



**Yukon Teachers' Association  
Association des enseignantes  
et des enseignants du Yukon**

**YTA**

**HANDBOOK**

September 2010

Printing Date:  
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This handbook contains information of vital importance to YTA members. The Executive of the Association hopes that teachers will find it useful and welcome any suggestions for its improvement.

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Contact the YTA immediately with respect to any matters related to your employment.

*Seek advice first - we are here to serve.*

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## 2010-2011 YTA EXECUTIVE

Katherine Mackwood	Elijah Smith Elementary School	President
Chris Hobbis	Jack Hulland Elementary	Vice-President
Jill Mason	Elijah Smith Elementary	Treasurer
Jim Tredger	Jack Hulland Elementary (on leave)	Past President
Marc Legault	Tantalus	Membership
Pat Bort	Jack Hulland Elementary	Professional Development
Shari Worsfold	Reading Recovery Center	Constitution Policy
Tara Wardle	Porter Creek Secondary	Employment Relations
Scott Henderson	FH Collins	Public Relations

## ETHICS COMMITTEE

Karen Hanna	2009 - 2012
Gary Morgan	2009 - 2012
Ryan Sikkes	2009 - 2012
Thomas Slager	2010 - 2013
Christan Gee	2010 - 2013
Sharon Choy	2010 - 2013
Robert Hotson	2010 - 2013
RoseMarie Blair	2010 - 2013
Lina Radzuinas	2010 - 2013
Tanis Gizci	2010 - 2013
Darren Fraser	2010 - 2013

# SECTION 1

## CONSTITUTION AND BYLAWS

The Constitution and Bylaws are the overriding statements on YTA operations. They may only be amended by Extraordinary Resolution at an Annual General Meeting or a Special General Meeting called for that purpose. All changes to Constitution and Bylaws must be agreed to by 75% of the votes cast. In case of any conflict between the Constitution and Bylaws and any other YTA policy or document, the Constitution and Bylaws shall prevail.

# CONSTITUTION AND BYLAWS

## 1. CONSTITUTION

### 1.1. NAME

The name of this Association is the Yukon Teachers' Association, hereinafter referred to as the Association or YTA.

### 1.2 OBJECTIVES

The objectives of the Association shall be:

- 1.2.1 to advance and promote the cause of education in the Yukon Territory;
- 1.2.2 to raise the status of the teaching profession;
- 1.2.3 to promote and support recruitment and selection practices which ensure capable candidates for teacher education;
- 1.2.4 to promote and support adequate programs of pre-service preparation, internship and certification;
- 1.2.5 to promote the establishment of working conditions that will make possible the best level of professional service;
- 1.2.6 to organize and support groups to improve the knowledge and skill of teachers;
- 1.2.7 to maintain and improve the competence of teachers by meetings, publications, research and other activities;
- 1.2.8 to afford advice, assistance and legal protection to members in their professional duties and relationships;
- 1.2.9 to cooperate with other organizations and bodies in Canada and elsewhere having the same or like aims and objectives;
- 1.2.10 to evolve and maintain a code of ethics and provide for its enforcement;
- 1.2.11 to advise, assist, protect and discipline members in the discharge of their professional duties and relationships;
- 1.2.12 to bargain collectively for salaries and working conditions on behalf of members.

### 1.3 OPERATIONS

The operations of the Association are to be chiefly carried out in the Yukon Territory, and more particularly in the cities, towns and settlements within the Territory.

## **2. BYLAWS**

### **2.1 MEMBERSHIP**

Membership may be active, associate, life, honorary, or student.

#### **2.1.1 Active Membership**

Active membership shall be open to any person who is a member of the bargaining unit.

#### **2.1.2 Associate Membership**

a) Any person holding a Teacher's certificate or other education qualification acceptable to the Executive may become an associate member of the Association by making application to the Executive and on payment of a fee according to the scale of fees then in force. The Executive shall determine by policy the rights of associate membership, but such rights shall not include the right to vote at Association meetings or hold office in the Association.

#### **b) Student Membership:**

People who are residents of the Yukon and registered in a teacher education program are eligible for student membership upon application to the Executive.

- The Executive shall set a fee.
- Student members receive publications only.
- Student members are not subject to disciplinary authority.
- Student members have none of the rights of active members.

#### **2.1.3 Life Membership**

Life membership shall be granted by the Central Council to educators whom the Association wishes to recognize for long and outstanding service to the Association or to education generally.

Each year, in anticipation of the AGM, the Membership Committee will identify and select candidates for Life Membership in the Yukon Teachers' Association, from the records of retirements and resignations. Central Council is empowered to approve Life and Honorary Membership.

#### **2.1.4 Honorary Membership**

Honorary membership may be conferred by the Annual General Meeting or the Central Council on any person whom the Association wishes to honor.

#### **2.1.5 Limitations**

For purposes of this Bylaw, "office in the Association" means position for which election is required in these Bylaws.

a) Only active members may vote, run for, or hold office in the Association.

- b) Any person who is on leave from employment in any capacity set out in these Bylaws remains eligible for active membership but must pay any applicable fee according to the schedule currently in force.
- c) A person who is an active member at the time of election or appointment to office in the Association and who, prior to the commencement of the term of office loses eligibility for active membership, may assume office only if the person reacquires active membership prior to the commencement of the term of office, failing which the office shall be declared vacant.
- d) If a person holding office in the Association becomes ineligible for active membership or otherwise ceases to be an active member during the term of office, the position is deemed to be vacant.
- .e) The Executive has the authority to determine and declare, after notice to the individual concerned and a reasonable right to respond, that a position has become vacant pursuant to this Bylaw, and to act pursuant to these Bylaws to fill such a vacancy.

#### **2.1.6 Membership Year**

The membership year for the Association coincides with the members' school year.

#### **2.1.7 Exclusion**

Officials of the Department of Education and School Boards shall not be eligible for membership in the Association.

Officials being interpreted as Superintendent and/or Directors of School Boards or anyone with the power to hire and fire.

Members who are seconded below the level described above shall be eligible to maintain their memberships.

#### **2.1.8 Right to Examine Records and Books**

All active members shall have the right to examine the books of the Association. All active members shall have the right to examine the records of the Association, except for those records which because of their nature are deemed by the Executive, or other governing body to be confidential. Examination of books and records shall be done during posted office hours or at any other mutually satisfactory time in the office of the Association.

#### **2.1.9 Obligations of the Members**

All members of the Association shall be bound by the constitution, bylaws and policies of the Association.

### **2.1.10 Disputes between Members**

Should a dispute arise regarding the interpretation of application of these bylaws other than disputes arising from the Code of Ethics, the matter shall be referred to the Executive. The Executive shall provide the requested interpretation which shall be authoritative subject only to the right of the Active Members to request Central Council or AGM to review the Executive's decision. The CCM or AGM shall hear the parties in the dispute and issue a final decision on the matter. Members are required to seek resolution of disputes as provided in this bylaw.

## **2.2. FINANCES**

### **2.2.1 Fees**

Each active or associate member shall pay an annual fee according to the scale of fees then in force, such as is determined by the Annual General Meeting.

Should an Annual General Meeting, for any reason, fail to adopt a fee for any category of membership, the fee for the subsequent year shall remain at the scale in force at the time of the Annual General Meeting.

### **2.2.2 Fiscal Year**

The financial year shall be from April 1st to March 31st.

### **2.2.3 Signing Officers**

The Association shall maintain a bank account in a chartered bank at Whitehorse in the Yukon Territory and all cheques and banking documents must be signed by any two of the President, the Vice-President, the Treasurer, or the Professional Development Chairperson of the YTA.

### **2.2.4 Special Funds**

The Association, through an Annual General Meeting or Special General Meeting, may create a Salary Indemnity Fund, a Benevolent Fund or any other fund designed to promote the general welfare of the members. The regulations governing the operation and administration of such funds shall be determined by the Executive.

### **2.2.5 Contingency Fund**

If in the opinion of the Executive, an emergency arises whereby funds from the Contingency Fund are needed, the Executive is empowered to draw the necessary monies. However, such a decision shall be subject to review and ratification by the Council and/or AGM.

### **2.2.6 Appointment of Accountant**

The Executive shall in each year appoint a professional accountant of the Association who shall be the professional accountant of the Association until

such time as he/she is replaced or the appointment is otherwise terminated. The professional accountant shall prepare financial statements in accordance with generally accepted accounting principles. The financial statements shall consist of a balance sheet and a statement of revenue and expenditures and shall include statement of the amounts paid as remuneration or loaned to any member, and shall be approved by the Executive. These financial statements, as signed by at least two members of the Executive and the professional accountant, shall be laid before the Annual General Meeting of the Association.

The AGM authorizes by ordinary resolution the Executive to appoint a professional accountant each year. A professional accountant may be removed by ordinary resolution of the Annual General Meeting.

## 2.3 MEETINGS

### 2.3.1 Annual General Meeting

The Annual General Meeting of the Association shall be held once a year during the fourth weekend in April. Should this weekend provide a scheduling conflict, the Executive are empowered to set the date of the AGM one week earlier or one week later than the fourth weekend in April.

- a) **Voting Body.** The voting body at an Annual General Meeting or Special General Meeting shall consist of the Active Members of the Association in good standing. Active Members may, only to the extent permitted by these bylaws, cast votes at an Annual General or Special General Meeting by written authorization of proxy.
- b) **Business.** The business of the Annual General Meeting shall be:
  - Receipt of reports
  - Receipt of financial statement and establishment of the scale of fees
  - Nomination of officers
  - Election of officers
  - Authorize the appointment of auditors or professional accountants.
  - General business
  - The reading and adoption of the previous AGM minutes with amendments if necessary to the Constitution and Bylaws when presented as motions.
- c) The Annual General Meeting shall be governed by the standing rules of the Association as set forth in the Handbook.
- d) Nominations of the officers, other than the President of the Yukon Teachers' Association, will be accepted up to the time of election, which shall take place in the second session of the AGM.

### 2.3.2 Special General Meeting

Special General Meetings shall be held upon the decision of the Executive, or through the Executive, by written request of 20% of the active membership,

provided always that notice be given to each member and accompanied by a clear statement of the purpose of the meeting. Such meetings may be called in order to determine policy, which cannot await the next Annual General Meeting.

