall notify the Executive Staff Officer liaison of the decision. The Executive Staff Officer liaison presents the matter to the Provincial Executive. No tentative agreement shall be arrived at prior to the presentation of the matter to the Provincial Executive.

- b. If the Provincial Executive concludes that the proposed “trade-off” is contrary to the interest of the Union, it will direct that the “trade-off” not be made by the Regional Representative Council.
- XI. When a tentative agreement is reached, the Executive Staff Officer liaison may assist in having the agreement ratified by supplying a summary of the tentative agreement for the members or by attending a meeting of members in the bargaining unit and presenting and/or explaining the terms of the tentative agreement to the membership of the bargaining unit.
- XII. Between the tentative agreement and ratification of a contract, an appropriate period of time should be allowed for the dissemination of information among the membership of the Region.
- XIII. To ratify a contract, an electronic vote of the entire membership of the Region shall be held to vote for acceptance or rejection of the proposed agreement.
- XIV. Upon ratification, the Executive Staff Officer liaison draws up the legal copies of the agreement for signing.
- XV. Copies of the agreement are printed in Central Office and distributed through the Member Services department to the appropriate personnel.
- XVI. In the event of an impasse, the decision to seek the services of a Conciliation Officer and/or bring the matter to arbitration rests with Central Office in consultation with the Negotiating Committee.
- XVII. No member of the bargaining unit shall be a member of the Regional Centre for Education/Board’s negotiating process unless it is an explicit condition of employment and/or an explicit part of the member’s job description.

Reference: January, 1984; 1985, 1986, 1997; Replaced April, 2002; July, 2010

Governance

Curriculum

**Economic Welfare &
Working Conditions**

E. VOTING INSTRUCTIONS – TENTATIVE AGREEMENTS

- I. Negotiating teams are instructed to avoid any situation that would result in a summer vote.
- II. Media blackouts on contract negotiations shall be maintained by all NSTU Local and provincial representatives until all Locals have had the opportunity to be briefed by NSTU staff.

Reference: Provincial Executive, February, 1999; July 2010

Government

Professional
Development

General

22. MEMBER EVALUATION

A. RESPONSIBILITY

- I. Each school region should be responsible for policies for the evaluation of its entire staff.
- II. The Department of Education and Early Childhood Development has the responsibility of ensuring that adequate personnel are appropriately trained to implement evaluation policies.

B. BELIEFS

- I. Evaluation is only reliable if it takes into consideration factors such as classroom facilities, instructional materials, program support services, and professional assistance.
- II. The goals of an evaluation process should be:
 - a. to develop and maintain the best possible learning environment for the student;
 - b. to provide recognition and reinforcement for effective teaching;
 - c. to ensure a high level of teaching performance by promoting professional growth;
 - d. to provide one basis for planning relevant in-service programs; and,
 - e. to provide one basis for recommending improvement in instructional materials, support services, facilities, pupil-teacher ratio.
- III. An evaluation program should be cooperatively planned, carried out within the collegial model and itself evaluated.

- IV. The purpose of any evaluation program must be clearly stated in writing and understood by both the evaluators and those who are to be evaluated.
- V. Evaluators must be provided time and training to carry out the evaluation program.
- VI. The main emphasis and resources of an evaluation program should be devoted to formative evaluation.

C. PROCEDURES

I. Evaluation Procedure

- a. Formative evaluation should be cooperatively planned by all those involved in the evaluation process.
- b. All the participants in the evaluation process must be aware of all the procedures and criteria to be used in the process.
- c. Formative evaluation procedures should contain the following:
 - i. pre-observation conference;
 - ii. observation of the teaching/learning situation;
 - iii. post-observation conference; and,
 - iv. reporting.

II. Pre-Observation Conference

The pre-observation conference should:

- a. determine the date and time of the observation visit;
- b. establish lesson strategies and procedures to be observed;
- c. establish agreement on the philosophical basis for the evaluation and the criteria to be used;
- d. assure that there is an adequate match between the member's qualifications, the assignment, experience and appropriate match between content selected, member behaviour and student behaviour; and,
- e. provide the member with opportunity to give background data on the class, the facilities, materials and other teaching/learning conditions.

III. Observation Process

The observation process should:

- a. be at least one instructional period in length;
- b. assure that observable data are recorded on such things as activities of the members including but not limited by verbal and non-verbal inter-action, lesson preparation and presentation, work with individuals and groups;
- c. assure that observable data are recorded on activities of the pupils; and,
- d. assure that observable data are recorded on classroom management and organization.

IV. Post-Observation Process

The purpose of the post-observation process is:

- a. to review and analyze the information gathered during the observation;
- b. determine collectively to what degree objectives agreed upon in the pre-conference have been met;
- c. formulate recommendations for professional growth;
- d. determine ways of implementing recommendations and arrange for any assistance required such as in-service, expert consultation, additional or revised materials; and,
- e. decide upon a follow up visit or procedures.

V. Reporting

A written report of the process should:

- a. be prepared within two (2) school days of the observation visit;
- b. be signed by the member concerned and adequate space should be provided on the report for comments by the member; and,
- c. indicate that the signature of the member signifies only that the member has read the report.

D. SUMMATIVE EVALUATION

Summative evaluation is a process which provides data to assist in making employment decisions such as retraining, transfer or termination.

Governance

Curriculum

**Economic Welfare &
Working Conditions**

Government

Professional

Development

General

- I. As the purpose of summative evaluation is to assist in making an employment decision about an individual member, the only members who should undergo a summative evaluation are those who are being considered for retraining, transfer, termination, etc. This means a very small number of members will require a summative evaluation in any one year.
- II. Summative evaluation of a member should not be carried out by the same person who carries out formative evaluations.
- III. The summative evaluation of a member should be carried out by personnel who are not attached to the staff of the educational site in which the member works.
- IV. The ultimate responsibility in the summative evaluation process rests with the superintendent acting on behalf of the board.
- V. Reports generated by a formative evaluation process may not be used during a summative evaluation process.
- VI. Before any administrative decision is made following a summative evaluation, all parties involved in the evaluation shall act according with the Supervisory Practices Guidelines.

E. INDIVIDUAL COMPETENCE

If problems of individual competence in the professional staff begin to appear, positive steps should be taken immediately to rectify the situation.

- I. When problems first appear, the member and the administrator concerned should make every effort to define causes and plan remedies.
- II. All assistance both within and outside of the system, including the NSTU, should be made available to the individual.
- III. A reasonable length of time should be allowed the individual to remedy the difficulties.
- IV. If problems persist, the possibility of transfer should be considered by the concerned parties. It may be that the member is best suited to another subject, or level or a different educational site.

Governance

Curriculum

**Economic Welfare &
Working Conditions**

F. POSSIBILITY OF TERMINATION

If the possibility of termination of contract or discharge arises, it should be considered frankly by all parties.

- I. When it appears that despite the sincere efforts of all concerned, a problem of such magnitude exists that termination or discharge must be considered, the executive staff responsible should prepare a written review of matters in complaint for the information of concerned parties. All written statements should be frank and honest.
- II. Written notice should be given, that because of the matters in complaint, termination or discharge is being contemplated.
- III. A reasonable length of time should be accorded the individual to rectify the matters in complaint.
- IV. All remedial services should continue to be made available to the individual.
- V. While care must be taken to avoid harassment of the individual, nothing in professional practice nor in law should be considered to prevent the counselling of an individual to terminate a contract by mutual agreement.

Government

Professional
Development

General

G. DOCUMENTED JUDGMENTS

- I. Documented judgments are a necessary part of evaluation and should be freely accessible to the parties concerned.
- II. The evaluation instrument will probably continue to be the document commonly found in personnel files.
- III. When any evaluation instrument is completed, its contents should be discussed by the parties concerned.
- IV. Provisions should be made for any dissenting opinions to be attached to the instrument and filed with it.
- V. When signatures are required, a clear statement defining the intent of the signatures should be contained in the document.
- VI. From time to time, other documents may be recorded and filed. Documents placed in personal files should be made available to the parties concerned.

Reference: Council 1984; Provincial Executive, April, 1994, January 2019

SECTION IV

GOVERNMENT

The NSTU currently has no operational procedures within the area of government. Please refer to the Policy section of the Guidebook, Government.

SECTION V

PROFESSIONAL DEVELOPMENT

23. AWARDS, FELLOWSHIPS AND GRANTS

An amount of \$30,000 has been budgeted for the 2019/2020 fiscal year for Educational Research Awards, NSTU Full-Time Study Grants, and Out-of-Province Grants. The disbursement of these funds will be on the recommendation of the Professional Development Committee, ratified by the Provincial Executive.

Governance

Curriculum

**Economic Welfare &
Working Conditions**

Government

 Professional
Development

General

A. EDUCATIONAL RESEARCH AWARD

The NSTU Educational Research Award is designed to support, encourage, and recognize NSTU members who engage in reflective professional inquiry at the classroom, educational site, regional, or provincial levels.

