

CENTRAL ALBERTA ASSOCIATION

OF

MUNICIPAL AND SCHOOL EMPLOYEES

BY-LAWS

(2013)

**CENTRAL ALBERTA ASSOCIATION OF MUNICIPAL AND SCHOOL EMPLOYEES
TABLE OF CONTENTS**

ARTICLE	NAME	PAGE NUMBER
I	Name	1
II	Interpretation	1
III	Objectives	1
IV	Membership in CAAMSE	3
V	Obligations of Membership	5
VI	Discipline of Members	5
VII	Grounds of Discipline	7
VIII	Central Executive Board of the Association	9
IX	Nominations and Election of Central Executive Board	12
X	Meetings of the Association	13
XI	Rules or Procedures and Order of Business at Meetings of CAAMSE	14
XII	Ratification Votes and Strike Votes	14
XIII	Revenue	14
XIV	Finance	15
XV	Borrowing Powers	15
XVI	Books and Records	16
XVII	Remuneration	16
XVIII	Association Seal	16
XIX	Merger and Transfer of Jurisdiction	16
XX	Liability	17
XXI	Organization of Locals of the Association	17
	A Establishment of Locals	17
	B Nomination and Election of Local Officers	18
	C Responsibilities of Locals and Local Officers	19
	D Meetings of Locals	20
	E Committees of the Local	21
	F CAAMSE and its Locals	21
XXII	Amendment of By-Laws	22
XXIII	Transitional	22

ARTICLE I NAME

Section 1 This Association shall be known as Central Alberta Association of Municipal and School Employees.

Section 2 Until such time as may be otherwise determined by the Central Executive of the Association the current mailing address of this Association is:

Box 2185
Stony Plain, Alberta
T7Z 1X7

ARTICLE II INTERPRETATION

Section 1 In these By-Laws use of “CAAMSE” or “Association” is a reference to Central Alberta Association of Municipal and School Employees.

Section 2 In these By-Laws unless the context otherwise indicates:

- (a) a word used in the singular may also apply in the plural and vice versa; and
- (b) a member in good standing is defined as a member who is current in payment of dues, assessments and levies of this Association.

ARTICLE III OBJECTIVES

The purposes of this Association shall be:

- Section 1** To apply for, secure and maintain full trade union rights including the rights to exclusive recognition and collective bargaining for all employees who are eligible for membership.
- Section 2** To promote effective communications and to regulate relations between its members and employers of its members and to promote a harmonious and harassment free workplace environment.
- Section 3** To organize and establish bargaining units of employees in the school and education fields and other such employees who choose to be represented by this Association.
- Section 4** To establish locals of this Association for such groups of employees as choose to be represented by this Association for purposes of collective bargaining.
- Section 5** To further the interests of its membership by negotiating progressively better working conditions including fair wages, reasonable hours and equitable terms and conditions of employment.
- Section 6** To advance the political, economic, social and general well-being of the membership.
- Section 7** To foster mutual understanding and cooperation amongst the membership by assisting with the promotion of social activities of a recreational, educational or cultural nature.
- Section 8** To promote the interests of the public who are served by our members and the quality of the facilities and institutions in which our members work.
- Section 9** To foster and advance the principles of democratic trade unionism.
- Section 10** To promote the occupational health and safety of the membership.

ARTICLE IV

MEMBERSHIP IN CAAMSE

- Section 1** No person who in the course of their employment exercises managerial functions or who is employed in a confidential capacity in matters relating to labour relations may be a member of this Association.
- Section 2** No person shall be denied membership, nor shall this Association discriminate against its members or applicants for membership on the basis of race, creed, sex, sexual orientation, disability, social, economic status or national origin.
- Section 3** Membership in this Association shall be open to any employee of an employer with whom this Association has a collective bargaining relationship subject to completion of an application for membership. Individuals seeking membership in this organization shall be required to sign an application for membership which shall include an undertaking to abide by the provisions of these By-Laws and an undertaking to pay all dues, levies and assessments as may from time to time be approved by the membership at a duly constituted meeting.
- Section 4** Membership shall be open to all employees who fall under the jurisdiction of and who are not otherwise excluded from membership in this Association, including but not limited to:
- (a) All office, clerical, library personnel, teaching / education assistants, therapists and technicians who are employees of Parkland School Division No. 70 as defined in Labour Relations Board Certificate No. 54-95.
 - (b) All office and clerical employees, library personnel, teaching / education assistants, therapists and technicians who are

employees of Wild Rose School Division No. 66 as defined in Labour Relations Board Certificate No. 255-94.