### **2.3.3 Quorum**

Quorum shall be established as follows:

#### **For Executive Meetings**

A majority of the members thereof.

#### **AGM & SGM**

- a) Quorum to commence Annual General Meetings and Special General Meetings shall be 25% of the membership in person or proxy representing at least 60% of the schools or work sites of members. If quorum is not obtained, then Bylaw 2.3.3.d shall be in effect.
- b) Quorum under Bylaw 2.3.3.a must be present to pass the budget, financial statements, an annual fee, elect officers other than the President and Ethics Committee members, and to pass any extraordinary resolutions. In the event that such a quorum is lost, the meeting shall not vote on the above items. In the case where no vote has occurred, the Executive is empowered to call another meeting in accordance with Bylaw 2.3.3.d or to conduct a mail ballot of members on these issues.
- c) Provided that the meeting has commenced with a quorum under Bylaw 2.3.3.a, any business not listed in 2.3.3.b shall require a quorum of the members present provided at least 60% of the schools or work sites are represented.
- d) In the event that the quorum under Bylaw 2.3.3.a. is not obtained in order to commence the meeting, any Annual General Meeting is deemed to be adjourned for 14 days to recommence at a time and place to be decided by the Executive with the members present at that time to constitute a quorum. Any Special GM is deemed to be terminated.
- e) In the event that an Annual General Meeting is deemed to be adjourned by this Bylaw, the President shall on the first subsequent school day arrange for notice to be posted in all schools of the date, time and place the meeting will be resumed and the business to be completed at it.

#### **2.3.4 Procedure**

Robert's Rules of Order shall govern procedure at all meetings when not inconsistent with this constitution and bylaws.

#### **2.3.5 Notice for Extraordinary Resolutions**

Extraordinary resolutions may be presented at Annual General Meetings or Special General Meetings called for that purpose provided that active members receive written notice of the extraordinary resolution 21 days prior to the date of the meeting. Extraordinary resolutions must be passed by the vote of not less than 75% of the members voting at the General Meeting or Special General Meeting.

### **2.4 EXECUTIVE**

#### **2.4.1 Members**

The Executive shall consist of the President, a Past President (as determined by Bylaw 2.4.2.6), the Treasurer, and the Chairperson of the following Standing Committees: Employment Relations; Constitution Policy; Professional Development; Membership; and Public Relations. The table officers shall be: President, Vice-President, Past President, and Treasurer.

#### **2.4.2 Duties and Powers**

- a) The Executive shall, subject to the action of the Annual General, or Special General, Meeting of the Association, or a meeting of the Central Council, exercise all the powers of the Association, the direction and supervision of its business, and the conduct of the affairs of the Association.
- b) The Executive shall attend to the business of the Association between Annual General Meetings, Special General Meetings or meetings of the Central Council.
- c) Members of the Executive shall carry out those duties listed under their position and/or the duties assigned to their standing committee. As well, they shall, from time to time, carry out such other reasonable duties as directed by the Executive, Central Council or General Meeting.
- d) The Executive has power to retain a solicitor for the Association whenever necessary.
- e) The Executive shall, from time to time, appoint such staff as is required to carry out the functions of the Association.
- f) The Past President for purposes of Bylaw 2.4.1 in a school year shall be the most recent President of the Association who is currently an Active Member, is not otherwise an Executive member and who is willing to serve on the Executive for that school year. Prior to each school year, the President or

President-elect shall canvass the past presidents and identify the Past President according to that criteria. Should no past president meet the criteria in a school year, the position of Past President will be left vacant for that school year.

- g) The members of the Executive shall be reimbursed for all expenses necessarily and reasonably incurred for attendance at Executive meetings, Central Council meetings, Committee meetings, or while otherwise engaged in attending to the affairs of the Association. In addition, those officers who are employees of the Association shall be remunerated in accordance with the YTA collective agreement or YTA policy.

#### **2.4.3 Terms of Office**

- a) The President's term of office shall run from the adjournment of CTF-AGM in the year of their election, to the adjournment, of CTF-AGM in the next calendar year.
- b) All other Executive offices shall run for a term of one year commencing July 1<sup>st</sup> in the year elected.

#### **2.4.4 Incoming Executive**

- a) Newly elected persons shall act as observers at Executive meetings until the last meeting of the out-going Executive in June. A meeting of the new Executive may be convened after the final meeting of the outgoing Executive to discuss issues which will pertain to the operations of the Association until the first regularly scheduled meeting.
- b) Any decision making required of the Executive from the time of the final scheduled Executive meeting in June until the terms of office of the outgoing Executive are completed shall be the responsibility of the outgoing Executive.

### **2.5 EXECUTIVE CONFLICT OF INTEREST**

A conflict of interest shall be deemed to arise in the following situations:

- 2.5.1 where an Executive member makes a decision or does an act motivated by other or additional considerations than the "best interests of the Association"
- 2.5.2 where an Executive member personally contracts with the Association;
- 2.5.3 where an Executive member learns of an opportunity for profit which might be valuable to him or her personally or to another society or corporation of which he or she is a member;
- 2.5.4 in the situation of a secondment of an Executive member to the Department of Education or other department in the Government of Yukon, where the Executive member learns of an opportunity for an advancement which might be valuable to him or her personally or to the Government of Yukon to which he or she is seconded, which is not in the best interests of the Association.

If a conflict of interest situation is thought to exist, the Executive member must declare that conflict of interest and must refrain from voting, at an Executive meeting, on any motion, which would put him or her in a conflict. The member may, however, vote at a general members' meeting in his or her own interests.

If the Executive member does not declare a possible conflict of interest and votes or takes action at an Executive meeting; and a conflict is subsequently found to exist, the Executive member shall be liable to the Association and subject to such actions as are deemed appropriate.

## **2.6 INDEMNIFICATION**

The Association shall indemnify and save harmless each and every member of the Executive of the Association and each and every individual serving on behalf of the Executive from any claim or judgment against the Association or any named member of the Executive or individuals serving on behalf of the Executive of the Association whatsoever and in any way related to activities, decisions or other matters carried out while that member was acting in good faith as part of that member's duties as a member of the Executive or as an individual serving on behalf of the Executive.

## **2.7 CENTRAL COUNCIL**

2.7.1 Central Council composition shall be as follows:

All members of the Executive Committee and representatives from each school or work site on the basis of the following formula:

YTA MEMBERS	YTA REPRESENTATIVES
1 – 22	1
23 – 37	2
38 – 52	3
53 – 67	4
68 – 82	5
83+	6

2.7.2 The members of each designated school shall elect representatives subject to 2.7.1 above. Names shall be submitted to the Executive by September 15<sup>th</sup>.

a. All active members not assigned to a school staff shall elect representatives subject to 2.7.1 above and submit the names of same to the Executive by September 15<sup>th</sup>.

2.7.3 The President shall call a special meeting of the Central Council upon demand, in writing, of at least 40% of the area or school representatives.

2.7.4 The Central Council may, both at its own discretion, or at the request of the Executive, consider any question affecting the Association, and direct the Executive accordingly.

2.7.5 Central Council representatives shall act as a liaison between members in their respective schools or areas and the Central Council.

2.7.6 The Central Council Representatives shall be reimbursed for all expenses necessarily and reasonably incurred for attendance at Central Council meetings or while otherwise engaged in attending to the affairs of the Association.

2.7.7 Council representatives may be replaced by an alternate representative either appointed or elected by the respective area membership. The alternate representative will have full voting privileges.

## **2.8 OFFICERS AND DUTIES**

### **2.8.1 President**

The President shall:

- a. exercise general supervision over the affairs of the Association;
- b. ensure that there is a chair to preside over Annual General, Central Council, Executive, and Special General Meetings;
- c. be ex-officio member of all committees except the ethics and nominations committees, be an ex-officio member of all sub Associations;
- d. suggest agenda items for meetings;
- e. act as a check to see that YTA policy is adhered to;
- f. establish office procedures for filing materials;
- g. be the legal custodian of the property of the Association;
- h. conduct the official correspondence of the Association;
- i. receive mail and redirect it to the appropriate personnel and/or answer mail as directed by the Executive;
- j. present to the Annual General Meeting a comprehensive report of the activities of the Association during the past year;
- k. act as official spokesperson of the Association;
- l. have charge of all archives of the Association, and shall have prepared and preserved a record of all meetings, general or otherwise of the Association and its Executive.

### **2.8.2 Vice-President**

The Vice-President shall:

- a. perform all the duties of the President in the President's absence or incapacity;
- b. assist the President in the execution of his/her duties wherever possible;

- c. shall serve on Finance and Public Relations Committees.

### **2.8.3 Treasurer**

The Treasurer shall:

- a. present annually to the Annual General Meeting, for its approval, a budget of anticipated revenues and expenditures for the forthcoming year and no expenditures in excess of the total budget expenditures for each fund, so approved, shall be made. Reallocation of funds from one line item to another within the same fund may be done with Executive or Central Council approval;
- b. have the books reviewed annually by a professional accountant;
- c. submit to the Annual General Meeting, a report of the accounts and financial condition of the Association and of all monies received and expended in the time elapsing from the last Annual General Meeting;
- d. submit to regular Executive Meeting, on at least a monthly basis, a report of the accounts and financial condition of the Association, and of all monies received and expended since the last report at a regular Executive meetings;
- e. submit to each Central Council meeting a statement of the fiscal condition of the Association;
- f. be chairperson of the Finance Committee.

### **2.8.4 Past President**

The Past President shall:

- a. advise the President and Executive on matters that come before the Association;
- b. be a member of the Finance Committee;
- c. chair the Professional Relations committee as needed.

## **2.9 COMMITTEES and SUB ASSOCIATIONS**

### **2.9.1 Standing Committees and Executive Committees**

The Chairperson of the following committees shall be elected at AGM: Membership, Employment Relations, Constitution Policy, Professional Development, Public Relations & Finance (Treasurer).

The immediate Past President or if he/she is not available, any Past President, or member appointed by the Executive shall be the chairperson of the Professional Relations Committee.

### **2.9.2 Appointed Committees**

The chairperson of the Negotiations Committee shall be appointed by the Executive Committee. He/she will attend Executive Committee Meetings

commencing October 1<sup>st</sup> in the year of negotiations until conclusion of the negotiations process.

The chairperson of other committees shall be appointed by the Executive as it sees fit.