- I. Up to seven (7) awards of no more than four hundred and seventy five dollars (\$475.) for a total of three thousand five hundred dollars per year (\$3,500./year).
- II. The Awards shall be given based upon an application to the Professional Development Committee which includes an executive summary of the completed research project.
- III. Any educational research that focuses on reflective practices at the individual, classroom, educational site, regional, or provincial level is eligible.
- IV. The Awards be given once per year at an NSTU ceremony.

Reference: February 22, 23, 2002

B. TRAVEL FELLOWSHIP (JOHNSON INC.)

- I. For members engaged in educational travel, a total of two thousand dollars (\$2,000.) is available from Johnson Inc. for participation in seminars, workshops, or conferences, but not for university courses or certification study.
- II. Eligible travel periods include summer months for members, but not during those times generally referred to as Christmas break or March break.
- III. Application must be received at NSTU Central Office by 4:00 pm on the first Wednesday in April. Successful applications will be determined by a draw from all eligible applications received.

Reference: Provincial Executive, Amendment February 2009

C. NSTU FULL-TIME STUDY GRANTS

An annual fund of ten thousand dollars (\$10,000./year) has been established to provide support to members wishing to follow a full-time program of studies for the purpose of Professional Development. The NSTU will award up to five (5) grants of two thousand dollars (\$2,000.) each year. Applications are available on the NSTU web site, from Local Presidents, and from NSTU central office.

Reference: March 31, 2006

D. OUT-OF-PROVINCE CONFERENCE GRANTS

An annual fund of twenty five thousand dollars (\$25,000./year) has been established for Out-of-Province Conference grants to provide support to members wishing to attend conferences for the purpose of Professional Development. In order to assist the greatest number of members no grant shall exceed four hundred and seventy five dollars (\$475). Applications are available on the NSTU website, from local presidents, and from NSTU central office.

Reference: March 31, 2006, Council 2017, May 2019

24. IN-SERVICE EDUCATION

In planning in-service education, the following factors are to be considered:

- A. the requirement to adapt programs to the needs of members;
- B. some type of needs assessments should be used to determine needs and interests;
- C. members should have opportunity to influence both the planning and determination of methods of implementation of in-service programs;
- D. specific objectives for in-service programs should be defined;
- E. services of consultants and other resource persons should be used in in-service programs;
- F. members should not be expected to spend excessive out-of-school time for in-services programs;
- G. records of in-service activities should be kept;
- H. in-service programs should be evaluated in terms of the set objectives;
- I. in-service programs should deal with child growth and development, program and material development, and methodology; and,
- J. support, both moral and financial, shall be given to the regional employer to encourage, and assist in, the establishment of regional teachers' centres for the continuing professional growth of members.

Reference: Provincial Executive, April, 1977

Governance

Curriculum

Economic Welfare &

Working Conditions

Government

Professional

Development

General

25. JOHN HUNTLEY MEMORIAL INTERNSHIP PROGRAM

- A. The selection for the John Huntley Memorial Internship Program shall be done by the Table Officers, ratified by the Provincial Executive, using the following criteria::
 - I. Active and Reserve NSTU Members are eligible to participate;
 - II. Regional and Local representation;
 - III. experience in Union activities;
 - IV. curriculum and/or grade level;
 - V. gender balance; and,
 - VI. equity for under-representated groups, pursuant to current language in the *Nova Scotia Human Rights Act*.
- B. The purpose is to provide insight into the working of the NSTU, not to train interested members of the Union.
- C. The internship will not be viewed as a precursor to employment opportunities with the NSTU.
- D. The Program will be a two-day (2-day) internship to be held up to four times per year (4/year), with a maximum of six (6) members per session.,

Reference: October, November, 2000; April 1, 2005; Amended January 20, 2006; July 2009, November 2019

26. PROFESSIONAL DEVELOPMENT SUPPORT SERVICES**A. LOCAL SUPPORT PROGRAMS**

- I. The NSTU provides a support program for Local Professional Development Committees that includes a biennial provincially-sponsored PD Conference (alternating to three (3) regional conferences and a VP-PD session in some years), a consultation service, and the provision of resource materials.
- II. The NSTU encourages Locals to ensure that all members of the Local Professional Development Committee participate in the annual provincially-sponsored PD Conference.
- III. The NSTU budgets sufficient funds to enable provincial sponsorship of the PD Conference with Locals.

Reference: May 2019

B. TERM OF OFFICE

The NSTU encourages Locals to appoint members to the Local Professional Development Committee for a minimum of two years and use a “staggered term” appointment system.

C. NETWORK AND COMMUNICATION

- I. The NSTU encourages the installation of an appropriate system in an appropriate location in each Local so that it can be used by the Local Professional Development Committee for the purposes of networking with other Local Professional Development Committees.
- II. The NSTU facilitates networking among Local Vice-Presidents of Professional Development by scheduling meetings during the NSTU Leadership Institute when possible and during the PD Conference.
- III. The NSTU facilitates communication between Local Vice-Presidents of Professional Development by producing and distributing the “PD Notes” newsletter up to four times per year (4/year). This newsletter provides Local Vice Presidents of PD and the Provincial PD Committee contact information and updates on professional development issues.

D. ANNUAL LEADERSHIP SKILLS DEVELOPMENT INSTITUTE

The annual Leadership Institute was changed to a three-year (3-year) curriculum-based Leadership Skills Development Institute.

Reference: Provincial Executive, September 1988, September 1990, Amended April, 2003; April 1, 2005; March, 2011

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

SECTION VI**GENERAL****27. AWARDS**

Note: Standing Order 12 of the NSTU Constitution confers authority to the Provincial Executive to grant Life Membership Awards, Special Awards and Local Service Awards. Article I (6) of the NSTU By-Laws creates a category of membership called Honourary Member and confers authority to the Annual Council to grant this membership.

A. HONOURARY MEMBERSHIP AWARD**I. Purpose**

To confer membership status on an individual (with the rights as set out in By-Law Article I 10 (f)) who might otherwise have no membership eligibility and who is a person that the Union wants to bestow an honour upon in recognition of a significant contribution to education, the profession, or the NSTU.

II. Criteria

- a. Any person who has given meritorious service to education, the profession, or the NSTU.
- b. The service must have been dedicated, long-standing service that benefited the members of the NSTU and, therefore, the teaching profession and public education.

III. Nominations & Selection

Nominations are made by the Table Officers to the Provincial Executive of the Union. Upon approval of the Provincial Executive, the President of the Union shall move a motion, seconded by the First Vice-President, that the Annual Council confer the award upon the nominee.

IV. Presentation of Award

The Honourary Membership Award, which consists of an appropriate certificate, is given at the opening session of the Annual Council and published in an edition of *The Teacher*.

B. LIFE MEMBERSHIP AWARD**I. Purpose**

To recognize from time-to-time the outstanding contributions of members. The Life Membership Award is the highest honour that the Provincial Executive can confer upon a member.

II. Criteria

- a. The member must be retiring from the profession, after having displayed consistently high qualities of leadership, performance and service to education, the teaching profession or the NSTU.
- b. The member must have given service to the Union and the profession by having served in progressively more challenging positions at the Local or Regional level and at the Provincial level. Candidates must have given a minimum of twenty (20) years of active service to the Union and the profession.
- c. The member must be a leader, who is recognized by peers, as a person whose dedication to education and unionism is both outstanding and meritorious.

III. Applications

- a. Candidates can be nominated by any member of the NSTU Provincial Executive by completing the appropriate application form and submitting the form to the President of the NSTU no later than the last business day of the week before the March Provincial Executive Meeting.
- b. Application forms must be completed in detail including the names of three (3) references who can be contacted by the selection committee if needed.

IV. Selection Process

- a. The Provincial Executive shall annually from among its members appoint three (3) persons and at least one (1) alternate who will serve as the Awards Selection Committee. Should any member of this Committee be a person who has submitted an application on behalf of another member, or be a member from a Local for whom a candidate has been nominated, Committee member shall declare a conflict of interest and refrain from participating in the selection process.
- b. Ordinarily one (1) Life Membership Award would be given in any year. There is no obligation to give an award each year.
- c. The Awards Selection Committee may contact the nominated candidate(s) and/or the references to obtain additional information.
- d. If there are multiple nominations received by the Awards Selection Committee, the Committee shall rank the candidates and make its recommendation to the Provincial Executive by no later than the April meeting of the Provincial Executive.

V. Presentation of the Award

- a. The Life Membership Award which consists of a certificate, a pin, and paid life membership in the RTO shall be presented to the nominee by the NSTU President at the Annual Council.
- b. *The Teacher* shall publish the name of the member, a picture, and a short biography in an edition of *The Teacher* following Annual Council.

C. SPECIAL AWARD**I. Purpose**

To recognize a particular outstanding service to education, the teaching profession, or the NSTU and to bring public recognition to the contributions of members to education, the community, or the organization.

