

**CONSTITUTION**  
**OF**  
**SEVEN OAKS TEACHERS' ASSOCIATION**  
**OF**  
**THE MANITOBA TEACHERS' SOCIETY**

**ARTICLE 1: AUTHORITY AND NAME**

- 1.01 In accordance with the provisions of Section 13 of sub-section 3 of The Manitoba Teachers' Society Act, being R.S.M. 1954, Cap. 262, the Seven Oaks Teachers' Association of the Society is permitted to formulate this Constitution, adopt by-laws, and pass resolutions not inconsistent with the said Act, or the by-laws of the said Society.
- 1.02 The said division Association shall be known as the Seven Oaks Teachers' Association of The Manitoba Teachers' Society, hereinafter referred to as the "Association".

**ARTICLE 2: OBJECTIVES**

The objectives shall be:

- 2.01 To further the aims and objectives of The Manitoba Teachers' Society.
- 2.02 To promote and advance the welfare and professional growth of members.
- 2.03 To foster and develop quality education in the Seven Oaks School Division.
- 2.04 To foster and develop professionalism among the members of the Association and
- 2.05 To promote the cause of public education.
- 2.06 To promote and maintain positive working relationships with educational partners.

**ARTICLE 3: MEMBERSHIP ELIGIBILITY**

- 3.01 Every person who is a teacher or who performs any one or more functions involved in the teaching process, including every person who is a substitute teacher, and who is employed by the Seven Oaks School Division on a full-time, part-time or substitute basis shall be eligible to be a member of the Association.
- 3.02 Every person who is a member in good standing of The Manitoba Teachers' Society, including a substitute teacher, and who is employed by the Seven Oaks School Division shall be a member in good standing of the Association and hereinafter is referred to as a "member".

**ARTICLE 4: EXECUTIVE OF THE ASSOCIATION**

- 4.01 The Executive of the Association shall consist of:
- (a) The President, Past-President, Vice-President, Secretary and Treasurer, and seven members at large, and

- (b) Any member(s) of the Association serving on the Provincial Executive.

#### 4.02 Duties of the Executive:

It shall be the duty of the Executive:

- (a) to support and enact the objectives of The Manitoba Teachers' Society as stated in The Manitoba Teachers' Society bylaws.
- (b) to seek the advice of MTS and communicate such advice to members, and to communicate SOTA member advice to MTS
- (c) to meet at least once a school month for a minimum eight (8) times in a school year.
- (d) to receive grievances, reporting details of same to the General Secretary of The Manitoba Teachers' Society.
- (e) to prepare the agenda of business for all meetings.
- (f) to have general supervision of the affairs of the Teachers' Association in accordance with policies established by Council and/or the general membership.
- (g) to appoint delegates to Provincial Annual General Meeting of The Manitoba Teachers' Society.
- (h) to serve on the Council of the Association with all the rights and responsibilities thereto appertaining, with the exception of being counted toward a quorum at meetings of Council.
- (i) to appoint members to standing committees.
- (j) to establish special committees as directed by Council and appoint members to these committees; and
- (k) to approve for the member such time off from regular school or workplace duties as from time to time shall be necessary for the conduct of the business of the Association and approve payment of substitute costs involved.

4.03 Whenever any member of the Executive absents himself/herself from more than two (2) regular Executive and more than two (2) regular Council meetings without reasons satisfactory to the Executive, it shall be recommended to Council that he/she cease to be a member of the Executive.

4.04 Any seven (7) members of the Executive attending a meeting of same shall constitute a quorum.

### **ARTICLE 5: EXECUTIVE OFFICERS OF THE ASSOCIATION**

#### 5.01 Past President

The Past President shall:

- a) chair the Nominations Committee and be the Returning Officer in the election of the Executive.

- b) chair a committee to conduct an annual review of the Seven Oaks Teachers' Association Constitution, and propose constitutional amendments where necessary.
- c) transition electronic and hard copy records, reports and documents with the incoming Seven Oaks Teachers' Association Past President.

#### 5.02 President

The President shall:

- a) preside at all meetings of the Executive and of the general membership
- b) prepare the agenda of business for all meetings
- c) be an ex-officio member of all committees
- d) monitor the application of the Collective Agreement
- e) forward grievances to Executive, reporting details of same to the General Secretary of The Manitoba Teachers' Society
- f) be the official spokesperson for the Association
- g) perform all duties as customarily devolve upon a President in addition to any other duties which may be assigned by the Executive or Council
- h) send the letter to open negotiations by the date specified in the Collective Agreement
- i) sit on the Workplace Safety and Health Divisional Steering Committee.
- j) sit on the Benefit Plan Advisory Committee.
- k) maintain and supervise the keeping of all electronic and hard copy records, reports and official documents of the Association in accordance with Manitoba Government Archives and Record Keeping Act.
- l) transition electronic and hard copy records, reports and documents with the incoming Seven Oaks Teachers' Association President.