### **2.9.3 Committee Members**

All committee members shall be chosen by the chairperson of the committee subject to approval by the Executive.

All Standing Committees with the exception of the Negotiations Committee shall be dissolved on June 30<sup>th</sup> or upon the resignation of the committee chairperson.

### **2.9.4 Sub-Associations**

- a. The Executive may at any time approve the formation of a sub-association provided the objectives for the sub-association and any other subsequent amendments thereof are approved by the Executive.
- b. All voting members of a sub-association must be active members.
- c. All Executive members of a sub-association must be active members.

## **2.10 ELECTIONS AND VOTING**

2.10.1 Only members holding active membership who are not in arrears in payment of dues are eligible to vote at meetings of the Association.

2.10.2 Proxy voting will be accepted at both Annual and Special General Meetings but not at Council Meetings for all types of voting; and shall be governed by the following rules:

- a. A member may hold no more than four proxy voting cards, except in the case of Old Crow where one member may hold enough voting cards to allow all active members in Old Crow to have their votes recognized;
- b. Proxy forms shall be filled in, and signed, by the member granting the proxy. No member shall sign more than one proxy form.

2.10.3 Voting at elections shall be by secret ballot.

2.10.4 Voting on matters in which the Executive or Central Council desires the opinion of all members, other than at the AGM, may be conducted by mail, telephone or others deemed suitable to the membership.

2.10.5 Voting on Collective Agreements shall be by secret ballot.

2.10.6 Defeated nominees for Executive positions may run for any subsequent Executive position upon giving notice to the nominations committee.

### **2.10.7 Election for President:**

- a. Nomination deadline for the election of President shall be March 1 in each calendar year.
- b. The YTA nominations committee shall cause the names and information regarding each candidate to be circulated no later than April 1 of each calendar year.
- c. The YTA nominations committee shall provide a candidates meeting to be held no later than 3 days prior to the election for president. Such a meeting will allow all interested members to hear speeches and provide reasonable question and answer time for members.
- d. Election for President shall be held by secret ballot. Such ballot shall show the printed names of the candidate.
- e. Voting for the position shall occur on the Friday one week prior to the AGM. Returning officers may allow for an advance ballot if necessary. Returning officers shall cause the sealed ballot boxes to be returned to the YTA nominations committee no later than 9:30 am the day of AGM.
- f. The nominations committee and scrutineers shall count ballots in such a manner that would not allow for individual ballots or groups to be identified. Count shall begin after 9:30 the day of AGM. Results of the election shall be announced no later than 12:00 noon at AGM.
- g. The person elected as president shall be the person who has obtained the greatest number of votes cast.

### **2.10.8 By-Elections:**

- a. The Executive has the authority to determine and declare that any elected position provided for in this constitution is vacant subject to the following conditions:
  - i. As provided for in Bylaw 2.1.5 (Limitations)
  - ii. Upon submission of written notice of resignation from the position accepted by the Executive.
  - iii. When an individual abandons the office, as evidenced by failure to attend four consecutive meetings without reasonable excuse; such action only to be taken after reasonable notice to the individual and opportunity to reply.
  - iv. On an extraordinary basis, by vote of at least 75% of all members of the Executive, on the basis that the individual has engaged in gross misconduct of a kind that is wholly incompatible with continuing to hold office in the Association, only after notice to the individual of the particulars of the misconduct and an opportunity to reply, and subject to the right of the individual to appeal to the next meeting of the Central Council.
- .b In the event that a position is declared vacant by the Executive pursuant to 2.10.8.a, the following shall apply:

- i. If the vacancy is declared subsequent to the Annual General Meeting in a school year, the position may be left vacant for the remainder of the school year unless the Executive determines that the interests of the Association require that a by-election be held.
- ii. If the vacancy occurs between July 1<sup>st</sup> and March 1<sup>st</sup>, a by-election shall be called to fill the position, as determined by the Executive. In any vacancy occurring after March 1<sup>st</sup>, the Executive may fill the position by appointment in the interests of the Association.
- iii. When conducting a by-election to fill a vacant position, the Executive shall adhere to the following process:
  - The President or Designate provides notice to all members by posting in schools and work places of the vacancy and a deadline for nominations, which shall be one week from the posting of the notice.
  - If, by the deadline, no nominations for the position are received, the Executive shall, by motion, appoint an active member to the position for the balance of the term/existing school year.
  - If by the deadline, one nomination is received, the Executive shall declare the nominee elected to the position for the balance of the term/existing school year.
  - If by the deadline more than one nomination is received, the Executive shall conduct a by-election for the position by vote of the membership at schools and workplaces. The Executive may, by resolution, establish the procedures for the conduct of the vote, but all members shall receive reasonable notice of the date of vote and information about the candidates, and the voting shall be by secret ballot.
  - A Candidate for by-election must receive fifty per cent plus one of the valid votes to be elected. In the event that there are three or more candidates nominated and one candidate does not receive a majority of the votes cast, the winner will be chosen in a run-off election, conducted according to this bylaw, between the two candidates having received the most votes.
  - The person elected shall serve for the balance of the term/existing school year.
- iv. Notwithstanding section 2.10.8.1, if the position of President is declared vacant at any time in the term of a President, the current Vice-President shall assume the Presidency immediately and a by-election shall be held for the position of Vice-President as per section 2.10.8 By-Elections.

#### **2.10.9 Tie Vote**

The chief electoral officer shall prepare their ballot and put it in a sealed envelope marked “chief Electoral Office’s vote”. This vote will not be cast unless the count of votes results in a tie vote. At this time, before any of the

results have been announced publicly, the Chief Electoral Officer's vote will be case to break the tie.

## **2.11 LIMITATION OF POWER**

### **2.11.1 Amendments**

- a. The Constitution and Bylaws may be amended only at an Annual General Meeting, or a Special General Meeting called for that purpose. A resolution must be passed by the vote of not less than 75% of members voting and of which not less than 21 days notice has been given.
- b. Amendments to the Constitution and Bylaws may be made effective as of a time specified in the special resolution, and if no date is specified, become effective July 1<sup>st</sup> next following the Annual General meeting at which they are passed.

### **2.11.2 Borrowing Power**

The borrowing powers of the Association shall be determined by the decision of the Executive endorsed by an extraordinary resolution of the membership.

### **2.11.3 Recall of Officer(s)**

Any elected Executive officer may be subject to recall if twenty percent of the membership petitions the Executive. Such recall elections shall be held not more than thirty days after presentation of petition. Recall shall be by two-thirds vote. The recalled officer shall not be prohibited from standing for election to fill the office from which he/she has been recalled.

### **2.11.4 Referral of Policy**

Any policy matter passed by the Executive or Central Council shall be referred to the membership for approval upon petition of twenty percent of the membership. All action on the referred policy shall cease pending the outcome of the referendum.

## **2.12 DISCIPLINE**

In accordance with the requirements of the Teaching Profession Act the Association shall by resolution of an Annual General Meeting adopt a Code of Ethics, which shall be binding on all members. The Code of Ethics shall be administered by the Ethics Committee which shall be composed of 12 active members elected by the Annual General Meeting and shall be guided by procedures adopted by an Annual General Meeting.

## **2.13 RATIFICATION OF COLLECTIVE AGREEMENT**

All members of the Bargaining Unit are eligible to vote on ratification of the collective agreement. A collective agreement must be approved by a majority of the ballots cast before the Yukon Teachers' Association enters into it.

## **2.14 SEAL**

The Association shall not use a seal in the conduct of its official business.

# **END OF SECTION 1, CONSTITUTION AND BYLAWS**

# SECTION 2

## CODE OF ETHICS

The Code of Ethics shall be published in the YTA Handbook.

The Code of Ethics shall be binding on every member of the Association.

The Code of Ethics may be amended by Extraordinary Resolution as per Bylaw section 2.3.5.

### **3. CODE OF ETHICS**

#### **3.1 MEMBERS - STUDENTS.**

- 3.1.1** Members shall deal justly, considerately, and appropriately with each student.
- 3.1.2** Members regard as confidential, and do not divulge, other than to appropriate persons, any information of a personal or domestic nature concerning either students or their homes.
- 3.1.3** Members do not encourage complaints and criticisms from students about other members.
- 3.1.4** A member recognizes that a privileged relationship exists between the member and his/her students and shall never exploit this relationship.

#### **3.2 MEMBERS - COLLEAGUES**

- 3.2.1** A member does not criticize the professional competence or professional reputation of a colleague, except to proper officials and then only in confidence and after the colleague has been informed of the criticism.
- 3.2.2** When unfavorable criticism of the professional activity of a member is necessary, it is made in confidence to the proper officials and only after the member concerned has been informed, except in the case of suspected child abuse where the official protocol shall be followed.
- 3.2.3** Members responsible for internal administration inform member colleagues immediately of the nature and source of any criticism regarding the professional or personal conduct of the member.

#### **3.3 MEMBERS - EMPLOYMENT**

- 3.3.1** Members do not apply for a specific Member's position that is not yet vacant.
- 3.3.2** Members do not make representation for existing positions which are not posted.
- 3.3.3** The member neither applies for nor accepts a position which is included in an Association in-dispute declaration.

#### **3.4 MEMBERS - ASSOCIATION**

- 3.4.1** Members adhere to collective agreements negotiated by the professional organization.
- 3.4.2** A member, or group of members, does not make unauthorized representation to outside bodies on behalf of the Association or its local branches.
- 3.4.3** A member does not refuse to follow Association directions under a legitimate job action.
- 3.4.4** Members do not act in a manner harmful or prejudicial to the interests of the Association.

#### **3.5 MEMBERS - GENERAL PUBLIC**

- 3.5.1** Members do not engage in activities outside of their regular contract that adversely affect professional duties.
- 3.5.2** Members at all times conduct themselves in order that no dishonor may befall the profession.

# SECTION 3

## POLICIES

Policies are the belief statements of the YTA. They may be generated by any level of governance. They may be changed at the level generated or any higher level of governance.