- Section 5** Membership in this Association shall be open to all persons who become members of any new Locals formed under and affiliated with this Association provided they are in good standing with that Local. The number and jurisdiction of such new Locals shall be determined by the Central Executive of the Association.
- Section 6** Any person meeting these requirements for membership and who is accepted by the Association will be entitled to attend meetings, vote, seek office, hold office and receive all other benefits and privileges of membership.
- Section 7** A member who is delinquent in payment of all required dues, levies and assessments shall cease to be a member in good standing and shall be removed from membership in this Association without notice following three months of non payment of dues, levies or assessments.
- Section 8** Notwithstanding Section 7 above, a person who is on layoff or on approved leave of absence in accordance with the provisions of a CAAMSE Collective Agreement shall be deemed to be a member in good standing for the duration of the layoff or approved leave provisions, as the case may be, in accordance with the provisions of the relevant Collective Agreement.
- Section 9** A person ceases to be a member of this Association upon resignation or upon termination of membership in accordance with these By-Laws.

ARTICLE V OBLIGATIONS OF MEMBERSHIP

- Section 1** Members shall observe and comply with these By-Laws.
- Section 2** Members shall recognize and respect the right of CAAMSE to adopt and enforce reasonable rules as to the responsibility of each member towards CAAMSE and shall refrain from conduct that would interfere with the performance of CAAMSE's lawful and contractual obligations.
- Section 3** Members shall refrain from interfering with the proper conduct of the business and affairs of CAAMSE.
- Section 4** Members shall observe proper decorum in attending and participating in meetings and functions of CAAMSE. Members shall conduct themselves in accordance with such reasonable rules as may be established by CAAMSE and in conformance with generally accepted rules of procedure pertaining to the conduct of such meetings and functions.
- Section 5** Members shall pay to CAAMSE such dues, assessments and levies as are fixed by or established pursuant to the authority contained in these By-Laws.

ARTICLE VI DISCIPLINE OF MEMBERS

- Section 1** A member may be disciplined by this Association for actions contrary to these By-Laws or contrary to the interests of this Association, a Local of this Association or its membership.
- Section 2** A member may initiate disciplinary action by the filing of written and signed charges with the Central Executive Board of the Association.

Such charges must include detailed particulars of the allegations against the member and must include any relevant documentation. The accused member shall be provided a copy of the charges.

Section 3 Upon receipt of such charges, the Central Executive Board shall cause a preliminary investigation to be conducted by two of its members in order to consider whether the charges against the member have merit.

Section 4 Following the preliminary investigation, the Central Executive Board shall vote on the question of whether a disciplinary hearing should be held. If a majority of the Central Executive Board votes to hold a disciplinary hearing, the member shall be given at least 10 days written notice of the hearing. The Central Executive Board shall appoint a Trial Committee consisting of 5 members to conduct the disciplinary hearing.

Section 5 If a member of the Central Executive Board has brought the charges against the member, that member shall excuse himself/herself from participating in the vote.

Section 6 At a disciplinary hearing before the Trial Committee, the accused member shall have the right to be represented by a person of his or her choice and shall have the right to question the charges and present evidence, witnesses and argument to support their defence.

Section 7 At the conclusion of the disciplinary hearing, a majority vote of the Trial Committee shall be required for any disciplinary action to be taken. Disciplinary action must be fair and reasonable and may consist of a financial penalty, suspension or expulsion.

Section 8 If a charge is found to be established, the Trial Committee may impose a penalty against the member charged. The penalty may include one or more of the following:

- a verbal or written reprimand;

- a requirement to take certain types of education;
- a requirement to take steps to redress or rectify wrongs flowing from the conduct of the member charged;
- suspension of specific membership rights for a specified period;
- suspension from office and/or holding union positions for a specified period;
- expulsion from membership;
- such other fair and reasonable penalty as the Trial Committee determines appropriate in the circumstances.