#### 5.03 Vice President

The Vice-President shall:

- a) preside at all meetings of the Council
- b) assume the duties and responsibilities of the President in case of absence, or when requested to do so by the President
- c) perform all other duties which may be assigned by the Executive or the Council
- d) be the chairperson of the Member Services Committee
- e) sit on the Economic Welfare Committee Table Team
- f) sit on the Workplace Safety and Health Divisional Steering Committee
- g) chair the Seven Oaks Teachers' Association / Seven Oaks Board Advisory Committee
- h) sit on the Benefit Plan Advisory Committee
- i) transition electronic and hard copy records, reports and documents with the incoming Seven Oaks Teachers' Association Vice President



#### 5.04 Secretary

The Secretary shall:

- a) keep and distribute all minutes of the Executive, the Council and general membership meetings
- b) record attendance at all Council meetings
- c) with the SOTA President, maintain and supervise the keeping of all electronic and hard copy records, reports and official documents of the Association
- d) transition electronic and hard copy records, reports and documents with the incoming SOTA Secretary
- e) act as the Association archivist

#### 5.05 Treasurer

The Treasurer shall:

- a) keep an accurate record of all monies collected from members and all expenditures of the Association
- b) provide further details of expenditures as requested by a member
- c) submit to Council an annual report on all receipts, all investments, and all expenditures, such report having been duly audited or financially reviewed by an external accountant as determined by Council
- d) make other reports on the finances of the Association as requested by the Executive or the Council
- e) present a budget to the Council at the meeting in April to be voted on at the May meeting.
- f) maintain and supervise the keeping of all electronic and hard copy records, reports and official documents of the Association with Manitoba Government Archives and Record Keeping Act
- g) transition electronic and hard copy records, reports and documents with the incoming SOTA Treasurer

### **ARTICLE 6: COMMITTEES OF THE ASSOCIATION**

- 6.01 Every committee established under this Constitution shall include amongst its membership one or more members of the Executive, one of whom shall, unless otherwise specified in this Constitution, be the Chairperson of such committee and who shall be responsible for submitting written reports of the activities thereof and for making recommendations to the Executive at such times and in such manner as the Executive may from time to time decide.

#### 6.02 Economic Welfare Committee

This committee shall:

- a) consist of the chairperson, the Vice-President and other members representative of all school levels and school principals and vice-principals, as affirmed by the Executive.
- b) prepare a proposal for amendments to the Collective Agreement, at such time as appropriate

The Economic Welfare Chairperson shall:

- a) nominate a sub-committee, known as the Table Team, consisting of the Economic Welfare Chairperson, the Vice-President, MTS Staff Officer and a maximum of four (4) members of the Economic Welfare Committee including one school principal or vice-principal. The Table Team will be affirmed by the Executive. The Table Team shall conduct negotiations with the Board of Trustees. The Table Team that begins the collective bargaining process shall continue the process until the collective agreement is ratified or arbitrated.
- b) sit on the Benefit Plan Advisory Committee

#### 6.03 Professional Issues Committee

This committee shall:

- a) consist of the Professional Development Chairperson and three (3) other representatives appointed by the Executive
- b) assess the professional development needs of the members of the Association
- c) administer the SOTA/Board PD Fund in accordance with the Collective Agreement and the Guidelines set out by the committee; and
- d) maintain a liaison with The Manitoba Teachers' Society regarding professional development issues.

#### 6.04 Member Services Committee

This committee shall include all members at large sitting on Executive except the Chair of the Economic Welfare Committee and the Chair of the Professional Development Committee: The members of this committee will ensure the following:

- a) Pre-retirement seminar is held
- b) Fall new teacher reception is held
- c) June long service, retirement and scholarship reception is held
- d) Retirement event is held
- e) Parenting leave seminar is held
- f) Designate a member of the committee to be the liaison between MTS and SOTA Council regarding insurance and benefits issues who will sit on the Benefit Plan Advisory Committee
- g) Designate a member to organize the publication of the Association newsletter
- h) Designate a member to be the liaison between MTS and SOTA Executive regarding the development of resolutions to the Annual General Meeting
- i) Designate a member to be the liaison between MTS and SOTA Council regarding Equity and Social Justice
- j) Form committees as needed from the general membership to implement the annual objectives and priorities of the Association
- k) Consult with and report to Council regarding the annual objectives and priorities of the Association



