

CONSTITUTION AND BY-LAWS
OF THE
VANCOUVER SECONDARY TEACHERS' ASSOCIATION

2017

**CONSTITUTION AND BY-LAWS
OF THE
VANCOUVER SECONDARY TEACHERS' ASSOCIATION**

CONSTITUTION (1988)

1. NAME

This Association shall be known as the Vancouver Secondary Teachers' Association, hereinafter referred to as the Association.

2. PURPOSES

The purposes of the Association shall be:

1. To foster and promote the cause of education.
2. To promote the rights of children to equal opportunities in education.
3. To seek acceptable learning and working conditions for the students and teachers.
4. To promote the professional development of its members.
5. To promote the welfare of teachers.
6. To organize and administer such other subsidiary services as the Annual General Meeting may from time to time order.
7. To act on behalf of its members, as their bargaining agent under the British Columbia Labour Code, as amended, or their association under the School Act, as amended, in all matters relating to their employment.

VANCOUVER SECONDARY TEACHERS' ASSOCIATION
("the Association")

BY-LAWS (2017)

1. MEMBERSHIP

1.1 Active Membership

Active members of the Association shall be members of the British Columbia Teachers' Federation, employed in teaching full-time, part-time or as registered teachers on call in the Vancouver Secondary system under any interim or permanent certificate of the British Columbia Ministry of Education, any active member on recognized leave of absence, or those qualifying under 23.A.04 of the British Columbia Teachers' Federation policies and procedures.

1.2 Associate Membership

- a) Associate membership may be granted by the Association Executive Committee upon application and by payment of a fee according to any scale of fees then in force under By-Law 2.
- b) Associate members may not vote and may not hold elected office but may be granted by the Association Executive participation in any aspect of the Association's activities.

1.3 Honorary Membership

Honorary membership may be granted by the Association Executive Committee upon the recommendation of the Association Council. This membership will grant the recipient without fee, all the rights accorded Associate members. Honorary membership may be granted to persons who have rendered signal service to the cause of public education and teacher advocacy through VSTA.

1.4 Termination of Active Membership

Active membership shall cease when the member ceases to be employed in the Vancouver Secondary system or when the member ceases to be a member of the British Columbia Teachers' Federation.

1.5 Termination of Associate Membership

Associate membership may be terminated by the Association Executive if the member is in arrears of fees as prescribed by By-Law 2.

1.6 Termination of Honorary Membership

Honorary membership may only be terminated by resolution of the Association Council.

2. FEES

- 2.1 The Active and Associate membership fees shall be by way of an annual sum and shall be determined for the following year by the Association at an Annual General Meeting and, when fixed, shall remain at such sum until changed by the Association at a subsequent Annual General Meeting.
- 2.2 Fees may be deducted at source in a manner mutually acceptable to the Association and the Vancouver School Board.
- 2.3 Fees not deducted in the above manner shall be due and payable on or before the 31st day of December in each year and if not paid on or before the said 31st day of December, shall be deemed to be in arrears. A member in arrears shall not be in good standing.
- 2.4 If a member shall become in arrears with his or her fees, he or she shall be advised by registered letter to his or her last known place of address, that in default of payment of such arrears within ten days, such information will be reported to the British Columbia Teachers' Federation Executive for corrective action.
- 2.5 Any General Meeting may make a levy upon the active membership of the Association, such levy shall be paid by each active member on or before a date determined by that General Meeting.
- 2.6 There shall be no process for expulsion of a member from the Association, but a member who ceases to be a member of the British Columbia Teachers' Federation pursuant to its By-laws shall be deemed to have ceased to be a member of the Association.

3. EXECUTIVE COMMITTEE

- 3.1 There shall be an Executive Committee of the Association's active members which shall consist of
 - a. President
 - b. First Vice-President,
 - c. Second Vice-President
 - d. Third Vice-President at .4285 FTE release when a fully released President or Vice-President serves as part-time member of the BCTF Executive
 - e. Treasurer
 - f. Immediate Past President in succession
 - g. Seven Members-at-Large, except in years where a Third Vice-President is elected, then there shall be six Members-at-Large
 - h. Working and Learning Conditions/Bargaining Committee Chairperson
 - i. Professional Development Committee Chairperson
 - j. Social & Environmental Justice Committee Chairperson
 - k. Health and Safety Committee Chairperson
 - l. Technology Committee Chairperson
 - m. Teacher-Teaching-On-Call Representative
 - n. Duly elected Local Representatives

The Executive Committee shall be the Directors of the Society. The Directors shall be elected pursuant to By-Law 6.1, and shall be removed only by resignation, cessation of membership, expiry of their term of office or by special resolution.