## ACTION MOTIONS

- |  |                           |
|--|---------------------------|
| 1. THAT the YTA Executive prepare an outline of the action plan to provide support to school staffs involved in abuse allegations, and place this outline in the YTA Reps handbooks. (AGM 1999-2008)       | ABUSE<br>ALLEGATIONS      |
| 2. THAT the Constitution and Policy Committee formalize the voting procedures to be used in elections and that these be included in the YTA handbook once reviewed by Central Council. (AGM-2008)          | ELECTION<br>PROCEDURES    |
| 3. YTA seeks that the Government of Yukon supply adequate housing in rural communities to allow single staff to have the option of having affordable individual accommodation. (AGM 1995-2010)             | HOUSING                   |
| 4. The YTA seeks that the Government of Yukon supply affordable staff housing in rural communities. (AGM 1995-2010)  |                           |
| 5. THAT the Executive pursues the inclusion of picket line protection clause with the Employer. (AGM 1982-2008)  | JOB ACTION<br>PROTECTION  |
| 6. THAT the Negotiations Committee consider the problems facing teachers in one or two room schools when preparing the negotiations package. (AGM 2003-2005)   | NEGOTIATIONS<br>COMMITTEE |
| 7. THAT the YTA request that the Department of Education be proactive in recruiting into an active roster, a number of teachers who will serve as teachers on-call with continuing status. (AGM 2002-2008) | TEACHER ON CALL           |

## ASSOCIATION POLICIES

**The policies of the Yukon Teachers' Association are statements of the goals and beliefs to which its members jointly subscribe**

**The Yukon Teachers' Association believes that:**

- |  |                             |
|--|-----------------------------|
| 1. All positions that become available in the schools or at the Department level should be advertised to all members. (AGM 1995-2008)  | ADVERTISING<br>OF POSITIONS |
| 2. Every Canadian child should have the right of access to supervised quality child care and early childhood education. That quality childcare programs should be available for all elementary school children before school begins in the morning, during the lunch hour and after school with the understanding that this will not be the responsibility of the teaching staff. (AGM 2001) | CHILD CARE<br>PROGRAMS      |
| 3. YTA supports the involvement of community members in the delivery of curriculum during the regular school day under the supervision of and with the invitation of the teacher and administration under the following conditions: <ul style="list-style-type: none"><li>• the involvement does not infringe in any way upon the responsibilities</li></ul>                                 | COMMUNITY<br>MEMBERS        |

- that would normally be performed by an existing or potential YTA member;
  - the community member does not assume any instructional responsibilities in the absence of a YTA member;
  - the community member does not provide any form of direct or independent remedial instruction, except under the direction of a teacher.
4. The Executive shall follow the YTA discipline procedure outlined in the Constitution of the Association and in the Teaching Profession Act before publicly alleging unethical conduct by a member or members. (AGM, 1999-2005) DISCIPLINE COMMITTEE
  5. Any member serving on the Membership Committee shall be eligible for Educational Leave for that year, but shall not be present at the decisive meeting. (Council 1986, AGM 1991-2008) EDUCATION LEAVE
  6. All persons running for an Executive position shall give a speech to the membership at AGM, even if they are being acclaimed to the position. (AGM, 1993-2003) EXECUTIVE ELECTIONS
  7. The candidates running for election may request, if they so wish, that a representative attend the ballot count after the election. (AGM 2001)
  8. School boards and the Ministry of Education should develop equal employment opportunity policy that will ensure that hiring and promotional practices reflect the multicultural composition of society. (Council 1979, AGM 1990-2008) EMPLOYMENT EQUALITY
  9. The YTA encourages First Nations students to enter the field of education. (AGM 1974-2001) FIRST NATIONS TEACHERS
  10. The information discussed at Executive meetings be made available to the membership except matters related to professional relations and discipline. (Council, 1982-2008) FLOW OF INFORMATION
  11. Any motion to be voted or polled by the YTA membership shall be available in print form to the membership one week prior to the voting date unless otherwise approved by Central Council. (Council 1982-2008)
  12. Committee Reports shall be sent to schools one week in advance of Central Council and AGM meetings. (Council 1985-1993, AGM 1999-2004)
  13. THAT the Constitution Policy Committee be empowered to make changes in our handbook that require fixing errors, grammar, typing, language (gender, teacher/member, etc) and numbering of sections provided such changes do not change the intent of the information contained in the handbook. (AGM 2009) HANDBOOK EDITING
  14. THAT in relation to the inclusion of exceptional students, the following shall be policy: INCLUSION  
 Definitions: "exceptional", "receiving teachers", "target class" and "inclusion"
    - a) That children with exceptional physical, intellectual or emotional needs benefit from learning in the most enabling environment, characterized by flexibility, responsiveness and support.
    - b) While regular classroom placement may best serve many exceptional children's needs, it is recognized that self contained classrooms and other environments may be the most

- appropriate short and long term placement option for some children, and that the most enabling environment may include any one or a combination of these settings or an alternative non school placement.
- c) That determination of the most enabling environment be made prior to the placement of the student with exceptional needs and that all placement decisions be made by consultation among receiving teachers(s), the principal, the professional support personnel, the parent(s) or guardian(s), and the student (where applicable).
  - d) That the following factors be given primary importance prior to determining the placement of a student:
    - i. the types/variety of settings available;
    - ii. the needs and rights of all students to an appropriate education;
    - iii. the goals and objectives of the student's individual education plan;
    - iv. the availability of both direct and indirect support personnel to the students;
    - v. the availability of both direct and indirect support personnel to the teachers;
    - vi. the workload/caseload of the paraprofessional services;
    - vii. class size;
    - viii. grade configuration of the target class;
    - ix. the number/types of special needs currently accommodated within existing settings;
    - x. the adequate preparation time for the receiving teacher(s) to develop programs, curricula and materials;
    - xi. the adequate release time for the receiving teacher(s) to attend meetings in order to share information, to develop strategies and evaluate progress;
    - xii. the provision of adequate professional development for teacher(s) and paraprofessionals;
    - xiii. the provision of specialized equipment;
    - xiv. the appropriate modifications to physical structures;
    - xv. the provision of program support materials
  - e) On-going specially-designated and substantial funding should support the inclusion of exceptional children.
  - f) Assessment and decisions regarding the placement of individual children should be subject to continuous review and flexible alternatives.
  - g) Regular classroom placement, if such is deemed the most enabling for an exceptional child, should continue only under the following conditions:
    - i. the education of mainstream students is not adversely affected
    - ii. the child's unique needs as identified in the IEP are best met in that environment
    - iii. ongoing in-service is provided to classroom teachers and

- in-school administration
- iv. information is provided on an ongoing basis to the teacher, staff, students, and parents of students in the class
- v. professional support services are provided
- vi. appropriate materials and equipment are provided
- vii. appropriately trained Education Assistants are provided
- viii. the amount of regularly assigned instructional time is reduced in accordance with teacher and student needs
- viii. class size is appropriate to the needs of all students (limited to a maximum of 20 weighted students)

- h) The Yukon government should provide the necessary funds to meet the costs of:
  - i. ongoing in-services for receiving teachers, Special Ed. support staff and in-school administrators
  - ii. appropriately trained EA's
  - iii. trained transportation and support personnel
  - iv. assessment and program implementation services
  - v. specialized equipment and materials
  - vi. barrier free buildings
  - vii. medical and other health related services
  - viii. lowering class size and pupil teacher ratio to allow for integration
  - ix. maintenance of programs for special needs students without jeopardy to the educational programs of other students
- i) That teachers should not be compelled to take into their classrooms particularly hard to serve emotionally behaviorally disordered students whose behavior consistently disrupts, interferes or hinders the learning of other children in the class and/or poses a physical threat to other students or staff. (AGM 1999-2004)

15. While it may be desirable or necessary to address the needs of individuals or groups within the Association, negotiated settlements will reflect a considered balance of the needs of individuals and those of the collective. (AGM 2003)

NEGOTIATIONS

16. Prior to the commencement of each round of negotiations, the rates paid to other government employees in Old Crow be considered when planning the YTA's proposal for Old Crow allowance. (AGM 2003)

17. The Tentative Agreement proposed by the negotiations committee shall be considered by the Executive before being presented to the membership. When the tentative agreement is presented, the Executive should clearly state whether it recommends acceptance or rejection of the agreement. (AGM 1999- 2004)

18. Paraprofessionals shall not:
 

- a) infringe in any way upon the responsibilities of a teacher;
- b) assume any instructional responsibilities in the absence of a teacher;

PARAPROFESSIONAL

- c) provide any form of direct or independent remedial instruction, except under the direction of a teacher. (Council 1979, AGM 1990-2005)
19. Paraprofessionals shall not be used as alternatives for:  
 a) lowering the pupil/teacher ratio;  
 b) qualified professional personnel, including librarians, counsellors and teacher substitutes; (Council 1979, AGM 1990-2005)
20. When discussions are held or decisions are made relating to a pupil's education, the teacher(s) of that pupil must be directly involved. (AGM 1990-2005)
21. Appropriate pre-service and in-service training programs for paraprofessionals and the teachers with whom they work be a matter of negotiation between the Association and the Department of Education. (Council 1979, AGM 1990-2005)
22. Teachers on leave, but returning within the current school year will be eligible for PD benefits. (Executive 1985, AGM 1991-2008) P.D. BENEFITS ELIGIBILITY FOR
23. YTA believes that all educators should receive adequate preparation time. (AGM 1999-2004) PREPARATION TIME
24. WHEREAS the involvement of children with pornography is an important current issue: PORNOGRAPHY  
 WHEREAS pornography can be regarded as an affront to the dignity of all children, women, and men; be it resolved  
 a) That the YTA condemn the manufacture, distribution, sale, and public display of all pornographic materials.  
 b) That for policy purpose the definition of pornography be materials that exploit those it portrays by depicting them as sexual objects or as victims of sexual abuse, humiliation, domination, or murder for sexual stimulation of the consumer.  
 c) That the YTA urge Federal and Territorial governments to enforce and/or develop laws that prohibit the manufacture, distribution, sale and public display of all pornographic materials and develop social marketing campaigns to inform parents of the harmful effects of pornography on children.(AGM 1984-2008)
25. YTA does not support the public sector being singled out as the means to solve government financial problems, either real or perceived. (AGM 1996-2008) PUBLIC SECTOR INFLATION
26. The YTA have as its policy on Second Languages and Minority Language rights the following: SECOND LANGUAGE RIGHTS  
 a) Opportunity should exist for all English-speaking Canadians to learn French as a second language, and for all French-speaking Canadians to learn English as a second language, through the use of those means of instruction which prove to be the most effective.  
 b) Those whose mother tongue is neither English nor French