Section 9 The disciplined member may appeal the decision of the Trial Committee to the general membership of CAAMSE by requesting a vote at the next general meeting of the Association. A sixty (60%) percent majority of members present and voting shall be required either to overrule the decision of the Trial Committee that discipline is warranted or to vary the discipline imposed and substitute a different penalty. The voting shall be conducted by secret ballot. The results of the vote shall be announced at the membership meeting and recorded in the meeting minutes. The decision of the membership shall be final and binding.

Section 10 Any penalty imposed by the Trial Committee shall be stayed and shall not take effect pending exhaustion of rights of appeal as provided herein.

ARTICLE VII GROUNDS OF DISCIPLINE

Section 1 Any member may bring charges against another member where the other member:

- (a) violates the By-Laws of this Association;

- (b) encourages or assists in the withdrawal of members from this Association;
- (c) publishes or circulates amongst the membership false reports or misrepresentations concerning the Association;
- (d) misappropriates the funds or assets of the Association;
- (e) fails to comply with disciplinary penalties imposed by the Association;
- (f) engages in any other conduct prejudicial to the good order and welfare of the Association;
- (g) fails to comply with the orders, decisions, rules and policies properly adopted by the Association;
- (h) interferes with the proper conduct of the business or activities of the Association;
- (i) fails to observe proper decorum in attending and participating at meetings and functions of the Association;
- (j) fails to pay to this Association such dues, levies and assessments as are fixed and established pursuant to the authority contained in these By-Laws.

ARTICLE VIII

CENTRAL EXECUTIVE BOARD OF THE ASSOCIATION

- Section 1** The Central Executive Board of the Association shall consist of a President, a Vice-President, a Secretary and a Treasurer.
- Section 2** Each Central Executive Board Member must be and remain a member of the Association in good standing throughout the term of her/his office.
- Section 3** In the even numbered years, elections shall be held for Central Executive President and Central Executive Secretary and in the odd numbered years, elections shall be held for Central Executive Vice-President and Central Executive Treasurer.
- Section 4** Each term of office shall begin upon adjournment of the Annual General Meeting at which the election took place and shall continue for a period of two (2) years more or less until the conclusion of the second annual general meeting thereafter.
- Section 5** The Duties of the Central Executive Board of the Association shall be as follows:
- (a) The President shall:
 - (i) preside at all general meetings of the Association and at all Executive Board meetings;
 - (ii) appoint such committees as are deemed necessary subject to approval of the Executive Board;
 - (iii) be an ex-officio member of all committees except the Nominating Committee;
 - (iv) sign, with the Secretary, all documents requiring the seal; and
 - (v) perform all other duties pertaining to the office of the President.

- (b) The Vice-President shall:
 - (i) act in the place of the President if the President is unable to continue her/his duties as provided in the By-Laws; and
 - (ii) in the absence of the President, or at the request of the President, preside at general and Executive Board meetings.

- (c) The Secretary shall:
 - (i) attend membership meetings, Executive Board meetings and keep accurate minutes of same;
 - (ii) be in possession of a current copy of the By-Laws at all meetings;
 - (iii) be responsible for replying to correspondence under the direction of the President or the Executive Board;
 - (iv) sign, with the President, all documents requiring the seal; and
 - (v) maintain permanent files of essential correspondence and documents of the Association.

- (d) The Treasurer shall:
 - (i) collect dues, fees and other monies;
 - (ii) deposit funds as the Executive Board directs;
 - (iii) make disbursements upon approval of the Executive Board;
 - (iv) present a report of the financial affairs when requested by the President or the Executive Board;
 - (v) make financial records available for audit upon request of the President or the Executive Board; and
 - (vi) shall arrange for audit of the books and records at the close of each fiscal year.

Section 6 The affairs and activities of the Association shall be managed by the Central Executive Board.

Section 7 The Central Executive Board shall be responsible for and accountable to the membership for the administration of the affairs and activities of the Association in accordance with the provisions of these By-Laws.

