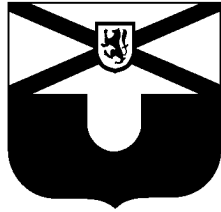


Nova Scotia Teachers Union



***Halifax City Local
Constitution***

**Ratified by Provincial Executive
November, 2012**

Halifax City Constitution

Contents

<u>Article</u>	<u>Title</u>
I	Name/Definition
II	Mandate
III	Membership
IV	Roles and Responsibilities
V	Local Executive
VI	Local Council
VII	NSTU Representatives
VIII	Committees
IX	Meetings
X	Elections/Voting Privileges
XI	Finances
XII	Accountability
XIII	Removal from Local Executive
XIV	Rules of Order
XV	Operational Procedures
XVI	Amendments

Halifax City Constitution

Article I *Name/Definition*

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

Article II *Mandate*

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

Article III *Membership*

- [1] A member of the *Halifax City Local* shall be an active or active reserve member of the *Nova Scotia Teachers Union* in a designated public educational site within the jurisdiction of the Halifax Regional School Board in the educational worksites as approved by the Provincial Executive.

See Appendix in *Operational Procedures* for list of educational worksites in Halifax City Local. This list is subject to change on an annual basis.

A full member of the Local shall be an active or active reserve member of the Nova Scotia Teachers Union.

- [2] Every NSTU member shall belong to a Local and no member shall belong to more than one Local.

- [3] A membership registry shall be conducted on an annual basis in the month of September. Amendments to the registry are permitted monthly up to December 1 to determine Council representation and to March 1 for Halifax City Local rebate purposes. This registry shall be the official record of membership and shall be used for such purposes as Annual Council representation and Local rebates.

Article IV

Roles and Responsibilities

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

Article V

Local Executive

- [1] The *Halifax City Local Executive* shall include the following from the active NSTU membership of the Local.
- (a) *President*
 - (b) *Immediate Past President*
 - (c) *1st Vice-President – Economic Welfare*
 - (d) *Vice President – Communications/Public Affairs/Relations*
 - (e) *Vice-President – Professional Development*
 - (f) *Secretary*
 - (g) *Treasurer*
 - (h) *Members-at-Large(4)*
 - (i) *Provincial Executive Member(2)*
- [2] The *Halifax City Local Executive* shall meet a minimum of six(6) times per year at a location determined by the *Local President*.
- [3] *Table Officers* shall be the *President, Secretary, Treasurer* and designated *Vice-President(s)* selected by the *Halifax City Local Executive* at its first meeting following the *Annual General Meeting*.
- [4] The *President* and *First Vice President of Economic Welfare* shall serve as members of the *Halifax Regional Representative Council*.

- [5] All members of the *Halifax City Local Executive* shall have voting privileges.
- [6] A quorum of the *Halifax City Local Executive* shall be fifty percent plus one (50%+1) of *Local Executive* members.

Article VI

Local Council

- [1] The *Halifax City Local Council* shall include:
 - (a) *Local Executive Members*
 - (b) *NSTU Representatives*
- [2] The *Halifax City Local Council* shall meet a minimum of five (5) times per year.
- [3] A quorum of the *Halifax City Local Council* shall be fifty percent plus one (50%+1) of the *Local Council* members.

Article VII

NSTU Representatives

- [1] A NSTU representative is an active member of the NSTU assigned to an educational site within the educational site boundaries of the Local.
- [2] Educational sites with fewer than twenty-five(25) members shall be represented by one(1) NSTU representative. Educational sites with twenty-six(26) to fifty(50) members may be represented by two(2) NSTU representatives. Educational sites with more than fifty(50) members may be represented by a maximum of three (3) NSTU representatives. All *Nova Scotia Teachers Union* members shall be counted in the formula. Each educational site shall be represented by a minimum of one NSTU representative.

Note: Teachers working at multiple sites shall be considered a member of their home school for the purpose of the allocation of representatives

- [3] Alternative representatives may be named in numbers equal to the educational site representative allocation.
- [4] A representative shall be a member of the Halifax City Local Council.
- [5] Under exceptional circumstances, a Halifax City Local General Meeting may approve additional NSTU representatives at an individual educational site.