- should have the right to affiliate with either an English-speaking community or a French-speaking community according to their choice and to have their children educated in the language so chosen.
- c) Any resident of Canada belonging to the francophone minority has the right where numbers warrant to demand that the child under his/her guardianship be educated in French in a homogeneous French language school.
  - d) Any resident of Canada belonging to the anglophone minority has the right where numbers warrant to demand that the child under his/her guardianship be educated in English in a homogeneous English-language school. (Council 1996, AGM 2002-2008)
27. YTA is prepared to give moral support to non-teaching Government employees on strike. (AGM 1983-2005) STRIKE OF  
NON-MEMBER  
PERSONNEL
28. YTA members will not undertake any duties performed by non-YTA personnel during strike action at educational sites nor will they expect students to perform these duties. (AGM 2001-2008)
29. YTA recognizes the right of other employees to take legal strike action. (AGM 2001-2008)
30. YTA members will respect duly constituted picket lines at their work sites. (AGM 2001-2008)
31. The cost of Teacher Education should be assumed by the Department of Education. (AGM 1992-2003) TEACHER  
RETRAINING
32. YTA believes that educators should be encouraged to take courses in areas of concern to first nations. (AGM 1999-2004)
33. Teacher education programs should be introduced only with full approval of the YTA. (AGM 2002-2008)
34. In order to attract and retain an adequate supply of qualified teachers, improvements must be made in teacher compensation, working conditions and professional autonomy. (AGM 1992-2008) TEACHER SUPPLY  
AND DEMAND
35. There should be no lowering of teacher education and certification standards to alleviate teacher shortages. (AGM 1999- 2004)
36. YTA endorses the idea of teacher exchange but the Department of Education should set the criteria in consultation with the YTA. (AGM 1991-2005) TEACHER  
EXCHANGE
37. Temporary teachers already on a staff should generally be retained in their position if that position is still available on a temporary basis, unless they receive an unsatisfactory report. (AGM 1999-2004) TEMPORARY  
EMPLOYEES
38. That the regular election of YTA Staff Representatives be held at the first staff meeting of the school year, and the YTA office to be informed as early as possible. Incumbent representatives shall remain in their positions until new representatives are elected in the following year. (AGM 1991-2004) YTA REP

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|-----|--|---------------------|
| 39. | The YTA should provide specific training opportunities annually for YTA representatives.(Council 2002, AGM 2002-2008)                              | YTA REP<br>TRAINING |
| 40. | The YTA will support identified training needs each year for any standing, appointed or elected committee as approved by the Executive. (AGM 2004) |                     |

**FINANCIAL POLICIES**

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|-----|---|---------------------------|
| 1.  | YTA funds shall not be used for the purchase of alcohol at or for any YTA function. (Council 2006)  | ALCOHOL                   |
| 2.  | A maximum of \$1,000 each fiscal year may be used by the Executive for donations. Consideration of requests to be given on the basis of need, group reputability and that the donation would directly benefit teachers and/or students. Consideration to territory-wide events will be given priority over individual school requests. (Council 1997-2002)                      | DONATIONS                 |
| 3.  | Monies not spent in the capital budget be allocated within the Contingency fund for future capital expenditures. (AGM 2006)   | EXPENDITURES<br>Capital   |
| 4.  | Discretionary expenditures will be brought before the Executive for approval prior to the expenditure (AGM 2003)  | Discretionary             |
| 5.  | As a general rule, YTA Executive and YTA members, traveling on Association business, and subject to the appropriate committee approval, should use the most efficient mode of transportation. (AGM 2006)  | Business                  |
| 6.  | All reasonable costs incurred with appeals and grievances be paid at YTA rates. (AGM 1999-2004)   | Grievance                 |
| 7.  | If a YTA Executive or committee meeting extends over a meal break, each YTA member and invited guest/s either have a meal at the expense of the YTA or, if no meal has been arranged, the prescribed rate for lunch or dinner be allowed as an expense. (AGM 2006)  | Meals                     |
| 8.  | Members of the Negotiations Table Team shall receive \$100 to offset expenses. (AGM 1999- 2004)   | Negotiations              |
| 9.  | Non-accountable expenses for Executive members shall be paid annually. (AGM 1999-2004)  | Non-Accountable           |
| 10. | Members who are traveling to Whitehorse for Executive or committee meetings on a non-school day and are traveling more that 35 km. one way from the downtown core will be eligible to claim travel expense at the prescribed rate. (AGM 2006)   | Travel                    |
| 11. | YTA pays for travel from small communities for each member who needs to travel individually to attend YTA sponsored events. (AGM 2010)  |                           |
| 12. | The Annual Financial Statement include the actual expenditures in each category for the fiscal year approved at the last AGM. (AGM 2003)  | FINANCIAL<br>Expenditures |
| 13. | All committees or groups who have motions dealing with budgeting requirements Proposal should submit their proposals to the Finance Committee 30 days prior to February Central Council meeting. If an unexpected proposal comes up after the February Central Council meeting, the proposals should be submitted to the Finance Committee 60 days prior to the AGM. (AGM 2003) |                           |
| 14. | In contract negotiations with YTA staff, advances in salary will not be considered (Executive 2003)   | OFFICE STAFF              |

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|-----|---|-----------------------------------|
| 15. | The President of the Yukon Teachers' Association receive as salary, the equivalent of category 6 maximum of the collective agreement on the teacher pay grid, plus the equivalent of the maximum administrator's allowances allowed under the collective agreement.(AGM 2007)   | PRESIDENT<br>SALARY               |
| 16. | YTA will pay moving expenses for a PD chair to move from a rural community to Whitehorse with the same compensation paid for the President (#16) unless they are being reimbursed by the Department.  | RELOCATION<br>PD                  |
| 17. | When the election of the YTA President requires that person to be relocated to Whitehorse:<br>a) The relocation expense, to be paid directly to the member, shall be:<br>\$4,000 if the relocation exceeds 250 km.<br>\$3,000 if the relocation equals or is less than 250 km.<br>b) This relocation allowance may be claimed to return to a rural Yukon community if necessary. (AGM 2003) | President                         |
| 18. | THAT the finance committee shall, each year, demonstrate that a portion of monies has been transferred to the contingency fund for the purpose of funding the severance pay of the office staff.<br>(AGM 2003)  | SEVERANCE PAY<br><br>Office Staff |
| 19. | Those involved with official YTA entertainment shall keep costs as reasonable as possible. (Council 1986, AGM-2001)   | SOCIAL FUNCTIONS                  |
| 20. | Notwithstanding finance policy motion #20 the YTA president has the discretion to grant additional travel time to members attending any YTA meeting when in the opinion of the President such a request is warranted. (AGM 2008)  | TRAVEL TIME<br>Additional         |
| 21. | Watson Lake, Dawson City, Ross River, Beaver Creek, Faro and Mayo shall be allotted one half day travel time for the number of teachers needed to carry the total number of proxies for their staffs to be fully represented at AGM and SGM. (AGM 1994-2008)  | TRAVEL TIME<br>AGM/SGM            |

**GOOD PRACTICE POLICIES**

1. Members regard as their first duty the effective education of their students and maintain professional competence in their teaching. (AGM 2001)
2. Members should be as objective as possible in dealing with controversial matters arising out of the curriculum subjects, whether scientific or political, religious or racial. (AGM 2001)
3. Members seek the advice of the Association or school representative concerning any problem relationship with colleagues that cannot be resolved by personal discussions. (AGM 2001)
4. Members do not bypass immediate authority to reach higher authority without first exhausting the proper channels of communication. (AGM 2001)
5. Members notify any other teacher whose students they propose to tutor on a regular basis. (AGM 2001)
6. Members who propose to tutor a student in a course for the purpose of challenging an exam shall notify the administrator of the school in which the student is enrolled. (AGM 2001)
7. Members should observe a reasonable loyalty to the internal administration of the school. (AGM 2001)

8. Teachers responsible for internal administration respect staff members as individuals and provide opportunities for them to express opinions and bring forth suggestions regarding the administration of the school. (AGM 2001)
9. Teachers responsible for internal administration should be loyal, fair, and just to the members of the staff. (AGM 2001)
10. Teachers responsible for internal administration should not, of their own initiative, make any detrimental report, oral or written, on a member's competency without first discussing the matter with the member. (AGM 2001)
11. Members adhere to their contract until it has been legally terminated. (AGM 2001)
12. Members notify all potential employers to whom they have applied upon, acceptance of a specific position. (AGM 2001)
13. Members notify their employer within forty-eight hours of accepting another position. (AGM 2001)
14. Members lend their support to their professional organization. If views are at variance, they seek changes from within, avoiding negative, divisive criticism. (AGM 2001)
15. Members have the right to examine the conduct of the Association and to make such criticism within the Association, as the facts appear to warrant. (AGM 2001)
16. Members recognize, as a professional responsibility, service to the Association at the local and professional levels. (AGM 2001)
17. Teachers honor commitments made on their behalf by the Association when the representation has been requested. (AGM 2001)
18. Members do not engage in activities outside of their regular contract that adversely affect professional duties. (AGM 2001)
19. Teachers work constantly to improve education through study and reflection. (AGM 2001)
20. Members are willing to review with colleagues, students, and their parents/guardians the quality of service rendered by the teacher and the practices employed in discharging professional duties. (AGM 2001)

### **LEARNING and WORKING CONDITIONS POLICIES**

The policies of the Yukon Teachers' Association are statements of the goals and beliefs to which its members subscribe.