- Section 8** A majority of the members of the Central Executive Board shall constitute a quorum for the conduct of business. Central Executive Board members may attend and participate in Executive Board meetings through the use of such methods as telephone or video conferencing which allow participation in discussions to be heard by other Board members.
- Section 9** Due notice of all Central Executive Board meetings shall be given to all Central Executive Board members.
- Section 10** Meetings of the Central Executive Board shall be held at the call of the President as often as may be necessary, but not less than 4 times per fiscal year.
- Section 11** Any Central Executive Board member who is unable, or unwilling, to fulfill her/his elective duties; and who fails to submit an acceptable written explanation upon request of the Executive Board, is subject to removal from office by a majority vote of Members present and voting at a meeting of the membership of the Association called for the purpose.
- Section 12** Any vacancy occurring in Central Executive Board office may be filled by appointment of an Association member made by the remaining Central Executive Board members for the balance of the term of office during which the vacancy occurs.
- Section 13** The President, with the approval of the Central Executive Board, may appoint such committees as shall be deemed necessary.
- Section 14** The duties of such committees shall be determined by the Central Executive Board.

ARTICLE IX NOMINATIONS AND ELECTION OF CENTRAL EXECUTIVE BOARD

- Section 1** All Central Executive Board Members shall be elected at the Annual General Membership Meeting of the Association.
- Section 2** All elections shall be by secret ballot and majority vote.
- Section 3** The President shall appoint a Nominating Committee consisting of one member nominated by the President of each Local Union at least thirty (30) days prior to the Annual Meeting. The Nominating Committee shall present their report at the Annual General Membership Meeting. The Nominations Committee shall nominate such members as it recommends for election provided such members have given their prior consent to stand for election.
- Section 4** Nominations may be made from the floor of the Annual General Membership Meeting providing the nominee is present or has given written consent.
- Section 5** Elections shall be conducted in the following order:

President, then Secretary- during even numbered years
Vice-President, then Treasurer – during odd numbered years
- Section 6** Ballots for each office shall be counted and the successful candidates declared before proceeding with the election of the next succeeding office.
- Section 7** In case a majority vote is not obtained on the first ballot, the candidate having the least number of votes shall be dropped from the list of nominees and the ballot shall be taken again. This procedure shall be repeated until one candidate has the majority of votes.

Section 8 Where there is a single nominee, the election to office shall be declared by acclamation.

**ARTICLE X
MEETINGS OF THE ASSOCIATION**

Section 1 An annual general membership meeting of the Association shall be held between April 1 and May 31 of each year.

Section 2 Special membership meetings shall be held at such time and place as designated by the Central Executive Board and called by the President.

Section 3 Members shall be given reasonable notice of all membership meetings. The notice of meeting shall specify the subjects to be considered at the meeting.

Section 4 The quorum for any special, general and/or annual meeting shall be not less than ten (10%) percent of members.

Section 5 Voting at meetings shall be done by show of hand unless the President otherwise directs or unless otherwise provided in these By-Laws.

Section 6 Unless otherwise specified in a motion or provided in these By-Laws any decision adopted at a meeting shall take effect immediately at the conclusion of the meeting.

ARTICLE XI
RULES OF PROCEDURE AND ORDER OF
BUSINESS AT MEETINGS OF CAAMSE

Section 1 The rules of procedure and order of business at meetings of CAAMSE and its Locals shall be governed by Roberts Rules of Order newly revised (latest Edition).

ARTICLE XII
RATIFICATION VOTES AND STRIKE VOTES

Section 1 Contract ratification votes and strike votes shall be conducted by secret ballot at a meeting of those Local Members within the affected bargaining unit.

Section 2 A majority vote of the Members present and voting shall determine the outcome of such votes.

Section 3 Only Members in good standing of the affected Local shall have the right to participate in ratification or strike votes unless otherwise required by law.

Section 4 Members of a newly certified bargaining unit where dues remissions have not yet commenced shall be eligible to participate in a ratification vote or a strike vote.

Section 5 When the Local Executive deems it appropriate to hold more than one (1) meeting to provide members attending an opportunity to vote on the ratification of a contract or to vote on strike action, there will be one (1) ballot box used for all meetings. At the end of each meeting the ballot box shall be sealed, and signed by the returning officer. Once all of the meetings have been concluded the ballots will be counted at the final meeting where members exercised their right to vote.

ARTICLE XIII REVENUE

- Section 1** The CAAMSE dues, assessments and levies currently in effect shall continue in force and effect except as revised from time to time at a duly called membership meeting of the Association.
- Section 2** CAAMSE, may implement, increases to dues, assessments or levies. Adoption of such increases to dues, assessments or levies shall be voted on by the members of CAAMSE.

