

**CONSTITUTION  
OF  
THE PRAIRIE ROSE TEACHERS' ASSOCIATION  
OF  
THE MANITOBA TEACHERS' SOCIETY**

**1. NAME AND AUTHORITY**

**1.01** In accordance with the provisions of Section 13, sub-section 3 of The Manitoba Teachers' Society Act, being Chapter 262 of the Revised Statutes of Manitoba, The Prairie Rose Teachers' Association of the Manitoba Teachers' Society is permitted to formulate this Constitution, to adopt by-laws, and to pass resolutions not inconsistent with the said Act or with the by-laws of the said Society.

**1.02** The name shall be the Prairie Rose Teachers' Association of The Manitoba Teachers' Society, hereinafter referred to as "the Association".

**2. OBJECTIVES**

**2.01** to promote and advance the welfare of its members;

**2.02** to safeguard and advance the interests of the teaching profession;

**2.03** to promote and develop a collegial spirit amongst the teachers within the area served by the Association;

**2.04** to co-operate with other organizations having the same or like aims and objectives;

**2.05** to adopt by-laws and pass resolutions and policies not inconsistent with policies of The Manitoba Teachers' Society;

**2.06** to secure conditions for its members, which will allow them to provide the best professional educational services;

**2.07** to stimulate public interest in education affairs;

**2.08** to take measures which the Association deems necessary or advisable in order to give effect to any policy adopted by it with respect to any question directly or indirectly affecting the teachers of the Association.

### **3. MEMBERSHIP**

- 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 Prairie Rose School Division on a full-time, part-time or substitute basis shall be eligible to be a member of the Prairie Rose Teachers' 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 Prairie Rose School Division shall be a member in good standing of the Prairie Rose Teachers' Association and hereinafter is referred to as a "member".
- 3.03** Membership Rights:
- 3.03.1 members may attend and vote at general meetings,
  - 3.03.2 may attend executive and council meetings (unless declared in-camera)
  - 3.03.3 have the right to vote in the election of the Executive and Council Representatives.
- 3.04** Honorary Membership: The Council shall have the power to grant honorary or life membership. However, honorary and life members shall not have the right to vote or to hold office.

### **4. GENERAL MEETING**

- 4.01** A General Meeting shall consist of all members of the Association.
- 4.02** A General Meeting will be called for any of the following purposes:
- (a) to elect the executive of the Association
  - (b) to hear reports from the Executive or from any committee or committees
  - (c) to provide a forum for the views of individual members
  - (d) to make recommendations to the Executive or Council
  - (e) to remove from office any or all members of the Executive in accordance with this Constitution
  - (f) to approve the annual budget for the Association
  - (g) to approve the amount of the annual membership dues.
  - (h) to approve the auditor's report of the financial records of the Association
  - (i) to ratify collective agreement
- 4.03** The President or the Secretary shall call a General Meeting if instructed to do so by:
- (a) the executive;
  - (b) the Council;
  - (c) any member of the Association who states his/her reasons in writing and who is supported by the signatures of 50 members.

#### **4.04 Notice**

To call a General Meeting, the President or Secretary shall give five (5) days' written notice specifying the purpose of the meeting. An emergency meeting may be called on 24 hours notice to deal with an urgent specific matter. Such meeting shall deal with the emergency matter only.

#### **4.05 Quorum**

To conduct business, the quorum at General Meeting shall be 20% of the members of the Association. If the General Meeting has been called for the dissemination of information no quorum is required.

#### **4.06 Annual General Meeting**

A minimum of one (1) General Meeting will be held annually.

### **5. COUNCIL OF THE ASSOCIATION**

#### **5.01 Composition of Council**

Council shall consist of the Executive and the Council representatives as noted below.