Article VIII

Committees

- [1] The *Halifax City Local Executive* shall establish the following nine (9) standing committees.
- (a) *Communications*
 - (b) *Economic Welfare*
 - (c) *Equity*
 - (d) *Finance*
 - (e) *Nominating*
 - (f) *Professional Development*
 - (g) *Public Relations/Public Affairs*
 - (h) *Resolutions*
 - (i) *Social*
- [2] *Halifax City Local Standing Committees* shall be grouped in the following program areas:
- A. Professional Development
 - Professional Development Committee
 - Equity Committee
 - B. Communications/Public Affairs/Relations
 - Communications Committee
 - Public Affairs/Public Relations Committee
 - Nominating Committee
 - Social Committee
 - C. Economic Welfare
 - Economic Welfare Committee
 - Finance Committee
 - Resolutions Committee
- [3] The *Halifax City Local Executive* shall appoint members to each standing committee on an annual basis.
- [4] The *Halifax City Local Executive* may appoint ad hoc committees as circumstances dictate.
- [5] The *Halifax City Local Executive* shall appoint members to other committees as required.
- [6] The *Local Executive* shall appoint members to assignments as requested by staff upon the direction of the Provincial Executive.

- [7] The *Halifax City Local Executive* shall appoint additional member(s) to the *Halifax Regional Representative Council*.
- [8] All *Halifax City Local Standing Committees* of the Local shall be chaired by a *Local Executive* member.
- [9] The *Immediate Past President* or designate shall chair the *Resolutions Committee* and the *Nominating Committee*.
- [10] The *Halifax City Local Treasurer* shall chair the *Finance Committee*.

Article IX

Meetings

- [1] *Annual General Meeting*
 - (a) There shall be an *Annual General Meeting* of the *Halifax City Local* held in May or June for:
 - (i) receipt of annual reports;
 - (ii) presentation of a financial statement;
 - (iii) presentation of a proposed budget for the upcoming year; and,
 - (iv) election of officers for the upcoming year.
- [2] *General Meetings*
 - (a) Including the *Annual General Meeting*, general meetings shall take place at least three (3) times per year.
 - (b) The times and locations of these meetings shall be posted within all educational sites by the NSTU representative prior to September 30th in each school year.
 - (c) The quorum for a general meeting shall be the number of active and active reserve members equivalent to fifty percent plus one (50% +1) of the *Halifax City Local Council* membership.
- [3] *Special Meetings*
 - (a) In the event of an emergency or other need, a special meeting shall be called by the *Table Officers* and/or the *Provincial Executive*.
 - (b) A special general meeting to address a specified issue shall be called by the *Halifax City Local Table Officers* upon the written request of five percent (5%) of the members of the Local. Five(5) working days notice of such a meeting shall be given to the general membership.

- (c) A special meeting shall consider only the business specified in the notice calling such a meeting.

[4] *Local Council Meetings*

- (a) Meetings of the *Halifax City Local Council* shall be called by the *Local Executive*.

Article X

Elections/Voting Privileges

- [1] Active and active reserve NSTU members of the *Halifax City Local* have the right to vote in any Local election.
- [2] Active and active reserve NSTU members of the *Halifax City Local* are eligible to serve as *Annual Council* delegates.
- [3] Active NSTU members of the Local are eligible to be elected as *Halifax City Local Executive* members.
- [4] Active NSTU members of the *Halifax City Local* are eligible to serve as *NSTU Representatives*.
- [5] (i) The *Halifax City Local Executive* shall be elected, by secret ballot, by the members of the Local at the Annual General Meeting from:
 - (a) The Nominating Committee's slate of Nominees.
 - (b) The floor.(ii) elections shall be decided by a simple majority of votes cast
- [6] The term of office for all *Halifax City Local Executive* members except the *Immediate Past President* shall be two (2) years – starting August 1st and ending July 31st.
- [7] The office of any member of the *Halifax City Local Executive* who is absent from three consecutive meetings of the Local Executive without reasons satisfactory to the Table Officers, shall be declared vacant by the Local Executive.
- [8] Any member of the Local Executive may resign their office by notice in writing to the Local President.
- [9] The term of office for the *Immediate Past President* shall be one(1) year – starting August 1st and ending July 31st.