ARTICLE XIV FINANCE

- Section 1** The fiscal year of CAAMSE shall end April 30th and shall begin on the first day of May each year.
- Section 2** A financial report shall be submitted to the Central Executive Board and presented for membership approval at the Annual General Meeting.
- Section 3** The books and accounts of CAAMSE shall be audited at least once a year.
- Section 4** Bank accounts shall be established and maintained as deemed necessary and the signing Officers shall be any two (2) members of the Central Executive Board.

ARTICLE XV BORROWING POWERS

Section 1 For the purpose of carrying out its business and affairs, money may be borrowed, raised or secured in such manner as is deemed fit, but this power shall be exercised by the Central Executive Board after approval by majority vote at a membership meeting.

ARTICLE XVI BOOKS AND RECORDS

Section 1 The Association's books and records may be inspected by any Member in good standing of CAAMSE at the Annual General Membership Meeting, or at any time upon giving reasonable notice and arranging a time satisfactory to the Officer or Officers having charge of same.

ARTICLE XVII REMUNERATION

Section 1 Central Executive Board Members and Local officers shall receive such honoraria for their services on behalf of CAAMSE as may be prescribed from time to time by resolution of CAAMSE.

ARTICLE XVIII ASSOCIATION SEAL

Section 1 The Association Seal shall be in the possession of the Secretary of the Central Executive Board and whenever used shall be under the

signature of the Secretary and the President or, in the case of death or inability of either, the Vice-President of the Central Executive.

ARTICLE XIX MERGER AND TRANSFER OF JURISDICTION

Section 1 CAAMSE may merge or amalgamate with another union, may accept a transfer of jurisdiction from another union and may transfer jurisdiction to another union at a meeting of CAAMSE called for that purpose by adoption of a motion passed by 2/3 of those members present and voting.

ARTICLE XX LIABILITY

Section 1 No Member of CAAMSE shall be liable in a personal capacity for any debt or liability of CAAMSE.

ARTICLE XXI ORGANIZATION OF LOCALS OF THE ASSOCIATION

A Establishment of Locals

Section 1 The Central Executive Board of the Association shall have the power to establish a Local of the Association for each of the bargaining units in respect of which the Association holds or seeks to hold collective bargaining rights.

Section 2 The objectives of the Local shall be:

- (a) to support the objectives and activities of CAAMSE;

- (b) to promote effective communications between and amongst CAAMSE, its Locals, its members and the employers of its members; and
- (c) to participate in collective bargaining subject to the jurisdiction of the Local under these By-Laws.

Section 3 The revenue of each Local shall be as established by the Central Executive Board of the Association in its sole discretion from time to time.

Section 4 A Local may establish a Local levy however any such Local levy must be ratified by a two-thirds (2/3) vote of the members of the Local at a meeting of the Local.

Section 5 The end of the fiscal year for each Local shall be April 30th.

Section 6 The By-Laws set out in this article shall constitute the By-Laws governing component Locals.

B Nomination and Election of Local Officers

Section 1 The Executive Officers of each Local shall consist of a President, Vice President, Secretary and Treasurer.

Section 2 The Executive Officers of each Local shall be elected at an Annual General Meeting of the Local to be held between April 1st and May 31st of each year.

Section 3 The Executive Officers of each Local shall be elected in the following order:

President and Secretary during even numbered years
Vice-President and Treasurer during odd numbered years

Section 4 A nominating committee of 2 members in good standing of each Local shall be appointed by the President of the Local prior to the Annual General Meeting of the Local.

- Section 5** The nominating committee shall present its report at the Annual General Meeting of the Local. Only members in good standing of the Local shall be eligible for nomination and election.
- Section 6** Nominations may be made from the floor providing the nominee is present or has given written consent.
- Section 7** Election of Executive Officers of the Local shall be by secret ballot and by majority vote of members of the Local in good standing and in attendance at the meeting.
- Section 8** In case a majority vote is not obtained on the first ballot, the candidate with the fewest vote shall be dropped from the list of nominees and the ballot shall be taken again. This procedure shall be repeated until one candidate is elected by majority vote.
- Section 9** In the event there is a single nominee, the election to office shall be by acclamation.
- Section 10** In the event that an Executive Officer of a Local should resign, die or otherwise cease to act, the remaining Executive Officers of the Local shall appoint from the members of the Local a replacement to serve the remaining term of office of the Executive position which has become vacant.
- Section 11** Each term of office shall begin upon the adjournment of the Annual General Meeting of the Local at which the election takes place and shall continue for a period of two (2) years more or less until the conclusion of the second Annual General Meeting of the Local thereafter.