- l) Any other service or event as directed by the Executive and Council

6.05 Nominations Committee

This committee shall:

- a) consist of four (4) members, one (1) representative chosen from early years (K-grade 5), one (1) representative chosen from middle years (grades 6-8) and one (1) representative chosen from senior years (grades 9-12). The chairperson shall be the immediate Past President of the Association.
- b) be appointed by the Executive no later than the February meeting
- c) attempt to nominate at least two (2) members for each position.
- d) send to each member of the Association, by the third Tuesday in March, the nomination slate as well as a brief professional biography to be sent through the school or workplace representative(s)

**ARTICLE 7: ELECTION OF THE EXECUTIVE**

- 7.01 Any member of the Association may submit in writing, by 4:00 p.m. on the second Tuesday in April, any name for any of the positions to be filled (including nominations for President). Such nominations are to be accompanied by a signed acceptance by the nominee and the signature of ten (10) members supporting this nomination, one of whom shall be the nominator. A short professional biography shall also be included. Such additional nominations and biographies shall be sent to each member of the Association by the fourth Tuesday in April, through the school or workplace representative(s).
- 7.02 The Nominations Committee shall prepare a ballot listing all the names submitted. Names shall be listed by position and alphabetically.
- 7.03 The Executive, other than members of the Provincial Executive, shall be elected in accordance with the following procedure:
- a) Elections for the Executive shall be held annually in May but not later than May 10<sup>th</sup>.
  - b) An advance poll will be held one week prior to the election date, at the Association office, for members who are not able to vote on election day.
  - c) Substitute teachers will vote in the school or workplace in which they are substituting on the day of the election. In the event that both the teacher and the substitute for said teacher are both physically in the same electoral unit and polling station (i.e. school or workplace) on the day of the election, the substitute teacher shall vote in the school or workplace and the teacher shall vote in the SOTA office.
  - d) Any member not assigned an electoral unit shall receive their ballot and vote at the Association office, which will have extended hours for voting. The Association office will close for voting at the time when ballot counting begins, as indicated by the SOTA President.
  - e) The Past President, as the Nominations Chairperson, shall appoint a Returning Officer for each school or workplace and one (1) for members not assigned to any particular school or workplace. It shall be the duty of these officers to conduct the

election of Executive officers. The Returning Officers shall not be members of the present Executive or nominees for Executive positions.

- f) A plurality of votes cast shall elect a member of the Executive.
- g) Secret ballots shall be used.
- h) All ballots will be placed in a central receptacle prior to counting
- i) Ballots will be counted after closing of polls on election day at a location determined by the the Nomnations Committee. All Candidates and a representative are welcomed to observe the ballot counting.
- j) The Nominations Chairperson will seek the names of up to three (3) SOTA members at the April Council meeting to act as ballot counters.
- k) Campaigning by any SOTA member is prohibited on advance poll and voting days; complaints of non-compliance shall be forwarded to the Nominations Committee, who will investigate and report to Council. Council will determine next steps.
- l) Candidates for Executive positions may request the following information from the Returning Officer:
  - i) the total number of votes cast for the position in question; and
  - ii) the number of votes cast for the candidate in question

7.04 All members of the Executive shall be elected for a one-year term from July 1<sup>st</sup> of one year to June 30<sup>th</sup> of the next.

7.05 When a vacancy occurs during the year, the Executive shall appoint a replacement at the next Executive meeting.

7.06 The President shall be allowed full time release to perform his/her duties.

#### **ARTICLE 8: COUNCIL OF THE ASSOCIATION**

8.01 The following regulations shall govern the make-up of Council:

- (a) The members employed at each school or workplace of the Seven Oaks School Division shall elect one of their number as a Councillor for every ten members or part thereof, provided that the part is greater than four. This elected member shall hereinafter be referred to as "the Councillor". Each school or workplace shall elect at least one alternate for every two Councillors.
- (b) One of these Councillors shall be designated as the Head Councillor.
- (c) Every school or workplace shall be entitled to elect at least one Councillor to Council.
- (d) The Executive shall appoint up to two substitute teachers who are employed by the Division, as Councillors.
- (e) All members not assigned to any school or workplace shall be entitled to elect a Councillor for every ten members, or part thereof and regulations that are set out in



this Constitution regulating procedures in schools or workplaces shall apply in the same way to these members; and

- (f) All members of the Executive shall be members of Council.