3.2 All members of the Executive Committee shall be eligible for re-election. In the event that a President shall be elected to an additional year of office, the Executive Committee position of Past President shall be vacated in which case one additional member-at-large shall be elected.

3.3 Executive Committee shall meet at the call of the President or at the demand of at least three members of the Executive Committee.

3.4 Executive meetings in regard to time and place shall be determined by the President.

3.5 Only Executive Members in attendance may vote.

3.6 A quorum for any Executive Meeting shall consist of fifty percentum of the members thereof.

3.7 Table Officers

- a) The table officers shall be the President, the First Vice-President, the Second Vice-President, the Treasurer, the Past President and the three Local Representatives, one of which shall be the President or, where there is a Third Vice-President, one of the Vice-Presidents.
- b) The President shall call a meeting of the Table Officers at the written request of two or more of the Table Officers.
- c) Table Officers shall carry out business referred to them by the Executive Committee and shall have power to deal with urgent matters arising between Executive Committee meetings.
- d) Quorum shall be a simple majority.

3.8 The Vice-Presidents

- a) The First and Second Vice-Presidents and Third Vice-President as per 3.1.d. shall assist the President.
- b) The Secretary of the Association shall be a Vice-President who shall have charge of the seal and of the archives of the Association, shall prepare and preserve or cause to be prepared and preserved a record of all meetings, general or otherwise, of the Association, its Executive Committee and its Council, and shall when authorized to do so by resolution of the Executive Committee, affix the seal of the Association to all documents requiring the same (providing that the affixing of the seal shall be done in the presence of and duly attested by either the President or one of the Vice-Presidents.)

3.9 Treasurer

- a) Shall be the legal custodian of all property of the Association.

- b) Shall have the care and custody of the monies of the Association and shall deposit, or cause to be deposited the same in a bank or credit union designated by the Executive Committee and shall disburse and dispose of the same on the order of the Executive Committee, all cheques to be signed by the Treasurer and one of the following: the President or either of the Vice-Presidents.
- c) Shall keep or cause to be kept a proper set of books of account of the Association and shall exhibit the same to the Executive Committee when requested.
- d) Shall submit an audited report of the accounts and financial conditions of the Association and of all monies received and disbursed for the previous financial year at Executive meeting not later than December of that year.

3.10 The Executive Committee shall, subject to the action of the Council of the Association and/or the Association in General Meeting assembled, and subject to Article 9.7, exercise all powers of the Association, the direction and supervision of its business and the conduct of the affairs of the Association.

3.11 Nominations

a) Table Officers

- i) The Executive Committee shall appoint a Nominating Committee whose duty it shall be to nominate at least one member of the Association for each of the following positions:
 - a) President
 - b) First Vice-President
 - c) Second Vice-President
 - d) Third Vice-President
 - e) Treasurer
- ii) Nominations for the above offices shall also be accepted by the Nominating Committee if signed by at least five members of the Association and accompanied by the written consent of the nominee, if received not later than three weeks prior to the Annual General Meeting.
- iii) Further nominations for the above offices may be received from the floor of the Annual General Meeting.

b) Members-at-Large

Nominations for Members-at-Large shall be accepted by the Nominating Committee if signed by at least five members of the Association and accompanied by the written consent of the nominee, if received not later than three weeks prior to the Annual General Meeting. Further nominations for Members-at-Large may be received from the floor of the Annual General Meeting.