II. Criteria

- a. The member must be an exemplary educator and representative of the profession and have made a significant contribution to education or the NSTU.
- b. The member may have initiated a particular project or was the leader of a group that completed a particular project that was significant in scope and impact.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development**General**

- c. The contribution to education, the profession, or the Union may be either cumulative or specific in nature and is recognized as having provided leadership or inspirational conduct that has had a positive impact on others.
- d. Only awarded to an active member of the Union.

III. Applications

- a. Candidates can be nominated by any member of the NSTU Provincial Executive by completing the appropriate application form and submitting the form to the President of the NSTU no later than the last business day of the week before the March Executive Meeting.
- b. Application forms must be completed in detail including the names of three (3) references who can be contacted by the Selection Committee if needed.

IV. Selection Process

- a. The Selection Committee shall be the Awards Selection Committee as described under Section IV a. of the Life Membership Award procedures.
- b. The Special Award is given only occasionally and only when a candidate meets all the criteria described in Section II above.
- c. The Awards Selection Committee may contact the nominated candidate(s) and/or the references to obtain additional information.
- d. If there are multiple nominations received by the Awards Selection Committee, the Committee shall rank the candidates and make its recommendation to the Provincial Executive by no later than the April meeting of the Provincial Executive.

V. Presentation of the Award

- a. The Special Award which consists of a certificate and a gift shall be presented to the nominee by the NSTU President at the Annual Council.
- b. *The Teacher* shall publish the name of the member, a picture, and a description of why the award was given along with a short biography of the person in an edition of *The Teacher* following Annual Council. The same or similar information shall be given to the media for release as a news story.

Reference: Provincial Executive, January 2008

D. LOCAL SERVICE AWARD

I. Purpose

To recognize the outstanding contribution of members who provided leadership and service at the Local level of the NSTU.

II. Criteria

- a. The member has served for multiple terms on the Local Executive and/or Local Council;
- b. The member is viewed by peers as having given meritorious service which has helped to advance the objectives of the NSTU; or,
- c. The member has given particularly outstanding service to the Local, to education, or to the teaching profession; and,
- d. The recipient must be an active member or newly retired (i.e. within two years following retirement).

III. Applications

- a. Candidates must be recommended by the Executive of the Local.
- b. The Local President must write a letter to the NSTU President seeking the approval of the Provincial Executive. The letter must outline why the member is deserving of this Local Service Award. The letter must be accompanied by a biographical description indicating the number of years of service in the teaching profession and with the Local, and any specific Local, Regional, or Provincial involvement with the NSTU. The biographical description should be approximately 125 words in length (must not exceed 150 words) and will be used for publication purposes.
- c. Application letters with biographies (one per member) must be received no later than one week prior to either the March or April meeting of the Provincial Executive. Applications may be forwarded earlier than the dates noted above.

IV. Selection Process

- a. Local Service Awards are granted solely at the discretion of the NSTU Provincial Executive.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- b. The Provincial Executive member representing the Local(s) from which the names have been submitted will be responsible for notifying the President of the Local of the outcome of the decision of the Provincial Executive (Note: Some Locals like to keep the Award a surprise, if possible, until the time the Award is to be received at Annual Council). All notification to the individual is the sole responsibility of the Local Executive.

V. Presentation of the Award

- a. The Local Service Award consists of a certificate and special pin which are given to recipients at the Annual Council by the NSTU President on behalf of the Provincial Executive.
- b. The biographies of the recipients will be provided to Council delegates.
- c. All costs associated with the attendance at Annual Council of the recipients (accommodations, travel, etc.) are the responsibility of the Local unless the candidate is also a Council Voting Delegate.

Reference: September 2008, January 2013

E. PUBLIC EDUCATION ADVOCACY AWARD

I. Purpose

To promote the concept that public education is an investment in Nova Scotia's future and to recognize non-teachers who have made major contributions to public education. The purpose is also to focus public attention on public education and to strengthen relationships between public education and other sectors as well as between members and educational partners.

II. Criteria

- a. Individuals or groups who are not active members of the NSTU; and,
- b. Who have made major contributions to public education at the provincial, national, or international levels.

III. Applications

- a. Candidate(s) can be nominated by any member of the NSTU Provincial Executive by completing the appropriate application form and submitting the form to the President of the NSTU no later than the last business day of the week before the March Executive Meeting.
- b. Application forms must be completed in detail including the names of three (3) references who can be contacted by the Selection Committee if needed.

IV. Selection Process

- a. The selection committee shall be the Awards Selection Committee as described under Section IV a. of the Life Membership Award procedures.
- b. The Public Education Advocacy Award can be given annually but only when a candidate(s) meets all the criteria described in Section II above.
- c. The Awards Selection Committee may contact the nominated candidate(s) and/or the references to obtain additional information.
- d. If there are multiple nominations received by the Awards Selection Committee, the Committee shall rank the candidates and make its recommendation to the Provincial Executive by no later than the April meeting of the Provincial Executive.

V. Presentation of the Award

- a. The Public Education Advocacy Award which consists of a certificate and a gift shall be presented to the recipient(s) by the NSTU President at the Annual Council.
- b. *The Teacher* shall publish the name of the recipient(s), a picture, and a description of why the award was given along with a short biography of the person(s) in an edition of *The Teacher* following Annual Council. The same or similar information shall be given to the media for release as a news story.
- c. The expenses of attendance of the recipient(s) and guest(s) shall be borne by the NSTU.

Reference: Provincial Executive: February 2008, April 2008

F. RETIRED MEMBER RECOGNITION AWARD

I. Purpose

To recognize the contribution made to education and society by a retired member who has made a significant voluntary commitment to advance the cause of education either at home or abroad.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

II. Criteria

- a. Must be a retired member of the Nova Scotia Teachers Union.
- b. Following retirement, shall have given long service in a voluntary capacity with an organization related to promoting and advancing the cause of education either in Canada or developing nations.
- c. Recipient must have demonstrated leadership or inspirational conduct that has had a positive impact on others.

III. Applications

- a. Candidates(s) can be nominated by any member of the NSTU Provincial Executive by completing the appropriate application form and submitting the form to the President of the NSTU no later than the last business day of the week before the March Executive Meeting.
- b. Application forms must be completed in detail including the names of three (3) references who can be contacted by the Selection Committee if needed.

IV. Selection Process

- a. The Selection Committee shall be the Awards Selection Committee as described under Section IV a. of the Life Membership Award procedures.
- b. The Retired Member Recognition Award can be given annually but only when a candidate(s) meets all the criteria described in Section II above.
- c. The Awards Selection Committee may contact the nominated candidate(s) and/or references to obtain additional information.
- d. If there are multiple nominations received by the Awards Selection Committee, the Committee shall rank the candidates and make its recommendation to the Provincial Executive no later than the April meeting of the Provincial Executive.

V. Presentation of the Award

- a. The Retired Member Recognition Award which consists of a certificate and a gift shall be presented to the recipient(s) by the NSTU President at the Annual Council.
- b. *The Teacher* shall publish the names of the recipient(s), a picture, and a description of why the award was given along with a short biography of the person(s) in an edition of *The Teacher* following Annual Council. The same or similar information shall be given to the media for release as a news story.

Reference: March 5, 2010

G. LIEUTENANT GOVERNOR'S TEACHING AWARD

The NSTU has instituted, with the partnership of the office of the Lieutenant Governor of Nova Scotia, a Lieutenant Governor Award for Teaching Excellence. The purpose of the Award is to honour the teaching profession through the recognition of an individual who exemplifies excellence in Nova Scotia teaching. The NSTU is responsible to develop and fund the criteria, selection process, and Award process.

Reference: Provincial Executive, October 14, 2004

28. BENEVOLENT FUND

- A. The Benevolent Fund provides financial assistance for a member and family where there is little or no protection through pension, sick leave, credit union, medical service benefits, insurance, banks, etc.
- B. Ten thousand dollars (\$10,000.) is maintained in annual grants; merit and amount of assistance is determined by the Provincial Executive (Table Officers) to a maximum of one thousand dollars per individual grant (\$1,000./grant).
- C. Requests should be in writing to the Executive Director, Nova Scotia Teachers Union, 3106 Joseph Howe Drive, Halifax, B3L 4L7.

29. COMPUTER EQUIPMENT GUIDELINES

- A. The purchase of computers can be expensed at the time of purchase; it does not have to be set up as a depreciable asset.
- B. All purchase records including receipts, serial numbers, software licenses, registration and any guidebooks should be maintained by the Treasurer.
- C. All software used on the computer should be licensed. Updated virus protection software should be installed and the computer scanned regularly.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional

Development

General

- D. The Treasurer should maintain an inventory record of maintenance checks and which position on the executive (including the person's name) the computer has been delegated. The computer should be examined annually as being in sound working order.
- E. Following its useful life the computer must have all data, files and records removed. Useful life is defined as the period of time in which the equipment could be used resourcefully unless deemed obsolete by improved technology or wear and tear. The hard drive should be "scrubbed" using a product or service to totally remove all data and if possible have an expert verify that the computer has been 'cleaned'. The Treasurer should retain the document that certifies that the scrubbing has taken place or, alternatively, that the hard drive has been physically removed and destroyed. Verification must be provided to the executive that the hard drive has been physically destroyed.
- F. Any disposal sale should be for the current fair market value. The computer may be donated to charity or educational site based initiatives needing old computers. A receipt for transfer of ownership should be maintained.