#### **5.02 Electoral Units**

- (a) Each school with four or more staff members shall form one electoral unit. The electoral units shall be Carman Collegiate, Carman Elementary, Miami School, Elm Creek School, Graysville/Roland Schools, South Hutterite Colony Schools, North Hutterite Colony Schools, St. Paul's Collegiate, St. Eustache School, St. Francois Xavier School, St. Laurent School.
- (b) All schools and work sites with fewer than four staff members shall be combined to form electoral units of at least 4 staff members.
- (c) Substitutes shall form one electoral unit, the deemed number of members shall be the FTE equivalent of all substitute teacher-years in the Division.
- (d) The number of representatives for an electoral unit shall be two representatives for every thirty (30) members, or portion thereof.
- (e) Members who are assigned to more than one school shall appear on the records of only one electoral unit. Such assignation on record shall follow this procedure:
  - i) A teacher spending more than fifty percent (50%) of that teacher's teaching assignment at one school shall be assigned to that school.

- ii) A teacher assigned equally to two schools or more shall be assigned to the smaller of those schools based on staff count.
- (f) Each representative or, in his/her absence, the alternate of an electoral unit shall have one vote.
- (g) Members of the Executive shall automatically be members of the Council.

### **5.03 Election of Council Representatives**

- (a) Council representatives shall be elected in September, or when required to fill a vacancy.
- (b) Each electoral unit shall name one alternate for each representative. The alternates shall have full voting power in the absence of the representatives.
- (c) Each electoral unit shall designate one of its representatives as "contact representative" with specific responsibilities as outlined in this Constitution.

### **5.04 Duties of the School "Contact Representative"**

- (a) to inform school representatives of Council meetings and arrange for alternates if required;
- (b) to inform school staffs of the business of the Association, and to bring members' concerns to the attention of the Council or executive;
- (c) to encourage school representation on the Association's standing and other committees;
- (d) to be responsible for any surveys or other business required by Council.

### **5.05 Attendance at Meetings of the Council**

Attendance shall be taken at each meeting and a record kept thereof. If a Council representative or his/her alternate is absent for three consecutive meetings without an appropriate reason, the unit shall be requested to hold another election for Council representatives.

### **5.06 Powers and Duties of Council**

The Representative Council:

- (a) shall have all the powers of the Association except as otherwise stated in this Constitution

- (b) shall direct and supervise the affairs of the Association
- (c) shall determine the policy of the Association
- (d) shall prepare the annual budget for the Association
- (e) shall assess membership dues
- (f) shall select an auditor of the financial records of the Association
- (g) shall appoint three scrutineers to assist the Chief Returning Officer with the counting of ballots
- (h) shall approve the Association's resolutions to be presented to the Annual General Meeting of The Manitoba Teachers' Society
- (i) shall approve the Association's delegates to the Annual General Meeting of The Manitoba Teachers' Society and shall give voting instructions to the delegates when the Council deems it necessary
- (j) shall set up such other committees and shall make such other appointments as are from time to time deemed necessary
- (k) shall propose amendments to the Constitution of the Association in accordance with the provisions of this Constitution
- (l) shall approve the opening of negotiations with the Board
- (m) Shall approve the opening proposals for negotiations

**5.07 Quorum**

The quorum for Council meetings shall be 50% of the total number of Council representatives.

**5.08 Procedure at Council Meetings**

- (a) Meetings of the Council shall be open to all members of the Association.
- (b) The chairperson shall allow any visiting member to speak at Council meetings, provided that such visiting member has indicated his/her intention to do so prior to the start of the meeting.
- (c) Visiting members to the Council shall not be allowed to vote on any item of business.

**5.09 Meetings of the Council**

The Council shall meet no fewer than five (5) times a school year, and the first meeting shall be no later than September 30 of the new school year.

**6. EXECUTIVE OF THE ASSOCIATION**

**6.01 Members of the Executive:**

The Executive shall consist of the President, Vice-President, Secretary, Treasurer, Collective Bargaining Chair, Professional Development Chair, Past President, Employee Benefits Chair, Workplace Health and Safety Chair, Equality in Education Chair, Public Relations Chair, Éducatrices et éducateurs francophones du Manitoba Chair, Education Finance Chair.