8.02 The selection of Councillors and alternates shall be conducted as follows:

- (a) All Councillors and alternates shall be appointed/elected for a one-year term by school or workplace staff; they shall take office upon appointment and serve until new Councillors and alternates are appointed.
- (b) In the event that no appointment/election is made or a Councillor or an alternate is unable to complete his/her term, arrangements will be made by the Executive to appoint a Councillor within two weeks after the President of the Association has received notice of the vacancy.

8.03 Duties of the Council shall include the following:

- (a) To exercise all powers of the Association except as outlined in Article 9.
- (b) To direct and supervise such affairs of the Association as lie within the Council's jurisdiction.
- (c) To exercise such powers as it may deem necessary or advisable for the welfare of the Association and its members.
- (d) To determine the policy of the Association on all matters within the Council's jurisdiction.
- (e) To delegate any or all of its powers to the Executive from time to time as the Council may deem practical or advisable.
- (f) To deal with any other matter consistent with the objectives of the Association.
- (g) To approve annually membership dues deemed necessary in order to conduct the business of the Association.
- (h) To approve the opening negotiations package of the Economic Welfare Committee
- (i) To approve application for arbitration after hearing the Table Team and MTS advice. Prior to an arbitration vote, the Executive will organize an information meeting for all members that will include presentations from the Table Team and MTS.
- (j) To remove from office any member of the Executive

Procedures for such motions of removal shall be:

- i) Notice of motion must be given in writing to each member of the Association not less than three (3) days prior to the date of the Council meeting.
- ii) Two-thirds of the Councillors present must support the motion.
- iii) Replacement(s) must be elected by Council.



8.04 Meetings of the Council:

- (a) The Council shall meet at least once a month for a minimum of six (6) times in a school year.
- (b) Notice of meetings of the Council shall be given to each Association member not fewer than three (3) days prior to the date of such meeting, except in the case of special meetings.
- (c) The President, or any five (5) members of the Executive, or any ten (10) members of the Association shall have the power to call a special meeting of the Council for a specific purpose which shall be a matter of record. This special meeting of Council requires at least twenty-four (24) hours notice and shall deal only with the specific purpose for which it is called.

8.05 Quorum

- (a) The quorum for the transaction of business at a general meeting of the Association shall be twenty percent (20%) of the members of the Association.
- (b) The quorum count at any meeting of the Council shall include only Councillors or duly qualified alternates representing Councillors. It shall not include members of the Executive. The quorum for the transaction of business at a duly constituted meeting of the Council shall be forty percent (40%) of the Councillors.
- (c) The quorum for the transaction of business at a special meeting of the Council shall be sixty percent (60%) of the Councillors.

8.06 Procedure at Meetings of the Council:

- (a) Meetings of the Council shall be open to all members of the Association.
- (b) Any member of the Association shall be allowed to address the Council.
- (c) All members, whether Councillors or not, will be required to conform to the rules of procedure used by The Manitoba Teachers' Society to conduct its Annual General Meeting.
- (d) Only Councillors and members of the Executive present at a duly constituted meeting of the Council may vote on any matter placed before the Council. The decision of a majority of the Councillors and members of the Executive present shall constitute the decision of the Council, except as may be expressly otherwise provided by this Constitution.
- (e) The secretary will record the attendance at all Council meetings.

## **ARTICLE 9: GENERAL MEETINGS**

- 9.01 The President of the Association is empowered to call a general meeting provided he/she gives the membership at least five (5) days' notice in writing.
- 9.02 The President of the Association is empowered to call a special general meeting, giving twenty-four (24) hours' notice, to deal with an urgent specific matter. This special meeting may deal only with the business for which it was called and this shall become a matter of record.
- 9.03 A general meeting or a special general meeting must be called by the President of the Association if a majority of the representatives in Council vote in favor of such a meeting.
- 9.04 A majority vote of those attending the general meeting or a special general meeting shall be binding on the Executive and the Council of the Association, provided a quorum exists.