Reference: Provincial Executive February 2007, January 2008

30. EDUCATIONAL SITE FACILITIES — PHYSICAL PLANT CLOSING & OPENING

The NSTU recognizes that the closing of one educational site facility and the opening of a newer replacement facility necessitates cooperation between all employees of the Regional Centre for Education/Board. Members of the NSTU as well as other employees may be required to perform duties not normally considered as part of the terms and conditions of employment. While tolerance and understanding are expected and encouraged, the Union recommends the following principles and procedures:

A. GENERAL

- I. There is no requirement in the *Education Act* or regulations which mandates that members assume responsibility for closing a facility or for opening a new facility.
- II. In closing and/or opening any facilities, work regularly and commonly performed by non-NSTU bargaining units or non-unionized employees shall not be performed by any NSTU member.
- III. Members should participate in limited ways and areas to assist with the closing of a facility or the opening of a new facility.

B. STUDENTS

- I. Students should not be in attendance during the final days of closing a facility or in the first few days of opening a facility.
- II. Students should not be encouraged to participate in either packing, moving, or unpacking of materials during a facility move.

C. MEMBERS

- I. Members shall be responsible for packing and labelling personal effects.
- II. Members in specialized areas should be available to supervise packing of sensitive materials (i.e. science laboratory) if required.
- III. Members shall only engage in personal packing and hazardous/sensitive material supervision during regular school hours (i.e. excluding nights and weekends).
- IV. Unless specifically directed, members shall not label goods to be moved.

D. EMPLOYER

- I. The movement of all materials should be the responsibility of the employer.
- II. The employer should supply packing containers to all staff for personal effects.
- III. The employer should allot appropriate time within the school year to close a facility.
- IV. The employer should allot appropriate time within the school year to open a new facility.
- V. The employer should supply up to five (5) days in-service during the school year to allow staff to prepare for the opening of a new facility.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

E. COLLECTIVE AGREEMENTS

- I. Any use of members to facilitate the closing or opening of a facility must comply in all respects with either the Teachers' Provincial Agreement or the appropriate regional agreement.
- II. Advance reporting credit may be used as provided in the appropriate collective agreement.
- III. The school year during which members may help to facilitate any moves is that period of time consisting of 195 days and as prescribed annually by the Minister responsible for Education.

Reference: December, 1979

31. LABOUR LIAISON

- A. The Nova Scotia Teachers Union sends an official delegate as an observer to the annual meeting of the Nova Scotia Federation of Labour Convention.
- B. Highlights of contacts between the NSTU and public sector unions shall be reported to Annual Council.

Reference: Provincial Executive, 1992, 1993, 1998

32. MEMBER ENGAGEMENT DAY

- A. The NSTU Member Engagement Day shall be celebrated on World Teacher's Day. Should World Teacher's Day fall on a weekend, the Friday preceding it shall be Member Engagement Day.
- B. The Central Office of the NSTU shall be responsible for the following and associated costs:
 - I. selecting a yearly theme for Member Engagement Day;
 - II. promoting Member Engagement Day using posters, email, NSTU website, and social media;
 - III. providing Locals with suggested activities; and,
 - IV. providing Locals with promotional materials/branded items that highlight Member Engagement Day.
- C. The NSTU Locals shall be responsible for the following and associated costs:
 - I. Choosing the activities that will be implemented at the Local level to celebrate Member Engagement Day;
 - II. Distributing the promotional/branded NSTU materials provided by Central Office; and,
 - III. Providing feedback to Central Office on events/activities held on Member Engagement Day.
- D. Locals are encouraged to incorporate Member Engagement Day as part of their Welcome Back/New Member events typically held early in the school year.
- E. NSTU central office will match what each Local spends on Member Engagement Day activities up to a maximum of five hundred dollars each year (\$500./year). The Local will be reimbursed based on cost sharing of the Member Engagement activities (one half (1/2) of the cost to the Local to a maximum of five hundred dollars (\$500.)). (*Res. 2015-13*) (*October 2015*)

Reference: April 2014

33. NSTU AND PRIVACY — PIPEDA**A. PIPEDA**

In an effort to respond to the privacy concerns of Canadians, the federal government enacted the *Personal Information Protection and Electronic Documents Act* (PIPEDA). The NSTU has adopted appropriate principles in accordance with the model code for the protection of personal information as set out in the national standard.

B. NSTU PRINCIPLES

The ten principles of privacy protection to be followed by the NSTU are:

I. Accountability

The NSTU is responsible for member's personal information that is under the control of the NSTU and will designate an individual or individuals to be accountable for compliance with the ten PIPEDA principles.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development**General**

II. Identifying Purposes

The NSTU uses member's private information only for the legitimate purposes of the organization and its members.

III. Consent

Generally, the NSTU shall seek consent to use and disclose personal information at the time it collects the information. However, the NSTU may seek consent to use and disclose personal information after it has been collected but before it is used or disclosed for a new purpose.

IV. Limiting Collection

Collection of personal information shall be limited to that which is necessary for the purposes identified in Principle 2 above. Information shall be collected by fair and lawful means.

V. Limiting Use, Disclosure, and Retention

The NSTU will not use, disclose, or retain personal information for purposes other than those for which it is collected, except with the consent of the member or as required by law. Personal information shall be retained only for as long as necessary to fulfill those purposes.

VI. Accuracy

Personal information shall be as complete, accurate, and as up to date as is necessary for the purposes for which it was collected.

VII. Safeguards

Personal information shall be protected by security safeguards appropriate to the sensitivity of the information.

VIII. Openness

The NSTU will make specific information about its policies and practices, relating to the management of personal information readily available to a member.

IX. Individual Access

Upon request, a member shall be informed of the existence and use of the member's personal information and shall be given access to all such personal information, exclusive of such information that contains references to other individuals, information that cannot be disclosed for legal or security purposes and information that is subject to solicitor client or litigation privilege. The member may request to have information amended as appropriate.

X. Challenging Compliance

A member shall be able to address a challenge concerning compliance with the above principles to the designated individual or individuals responsible and accountable for NSTU's compliance with PIPEDA.

Reference: March 25, 26, 2004

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional

Development

General**34. PUBLICATIONS****A. THE TEACHER**

The Teacher is published up to eight times per year (8/year), September to June. The subscription fee is included in the membership fee; all other subscriptions are twenty two dollars per year (\$22./year). The number of copies of *The Teacher* sent to each educational site is based on approximately thirty percent (30%) of NSTU members at that site.

Reference: February 24-26, 2005, Amended June, 2010, February 2012, Council budget 2012, Council Budget 2013.

B. DISTRIBUTION

I. Reserve members shall be mailed copies of all NSTU publications which are distributed to Active members.

II. All NSTU publications are available to members on the NSTU website.

Reference: (based on Resolution 2006-4), May 2019

35. RESEARCH (EXTERNAL) GUIDELINES AND PROCEDURES

Prior to approval of an external research contract, agreement shall be reached between the NSTU and the external researcher or agency covering the following aspects of the research:

- A. Any research commissioned by the NSTU is the property of the NSTU in its entirety.
- B. The NSTU shall assume ownership of all data collected on its behalf. Data shall be delivered to the NSTU in the original hard-copy form, if applicable, or as electronic raw data, upon request by the NSTU. If data were initially collected through hard-copy formats, any transformation of those data into electronic form shall be supplied, if so requested, to the NSTU. Any electronic manipulation of data collected shall be provided to the NSTU, if requested.
- C. With prior approval, the researcher or research agency may retain a copy of data collected for follow-up research. Such follow-up research shall be undertaken only with the approval of the NSTU.
- D. Agreement shall be reached with respect to proposed timelines. It is recognized that unforeseen factors can disrupt schedules.
- E. NSTU staff shall be involved in ongoing consultation throughout the research process.
- F. All questionnaires, interviews, or focus group questions, and other communication shall receive NSTU approval prior to being sent or administered to NSTU members. Such approval shall take into consideration:
 - I. the time commitment required of NSTU members;
 - II. the confidentiality of members' responses;
 - III. the appropriateness of the language used in the investigative instrument;
 - IV. relevant ethical issues;
 - V. the appropriateness of the suggested methodology; and,
 - VI. other considerations that may be germane to the research and context.
- G. Any recommendations for action arising from the research shall be contained in a document separate from the research itself.
- H. The NSTU retains complete authority over the disposition, distribution, and dissemination of any report or recommendations arising from the research.
- I. The NSTU has the right to contact its members on any issue approved by the Provincial Executive. Furthermore, the NSTU may authorize any other agency to contact members on its behalf. Therefore, approval to contact members for research approved or sponsored by the NSTU rests with the NSTU. Subsequent participation by an NSTU member in any approved research is at the discretion of the individual NSTU member.
- J. Any subsequent academic or scholarly publication of material based upon the study or data collected on behalf of the study shall acknowledge the NSTU contribution to the study.
- K. These provisions between the NSTU and the researcher or research agency may be reviewed and adjusted should new information, directions, or circumstances arise.