**6.02 Powers and Duties of the Executive:**

- (a) to administer the day to day affairs of the Association
- (b) shall make recommendations for the policy of the Association
- (c) shall recommend membership dues
- (d) shall select an auditor for the auditing of the financial records
- (e) to make recommendations to Council and carry out instructions given by Council
- (f) to supervise the activities of committees
- (g) to appoint members to committees subject to ratification by Council
- (h) to investigate grievances, including violations of the Code of Professional Practice, and report matters to the Manitoba Teachers' Society, if necessary
- (i) to make appointments in the case of vacancies on the Executive, subject to ratification by Council
- (j) to establish ad hoc or special committees and appoint members of those committees
- (k) to delegate any of its powers to any one or more of its members as may be deemed practical or advisable from time to time.

### **6.03 Meetings of the Executive**

- (a) The Executive shall meet at least five times during the school year which may include council meetings.
- (b) The President shall call meetings of the Executive and may call emergency meetings at any time
- (c) Any five (5) members of the Executive may call a meeting and the secretary shall send notices of said meeting
- (d) Regular executive meetings shall have at least five (5) days' notice.

### **6.04 Quorum**

The quorum for an Executive meeting shall be 50% of the executive.

### **6.05 Absence from Executive Meetings**

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

### **6.06 Signing Authority**

Authority for signing cheques shall be assigned to the Treasurer and one of the following: President, one member at large, two members at large.

## **7. Rules of Order**

The Rules of Order for meetings of the Council, Executive or General Meeting shall be *Rules and Procedures Governing the Annual General Meeting* of the Manitoba Teachers' Society or such rules as may be adopted by Council.

## **8. Officers of the Association**

### **8.01 Table Officers:**

The Table Officers of the Association shall be the President, Vice President, Secretary, Treasurer, Collective Bargaining Chair, Professional Development Chair, and Past President.

### **Duties of Officers:**

#### **1) President**

- a) shall call all Executive meetings and preside at all Executive, Council and General meetings
- b) shall be chairperson of the Executive and Council

- c) shall be responsible for and prepare the agenda for all executive and Council meetings
- d) shall perform all duties as customarily devolve upon a President
- e) shall be an ex-officio member of all committees
- f) shall do such other duties as directed by the Executive

**2) Past-President**

- a) shall assist the President and act as a resource person to the Executive
- b) shall perform other duties as designated by the Executive
- c) shall act as chairperson of Executive Nominating Committee and chief returning officer

**3) Vice-President**

- a) shall take charge of the affairs during the absence of the President or when requested to do so by the President
- b) shall perform such other duties as are assigned by the Executive or the Council.

**4) Secretary**

- a) shall keep an accurate record of all the proceedings of the Association
- b) shall bring before the Executive and Council all official notes and communications
- c) shall make and send to The Manitoba Teachers' Society such reports and statements as may be needed at any time
- d) shall send notices to members of all regular and special meetings
- e) shall provide minutes of all meetings for Executive and Council members, along with agendas prior to meetings
- f) shall keep a record of attendance at all meetings of the Executive and/or Council
- g) shall sign executive/council minutes

**5) Treasurer**

- a) shall be custodian of all funds of the Association and shall keep such funds in such financial institution as the Executive may decide subject to Council approval
- b) shall be prepared to give full financial statement at any meeting
- c) shall implement duplicate, pre-numbered receipt book as a way of documenting all sources of cash receipts, and will issue the receipt prior to depositing the funds. The duplicate deposit slip will show



the receipt book number(s) which correspond to the funds being deposited

- d) shall prepare a budget not later than September 15
- e) shall make an annual report to Council on receipts, investments and expenditures. Such a report shall have been duly audited by an auditor, other than executive members, appointed by the Executive with the approval of Council. For such a report, the fiscal year of the Association shall be from September 1 to August 31 to be consistent with MTS fiscal year.
- f) shall co-sign all cheques

## **9. STANDING COMMITTEES**

**9.01** The standing committees of the Association shall be the following:

- (a) Professional Development
- (b) Collective Bargaining
- (c) Employee Benefits
- (d) Public Relations
- (e) Equality in Education
- (f) Éducatrices et éducateurs francophones du Manitoba
- (g) Workplace Safety and Health
- (h) Education Finance