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|--|---|
| <ol style="list-style-type: none"> <li>1. The YTA support the existence of meaningful alternatives to the academic school program. (AGM 1997-2008)</li> </ol>  | <p><b>ACADEMIC<br/>SCHOOL PROGRAM</b></p> |
| <ol style="list-style-type: none"> <li>2. The YTA support educational programs that include instruction in Yukon First Nations Languages, customs and heritage. (Council 1980-1985, AGM 1990- 2008)</li> </ol>   |   |
| <ol style="list-style-type: none"> <li>3. The gender of a student shall not be a factor when enrollment for option classes is being considered. Equal opportunity will be given to all students if maximum class sizes in option subjects are likely to occur. (AGM 2003)</li> </ol> |   |
| <ol style="list-style-type: none"> <li>4. When a regular class is to include students with special needs, a weighting formula must be used in determining the class complement. (Council 1980-1985, AGM 1990- 2008)</li> </ol>   | <p><b>CLASS SIZE</b></p>                  |

5. Any kindergarten, Grade 1, 2, or 3 class shall not exceed 20 students. (AGM 2001-2008)
6. Any Grade 4, 5, 6, 7, 8 or 9 class shall not exceed 25 students. (AGM 2001-2008)
7. Any laboratory oriented science, vocational or industrial education class shall not exceed 16 students. (AGM 2001, 2008)
8. Any class from Grade 10-12 shall not have more than 27 students. (AGM 1996-2008)
9. Any class deemed as a special education class shall not have more than 14 students. A class designated as a resource room or its equivalent shall have no more than 8 students. (Council 2002, AGM 2008)
10. Any multi-grade class shall not exceed 18 students. (Council 1983-1985, AGM 1991-2008)
11. The YTA continue to support the use and development of First Nation cultural and educational materials. (AGM 2003) CURRICULUM
12. Educational staff of each school, which includes the principal teacher, has the right to participate in any policy decision that affects the learning and working conditions in the school. (Executive 1981, Council 1982-1996, AGM 1997- 2008) LOCAL DECISION MAKING
13. School teaching staff has the prerogative of having input into the selection of additional classroom assistance personnel or replacement professionals and auxiliary personnel and their assignments and duties. (AGM 2001-2008)
14. School staffs have the prerogative of participating in the selection of their school principals. (Executive 1981, Council 1982-1987, AGM 1991-2008)
15. School staffs have the right to determine and plan the content of non-instructional days. (Executive 1981, Council 1986, AGM 1991-2008)
16. YTA consider it essential that at least one administrator in each elementary school possess early childhood courses and experience. (Executive 1980, Council, 1986, AGM 1991-2008) ELEMENTARY SCHOOL ADMINISTRATORS
17. Evaluators be formally trained to do teacher evaluations and teachers be made aware of how they are to be evaluated. (Council 1988-1993, AGM 1999-2004) EVALUATION
18. Teachers of French as a second language should be evaluated by persons who are qualified to evaluate in French. (AGM 2003) French
19. Any evaluation of a teacher or administrator should take into consideration the unique educational circumstances of the community. (AGM 1996- 2008) Member
20. The health, safety and education of students are the primary HEALTH

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|-----|---|------------------|
|     | concern of members of YTA. (AGM 2001-2008)  | Students         |
| 21. | The health and safety of our members and the environment within which teaching takes place are primary concerns of the YTA. (AGM 2001- 2008)  | Members          |
| 22. | Members will report unsafe or unhealthy conditions to the Department of Education to the appropriate public health and safety body through the principal and the school's Safety Committee or Safety Representative. (AGM 2001-2008)  | SAFETY           |
| 23. | Should a school be closed for health or safety reasons, members not required for direct instructional duties should request a safe and healthy area in which to carry out their non-instructional teaching duties. (AGM 2001-2008)  |                  |
| 24. | The employer should be informed that YTA members are ready to honour their contractual commitments when it is safe and healthy to do so. (AGM 2001)   |                  |
| 25. | Preference should be given to hiring qualified local teachers to fill vacancies in Yukon schools. (AGM 2003)  | HIRING PRACTICES |
| 26. | Each teacher should receive an initial contract outlining: <ul style="list-style-type: none"> <li>a) position;</li> <li>b) the assigned school ;</li> <li>c) classification and salary;</li> <li>d) terms of employment. (AGM 1990- 2008)</li> </ul>  |                  |
| 27. | YTA supports a hiring policy that is fair to both native and non native applicants. (AGM 1999-2004)   |                  |
| 28. | Permanent housing for teachers in Yukon's rural communities is necessary. (AGM 1996-2008)   |                  |
| 29. | Housing rent differential must be maintained in rural communities to compensate for the higher cost of living. (Council 1974-1986, AGM 1991- 2008)  |                  |
| 30. | Sufficient housing must be maintained so that the government is not compromised in its hiring. (Council 1974-1986, AGM 1999-2008)   |                  |
| 31. | Members will be free to take employment within the various school areas during negotiation and conciliation procedures, except in an area which has been declared by the Yukon Teachers' Association to be "in dispute". An area may be declared to be "in dispute" if a conciliation award has been rejected and the Department of Education has refused to enter into further negotiations, or if it adopts practices that are detrimental to education through unfair action taken against members.<br>When "in dispute", a declaration should be made in writing to all the teaching Associations across the country and the local daily newspapers advising prospective employees to contact YTA before taking employment.<br>Members shall not apply for, or accept positions in an area which has been declared to be "in dispute" and, furthermore, all members | INDISPUTE        |

- who have made application shall request the return of their application forthwith. Members who knowingly accept positions shall be subject to disciplinary action. (AGM 2001-2008)
32. Teachers and administrators who have the responsibility for teaching children with special needs, should have appropriate pre-service and in-service education courses made available to them. (Council 1980-1985, AGM 1990- 2008) INSERVICING
  33. Should teacher lay-offs be required in one community, transfers should be made on the basis of seniority so that the final lay-off list would be on the basis of least seniority in the entire Yukon teaching staff. (AGM 2002-2008) LAYOFFS
  34. School libraries should be staffed adequately with Teacher-Librarians and Library Clerks. (AGM 1999-2004) LIBRARY  
STAFF
  35. Parent/Teacher interviews should be held on instructional days since the students are encouraged to accompany parents. (Executive 1981 Council 1982-1987, AGM 1991-2001) PARENT/TEACHER  
INTERVIEWS
  36. Any part-time member already employed by YTG applying for any indeterminate position shall be given priority over new applicants for a part-time or full time position. (AGM 2001-2008) PART-TIME  
TEACHERS
  37. All Yukon students should have the opportunity to learn a second language, but that allowance be made for the cultural background of students in each school when selecting a second language program. (AGM 1980-2008) SECOND  
LANGUAGE
  38. YTA encourages inclusion of Second Language specialists within the Yukon school system. The inclusion of these specialists should not have a negative impact on program delivery and/or pupil teacher ratio within the school. (AGM 2001-2008)
  39. Elementary schools need Specialists in such areas as Music, P.E. and Art. (AGM 2001-2008) SPECIALISTS
  40. School staffing formulas must be equitable, transparent and reflect the needs of students in individual schools. (AGM 2008) STAFFING FORMULA
  41. YTA supports the employment of staff including qualified counsellors and learning consultants to aid classroom teachers in diagnosing, assessing, remediating, and planning on-going programs for children with learning disabilities and/or behavior. (AGM 1990-2008) STAFFING
  42. Any teacher who has earned permanent status in the Yukon teaching profession and been awarded L.W.O.P., be offered the choice of vacant positions in the teacher's specialty area upon return from leave provided that no teacher with equivalent or better qualifications and more seniority requests a transfer to that position. (AGM 1986-2008)
  43. Public education in the Yukon Territory is established in accordance with the philosophy that every child in the Territory will have the STUDENT  
NEEDS

opportunity to develop to his/her fullest potential not only as an individual but also as a member of society. (Council 1980-1985, AGM 1990-2008)

44. As individuals, children will require intellectual self-realization as well as physical, mental, emotional and spiritual growth and as members of society they will need some training to make a living and be able to integrate with their cultural surroundings. (Council 1980-1985, AGM 1990-2008)
45. YTA make representations on behalf of substitutes regarding pay and benefits. (AGM 2008) SUBSTITUTE  
TEACHERS
46. Monitors be hired by the Department of Education to supervise school bus loading and school lunch periods. (AGM 2003) SUPPORT  
STAFF
47. YTA has the right to be directly and continuously involved with the Department of Education in all matters related to teacher education, certification and retraining. (AGM 2001-2008) TEACHER  
Education  
& retraining
48. YTA should be directly involved in decisions related to the retraining or reallocation of teachers as a result of imbalances in teacher supply and demands.(AGM 1992-2002)
49. The teacher has prime responsibility for: Responsibilities
  - a) evaluating the learning needs of students;
  - b) prescribing the learning needs of students;
  - c) implementing the learning activities.(Council 1979-1985, AGM 1991-2008)
50. The YTA endorses three of the basic rights of members in disciplinary matters and in termination of probationary contract accepted by the UNESCO special inter-governmental conference on the status of teachers: Rights
  - a) the right to be informed in writing of the allegations and the grounds for them;
  - b) the right to full access to the evidence in the case;
  - c) the right to be informed in writing of the of the decisions reached and the reasons for them. (Council1976, AGM 1991-2008)

## **STAFF**

### *Non-Elected Staff*

The people holding these positions shall not be active members of the Association but may be required to be present at any meeting in an Advisory role. (AGM 2009)

## **STANDARD OPERATING PROCEDURES**

1. THAT the old YTA files be released to the Yukon Archives with the exception of any confidential files. (AGM 2003) FILES
2. All motions made at Council and the AGM be submitted in writing. (Executive 1980, AGM 1990-2005) MOTIONS
3. THAT any news release or statement made by the YTA PRESS RELEASE

Executive on behalf of the membership be made available immediately to each school in Yukon. (AGM 2003)

- |    |   |                    |
|----|---|--------------------|
| 4. | THAT a representative of the YTA lay a wreath on November 11. Remembrance Day. (AGM 2003)         | REMEMBRANCE<br>DAY |
| 5. | THAT the YTA organize on a yearly basis, a social event to honor all retiring members. (AGM 2003) | RETIREMENT         |
| 6. | THAT YTA materials shall use inclusive language. (AGM 2003)                                       | YTA MATERIALS      |

## END OF POLICY SECTION

# SECTION 4

## REGULATIONS

The Regulations section expands the information given in the Constitution and Bylaws Section. These were adopted by a majority of members at AGM. For any conflict between the Regulations and Constitution and Bylaw, the Constitution shall take precedence.

## **4. ASSOCIATION DUTIES**

### **4.1 DUTIES OF MEMBERS**

Members shall:

- 4.1.1 Be aware of and adhere to the Code of Ethics.
- 4.1.2 Lend their support to their professional organization. If views are at variance, they seek changes from within, avoiding negative criticisms.
- 4.1.3 Do not make individual representation to a government or any of its departments or to any other body, concerning matters that should be dealt with by the Association.
- 4.1.4 Honor commitments made on their behalf when the Association represents them at their request.