Reference: Provincial Executive June 6, 2003

36. SERVICES TO FRANCOPHONE MEMBERS

- A. That the French language be recognized and utilized where possible:
 - I. The President's message and the Executive Director's message in *The Teacher* shall appear in French and English.
 - II. Where feasible, the NSTU will endeavor to use French text in posters and pamphlets generally distributed to educational sites.
 - III. Written French language correspondence to the central office of the NSTU receives a reply in French where time and context permits.
 - IV. All official correspondence from the central office of the NSTU to the CSANE Local is in French where time and context permits.
- B. The NSTU sponsors and finances a francophone member with delegate status to the annual meeting of Association canadienne d'éducation de langue française (ACELF).
- C. The NSTU has established a Standing Committee of six (6) francophone members, the Comité de programmation acadienne.
- D. A portion of the regular cycle of advertorials be placed in French and English in the Chronicle Herald featuring CSANE programs and achievements.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

- E. Three thousand five hundred dollars (\$3,500) is budgeted to help defray the costs associated with French-language professional development activities such as CONTACT and minority language conferences.

Reference: Provincial Executive, April, 1986; 1994; 1995, 2002; January & February, 2005; June 2, 3, 2005

37. SEXUAL HARASSMENT

A. PROCEDURES FOR DEALING WITH SEXUAL HARASSMENT COMPLAINTS

The NSTU believes that all harassing incidents should be handled at the personal level, if at all possible before the incident(s) escalate into a situation requiring further involvement at the administrative, RCMP, Union, or Commission on Human Rights level.

- I. Make the objection or unease known to the offending person in a clear manner and request that it stop.
- II. Document the offence(s) by maintaining a record of the dates, times, and description of the harassing incident(s).
- III. Ask colleagues if they have been harassed by the same individual. A group complaint is often more effective in stemming harassing behaviour.
- IV. Avoid being alone with the harasser in the harasser's work area or office.
- V. Write a brief objective letter describing the incident, outlining how you felt about it, requesting that the behaviour stop and giving notice that further action will be taken should the behaviour continue. Enclose a copy of the Human Rights Act, Section 12 underlining the relevant sub-section(s). Should your educational site or Regional Centre for Education/Board have a policy on sexual harassment include this document as well. Retain a copy of your letter on file.
- VI. If the harassment continues do not hesitate to seek the assistance of your principal who is obligated to take all reasonable steps to investigate and resolve the situation. If the offending person is the principal then proceed to the next level of authority.
- VII. If the situation is not resolved then lodge a complaint through your Regional Executive Director/Superintendent who is responsible for the acts of the employees of the Regional Centre for Education/Board under the policy guidelines of the Nova Scotia Human Rights Commission.
- VIII. Any serious sexual assault such as rape or attempted rape should be reported directly to the RCMP.

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

B. FURTHER ACTION TO CONSIDER

Should these strategies not prove effective, two further options are available:

- I. Confidential direction through the Nova Scotia Teachers Union.
- II. Legal recourse through the Nova Scotia Human Rights Commission.

Reference: Provincial Executive April, 1991

General

38. TECHNOLOGY USE AT NSTU MEETINGS & CONFERENCES

- A. The use of information and communication technology at and during meetings and conferences must be solely to facilitate the business of the meeting. All other use of such technology is disruptive and therefore is deemed inappropriate and is not permitted.
- B. Connection to the Internet by attendees during active sessions of NSTU meetings and conferences shall not be permitted within meeting chambers other than for group presentation, discussion purposes, information recording, pertinent information gathering, or to directly access meeting documents.
- C. The use of laptop computer equipment within the meeting chambers and during the time when the meeting is in session must be in conjunction with and support of the business of the meeting.
- D. While in meeting chambers all cellular phones, personal digital assistants (PDA), Blackberry devices and all similar communication devices must be set to silent mode and meeting attendees must remove themselves from chambers before responding to incoming calls.
- E. Meeting attendees must remove themselves from the meeting chambers while reading and responding to text-messaging and email.

Reference: Provincial Executive, January 20-22, 2005; September 2008

39. WEB ACCOUNT MAILING LISTS

Upon request, designated NSTU web account mailing lists shall be established for NSTU Leaders, such as Provincial Executive, Local Presidents and Local Executives, RRC Chairs, and Professional Association Presidents and Professional Association Executives.

Reference: February 2012

40. WEBMAIL PROCEDURES

A. PREAMBLE

It is the policy of the NSTU that all members use the NSTU webmail system for all electronic communications concerning Union related matters.

B. PROTOCOL

- I. Members wishing to communicate with NSTU Central Office shall do so using the NSTU webmail system, a non-employer email address, or telephone.
- II. Members wishing to communicate with other members on Union related matters shall use the NSTU webmail system, a non-employer email address, or telephone.
- III. Any member who contacts the NSTU office using the employer's webmail system will receive a reply advising them that the NSTU will not communicate using the employer's web-mail and providing instructions to call the NSTU or email using an NSTU account or a non-employer email address. Members will be advised if they do not have an NSTU webmail account how they may obtain one.
- IV. When members communicate with NSTU leaders using the employer's email system, NSTU leaders are to respond advising them to use the NSTU email or a non-employer email address or communicate by phone or other means.

Reference: Provincial Executive, September 2012 (established further to 2012-12)

Governance

Curriculum

Economic Welfare &
Working Conditions

Government

Professional
Development

General

LOCAL CONSTITUTION MODEL



CONTENTS

Introductory Statement

The purpose of this document is to provide NSTU members with a comprehensive summary of official NSTU By-Laws, Standing Orders, Policies and Operational Procedures concerning NSTU Locals.

ARTICLE	TITLE
	Preamble
I	Name
II	Mandate
III	Membership
IV	Local Executive
V	NSTU Representatives
VI	Committees
VII	Meetings
VIII	Elections/Voting Privileges
IX	Finances
X	Reprimand, Suspension or Removal from Local Executive
XI	Rules of Order
XII	Operational Procedures
XIII	Amendments



LOCAL CONSTITUTION MODEL

NSTU Local

Constitution Model

NSTU Regional
Representative Council
Constitution Model

Professional
Association Model
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 [Blank] *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 [Blank] Local shall be comprised of Active Members of the NSTU employed by the [Blank] Regional Centre for Education, within the approved geographic boundaries as set by the Provincial Executive; and

(Specifically for CSANE and APSEA in place of the paragraph above)

The [CSANE or APSEA] Local shall be comprised of Active Members of the NSTU employed by [CSAP or APSEA] as approved 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) First Vice President



NOTE:

The Local Executive **must** include a President and First Vice President as outlined in By-Law Article II 1. (a). The Local has the ability to have other Executive Members, the typical would be such Executive positions as:

- Secretary
- Treasurer
- Immediate Past President
- Vice President – Communications (Public Relations, Public Affairs)
- Vice President – Professional Development,
- other Vice Presidents with designated roles, and possibly
- Member(s)-at-Large.

Executive positions should be listed here following (b). Once the Local Membership decides on their structure through adoption of a Constitution duly ratified by the Provincial Executive this should be the Executive structure for the Local.

- [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.

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.



NSTU Local**Constitution Model**

NSTU Regional
Representative Council
Constitution Model

Professional
Association Model
Constitution

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) Resolutions
 - (f) New Member

NOTE:

The Local Executive **must** establish the committees already listed in the model. The Local has the ability to establish other committees, the typical would be such committees as:

- Social
- Substitute Teachers
- Equity
- Status of Women, and
- other committees as deemed desirable by the Local.

Additional committees should be listed here following (f). Once the Local Membership decides on their structure through adoption of a Constitution duly ratified by the Provincial Executive this should be the committee list for the Local.

- [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

Note: The NSTU Constitution allows for Locals to determine their delegation (Local Voting Delegates, Local Alternate Delegate(s), and Local Observer) to Annual Council as stipulated in individual Local Constitutions. The Local President must attend Annual Council as part of the Local's delegation. The NSTU Constitution allows for flexibility regarding the remainder of the delegation. Locals should stipulate here, in this Article, the processes on how to determine the Local's Delegation. The process should be fair and allow for participation from the general membership. Some possible processes can include elements of the following:

1. Some participation by Local Officers
2. Elections at a General Meeting
3. Nominations process adopted by a motion at a General Meeting

- [1] Active and Reserve NSTU Members of the Local are eligible to serve as Annual Council delegates.
- [2] The Local President shall attend Annual Council as a Voting Delegate.
- [3] (process for determining Local Voting Delegates)
- [4] (process for determining Local Alternate Delegate(s))
- [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. (process for determining Local Observer)
- [6] Where possible, the Local send at least one (1) new member to Annual Council each year.