**9.02** The chairperson of a standing committee 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 desire.

### **9.03 Duties of the Chairpersons of Standing Committees**

The chairpersons of the Association's Standing Committees shall:

- (a) carry out the aims and duties of their respective committees and deal with all items of business referred to their committees by Council or the Executive;
- (b) recommend appointments to their respective committees to the Executive;
- (c) report on the work of the committees at each Council meeting, and provide a written annual report to Council and the Annual General Meeting in May or at such a date as the business of that committee is terminated for the school year;
- (d) stay within the budgetary limits unless prior Executive approval is obtained for further expenditures;

- (e) prepare budgets for their respective committee's yearly operation, and submit such budget to the Treasurer prior to the September presentation of the Association's annual budget to Council;
- (f) be responsible for the formation of sub-committees when the need arises.

#### **9.04 Standing Committee Memberships, Duties and Responsibilities**

##### **(a) Professional Development**

###### **(1) Membership:**

- i) President (ex-officio)
- ii) Chairperson
- iii) at least 4 members, representing various levels, interest groups or geographic regions in the division

###### **(2) Duties and Responsibilities:**

- i) shall represent the views of the Association in all phases of in-service and curriculum
- ii) shall identify and respond to the professional issues and needs of teachers in the Division
- iii) shall co-operate with The Manitoba Teachers' Society, Manitoba Education, the Prairie Rose School Division, and with other similar bodies to develop and enhance programs for the professional development of teachers

##### **(b) Collective Bargaining Committee**

###### **(1) Membership:**

- i) President (ex-officio)
- ii) Chairperson
- iii) up to four members

###### **(2) Duties and Responsibilities:**

The Collective Bargaining Committee shall:

- i) Study the salaries and other matters pertaining to the collective agreement that may be brought to the attention of the committee by membership, the Council or Executive
- ii) Ensure that negotiations are opened in accordance with the provisions of the collective agreement and notify the Board by registered letter

- iii) Develop the opening package for approval by Council
- iv) With a "Table Team" selected by the chair, negotiate a collective agreement and, if a settlement is not possible, refer the matter to arbitration
- v) Keep all appropriate files and records

(c) **Employee Benefits Committee**

(1) **Membership:**

- i) President (ex-officio)
- ii) Chairperson
- iii) up to two other members

(2) **Duties and Responsibilities:**

The Committee shall:

- i) deal with such matters as pensions, salary continuation, group insurance and other types of insurance
- ii) compile an information folder for distribution each September to all new teachers in the Division as directed by the Executive
- iii) investigate working conditions and make recommendations to the executive, Negotiations Committee or Council

(d) **Public Relations Committee**

(1) **Membership:**

- i) President (ex-officio)
- ii) Chairperson
- iii) up to two members

(2) **Duties and Responsibilities:**

The Public Relations Committee shall

- i) publish a newsletter for teachers;

- ii) take other actions related to public relations with the Division, the teachers or other bodies as determined by the Executive
- iii) initiate a function to welcome new teachers and ensure that retiring teachers are honoured
- iv) assist in the operation of organized teachers' recreation and, if directed by the Executive, initiate at least one social event per school year which all members of the Association may attend

**(e) Equality in Education Committee**

**(1) Membership:**

- i) President (ex-officio)
- ii) Chairperson
- iii) up to two members

**(2) Duties and Responsibilities:**

The Equality in Education Committee shall:

- i) promote equity in all areas of Association work in issues related to Human Rights legislation including characteristics such as age, race, ethnicity, sexual orientation, mental or physical disability, pregnancy, sex, and others;
- ii) encourage and recommend changes in classroom materials and educational association policies and programs to eliminate bias;
- iii) develop and implement an annual action plan to address, with the Association membership, societal issues of equity through workshops, in-services, presentations, pamphlets, newsletters and library resources.