### **4.2 DUTIES OF YTA REPRESENTATIVES**

YTA Representatives shall:

- 4.2.1 Act as a liaison between members in their respective schools or areas and the YTA Executive.
- 4.2.2 Attend Council Meetings called by the Executive.
- 4.2.3 Convene a meeting of the members whom they represent to hear views on the proposed agenda which shall be mailed or communicated at least one week before the Council Meeting is to be held.
- 4.2.4 Contact the members represented before and after each Council Meeting in an effort to improve dialogue.
- 4.2.5 Receive and distribute information from the YTA office.
- 4.2.6 Conduct polls and surveys of members as requested by the Executive.
- 4.2.7 Ensure that the school(s) has an adequate supply of YTA application forms.
- 4.2.8 Be available to assist members requiring counseling in YTA matters.
- 4.2.9 Be a member of the Professional Relations Committee when necessary.
- 4.2.10 Submit bills incurred for YTA business, e.g. stamps, paper, etc., monthly to the YTA office.
- 4.2.11 Record YTA business phone calls on the school telephone record sheet, pay the school for these calls, then submit a claim to the YTA office for reimbursement.

### **4.3 DUTIES OF COMMITTEE CHAIRPERSONS**

Each committee chairperson in conjunction with the appointed committee members shall carry out the responsibilities of their committee.

### **4.4 DUTIES OF THE EXECUTIVE**

- 4.4.1 The Executive shall, subject to the action of the Annual General Meeting, a Special General Meeting of the Association, or a meeting of the Central Council, exercise all powers of the Association, the direction and supervision of its business, and the conduct of the affairs of the Association.
- 4.4.2 The Executive shall attend to the business of the Association between Annual General Meetings or meetings of the Central Council.
- 4.4.3 The Executive has the power to retain a solicitor for the Association whenever necessary. (Section 5)
- 4.4.4 The Executive shall, from time to time, appoint such staff as is required to carry out the functions of the Association.
- 4.4.5 The Executive shall have the power to appoint, set the remuneration of, and dismiss a secretary.
- 4.4.6 The Executive shall determine the borrowing powers of the Association provided that such decisions are endorsed by an extraordinary resolution of the membership.
- 4.4.7 Should a vacancy occur in the Executive during a membership year, see section "2.10.8 By-Elections"
- 4.4.8 Should a vacancy occur in the area of Central Council representatives during the membership year, the Executive shall ensure there is a by-election to fill the position in accordance with Bylaw 2.10.8.
- 4.4.9 The Executive shall, upon request, determine the time and place at which the books and records of the Association may be inspected by members. However, records of ethics investigations shall not be open to the general membership.
- 4.4.10 The Executive may appoint committees to carry on the activities of the Association. The powers and duties of these committees shall be such as may be prescribed or approved by the Executive.
- 4.4.11 No committee shall take action involving other members of the Association except with the approval of the Executive.
- 4.4.12 The Executive may, at any time, approve the formation of a sub-Association provided the constitution and objectives of the sub-Association and any subsequent amendments thereof, are approved by the Executive.
- 4.4.13 Similarly, the Executive may give approval to the formation of such specialist groups as may from time to time request formation. The specialist groups so formed become responsible to the Executive.
- 4.4.14 A special Executive meeting may be called by any five Executive members.

## **4.5 LEGAL SERVICES**

### **General Information**

Legal advice in cases arising out of members' activities is available to YTA members in good standing, upon consultation and agreement of the Executive.

- 4.5.1 Only members in good standing shall be entitled to legal services.
- 4.5.2 Once a legal service is engaged, the member shall conduct all pertinent affairs through the YTA lawyer. The member must not take any action, written or verbal, without consent of the lawyer.
- 4.5.3 If a member is not willing to abide by the advice of the YTA lawyer and Executive, notice before action is taken would be given to the attorney. Legal services will be terminated.
- 4.5.4 In the event of termination, the YTA can no longer be held responsible for providing legal services.
- 4.5.5 Legal opinions must go to the Executive for decision.
- 4.5.6 Any costs above and beyond legal opinion are to be borne by the defendant initially.
- 4.5.7 If the defendant's action is upheld, the Executive shall, based upon available funds, determine how much of the costs are to be paid by YTA.
- 4.5.8 If the defendant's action is not upheld, no additional costs are to be paid by YTA.

## **4.6 MEMBERSHIP FEES**

- 4.6.1 Active members shall pay an annual fee according to the scale of fees in force, as determined by the AGM.
- 4.6.2 Associate members are assessed a fee of 10% of the fee paid by an active member at Category 5, Level 10.
- 4.6.3 Student membership fees are determined by the Executive.
- 4.6.4 Honorary members do not pay fees.
- 4.6.5 Life Members do not pay fees.
- 4.6.6 Retired members are eligible for Associate Membership.
- 4.6.7 Members on Education Leave under the Collective Agreement are assessed the current fee automatically.
- 4.6.8 Members on Maternity, Paternity, Adoption/Parental Leave are assessed the current fee as applied to funds received in Article 22 of the Collective Agreement.
- 4.6.9 Members on Leave Without Pay, wishing to retain YTA, membership are assessed

a fee of 10% of the maximum allowable fee. Fees are to be paid directly to the Association office.

#### **4.7 PRESCRIBED RATES**

Members of all committees of the YTA are paid according to the prescribed rates found in the Financial Policies and Procedures.

Expense rates apply to all YTA activities including Professional Development.

##### **4.7.1 Hotel**

Rural members attending approved YTA business or PD activities in Whitehorse will be reimbursed, by YTA, to a maximum of \$90.00 per night for hotel rooms (receipts required), OR \$20.00 for each applicable night of private accommodation.

Members attending approved YTA business or PD activities outside of Whitehorse will be reimbursed, by YTA the full reasonable cost of hotel rooms (receipts required) OR \$20.00 for each applicable night of private accommodation for those who would otherwise incur hotel costs.

##### **4.7.2 Travel Rates**

Travel will be paid at .37 cents per kilometer for all approved YTA business or approved PD activities.

Beaver Creek	\$ 338.92	Haines Junction	\$117.66
Carcross	51.80	Mayo	307.10
Carmacks	130.98	Pelly Crossing	212.38
Dawson City	401.08	Ross River	305.62
Destruction Bay	197.58	Teslin	133.94
Faro	264.92	Watson Lake	336.70

##### **4.7.3 Meals**

Meal allowance will be paid for approved YTA business and PD activities at the rate of Breakfast \$10.00, Lunch \$12.50 and Dinner \$20.00.

##### **4.7.4 Childcare**

Members attending YTA meetings, who must use childcare which would not normally be used in the course of that day, may claim a maximum of \$35.00 per day. Receipts must be provided.

#### **4.8 COMMITTEES**

##### **4.8.1 Committee categories**

There are four categories of committees: Standing, Executive, Appointed and Elected. All committees are responsible to the Executive, Central Council and the AGM.

The Standing Committees of the Yukon Teachers' Association are:

- Constitution Policy
- Employment Relations
- Membership

- Professional Development
- Public Relations

The Executive Committees consist of either Executive members or Executive members and Department of Education officials. The Executive Committees of the Yukon Teachers' Association are:

- E-1 (Department/YTA Issues Committee)
- Finance
- Joint Consultation
- Joint Management (PD)
- Professional Relations

Appointed Committees are formed by the membership at the AGM to fulfill identified objectives. The Executive appoints the Chairperson of Appointed Committees as it sees fit. The Appointed Committees of the Yukon Teachers' Association are:

- Conference
- Negotiations

Elected committees are formed by the membership at AGM to fulfill identified objectives. The Elected committees are:

- Ethics

#### **4.8.2 Committee Members**

All committee members, except for those specifically named through election or Constitution shall be approved by the Executive on the recommendation of the chairperson of the committee.

#### **4.8.3 Dissolution of Committees**

All committees shall be dissolved on June 30 or upon resignation of the committee chairperson.

Appointed Committees may be dissolved by the Executive when the committee is no longer active or fulfilling its purpose.

#### **4.8.4 Duties-Standing Committee**

##### **4.8.4.1 Constitution Policy**

The duties of this committee are:

- To prepare the current Handbook to include changes in constitution, policy and procedure passed at the AGM;
- To act as an advisory body in matters pertaining to constitution, policy, procedure and legislation;
- To review all the policies of the Association each year and bring forward to the appropriate body those policies which require revision or deletion. All other policies will be deemed to continue until such time as they are revised or deleted;

- d) To serve as a Steering Committee for the AGM;
- e) To provide a written report to Central Council and AGM.

#### **4.8.4.2 Employment Relations**

The duties of this committee are:

- a) To monitor working conditions that are now affecting, and are likely to affect, Yukon educators;
- b) To advise the staff on matters of employment relations;
- c) To monitor implementation of the Collective Agreement;
- d) To assist the staff in managing grievances when requested to do so;
- e) To facilitate training of YTA members in the collective bargaining process;
- f) To provide a written report to Central Council and AGM.

#### **4.8.4.3 Membership**

The duties of this committee are:

- a) To review criteria for Education Leave and with the approval of the Executive, recommend candidates to the Department of Education;
- b) To recommend candidates for Project Overseas to the Executive;
- c) To select the names of prospective candidates for YTA Life and Honorary Membership and recommend eligible candidates to the Executive, and Council;
- d) To review applications for scholarships and recommend candidates to the Executive;
- e) To participate in the selection of candidates for Deferred Salary Leave Plan;
- f) To recommend nominations to Executive for the Alice Elston Award;
- g) To serve as the nominations committee for AGM by:
  - i. Obtaining nominations for the YTA Executive prior to AGM;
  - ii. Obtaining from candidates their background information and distribute it to schools;
  - iii. Overseeing the election of officers during AGM;
  - iv. Selecting scrutineers for AGM.
- h) To work in conjunction with YTG to organize the orientation of new teachers;
- i) To provide a written report to Central Council and AGM.