NSTU Local**Constitution Model**

NSTU Regional
Representative Council
Constitution Model

Professional
Association Model
Constitution

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 five (5) to seven (7) 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 at the next General Meeting of the Local and an election shall be conducted at that meeting. 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 Representative 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

APPENDIX A

NSTU Local Constitution Model

NSTU Regional
Representative Council
Constitution Model

Professional
Association Model
Constitution

- [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, where 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 VIII.

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

NSTU Local

Constitution Model

NSTU Regional

Representative Council
Constitution Model

Professional
Association Model
Constitution

- [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.



REGIONAL REPRESENTATIVE COUNCIL CONSTITUTION MODEL



CONTENTS

Introductory Statement

The purpose of this document is to provide NSTU members with a comprehensive summary of official NSTU By-Laws, Standing Orders, Policies and Operational Procedures concerning Regional Representative Councils.

ARTICLE	TITLE
I	Name
II	Mandate
III	Membership
IV	Roles and Responsibilities
V	Duties
VI	Meetings
VII	Committees
VIII	Elections/Voting Privileges
XI	Finances
X	Accountability
XI	Rules of Order
XII	Amendments

NSTU REGIONAL REPRESENTATIVE COUNCIL CONSTITUTION

Article I

Name

The committee shall be called the ____ Regional Representative Council of the Nova Scotia Teachers Union.

By-Law, Article IX 3 (a)

Article II

Mandate

- [1] The ____ Regional Representative Council within the geographic boundaries of the school board shall address bargaining unit issues for NSTU members employed with that school board.
By-Law, Article IX 2 (a)
- [2] To follow the policies of the Council of the Union and the directives of the Provincial Executive of the Union.
By-Law, Article IX 2 (b)

Article III

Membership

Membership of the Regional Representative Council shall include:

By-Law, Article IX 3 (c)

Local Representation

Local membership shall be determined with equal representation by participating Locals and shall include:

- Local Presidents
- Local First Vice-Presidents
- Additional Local Member(s)

From the Local Representation, the RRC shall select a Secretary and/or Treasurer and the Chair of the REWC.

Regional Representation

- Chairperson
- Provincial Executive Member(s)

Article IV

Roles and Responsibilities

- [1] The Regional Representative Council shall carry out the responsibilities as set out in the Teachers Provincial Agreement and Regional Collective Agreement between the employing school board and the NSTU.
By-Law, Article IX 9.
- [2] The ____ Regional Representative Council shall have the right to submit resolutions to Annual Council by way of the Provincial Executive.
By-Law, Article IX 10.
- [3] The ____ Regional Representative Council shall be accountable to the NSTU Provincial Executive.
By-Law, Article IX 3(a).

Article V

Duties

APPENDIX B

NSTU Local
Constitution Model

**NSTU Regional
Representative
Council Constitution
Model**

Professional
Association Model
Constitution

I. Duties of the Regional Representative Council

Operational Procedures 16 (a) (1)

- [1] Ensure adherence to terms and conditions of employment as incorporated into regional and provincial agreements.
- [2] Determine an application and selection process for identifying committee members of the Regional Representative Council committees.
- [3] Administer the selection and appointment of committee members to Regional Representative Council committees, including but not limited to:
 - REWC
 - Negotiating Team
 - Grievance Committee
- [4] Receive reports from Regional Representative Council committees appointed by the Regional Representative Council.
- [5] Promote member rights and responsibilities.
- [6] Address such other duties as assigned by the Provincial Executive.
- [7] Appoint the Regional Negotiating Team from among the members of the REWC and such other persons as determined by the RRC.
- [8] Appoint the Chairperson of the Regional Negotiating Team from the members of the Regional Economic Welfare Committee.
- [9] Report to the Provincial Executive any member in violation of the Accountability Article.

II. Duties of the Regional Representative Council Chairperson

- [1] The Chairperson shall be the sole official spokesperson for the Regional Representative Council on Regional bargaining unit.
- [2] The Chairperson or Vice Chairperson shall preside at all meetings of the Regional Representative Council.
- [3] The Chairperson shall prepare agendas for all Regional Representative Council meetings.
- [4] The Chairperson shall call a special meeting in the event of an emergency.
- [5] The Chairperson shall cause to be presented to the Annual General Meetings of Locals:
 - a Regional Representative Council financial statement;
 - a proposed Regional Representative Council budget for the upcoming year;
 - a report of the Regional Representative Council activities for the year.

III. Duties of the Regional Representative Council Secretary

- [1] The Secretary shall record and maintain copies of the minutes of all meetings of the Regional Representative Council.
- [2] The Secretary shall prepare copies of the minutes for distribution at Regional Representative Council meetings.
- [3] The Secretary shall maintain a record of the attendance at all meetings of the Regional Representative Council.
- [4] The Secretary shall maintain all official records of the Regional Representative Council including the Constitution and Operational Procedures and ensure that appropriate revisions are processed.
- [5] The Secretary shall obtain a current list of contact information for NSTU Representatives; Local Executives; Regional Representative Council committee members; Regional Representative Council members; and, membership lists of participating Locals.
- [6] The Secretary shall forward to the NSTU Central Office names, and contact information for members of the Regional Representative Council.
- [7] The Secretary may keep an Action Register for each Regional Representative Council meeting.

B

APPENDIX B

NSTU Local
Constitution Model

NSTU Regional Representative Council Constitution Model

Professional
Association Model
Constitution

IV. Duties of the Regional Representative Council Treasurer

- [1] The Regional Representative Council Treasurer shall administer all financial matters associated with the Regional Representative Council and report to the Regional Representative Council by means of a financial statement.
- [2] The Treasurer shall prepare a proposed budget for submission to Provincial Executive.
- [3] The Treasurer shall be responsible for an annual audit review as outlined by the NSTU Finance and Property Committee.

V. Duties of Local President

- [1] The Local President shall be an active participant in activities of the Regional Representative Council.
- [2] The Local President shall make known the views of members of their Local.
- [3] The Local President shall report Regional Representative Council activities to Local meetings.
- [4] The Local President shall provide the Regional Representative Council Secretary with Local Membership Lists.

VI. Duties of Provincial Executive Member

- [1] The Provincial Executive Member shall keep the Regional Representative Council informed of Provincial Executive activities.
- [2] The Provincial Executive Members shall conduct the election of Regional Representative Council Chairperson.

VII. Duties of Local First Vice-President

- [1] The Local First Vice-President shall be an active participant in activities of the Regional Representative Council.
- [2] The Local First Vice-President shall communicate Local concerns to the Regional Representative Council.
- [3] The Local First Vice-President shall direct member requests to the Regional Economic Welfare Council, Regional Representative Council or provincial authority.
- [4] The Local First Vice-President shall encourage new member involvement with Regional Representative Council activities.

VIII. Duties of the Member(s)-At-Large

- [1] The Member(s)-At-Large shall communicate bargaining unit concerns to the Regional Representative Council.

IX. Duties of the Regional Economic Welfare Committee

Duties of the REWC shall include:

1. Seek input from the bargaining unit's membership for regional asking packages.
2. Prepare a regional asking package for presentation to the RRC.
3. Be responsible for the dissemination of information regarding regional negotiations and the ratification of regional tentative agreements.
4. Plan for and promote improved working conditions for members.

X. Duties of the Chairperson, Regional Economic Welfare Committee

- [1] The Chairperson, Regional Economic Welfare Committee shall chair the committee responsible for the preparation of an Asking Package.
- [2] The Chairperson, Regional Economic Welfare Committee shall chair the committee responsible for negotiating the Collective Agreement between the NSTU and the School Board.
- [3] The Chairperson, Regional Economic Welfare Committee shall chair the Regional Grievance Committee.

- [4] The Chairperson, Regional Economic Welfare Committee shall present each Regional Asking Package to the Regional Representative Council for approval prior to the start of negotiations.
- [5] The Chairperson, Regional Economic Welfare Committee shall coordinate Local/Regional economic welfare training.

APPENDIX B

NSTU Local
Constitution Model

**NSTU Regional
Representative
Council Constitution
Model**

Professional
Association Model
Constitution

Article VI *Meetings*

Oper. Procedures 16 (b)

- [1] The ____ Regional Representative Council shall meet a minimum of seven (7) times per year at a location determined by the Chairperson.
- [2] A schedule of regular meetings of the ____ Regional Representative Council shall be provided to the membership by September 30th in each year.
- [3] Emergency meetings of the ____ Regional Representative Council shall be called as necessary by the Chairperson of the ____ Regional Representative Council.
- [4] A quorum of the ____ Regional Representative Council shall be fifty percent plus one (50% +1) of its membership provided that each Local is represented in the quorum.
- [5] Meetings of the ____ Regional Representative Council shall be governed by Rules of Order adopted by the Nova Scotia Teachers Union.

Article VII *Committees*

By-Law, Article IX 5(a)

- [1] The ____ Regional Representative Council shall establish a Standing Committee called the Regional Economic Welfare Committee with membership consisting of Local First Vice-President from each Local and other members as determined by the ____ Regional Representative Council to a maximum of ten (10) members.
- [2] Membership on the Regional Economic Welfare Committee shall be established annually.

