

# **CONSTITUTION OF THE**

## **Education and Training Employees' Association**

### **ARTICLE 1 – Name of Organization**

The name of the Association is the Education and Training Employees' Association.

### **ARTICLE 2 – Purposes**

The purposes of the Association are:

- To be responsible for relations between employees and employers, including, but not limited to, the right to bargain collectively on behalf of the employees within the jurisdiction of the Association. These responsibilities are to be performed in a timely manner.
- To provide our teachers with a professional identity, recognizing that teaching is a respectable profession carried out by trained professionals with specific expertise.
- To promote the highest possible industry standards in wages, working conditions and professional development.
- To promote the health and safety of the members.
- To promote at all times democracy within the Association by maintaining the principles of freedom of expression for all members, regardless of race, colour, ancestry or national origin, place of origin, religious or political belief, marital status, family or parental status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age.
- To provide a political voice for Language Training teachers and other instructors, especially in regards to government policy that may affect our collective interest.
- To organize and help organize Language Training schools and other training institutes.
- To promote the provision of the best possible educational services in the Province of British Columbia.

- To establish and maintain membership in the Federation of Post-Secondary Educators.
- To advocate on behalf of students.

### **ARTICLE 3 – Jurisdiction**

- The Association shall have jurisdiction over instructors and staff in training institutions in the province of British Columbia

### **ARTICLE 4 – Amendments**

- The Constitution may be amended by Special Resolution and accepted by a two-thirds majority vote of members at the Annual General Meeting, or a Special Meeting duly called for that purpose.

## **BY-LAWS OF THE Education and Training Employees' Association**

### **ARTICLE I – Membership**

- Membership is open to all employees within the jurisdiction of the Association, regardless of race, colour, ancestry or national origin, place of origin, religious or political belief, marital status, family or parental status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age.
- No person shall be eligible for membership who is employed in a managerial capacity.
- Each person signing an application for membership must agree to comply with the Constitution and By-Laws of the Association.
- For purposes of these By-Laws, "member" includes any person previously employed who might reasonably anticipate renewal of such employment in future and who could be deemed an employee in the appropriate Bargaining Unit for purposes of a certification application under applicable laws.
- Any ETEA member of 5 years or more at the time of retirement may apply to be an honorary member of ETEA with voice but no vote.

- Honorary members will be provided with a membership card denoting their Bargaining Unit affiliation and are welcome to participate in the work of ETEA.
- All members will receive a copy of the Constitution and By-laws at the beginning of their membership, and will continue to receive any updated versions as they occur.

## **ARTICLE II – Dues and Assessments**

- The regular membership dues of this Association shall be 2%\* percent of gross earnings per member per month. New member Bargaining Units shall pay the current rate of dues to ETEA upon ratification of their first collective agreement and receiving wages under said agreement. There shall be no initiation fee.
- Any person failing to pay their membership dues for a period exceeding three (3) months shall be automatically suspended from membership. The foregoing does not apply to members on unpaid, educational, maternity, parental, sick or general leave from a Bargaining Unit position.
- When a member ceases to be employed, but can demonstrate a reasonable expectation of renewed employment in future, they retain full membership rights without paying per capita assessment for a period of twelve (12) months, with the exception of those on leave mentioned in Article III item one (1).

## **ARTICLE III – Strikes and Lockouts**

- Any ETEA member who chooses to cross a legal picket line at their Bargaining Unit during a period of strike or lockout will be fined one day's pay for each day they cross the line.

## **ARTICLE IV – Central Council and Executive**

- The ETEA Central Council shall be comprised of Directors from each Bargaining Unit and an Executive.
- The ETEA Executive shall be comprised of a President, Vice President(s) and a Treasurer.

- Nominations for the ETEA Executive positions shall open four (4) weeks prior to the ETEA Annual General Meeting. Nominations may also be taken from the floor of the Annual General Meeting.
- Election of the ETEA Executive positions shall take place at the ETEA Annual General Meeting.
- Elections shall, in all cases, be held by secret ballot.
- Members of the Executive cannot concurrently serve as Directors of their respective Bargaining Units.
- The Director of each Bargaining Unit shall sit as a full member of the ETEA Central Council) with voice and vote.
- The term of any office shall be from one ETEA Annual General Meeting to the next ETEA Annual General Meeting. Members are not precluded from serving successive terms.
- In the event that a Director from a Bargaining Unit vacates their position, nominations and elections will be held for all members of that Bargaining Unit to vote in.
- In the event that the President, First Vice President, Second Vice President, or Treasurer vacates their position, their duties may be performed by any member or members of Central Council until a by-election is held at the earliest opportunity.

#### **ARTICLE V – Duties of the Central Council and Executive**

- Officers of the Association shall have all powers herein provided during their tenure in office and shall be empowered to act between Annual General Meetings on all matters legislative, judicial and administrative. They shall not have the power to amend or alter the Constitution.
- The President shall preside at all meetings and conventions of the Association. They shall be executive head of the Association and be responsible to the Executive and to the membership for the administration of the affairs of the Association. They shall appoint a Central Council member to each committee of the association to act as a liaison between the committee and Central Council.