- [10] Any *Halifax City Local Executive* position may be held by the same person for a maximum of two (2) consecutive terms.
- [11] Should any *Halifax City Local Executive* position except *Immediate Past President* remain vacant following elections at the *Annual General Meeting*, the *Nominating Committee* shall conduct a by-election at the next *General/Special General Meeting* of the Local.
- [12] In the event that the *Halifax City Local President* cannot fulfill duties or complete a term of office, the *First Vice-President - Economic Welfare* shall assume the duties of the *Halifax City Local President* in the interim. The *Nominating Committee* shall seek nominations for the position at the next *General/Special General Meeting* of the Local and conduct an election at that meeting. The term of office for this position shall be until the completion of the vacated term of office.
- [13] In the event that a *Halifax City 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/Special General Meeting* of the Local and an election conducted at that meeting. The term of office for this position shall be until the completion of the vacated term of office.
- [14] The term of office for NSTU representative shall be one (1) year, August 1st through July 31st.
- [15] The NSTU representative(s) and alternate representative(s) shall be elected by the individual educational site members no later than September 30th.
- [16] 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.
- [17] Delegate selection to *Annual Council* shall be based according to the procedures outlined in the *Halifax City Local's Operational Procedures*.

Article XI

Finances

- [1] The fiscal year shall be from August 1st to July 31st.
- [2] Based on NSTU Membership Fees, a *Local Rebate* shall be determined by the *Annual Council* of the Nova Scotia Teachers Union.

- [3] Three signing officers shall be bonded for the disbursement of *Halifax City Local* funds and other banking purposes.
- [4] The signing officers, for the disbursement of Local funds and other banking purposes, shall be the Local President and any one of the following:
- (a) Treasurer
 - (b) Secretary
 - (c) A Vice President designated by the Local Executive.
- [5] The *Halifax City Local Executive* may make expenditures up to 5% of the Local's budget to a maximum of \$3,000 without prior approval of the general membership.
- [6] *Halifax City Local Executive* members may receive honoraria as determined by motion at the *Annual General Meeting*.
- [7] When Local Council and Committee members are required to attend meetings, they shall be reimbursed at the provincial rate.
- [8] When attending *Halifax City Local* meetings, *NSTU Representatives*, *NSTU Local Committee Members* and *NSTU Local Executive Members* shall be eligible to receive a meal allowance up to the maximum amount approved by the *NSTU Provincial Executive*.
- [9] A minimum of ten percent of the Local's budget shall be designated for NSTU representative training.
- [10] The financial records of the Local shall be subjected to an annual review in accordance with guidelines provided by *the Finance and Property Committee* of the *NSTU*.
- [11] The following guidelines shall apply to Local Reserve Funds and Financial Assets of the Local:
- (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 in prosecuting a legal strike; or

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

Article XII

Accountability

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

Article XIII

Removal from Local Executive

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

acceptance for this vote will be 50% plus one of those members in attendance who vote.

- (b) A notice of motion to remove an executive member may be conducted by the local executive. The threshold of acceptance for this vote will be 50% plus one of the local executive.

[4] Notice of Motion

Members of the *Halifax City Local* must be given 30 days notice of a Special General Meeting to remove a member of the Local Executive.

[5] Removal Procedure

The affected member must be given:

- (a) adequate notice of the motion (30 days);
- (b) a fair hearing (the opportunity to speak to the motion at the meeting called for the purpose of removal) scheduled as the single agenda item of a Special General Meeting of the *Halifax City Local*;
- (c) (the right to consult counsel at the member's cost (during 30 day notice of motion time frame);
- (d) a reasonable opportunity to present a defense (the opportunity to speak to the motion at the meeting called for the removal to be debated); and,
- (e) notice that failure by the member to attend the meeting will not delay the proceedings.

[6] The Vote

- (a) The vote will be conducted by secret ballot at a Special General Meeting of the Local.
- (b) Only active and active reserve members of the Local in attendance at the meeting are eligible to vote.
- (c) The affected member may request an observer to view the counting of ballots.
- (d) The threshold of acceptance for the vote will be 50% plus one of the eligible members attending the meeting who cast a ballot. Spoiled ballots will not be counted.
- (e) The result will be binding as of the release of the vote result.

Article XIV

Rules of Order

- [1] All meetings of the *Halifax City Local* shall be governed by Robert's Rules of Order supplemented by *The Standard Code of Parliamentary Procedure, (4th Edition)* by Alice Sturgis.

- [2] The *Halifax City Local Executive* should appoint a parliamentarian on an annual basis by September of each year.

- [3] The parliamentarian should be present at all Local Council meetings and General Meetings of the Local.

Article XV

Operational Procedures

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

Article XVI

Amendments

- [1] The *Halifax City Local 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 the *Halifax City Local Constitution* require ratification by the *NSTU Provincial Executive* at a scheduled meeting following approval by the Local's general membership.