- c) Chairpersons of Standing Committees
 - i) Nominations for Standing Committee Chairpersons shall be made by the Standing Committees to the Nominating Committee.
 - ii) Nominations for Standing Committee Chairpersons shall be accepted from the floor of the Annual General Meeting.
 - d) Teacher-On-Call Representative
 - i) Nominations for the above office shall be accepted by the Nominating Committee if signed by at least five TOC members of the Association and accompanied by the written consent of the TOC nominee, if received not later than three weeks prior to the Annual General Meeting.
 - ii) Further nominations for the above office may be received from the floor of the Annual General Meeting.
- 3.12 The slate of candidates as determined by the Nominating Committee and each Staff Organization shall be made known to the membership at least two weeks in advance of the Annual General Meeting.
- 3.13
- a) If any member of the Executive Committee shall resign from office, the Executive Committee shall declare the office vacated.
 - b) If any member of the Executive Committee shall without reasonable excuse be absent from three consecutive regularly scheduled meetings of the Executive Committee, the Executive Committee may declare the office vacated.
- 3.14 Whenever a vacancy occurs in the Executive Committee, the vacancy shall be advertised through Tackboard or a one per member notice and a poster which will be distributed to the schools, one per staffroom. The advertisement of such a vacancy shall take place at least two weeks before the Council meeting at which the election of the replacement is to take place. Nominations for the vacated position will be phoned to the VSTA office. Further nominations shall be accepted at the Council meeting. Council shall elect the replacement Executive Committee member by a secret ballot. The candidate who is to be successful must receive a clear majority of the ballots cast.
- 3.15 Except by majority vote of the Annual General Meeting, no member of the Executive Committee shall receive remuneration for services as a member of the Executive Committee, but nothing herein shall preclude the Association from reimbursing members of the Executive Committee for expenses incurred in the business of the Association.
- 3.16 The Executive Committee may appoint or dissolve Advisory Committees which shall be set to carry on the activities necessary for the objects of the Association. The powers and duties of those Committees shall be such as may from time to time be prescribed or approved by the Executive Committee. No action shall be taken by any Advisory Committee without the authorization of the Association Executive Committee.

- 3.17 The term of office of all Executive Committee members, if not prescribed by the definition of the office, shall be for a period of one year from the first day of August.
- 3.18 The Executive shall designate one of the Vice-Presidents to carry out the duties of the Secretary.
- 3.19 The Executive Committee may, in its discretion, authorize the formation of sub-associations subject to By-Law 8 governing such sub-associations.
- 3.20 The President shall have authority to make donations of sums not exceeding fifty dollars from funds of the Association. Donations in excess of fifty dollars must be considered by the Executive Committee or Council.
- 3.21 The Executive Committee may exercise the borrowing powers of the Association pursuant to Section 4 (2) of the Societies Act, by ordinary resolution; subject to Section 35 of the Societies Act.

4. COUNCIL OF THE ASSOCIATION

- 4.1 There shall be a Council of the Association which shall consist of the Executive Committee and Staff Representatives. Staff representatives shall be duly elected by the Staff Organizations of each secondary school in Vancouver on a representational basis of one delegate for each twenty-five teachers or fraction thereof, but with not less than one delegate. Staff Organizations may elect alternates up to the same number of delegates to which the school is entitled.
- 4.2 For purposes of representation at Council, the Executive Committee may upon request allow:
- a) the collective staffs of alternate programs
 - b) the collective members serving as teachers on call and
 - c) the collective members serving as district staff who are not attached to a school, to elect representatives as if they constituted a school.
- 4.3 Subject to Article 9.7, the Council of the Association shall exercise all the powers of the Association between General Meetings, provided that the Association in general meeting assembled shall have the power to alter or reverse any decision of the Council. The Council shall direct and supervise the business of the Association and the conduct of its officers.
- 4.4 Council meetings shall be held at the call of the President or Executive Committee or Council members from three (3) schools as regards to time and place, provided at least four Council meetings shall be held during the school year.
- 4.5 Only Council members and/or alternates may vote. Each school shall have a voting entitlement equal to the number of delegates allowed in By-Law 4.1.
- 4.6 A quorum for any Council Meetings shall consist of fifty percentum of the eligible Staff Representative voting entitlement.
- 4.7 Council shall be co-chaired by two Staff Representatives to be elected by Council.