**(f) Éducatrices et éducateurs francophones du Manitoba**

**1) Membership:**

- i) President (ex-officio)
- ii) Chairperson
- iii) up to two other members

**(2) Duties and Responsibilities:**

- i) advocate for teachers whose language of instruction is French
- ii) provide a liaison with the provincial ÉFM

**(g) Workplace Safety and Health**

The Workplace Health and Safety Chairperson shall:

- a) represent the Association on the Divisional Workplace Health and Safety committee
- b) act as a liaison between members of the Association and the Workplace Health and Safety committee

**(h) Education Finance**

The Education Finance Chairperson with the approval of the Executive should:

- a) attend regional and provincial Education Finance meetings
- b) request a copy of the Division budget from the Board
- c) advise the Executive on matters related to Education Finance

**10. RATIFICATION OF THE COLLECTIVE AGREEMENT**

**10.01** An amended or new collective agreement shall be ratified at a meeting of the members of the bargaining unit by a secret ballot cast by all members of the bargaining unit present at this meeting. Notice of the meeting shall be sent to all schools at least 7 days prior to the meeting together with a list of all changes to the collective agreement.

**10.02** Instead of one meeting of the members of the bargaining unit, the Executive may decide to hold up to three said meetings in different locations in the Division on the same or successive days with the following provisions:

- a) all of the other provisions of Article 10.01 are observed
- b) at each meeting, the ballots cast, the list of voters and the list of attendees at the meeting shall be placed in a sealed envelope without counting the ballots
- c) all ballots contained in the above noted sealed envelopes will be counted after the last meeting has been held
- d) The ballots shall not be destroyed for at least thirty (30) days

## **11. ELECTION PROCEDURES**

- 11.01** On or before the last day of April of each year, the executive shall appoint a Nominating Committee of not more than five members.
- 11.02** The Nominating Committee shall endeavour to nominate one member, but not more than five, for each of the positions of president, vice president, secretary and treasurer, collective bargaining chair and Professional Development chair.
- 11.03** The Executive shall be elected annually in accordance with the following procedure:
- (a) The chairperson of the Nominating Committee shall be the Chief Returning Officer.
  - (b) The election shall be held at the Annual General Meeting.
  - (c) Secret ballots shall be used.
  - (d) For the election of the president, vice president, secretary, treasurer, collective bargaining chair and professional development chair, the person with the largest number of votes shall be declared elected.
  - (e) Members of the newly elected executive shall take office on June 30.
  - (f) The ballots shall not be destroyed until such times as the Chief Returning Officer presents a written report to the Representative Council stating the results of the election.
- 11.04** If a vacancy occurs for the position of Past-President, the executive may, subject to Council approval, choose another past president or keep the office vacant.

## **12. REMOVAL FROM OFFICE**

- 12.01** Any or all members of the Executive may be removed from office by a two-thirds (2/3) majority vote of the members present at a general meeting called specifically for this purpose.
- 12.02** Upon receipt of the written request of 50 teachers for the convening of a general meeting for the purpose of Article 12.01, the Executive shall call a general meeting within not less than five (5) days and not more than 30 days from the date of receipt of said request and the only item of business at that general meeting shall be the removal from office of one or more members of the Executive.

**12.03** Voting shall be by secret ballot.

**12.04** Notwithstanding the contrary provisions of any other article in this Constitution, the general meeting called for purposes of Article 12.01 shall elect a replacement for every member of the Executive removed from office and any removal from office according to Article 12.01 shall not take effect until the said replacement is elected.

**12.05** If the entire executive is removed from office by the above procedure, the general meeting shall elect an interim executive which shall have all the powers of the executive until such time that a by-election can be held. The by-election shall be held no later than thirty days after the general meeting.

### **13. AMENDMENT OF THE CONSTITUTION**

The Constitution of the Association shall be amended by the following procedure

**13.01** Any member may submit an amendment to the constitution to the secretary.

**13.02** The membership shall be notified of the amendment(s) thirty (30) calendar days prior to the vote on the amendment(s).

**13.03** The amendment(s), or any modification(s) thereof, shall be approved at the next duly constituted meeting of Council, provided that said meeting does not fall within the thirty (30) calendar days of the notification of amendment(s).