By-Law, Article IX 5(b)

- [3] The Chairperson of the ____ Regional Economic Welfare Committee shall be elected by secret ballot by the members of the ____ Regional Economic Welfare Committee on an annual basis. The election of the Chairperson shall be the first item of business at that meeting. The election shall be conducted by the Chairperson of the ____ Regional Representative Council.

By-Law, Article IX 5(c)

- [4] The ____ Regional Representative Council shall appoint committees as stipulated in Regional and Provincial collective agreements and establish other committees as required.

Operational Procedure 16 (c)

- [5] Members of participating Locals shall be eligible to serve on ____ Regional Representative Council committees.
- [6] Selection of committee members shall be made on an annual basis.
- [7] All committees of the Regional Representative Council shall have a Regional Representative Council member as liaison.
- [8] All committees of the ____ Regional Representative Council shall report to the ____ Regional Representative Council.

B

Article VIII

Elections/Voting Privileges

- [1] All members of the Regional Representative Council shall have voting privileges. *By-Law, Article IX 3(d)*
- [2] The Chairperson of the _____ Regional Representative Council shall be elected by secret ballot from and by the members of the _____ Regional Representative Council. The election of the Chairperson shall be the first item of business at the June Meeting. The election shall be conducted by a Provincial Executive member. *By-Law, Article IX 4(a)*
- [3] The Chairperson of the _____ Regional Representative Council shall serve a two (2) year term of office commencing August 1st. *By-Law, Article IX 4(b)*
- [4] The Chairperson _____ Regional Representative Council shall serve a maximum of two (2) consecutive terms. *By-Law, Article IX 4(c)*
- [5] The Secretary and/or Treasurer of the _____ Regional Representative Council shall be appointed by the _____ Regional Representative Council following a selection process outlined in the Operational Procedures of the _____ Regional Representative Council. *By-Law, Article IX 4(d)*
- [6] The Provincial Executive Member(s) shall be a member of the _____ Regional Representative Council for their term of office. *By-Law, Article IX 4(e)*
- [7] The _____ Regional Representative Council shall elect from its membership, a Vice-Chairperson to represent the Chairperson as required. *Op. Procedures, 16 (d) 1.*
- [8] Should a vacancy occur in the membership of the _____ Regional Representative Council, the appropriate election procedure shall be carried out. *Op. Procedures, 16 (d) 2.*
- [9] An NSTU staff officer shall be assigned to the _____ Regional Representative Council by the Executive Director. *Op. Procedures, 16 (d) 3.*

Article IX

Finances

- [1] The fiscal year shall be from August 1st to July 31st. *By-Law, Article VIII 3. Op. Proc. 16(e)5.*
- [2] The three signing officers, duly bonded, for the disbursement of _____ Regional Representative Council funds shall be the following; Treasurer, Chairperson, and one other member of the _____ Regional Representative Council. *Oper. Procedures 16. (e)(i) 6.*
- [3] The _____ Regional Representative Council proposed budget for the upcoming fiscal year shall be submitted to the Provincial Executive for approval. *Oper. Procedures 16. (3)(i)4.*
- [4] _____ Regional Representative Council members shall be reimbursed expenses at the provincial NSTU rate. *Oper. Procedures 16. (3)(i)7.*
- [5] When attending _____ Regional Representative Council meetings, members shall be eligible to claim family care costs in the amount approved by the NSTU Provincial Executive. *Oper. Procedures 16. (3)(i)8.*
- [6] The _____ Regional Representative Council shall be permitted to appeal to the Provincial Executive for investigation and guidance during any given fiscal year. *Oper. Proc. 16.(e)(i) 3.*
- [7] The financial records of the _____ Regional Representative Council shall be subject to an annual review in accordance with guidelines provided by the Finance and Property Committee of the NSTU. *Oper. Procedures 16. (e)(i) 9*
- [8] Funding
If at July 31, the cash balance of a Regional Representative Council exceeds an amount necessary to fund the activities of the Regional Representative Council until the November rebate, then the excess monies shall be returned to the Locals. *Oper. Procedures 16. (e) (ii)*

Article X

Accountability

APPENDIX B

NSTU Local
Constitution Model

**NSTU Regional
Representative
Council Constitution
Model**

Professional
Association Model
Constitution

- [1] The _____ Regional Representative Council shall provide the NSTU Provincial Executive and its member Locals with a Report of Activities on an annual basis in June of each year.
Oper. Procedures16. (f) 1.
- [2] The _____ Regional Representative Council shall provide the NSTU Provincial Executive and its member Locals with financial records in accordance with procedures outlined by the Finance and Property Committee.
Oper. Procedures16. (f) 2.
- [3] 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.
Oper. Proc.16. (f) 3.
- [4] _____ Regional Representative Council members are expected to fully attend as well as actively participate in all meetings of the _____ Regional Representative Council. *Oper.Proc.16. (f) 4.*
- [5] A member of the _____ Regional Representative Council who is absent from two consecutive meetings of the _____ Regional Representative Council without reasons satisfactory to the _____ Regional Representative Council, shall have those absences reported to the affected Local by the Chairperson of _____ Regional Representative Council. *Oper. Procedures16. (f) 5.*
- [6] _____ Regional Representative Council members are responsible to fairly represent _____ Regional Representative Council decisions when speaking on issues addressed by the _____ Regional Representative Council. *Oper. Procedures16. (f) 6.*

Article XI

Rules of Order

The current edition of Robert's Rules of Order, Newly Revised governs the Nova Scotia Teachers Union in all parliamentary situations not provided for in legislation, By-Laws and Standing Orders.
Oper. Procedures16. (g)

Article XII

Amendments

Amendments to the _____ Regional Representative Council Constitution requires the approval of the NSTU Provincial Executive.
Oper. Procedures16. (h)

B

APPENDIX B

NSTU Local
Constitution Model

**NSTU Regional
Representative
Council Constitution
Model**

Professional
Association Model
Constitution

B

PROFESSIONAL ASSOCIATION MODEL CONSTITUTION



CONTENTS

Introductory Statement

The purpose of this document is to provide NSTU members with a comprehensive summary of official NSTU By-Laws, Standing Orders, Policies and Operational Procedures concerning Professional Associations.

ARTICLE	TOPIC/TITLE
I	Name
II	Purpose
III	Membership
IV	Distribution of Powers
V	Professional Association Executive
VI	Professional Association Committees
VII	Professional Association Meetings
VIII	Elections/Voting Privileges
IX	Finances
X	Rules of Order
XI	Accountability
XII	NSTU Annual Council
XIII	Communications
XIV	Amendments

PROFESSIONAL ASSOCIATION MODEL CONSTITUTION

Article I *Name*

The Professional Association shall be called the ____ Association of the Nova Scotia Teachers Union.

Article II *Purpose*

The mandate of the (Name of NSTU Professional Association) shall be: *Policy, 12. (b)*

- [1] To improve professional practice by increasing member knowledge and understanding.
- [2] To disseminate ideas, trends and new developments.
- [3] To provide information to the NSTU Professional Associations Coordination Committee and the NSTU Curriculum Committee.
- [4] To advise the Provincial Executive on matters affecting NSTU Professional Associations.

Article III *Membership*

- [1] ***Regular Membership*** *Policy 12. (c)*

Regular Membership in the (Name of NSTU Professional Association) is restricted to all active, active reserve, regular reserve and associate members of the Nova Scotia Teachers Union.

An active reserve member is not eligible to hold elected office; however, an active reserve member is eligible to vote and serve on committees. *By-Law, I, 10*

- [2] ***Student Intern Membership***

Student Intern Membership in the (Name of NSTU Professional Association) is available to full-time university students enrolled in education programs. A student intern member is not eligible to vote or hold elected office; however, a student intern member is eligible to serve on committees.

- [3] ***Subscriber Member***

Subscriber Membership is available to an institution or a person who is not a regular or student intern member. A subscriber member is not eligible to vote, hold elected office or serve on committees.

Article IV

Distribution of Powers

APPENDIX C

NSTU Local
Constitution Model

NSTU Regional
Representative Council
Constitution Model

**Professional
Association Model
Constitution**

- [1] The general membership shall retain all powers of the (Name of NSTU Professional Association) except those delegated in the Constitution to the Professional Association Executive.
- [2] Any member of the (Name of NSTU Professional Association) shall have the right to address all meetings of the Professional Association.
- [3] A regular member shall have the right to vote on all motions at general meetings of the Professional Association.

Article V

Professional Association Executive

- [1] The Professional Association Executive shall include but not be limited to the following members:
 - President
 - Immediate Past President
 - Vice President
 - Secretary
 - Treasurer
- [2] The Professional Association Executive shall meet a minimum of three (3) times per year at a location determined by the President.
- [3] A quorum of the Professional Association Executive shall be fifty percent plus one (50%+1) of Professional Association Executive members.