Nominations for Chairperson of the VSTA Council will be received by the VSTA office during the month of September of each school year. The Council Chairpersons shall be elected for a term of ten months and shall assume the responsibilities of helping with agenda preparation and chairing the meetings held during the term of office. The chairpersons shall agree between themselves how they will organize their responsibilities. The Council chairperson whose turn it is to chair Council shall be encouraged to attend VSTA Executive meetings as an observer and may spend one half day at the VSTA office (at VSTA expense) to help the President with and receive briefing on the agenda of each Council meeting.

5. STAFF ORGANIZATION

5.1 A Staff Organization consists of all active members of the Association of a particular school.

5.2 A Staff Organization shall elect members for Council as defined in 4.1.

5.3 A Staff Organization shall elect representatives to serve on each of the Association's Standing Committees.

5.4 Duties

Representatives shall be responsible for:

- i) Conducting the affairs of the Association within the School
- ii) Holding regular meetings
- iii) Ensuring staff representatives to the Council are elected on or before the 15th of September each year
- iv) Carrying out such further duties as may from time to time be required by Council or Executive Committee
- v) Reporting to the Staff Organization on the business of the Association transacted at Council.

6. ANNUAL GENERAL MEETING

6.1 The Annual General Meeting shall be held before the thirty-first day of May each year. The business of the Annual General Meeting shall include:

- i) receipt of reports
- ii) receipt of audited financial statements
- iii) election of the Executive Committee
- iv) election of auditor or auditors
- v) setting of the membership fees for the ensuing year
- vi) approval of an expense budget for the coming year
- vii) general and new business

6.2 General Meetings

General meetings shall be called:

- i) Prior to salary negotiations to receive and approve contract proposals
 - ii) By the President, upon the advice of the Executive Committee, Working and Learning Conditions/ Bargaining Committee or Council
 - iii) By the Executive Committee, in cooperation with the Executive Committee of Vancouver Elementary Teachers' Association and/or other teachers' Association(s) at which members of the concerned association(s) shall be entitled to participate.
 - iv) Upon the advice of the Executive Committee after receipt in writing of a request for such a meeting signed by not fewer than seven members of the Association in each of five secondary schools, such meeting to be held within 21 days of the request, subject to notice having been given pursuant to Section 60 of the Societies Act.
- 6.3 Only active members in attendance may vote.
- 6.4 Notice of General meetings shall be given in writing at least 14 days prior to the meeting and shall specify the object of said meeting.
- 6.5 A quorum for all general meetings shall consist of 70 members. If a meeting is terminated for lack of quorum, another meeting will be held between one and five school days later and those members attending that meeting shall constitute a quorum.

7. COMPOSITION AND DUTIES OF STANDING COMMITTEES

7.1 Working and Learning Conditions/Bargaining Committee

- a) The Working and Learning Conditions/Bargaining Committee shall consist of two members per secondary school, elected by the Staff Organization of each secondary school and the Chairperson of the committee elected in accordance with by-law 7.1(b).
- b) The Chairperson shall be elected at the annual general meeting.
- c) The Working and Learning Conditions/Bargaining Committee shall carry on a continuing study of learning and teaching conditions within Vancouver secondary schools.
- d) The Working and Learning Conditions/Bargaining Committee shall prepare bargaining objectives subject to limitation or variation by the Association or its Executive Committee.
- e) The Committee shall make recommendations to the Executive Committee, Council or a General Meeting.
- f) The Committee shall be represented at negotiations with the Vancouver School Board from time to time by the Executive Committee.
- g) The Working and Learning Conditions/Bargaining Committee may negotiate jointly with other associations subject to the approval of a General Meeting.

7.2 Professional Development Committee

- a) The Professional Development Committee shall consist of one member per secondary school, elected by the Staff Organization of each secondary school and the Chairperson of the committee elected in accordance with by-law 7.2(b).
- b) The Chairperson shall be elected by the annual general meeting.
- c) At the direction of the Executive Committee, the Committee shall initiate and promote professional programs in Vancouver secondary schools.
- d) The Executive Committee may direct the Professional Development Committee to negotiate programs jointly with the Vancouver School Board and/or other associations.
- e) The Committee shall make recommendations to the Executive, Council or General Meeting.
- f) The Committee shall be represented on negotiations on professional development matters with the Vancouver School Board as determined from time to time by the Executive Committee in consultation with the Working and Learning Conditions/Bargaining Committee Chairpersons.