- The President of ETEA sits on the FPSE Presidents Council.
- The First Vice President shall assume the duties and authority of the President in their absence. They shall liaise with Directors and Stewards from each Bargaining Unit to maintain a current accounting of any ongoing Grievances. They shall be the lead Executive member in taking carriage of a Grievance. The First Vice President sits on the FPSE Contract Administration and Review Committee.
- The Second Vice President shall be responsible for secretarial functions, including but not limited to maintaining full records of all meetings, documents and correspondence of ETEA. They shall also be responsible for correspondence from the Central Council to members, via the website or other means, and any other required communications inside or outside the Union.
- The Treasurer shall be responsible for keeping a true and proper record of all monies received and expended, and for maintaining accurately and properly ETEA's bookkeeping system. The Treasurer shall be responsible for conducting all financial transactions of the Association and issuing financial reports in accordance with Article VII.
- Central Council will determine the annual budget of ETEA, which must be approved at the AGM.
- The Central Council will determine the number of bargainers eligible for release time during collective bargaining for each Bargaining Unit.
- The Central Council will allocate discretionary funds to individual Bargaining Units that are about to commence collective bargaining.
- A Bargaining Unit may only hold a vote for ratification of a tentative Collective Agreement after the Executive has reviewed it to ensure there are no legal liabilities for ETEA. If there are demonstrated legal liabilities found within a tentative Collective Agreement, a ratification vote cannot happen until all liabilities are resolved.

## **ARTICLE VI – Bargaining Units**

- Any new Bargaining Unit that is certified as a member of ETEA will be given a Bargaining Unit number for internal purposes upon certification.

- ETEA shall provide all Bargaining Units the means to hold two meetings a year as a Unit. Each Bargaining Unit will forward a written record of any and all resolutions it adopts to the Executive.
- Prior to the ETEA AGM each Bargaining Unit will meet to elect a Director and Head Steward for that Unit. Only members in good standing of the Bargaining Unit shall be eligible for election.
- Each Bargaining Unit shall conduct its own collective bargaining. The Bargaining Committee shall be elected by members of that Unit.
- ETEA shall pay the release time for a limited number of negotiators of a Bargaining Unit to conduct collective bargaining.
- ETEA shall provide any Bargaining Unit undertaking collective bargaining a limited fund to be used by the Unit as determined by its members for any costs it may incur beyond the release time of its bargainers.
- Quorum for any meetings of a Bargaining Unit will be set at 20% of the members of that unit or 5 people, whichever is higher.

#### **ARTICLE VII – Finances**

- All cheques issued by the Association shall require the signature of any two of the President, First Vice President and Treasurer.
- All major financial transactions of the Association shall be made by cheque.
- A financial report shall be conducted every year in the month of October, by an independent bookkeeper, and the report shall be presented at the AGM of the same year.

#### **ARTICLE VIII – Revenue**

- The revenue of the Association shall be derived from the membership dues and assessments as determined by a vote of the membership attending an Annual or Special General Meeting called for that purpose.
- The revenue shall be used for general servicing of the membership, organizing, administration, membership in the Federation of Post-Secondary Educators, and other purposes authorized at the Annual General Meeting.
- An annual budget shall be approved at each Annual General Meeting.

## **ARTICLE IX – Meetings**

- The Association shall hold an Annual General Meeting in November of each year. Other membership meetings may be called as deemed appropriate by the Executive.
- Special meetings shall be called by the Association's Executive, where the Executive receives a petition from fifteen per cent (15%) of the Association membership.
- Twenty (20) Association members shall constitute a quorum at any meeting. A member is any person covered by an ETEA Collective Agreement or on the payroll of an ETEA certified Unit. The quorum number shall be revisited annually.
- Robert's Rules of Order shall govern procedure for all meetings of the Association.
- Two (2) weeks' notice must be given for all General Meetings.
- The Executive will advise all members, be they on leave, laid off, or on holidays, about all meetings.

## **ARTICLE X – Voting**

- All members of the Association are voting members.
- Along with notification of all meetings, the Executive will include an intended agenda of issues to be discussed and voted upon at the meeting.
- A membership meeting may commission referenda regarding issues pertinent to the union.

## **ARTICLE XI – Committees**

- Central Council shall appoint such committees as are required for the proper functioning of the Association and the carrying out of its membership in the Federation of Post-Secondary Educators.

## **ARTICLE XII – Alteration of By-Laws**

- The By-Laws of the Association may be altered by a special resolution of two-thirds of the membership voting at an Annual General Meeting or a Special General Meeting.

*Revised and accepted at the Special Constitutional Change General Meeting of March 2, 2017.*

*Revised and accepted at the Special Constitutional Change General Meeting of June 13, 2019.*

*\*As voted on at the Special General Meeting of January 7, 2010.*