## **ARTICLE 10. RATIFICATION OF A NEGOTIATED COLLECTIVE AGREEMENT**

- a) Secret ballot cast by all members in good standing of the bargaining unit shall ratify an amended or new collective agreement. Notice of the voting date and list of all changes to the collective agreement shall be sent to all members at least 10 days prior to the vote date. The dates for voting shall be determined by the Executive.
- b) At least one informational meeting of the general membership shall be held prior to the ratification vote. At this meeting there shall be representation from the Table Team and MTS.
- c) Each school or workplace shall be designated as an electoral unit and polling station and the Head Councillor or designate shall act as the Returning Officer for their school or workplace.
- d) The Past President shall be designated as the Chief Ratification Officer. In the event that this person is unable to fulfill these duties, the Executive shall appoint from among its members a Chief Ratification Officer. The Council of the Association shall appoint up to three (3) members of the bargaining unit who are not members of the Executive or the Economic Welfare Committee to assist the Chief Ratification Officer in tabulating the ballots.
- e) Every member of the bargaining unit shall have the right to vote by secret ballot. No member shall be entitled to more than one vote.
- f) When a member of the bargaining unit is assigned to an electoral unit (school or workplace) on the day of the ratification vote, then that person shall vote in the electoral unit. Any member who is assigned to more than one unit shall vote only in the electoral unit assigned in the morning of that day or, in special cases, as the Chief Ratification Officer may designate.
- g) Substitute teachers will vote in the school or workplace in which they are substituting on the day of the ratification vote. In the event that both the teacher and the substitute for said teacher are both physically in the same electoral unit and polling station (i.e. school or workplace) on the day of the ratification vote, the substitute teacher shall vote in the school or workplace and the teacher shall vote in the SOTA office.



- h) Any member not assigned an electoral unit shall receive their ballot and vote at the Association office, which will have extended hours for voting. The Association office will close for voting at the time when ballot counting begins, as indicated by the SOTA President.
- i) The Head Councillor or designate in each school or workplace shall be designated as a Deputy Ratification Officer. In the event that this person is unable to fulfill their duties, the Chief Ratification Officer shall appoint a Deputy Ratification Officer for that school or workplace. The Deputy Ratification Officer shall be responsible for the proper conduct of the ratification vote.
- j) Ballots will be distributed through the Deputy Ratification Officer to members of the electoral unit. Each member, including the Deputy Ratification Officer shall be entitled to vote by secret ballot.
- k) Each ballot will enable the member to accept or reject the proposed collective agreement. Provision will be made for members to abstain from voting. After the voting is completed, the Deputy Ratification Officer shall seal the ballots in the envelope provided by the Chief Ratification Officer.
- l) The Chief Ratification Officer shall designate the location to which the ballots shall be returned.
- m) The results of the ratification vote will be sent to each school or workplace.
- n) Ratification is based on the majority of ballots cast.
- o) All ballots and voter's lists will be destroyed after 30 days.
- p) In any case where the above procedure differs from SOTA Policy, the above procedure will take precedence.

#### **ARTICLE 11: AMENDMENT PROCEDURE**

This Constitution may be amended by either of the following procedures:

- 11.01 Any member of the Association may initiate the process of constitutional amendment by presenting the amendment, in writing, to the President. The proposed amendment shall be accompanied by the signatures of ten (10) members.

The President shall send forthwith copy of the proposed amendment to the Constitution to all members of the Council and this shall be at least ten (10) days prior to consideration of same at a meeting of the Council.

The amendment or any modification thereof must be approved by at least two thirds of the representatives present at a meeting of the Council and, if so approved, the Constitution shall be deemed to be amended accordingly.

11.02 By Executive Initiation:

- (a) The Executive may initiate the process of constitutional amendment by passing a motion which describes the proposed amendment.

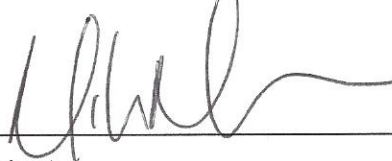
- (b) Each member of the Association shall be provided with a written copy of the proposed amendment(s) along with the notice of call for the Council meeting called to deal with constitutional change.
- (c) The President shall call a Council meeting before the current school year has elapsed, but no sooner than ten (10) days after receipt of the petition. At this meeting, the proposed amendment shall be debated and voted upon. The amendment shall be ratified and made part of the Constitution by a vote of at least two thirds of the Councillors present and voting.


## **ARTICLE 12: PROCEDURE**


Rules of Order, as adopted by the Annual General Meeting of the Provincial Council, shall govern all meetings.

This Constitution was adopted at a meeting of the Seven Oaks Teachers' Association held on April 22, 2014.

Approved by Provincial Executive at  
its meeting on May 21, 2014.

  
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President

  
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Past President

  
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General Secretary  
The Manitoba Teachers' Society