Article VI

Professional Association Committees

- [1] The Professional Association Executive shall establish the following committees:
 - Communications
 - Conference
 - Finance
 - Nominating
- [2] The Professional Association Executive shall appoint members to each committee on an annual basis.
- [3] The Professional Association Executive may appoint ad hoc committees as circumstances dictate.
- [4] The Professional Association Executive shall appoint members to other committees as required.
- [5] The Professional Association President shall chair the Communications Committee.
- [6] The Professional Association Treasurer shall chair the Finance Committee.
- [7] The Professional Association Vice-President or designate shall chair the Conference Committee.
- [8] The Professional Association Immediate Past President or designate shall chair the Nominating Committee.

C

Article VII***Professional Association Meetings***

- [1] Professional Association Annual Meeting
 - (a) There shall be an Annual Meeting of the (Name of NSTU Professional Association) for:
 - i) receipt of annual reports;
 - ii) presentation of a financial statement;
 - iii) presentation of a proposed budget for the upcoming year;
 - iv) election of officers for the upcoming year.
 - v) consideration of NSTU Annual Council resolutions.
 - (b) The quorum for a general meeting shall be 5% of the regular membership excluding the members of the Professional Association Executive.
- [2] Professional Association Executive Meetings
 - (a) Professional Association Executive meetings shall take place a minimum of three (3) times per year during the periods:
 - Fall
 - Winter
 - Spring
 - (b) The quorum for an Professional Association Executive Meeting shall be fifty percent plus one of the Professional Association Executive.
- [3] Professional Association Special Meetings
 - (a) In the event of an emergency or other need, a special meeting shall be called by the Professional Association Executive.
 - (b) A special general meeting shall be called by the Executive upon the written request of five percent (5%) of the regular membership. 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.

VIII***Elections/Voting Privileges***

- [1] Only regular members of the (Name of NSTU Professional Association) have the right to vote.
- [2] Only active NSTU members of the (Name of NSTU Professional Association) have the right to hold office.
- [3] Only regular members and student intern members of the (Name of NSTU Professional Association) have a right to serve on committees.
- [4] The Professional Association Executive shall be elected by secret ballot.
- [5] The term of office for Professional Association Executive members shall be two (2) years from Annual General Meeting to Annual General Meeting.
- [6] Any (Name of NSTU Professional Association) Executive position shall be held by the same person for a maximum of two consecutive terms.
- [7] Should any Professional Association Executive position except Professional Association Immediate Past President remain vacant following elections at the Annual General Meeting, the Nominating Committee shall conduct a by-election using a mail-in vote procedure.

- [8] In the event that the Professional Association President cannot complete a term of office, the Professional Association Vice President shall assume the duties of the Professional Association President in the interim. The Nominating Committee shall seek nominations for the position and conduct an election using the mail-in vote procedure. The term of office for this position shall be until the completion of the vacated term of office.
- [9] In the event that a Professional Association Executive member other than the Professional Association President cannot complete a term of office, the position shall be filled through a by-election administered by the Nominating Committee. The term of office for this position shall be until the completion of the vacated term of office.

Article IX

Finances

- [1] The fiscal year shall be from August 1st to July 31st.
- [2] Membership fees shall be determined by the Provincial Executive of the Nova Scotia Teachers Union.
- [3] The signing officers shall be the NSTU Signing Officers.
- [4] The official authorization for expenditures shall be made by any two (2) of the following: the Professional Association Treasurer, Professional Association President or one other member of the Professional Association Executive.
Oper. Procedure 14. c) (iv)
- [5] The Professional Association Executive shall make expenditures up to \$2,000. without prior approval of the regular membership.
- [6] Members shall be reimbursed expenses at the provincial NSTU rate.
- [7] The financial records of the (Name of NSTU Professional Association) shall be subjected to an annual review in accordance with guidelines provided by the Finance and Property Committee of the NSTU. *Standing Order 3.*
- [8] All operational expenses (including substitute teacher costs) incurred by the (Name of NSTU Professional Association) are the sole responsibility of the (Name of NSTU Professional Association) and are not the responsibility of the Nova Scotia Teachers Union.
- [9] Professional Associations may qualify for their executive meeting expenses to be paid for if, at the end of their previous fiscal year, their financial net assets are less than \$13,350. Meeting expenses will be paid for three (3) executive meetings for a maximum of eight (8) executive members. NSTU expense guidelines will be followed for reimbursement. Any expenses that appear unreasonable will be subject to the approval of the Finance and Property Committee.
Oper. Procedure 14 (c)(ii)
- [10] Professional Associations whose Financial Net Assets are less than \$13,350. in the previous year shall have costs for three (3) executive meetings paid for by the Nova Scotia Teachers Union.
Oper. Procedure 14 (c)(iii)
- [11] There will be no purchase of capital equipment over \$1,000.00 without prior approval of the NSTU Finance and Property Committee.
Oper. Procedure 14. c) (iv)

APPENDIX C

NSTU Local
Constitution Model

NSTU Regional
Representative Council
Constitution Model

Professional
Association Model
Constitution

- [12] Professional Associations may provide gifts to presenters, special guests and conference organizers. Limited random draws of names of conference delegates for prizes of a modest value may take place. Alternatively, a draw for a single item of a value not to exceed \$200.00 shall be allowed. Professional Associations shall not purchase gifts, prizes or door prizes for each delegate or attendee. This restriction does not apply to gifts that have been donated to the Professional Association by an unrelated party. *Oper. Proc. 14 (c)(v)*

Article X *Rules of Order*

Rules of Order shall be the same as those procedures adopted by the Nova Scotia Teachers Union.

Article XI *Accountability*

- [1] Individuals in an elected or appointed leadership role, NSTU employees and others acting on the Professional Association'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] Professional Association Executive members are expected to attend as well as actively participate in all meetings of the (Name of NSTU Professional Association).
- [3] Professional Association Executive members are responsible to fairly represent Executive decisions when speaking on issues addressed by the Professional Association Executive.

Article XII *NSTU Annual Council*

- [1] Each Professional Association shall be entitled to one delegate with voting status at the Annual Council. *By-Law, Article III, 1. (e)*

Article XIII *Communications*

- [1] Any representation that the (Name of NSTU Professional Association) wishes to make to any organization, person, Government Department, Department of Education, school board and any other agency external to the NSTU shall be conducted through the office of the NSTU President by way of the staff liaison officer responsible for NSTU Professional Associations. *Policy, 12 (d)*

Article XIV

Amendments

APPENDIX C

NSTU Local
Constitution Model

NSTU Regional
Representative Council
Constitution Model

**Professional
Association Model
Constitution**

- [1] This Constitution may be amended by a two-thirds 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 this Constitution shall be ratified by the NSTU Provincial Executive at a scheduled meeting following approval by the Professional Association's general membership.

C

APPENDIX C

NSTU Local
Constitution Model

NSTU Regional
Representative Council
Constitution Model

**Professional
Association Model
Constitution**

C



NOVA SCOTIA TEACHERS UNION

CODE OF ETHICS

C. MEMBER AND INTERNAL ADMINISTRATION

- I. The member should maintain a reasonable and professional level of support to internal administration of the school/educational site.
- II. The member responsible for internal administration should maintain a reasonable and professional level of support to the members of the staff.
- III. The member responsible for internal administration should not make any detrimental report, oral or written, on a member's performance without first discussing the matter with the member.

D. MEMBER AND EXTERNAL ADMINISTRATION

- I. The member should adhere to a contract until the contract has been terminated by mutual consent, or the contract has otherwise been legally terminated. A verbal agreement is a contract.
- II. The member should not accept a salary below that which they would receive according to the scale negotiated between the NSTU and the employer.
- III. The member should not accept a salary above that which they would receive according to the scale negotiated between the NSTU and the employer, without notifying the NSTU.

E. MEMBER AND PROFESSIONAL ORGANIZATION

- I. The member should be a member of and participate in the Nova Scotia Teachers Union.
- II. The member who in their professional capacity is a member of a committee, board, or authority dealing with matters affecting the educational program of Nova Scotia as a whole should be elected, appointed, or approved by the Nova Scotia Teachers Union.
- III. The member, or group of members, should not take any individual action in matters which should be dealt with by their Local or by the NSTU.
- IV. The Local should not take any individual action in matters where the assistance of the NSTU has been sought, or in matters requiring the authorization of the NSTU.

F. MEMBER AND PROFESSION

- I. The member should maintain their professional learning by professional development, or study, by travel, or by other means which will keep them abreast of the trends in education and the world in which we live.
- II. The member should engage in no gainful employment, outside of the contract, where the employment affects adversely their professional status, or impairs their standing with students, associates, and the community.
- III. The member should not accept remuneration for tutoring their pupils except under unusual circumstances and with the approval of their supervisor or principal.

G. MEMBER AND COMMUNITY

- I. The member should so conduct themselves in their private life that no dishonour may befall them or through them to the profession.



In the event of any discrepancy between this document and the original, the original shall prevail.

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