7.3 Social & Environmental Justice Committee

- a) The Social & Environmental Justice Committee shall consist of one member per secondary school, elected by the Staff Organization of each secondary school, and the Chairperson of the committee be elected in accordance with by-law 7.3(b).
- b) The Chairperson shall be elected at the Annual General Meeting.
- c) The Committee shall implement social and environmental justice initiatives including, but not limited to, Indigenous Education, Antiracism, Antipoverty, Environmental Justice, LGBTQ Rights, Peace and Global Education, and Gender Equity.
- d) The Committee shall study, on an ongoing basis, the issue(s) of social and environmental justice and make recommendations to the Executive Committee, Council and General Meeting.
- e) The Committee shall advise the Contract Bargaining Committee as to appropriate social justice and environmental justice contract provisions during negotiations with the Board of School Trustees.

7.4 Health and Safety Committee

- a) The Health and Safety Committee shall consist of one member per secondary school elected by the Staff Organization of each secondary school and the Chairperson of the committee elected in accordance with by-law 7.4(b).
- b) The Chairperson shall be elected by the annual general meeting.

- c) The Committee shall carry on the study of health and safety in the work sites of VSTA members.
- d) The Committee may make health and safety recommendations to the Executive, Council or a General Meeting.
- e) The Committee shall be represented on the District Health and Safety Committee.

7.5 Technology Committee

- a) The Technology Committee shall consist of one (or two) members per secondary school, elected by the Staff Organization of each secondary school and the Chairperson of the committee elected in accordance with by-law 7.5(b).
- b) The chairperson shall be elected at the annual general meeting.
- c) The Technology Committee shall study, on an ongoing basis, the issue of technology integration with teaching and learning.
- d) The Committee shall make recommendations to the Executive Committee, Council or a General Meeting.
- e) The Technology Committee shall advise the Bargaining Committee on appropriate use of technology provisions during negotiations with the Board of School Trustees.
- f) The committee shall be represented at the VBE ICT Advisory Committee.

7.6 Only committee members in attendance at a meeting of their respective schools may vote.

8. SUB-ASSOCIATIONS

- 8.1 Members wishing to further their professional development may form a sub-association subject to authorization of and regulation by the Council.
- 8.2 The Officers of the sub-association shall consist of a Chairperson, Secretary and such other officers as the sub-association may deem necessary. Each sub-association shall elect its own officers.
- 8.3 The chairperson may request to appear before the Executive Committee at any of its meetings on giving due notice to the President of intention to do so, for the purpose of conferring with the Executive Committee in regard to any matters pertaining to the sub-association.
- 8.4 Any sub-association may adopt for its own government such By-Laws as it may find expedient, provided that such By-Laws shall not be incompatible with the Constitution or the By-Laws of the Association.

8.5 A sub-association may be dissolved by the Council if, in the judgment of Council, the actions of the sub-association are inimical to the welfare of the Association.

9. SALARY INDEMNITY FUND

9.1 The Salary Indemnity Fund shall be administered by a Committee of the Association to be known as the Salary Indemnity Fund Committee, consisting of five members to be appointed annually by the Executive Committee, provided, however, that at least one member shall be an ex-official of the Salary Indemnity Fund Committee.

9.2 Membership in the fund is on a voluntary basis and open to all Active and Associate Members of the Association who qualify under the regulations of the Fund.

9.3 Regulations governing membership and operation of the Salary Indemnity Fund shall be drawn up and amended from time to time by the Salary Indemnity Fund Committee and ratified by the Executive Committee except insofar as the annual Fee and Daily Benefit are concerned.

9.4 Salary Indemnity Fund Committee recommendations regarding the Annual Fee and Daily Benefit shall be presented to the Executive or Council prior to their being presented to the General Meeting for ratification.