C Responsibilities of Locals and of Local Officers

- Section 1** The Executive Officers of each Local shall collectively be responsible for:

- (a) the conduct of collective bargaining between the Local and the applicable employer;
- (b) the carriage of grievances on behalf of members of the Local and the applicable employer;
- (c) The conduct and performance of all other business activities and affairs of the Local; and
- (d) Such other matters as may be delegated to a Local by the Central Executive Board of the Association.

Section 2 The Local President shall preside at all meetings of the Local and shall be charged with responsibility for the administration and operation of the Local.

Section 3 The Local Vice-President shall preside at all meetings of the Local where the President is absent and shall be charged with responsibility for carrying out such additional duties as may be delegated by the Local President or Local Executive.

Section 4 The Local Secretary shall be charged with responsibility to keep and maintain full records and minutes of all meetings of the Local Executive and of all membership meetings of the Local and shall maintain all records, documents and correspondence of the Local.

Section 5 The Local Treasurer shall be charged with responsibility to keep and maintain regular books and records of the Locals finances, including revenue and expenses and shall provide an annual financial report at the Local Annual General Meeting.

D Meetings of Locals

Section 1 An Annual Meeting of each Local shall be held between April 1 and May 31 of each year.

Section 2 Special membership meetings of a Local may be called at any time by the Executive Officers of the Local.

Section 3 Quorum for the conduct of business at any Annual or Special Meeting of a Local shall be not less than 10% of the members of the Local in good standing.

Section 4 Except in case of emergency, at least 10 working days notice of all Annual and Special Meetings and of the business to be conducted at the meeting shall be given to all members in good standing of the Local.

Section 5 The Rules of Procedure and order of business at meetings of the Local shall be governed by *Robert's Rules of Order*.

E Committees of the Local

Section 1 The Local Executive may set up committees of the Local and may appoint a chair and members of each such committee from the members of the Local.

Section 2 The Local Executive shall set out the duties of any committee established by it and the committee shall report to the Local Executive and/or to the Local membership as the case may be.

F CAAMSE and Its Locals

Section 1 A Local Member who has a dispute concerning a decision or action of a Local Officer or the Executive Board may bring such dispute to the Central Executive Board of the Association.

Section 2 The Central Executive Board of the Association, when hearing such dispute, shall ensure that the Member bringing the dispute and the Local Officer or Executive Board of the Local are both given the opportunity to address the Central Executive Board of the Association concerning the matter in dispute.

- Section 3** The decision of the Central Executive Board of the Association shall be final and binding on the Member and on the Local Executive Board or Officer.
- Section 4** When a local dissolves for any reason, including as a result of decertification or revocation of charter, all funds, property and books of the Local shall be turned over to and shall become the property of CAAMSE.
- Section 5** In no event shall CAAMSE without its consent become liable for the financial or other obligations of a dissolved local.

ARTICLE XXII AMENDMENT OF BY-LAWS

- Section 1** These By-Laws may only be amended or altered by motion passed by a two-thirds (2/3) vote of those members present and voting at a meeting of CAAMSE called for the purpose.

ARTICLE XXIII TRANSITIONAL

- Section 1** Upon adoption of these By-Laws, CAAMSE and its Locals shall continue in existence including, its membership, its collective bargaining rights and collective agreements and with respect to the duties and responsibilities owed by the Locals to CAAMSE and of CAAMSE to the Locals.
- Section 2** All officers filling any CAAMSE office or Local office whether by election or appointment shall continue to hold their office and exercise their respective rights, powers, responsibilities and duties

until their respective successors have been elected or appointed in accordance with these By-Laws.

Section 3 All component Locals existing on the effective date of the adoption of these By-Laws shall continue their respective existence in accordance with these By-Laws.