**13.04** The amendment(s) or any modification(s) thereof, shall require a two-thirds majority of Council members present at the meeting.

**13.05** The amendment becomes effective on the date the Provincial Executive approves said amendment.

### **14. BY-LAWS**

The Association may make By-Laws which shall be ratified by the Association and approved by the Provincial Executive in accordance with the provisions for the amendment of the Constitution. Such By-Laws shall be deemed to be part of this Constitution and shall be attached to this Constitution.

Approved by the Prairie Rose Teachers' Association at its meeting of January 17, 2007.

Approved by the Provincial Executive at its meeting of September 29, 2007.

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President

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Secretary

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General Secretary  
The Manitoba Teachers' Society

October 3, 2007  
Cst-PRTA-2007-09-29



## **BY-LAW**

### **RESERVE FUND**

#### 10.01 **Name**

There shall be a fund known as the Reserve Fund of Prairie Rose Teachers' Association hereinafter referred to as "the Reserve Fund".

#### 10.02 **Purposes**

The purposes of the Reserve Fund shall be:

- (a) to make loans or grants to the account of the Association for capital expenditures, and shall require a 2/3 majority of Council;
- (b) to make loans or grants to the account of the Association for previously non-budgeted special projects, and shall be approved by a 2/3 majority of Council;
- (c) to make loans to the account of the Association for interim financing for the period July 1 to November 15;
- (d) to make grants to the account of the Association in emergencies, and shall be approved by a 2/3 majority of Council;
- (e) to make grants to the account of the Association in order that the Association establish a balanced budget and maintain a reasonable membership fee, and shall be approved by 2/3 majority of Council.

#### 10.03 **Amount in Reserve Fund**

The Reserve Fund shall consist of:

- (a) such sums as Council may from time to time allocate to the fund;
- (b) sums from any other source.

10.04 Council shall allocate to the Reserve Fund any surplus of revenue over expenditures existing at the end of any fiscal year and this surplus shall be submitted to the Reserve Fund within the first six months of the next ensuing fiscal year.

10.05 The amount of the Reserve Fund shall not at any time exceed the amount equal to the total revenue for the immediately preceding financial year.

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10.06 **Administration**

- (a) The Reserve Fund shall be administered by the Reserve Fund Committee hereinafter called "the Committee".
- (b) The member-at-large shall be elected for a term of three (3) years and one (1) shall retire each year, except that, in the first instance, the term of one (1) member-at-large be three (3) years, the term of the second member-at-large be two (2) years, and the term of the other member-at-large be one (1) year.
- (c) Where a member-at-large ceases to be a member, the vacancy shall be filled by Council.
- (d) At the first committee meeting in any financial year, the Reserve Fund Committee shall appoint one (1) of the members-at-large to be the Chairperson.
- (e) The Committee shall hold at least two (2) meetings each financial year, the first meeting to be held within three (3) months of the start of the financial year.

10.07 (a) The Committee shall have management and control of the Reserve Fund.

- (b) The Committee shall invest the monies in the Reserve Fund by making such investments as are prescribed for insurance companies by the Canadian and British Insurance Companies Act, 1952, R.S.C. Cap.31.

10.08 **Disbursements**

- (a) The Committee shall make disbursements from the Reserve Fund for the purposes stated in Article 10.02 and for none other.
- (b) The Committee shall make disbursements only upon authorization by a Council motion, approved by a two-thirds majority of the members present, provided that notice of motion was sent to all representatives at least three (3) weeks prior to consideration of same at a meeting of Council.
- (c) The Committee shall have the authority to lend the Association an amount not to exceed one-sixth of the current budget for the purpose of interim financing during the period July 1 to November 15. The loan will be made upon request by an Executive motion passed by a two-thirds majority at a regular Executive meeting. The term of the loan shall be four and one-half months.

Approved by the Prairie Rose Teachers' Association at its meeting of January 17, 2007.

Approved by the Provincial Executive at its meeting of September 29, 2007.

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President

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Secretary

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General Secretary  
The Manitoba Teachers' Society

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