9.5 The Salary Indemnity Fund Committee shall be empowered to secure from the Board of School Trustees information in regard to accumulated sick leave allowance, and number of days of absence and other details of any member or the Salary Indemnity Fund which the Committee may require in connection with payment of benefits.

9.6 The Association, in relation to the Salary Indemnity Fund, may only act in accordance with the provisions of the Societies Act.

9.7 A Salary Indemnity Appeal Committee, to be held in-camera, and composed of the local President, SIF Chairperson, Executive representative on the SIF Committee and three other Executive members will be established and shall be the final authority on all appeals of SIF Committee decisions.

9.8. The Salary Indemnity Fund Committee, the Executive, or Council may suspend the enrolment of new members in the SIF for the purposes of assessing the viability of the fund and for a period not to exceed 12 months.

9.9 In the event of the Salary Indemnity Fund being fully depleted, the Salary Indemnity Fund program will terminate.

10. RULES OF ORDER

10.1 The Simplified Rules of Order as issued by the British Columbia Teachers' Federation shall govern procedure for all meetings.

11. AMENDMENTS TO CONSTITUTION AND BY-LAWS

- 11.1 The Constitution and By-Laws of the Association shall not be altered, amended, or added to except by a special resolution submitted at a general meeting and passed by a three-quarters majority of the members present and voting at such meeting and that changes so desired be brought to the attention of every member, by letter, at least two weeks prior to said meeting.

12. POWERS OF THE PRESIDENT

- 12.1 The President shall be the presiding officer of the Association and ex officio shall be a full member of all committees of the Association. In the absence or disability of the President, the duties shall be performed by the First Vice-President.
- 12.2 The President, or the President's designate, shall represent the Association.

13. LOCAL ASSOCIATION REPRESENTATION

- 13.1 Local Representatives and Alternates to the Representative Assembly of the British Columbia Teachers' Federation shall be elected annually at a general meeting. The number shall be as determined by the British Columbia Teachers' Federation policy.

14. DELEGATES TO BRITISH COLUMBIA TEACHERS' FEDERATION ANNUAL GENERAL MEETING

- 14.1 Delegates to the British Columbia Teachers' Federation Annual General Meeting shall be elected annually by a general meeting. The number shall be as determined by the British Columbia Teachers' Federation policy.

VANCOUVER SECONDARY TEACHERS' ASSOCIATION

Incorporated March 14, 1938 under the "Societies Act"

1.	First Printing of Constitution & By-Laws	1938
2.	Second Printing of Constitution & By-Laws	1945
3.	Third Printing of Constitution & By-Laws	1956
4.	Fourth Printing of Constitution & By-Laws	1958
5.	Fifth Printing of Constitution & By-Laws	1962
6.	Sixth Printing of Constitution & By-Laws	1966
7.	Seventh Printing of Constitution & By-Laws	1969
8.	Eighth Printing of Constitution & By-Laws	1973
9.	Ninth Printing of Constitution & By-Laws	1974
10.	Tenth Printing of Constitution & By-Laws	1975
11.	Eleventh Printing of Constitution & By-Laws	1977
12.	Twelfth Printing of Constitution & By-Laws	1983
13.	Thirteenth Printing of Constitution & By-Laws	1984
14.	Fourteenth Printing of Constitution & By-Laws	1986
15.	Fifteenth Printing of Constitution & By-Laws	1988
16.	Sixteenth Printing of Constitution & By-Laws	1989
17.	Seventeenth Printing of Constitution & By-Laws	1992
18.	Eighteenth Printing of Constitution & By-Laws	1994
19.	Nineteenth Printing of Constitution & By-Laws	1998
20.	Twentieth Printing of Constitution & By-Laws	1999
21.	Twenty-first Printing of Constitution & By-Laws	2000
22.	Twenty-second Printing of Constitution & By-Laws	2001
23.	Twenty-third Printing of Constitution & By-Laws	2003
24.	Twenty-fourth Printing of Constitution & By-Laws	2004
25.	Twenty-fifth Printing of Constitution & By-Laws	2005
26.	Twenty-sixth Printing of Constitution & By-Laws	2012
27.	Twenty-seventh Printing of Constitution & By-Laws	2016
28.	Twenty-eighth Printing of Constitution & By-Laws	2017