#### **4.8.4.4 Professional Development** (PD CHAIR duties on page 66)

The duties of this committee are:

- a) To coordinate professional development programs in the Yukon;
- b) To accept or reject activities to be presented for Departmental approval and PD funding;
- c) To distribute information about professional development activities;
- d) To publish Professional Development reports;
- e) To provide motivation for PD projects to school staffs or specialist groups;
- f) To provide assistance to school staffs and specialist groups;
- g) To coordinate related Association projects such as in-services which reflect the desires and needs of teachers;
- h) To cooperate with the Department and/or specialist groups in curriculum studies;
- i) To select conferences to be attended and personnel to attend them;
- j) To provide a written report to Central Council and the AGM;
- k) To cause a record to be kept of all monies received, allocated and disbursed for Professional Development and Mentorship activities;
- l) To ensure the timely payment of approved expenses from the Professional Development and Mentorship Funds;
- m) To produce and review a financial report at least bi-monthly of all monies received and expended for Professional Development and Mentorship activities;
- n) To develop and present a plan indicating Professional Development priorities and proposed activities for the forthcoming year to the AGM for approval;
- o) To present a budget of anticipated Professional Development revenues and expenditures for the forthcoming year to the AGM for approval;
- p) To meet at least twice a month during the school year when feasible.

#### **4.8.4.5 Public Relations**

The duties of the Public Relations Committee are:

- a) To develop strategies for informing the Yukon public of the YTA's position on a variety of issues of concern to the YTA as directed by the YTA President, Executive, Central Council & AGM;
- b) To assist in the development of press releases, advertisements, and other media communications to inform the public of YTA's stand on the above issues;
- c) To develop strategies for informing the Yukon public of the positive things being done by YTA members in Yukon schools and communities;

- d) To have all strategies and media communications approved and signed by the YTA President prior to circulation to ensure that the public and media do not become confused about the person who is the Official Spokesperson for the YTA;
- e) To provide a written report to Central Council and AGM.

#### **4.9 DUTIES-EXECUTIVE COMMITTEE**

##### **4.9.1 Finance**

The Table Officers of the Executive constitute this Committee.

The Treasurer shall be chairperson of this committee.

The duties of this committee are:

- a) To cause a record to be kept of all monies received and disbursed by the Association;
- b) To present annually to the AGM, for its approval, a budget of anticipated revenues and expenditures for the forthcoming year. No expenditures in excess of the total approved budget expenditures for each fund shall be made. Reallocation of funds from one line item to another within the same fund may be done with Executive or without Central Council approval;
- c) To pay YTA accounts as approved by the Executive;
- d) To submit to the AGM a financial report of all monies received and expended in the previous fiscal year, from the last AGM;
- e) To submit to each Central Council Meeting a statement of the fiscal condition of the Association;
- f) To serve as a Building and Staff Management Committee:
  - i. to negotiate terms and conditions of employment with staff. To present to the Executive for approval;
  - ii. to prepare a long term plan (3-5 years) for the maintenance and repair of the building and its furnishings;
  - iii. to provide general guidance for the building's operation including things such as rental and custodial service;
  - iv. to meet at least once a month and report to the Executive;
- g) To appoint, direct, set the remuneration of, and evaluate a Professional Development Office Assistant as necessary.

##### **4.9.2 Joint Consultation**

This is a joint committee of the Government of Yukon and the YTA as recognized by the Collective Agreement.

The YTA representatives on this committee shall be the President and the Past President. By mutual consent, other members may attend.

The function of this committee is to facilitate communication between the Employer and the YTA.

The duties of this committee are:

- a) To represent teachers to the Department of Education and the employer;
- b) To promote education in the Yukon;
- c) To provide a written report to Central Council and the AGM.

#### **4.9.3 E-1 (Department/YTA Issues Committee)**

This is a joint committee of the Department of Education and the YTA. The YTA shall have at least two representatives on this committee, one of whom shall be the President. The function of this committee is to facilitate communication between the Department of Education and the YTA.

- a) To represent teachers to the Department of Education;
- b) To promote education in the Yukon;
- c) To provide a written report to Council and the AGM.

#### **4.9.4 Professional Relations Committee**

The Professional Relations Committee is composed of:

- a) The Chairperson who is the immediate Past President, or if the Past President is not available, then any Past President or any member appointed by the Executive if a Past President is not available;
- b) The President;
- c) The President of the Association of Yukon School Administrators or a delegate from that body, in disputes between principal and staff;
- d) A Central Council representative not from the worksite of the dispute.

Duties of this committee are:

- a) To attempt to resolve within the professional family disputes of the kind that, if left unattended, could result in serious breach of ethics or tenure case;
- b) To promote the establishment of such sound personnel practices as will tend to eliminate sources of friction;
- c) To restore harmony within the Association.

The Committee concerns itself with the following kinds of relationship cases:

- a) Disputes between principal and staff;
- b) Disputes between one teacher and another teacher;
- c) Disputes between staffs and school councils;
- d) Disputes between a teacher of a group of teachers and the supervisory staff of the school region;

- e) Disputes within the Association.

#### **4.10 DUTIES-APPOINTED COMMITTEES**

##### **4.10.1 Conference Committee**

The duties of this committee are:

- a) To prepare a projected budget;
- b) To organize and implement a conference once funds have been set;
- c) To provide a written report to Central Council and AGM;
- d) Provide written or oral report to the PD Committee on a monthly basis.

##### **4.10.2 Negotiations Committee**

The membership of the Negotiations Committee shall include the members of the Bargaining Team, and shall include the YTA President or designate, and shall be reflective of the diversity of the members of the Association.

The duties of this committee are:

- a) To prepare a negotiations package for ratification by the Executive;
- b) To recommend to the Executive Committee members for the bargaining team from amongst its members;
- c) To recommend to the Executive Committee the spokesperson for the bargaining team;
- d) To ensure specific training needs of committee members are met;
- e) To ensure that a copy of the proposed language of amendments contained in a negotiated agreement is prepared and available to members during the ratifications process;
- f) To ensure that a summary of the negotiated tentative agreement is prepared and distributed to members during the ratifications process;
- g) In conjunction with the Executive Committee, to facilitate an open forum for discussion of a Tentative Agreement by all members;
- h) To provide written reports to Executive, Central Council(s) and AGM;
- i) To provide a final report to the Executive committee upon conclusion of the bargaining process.
- j) The bargaining team shall present the package to the Employer's bargaining team.

#### **4.11 ELECTED COMMITTEES**

Elected Committees are elected at AGM.

##### **Ethics (Discipline)**

The AGM shall elect and the Association shall maintain a committee of twelve active members of the Association, from a slate of candidates, not to include members of the Executive, to be

known as the Ethics Committee. Members shall be elected for three year terms and shall serve from July 1 in the year of election to June 30 of the year that their term expires or until the completion of a current case.

If a vacancy occurs, Central Council shall appoint an interim member, from a slate of candidates submitted by the Ethics Committee.

The term of the interim member(s) shall be until the next AGM, or until the completion of a Hearing not concluded by the date of the AGM.

The Executive may on the recommendation of the Ethics temporarily appoint additional members to the Discipline Committee to deal with a specific case in the event that permanent members of the Ethics Committee cannot fulfill their duties.

The duties of this Committee are:

- a) To appoint annually a Chair from its membership prior to the last teaching day in June;
- b) To hold regularly scheduled meetings, a minimum of three each year to review procedures and guidelines;
- c) subject to the Teaching Profession Act and any regulation made by the Executive, to regulate the convening, notice, place, management and adjournment of meetings and of its hearings, the appointment of a vice-chairperson, the mode of deciding questions, the transaction and management of business and procedure relating to the conduct of its hearings;
- d) To appoint, when necessary, from its membership a Screening Panel of three members;
- e) To appoint, when necessary, from its membership a Hearing Panel of three members;
- f) To appoint, when necessary, from its membership an investigating officer(s);
- g) To prepare a slate of candidates for Central Council when a vacancy occurs on the Ethics Committee;
- h) To maintain confidential records of all proceedings.

In the event of a conflict of interest by members of the Ethics Committee that would prevent a case from being heard, the Chair of the Ethics Committee shall request that the Executive seek the help of a Provincial/Territorial Teachers' Association to hear and advise on the decision of the case.

## **5. SUB-ASSOCIATIONS**

### **5.1 GENERAL INFORMATION**

- 5.1.1 The Executive may at any time approve the formation of a sub-Association provided the objectives of the sub-Association and any subsequent amendments thereof are approved by the Executive.
- 5.1.2 The Executive may give approval to the formation of specialist groups. The specialist groups so formed become responsible to the Executive.

- 5.1.3 Recognition of a sub-Association may be withdrawn by the Executive when the sub-Association is no longer active or fulfilling its purpose.
- 5.1.4 The President of the YTA is an ex-officio member of all sub-Associations.
- 5.1.5 Submissions which sub-Associations wish to make to organizations, persons, government departments, or agencies outside the YTA shall be conducted through the regular channels of the YTA.

## **5.2 MEMBERSHIP**

- 5.2.1 All voting members of a sub-Association must be active YTA members.
- 5.2.2 All Executive members of a sub-Association must be active YTA members.

## **5.3 FEES**

- 5.3.1 The charging of fees, the amount and processing shall be the responsibility of each sub-Association.
- 5.3.2 Where fees are charged, financial statements shall be presented to the sub-association membership.

## **5.4 DUTIES**

- 5.4.1 A current copy of the objectives of each recognized YTA sub-Association shall be filed at the YTA office.
- 5.4.2 A membership list and Executive list shall be included in at least one report to Central Council within the school year.
- 5.4.3 Agendas, minutes, correspondence, reports, presentations and financial statements where applicable, shall be forwarded to the Executive on a regular basis.
- 5.4.4 Sub-Association reports shall be submitted to at least one Central Council meeting per school year and the AGM. The Executive committee may request a report.
- 5.4.5 The Executive shall be advised of changes in learning or management conditions which affect the objectives of the sub-Association or the YTA.
- 5.4.6 Upon the request of the AGM, Central Council or Executive, Sub-Associations shall respond to issues concerning their membership.
- 5.4.7 Members' concerns shall be forwarded to the Executive, Central Council and the AGM.
- 5.4.8 Hold general meetings to review and approve objectives, elect officers, and establish, when necessary, a membership fee.

## **5.5 RESPONSIBILITIES OF YTA TO SUB-ASSOCIATIONS**

- 5.5.1 The YTA shall support sub-Associations in their efforts to improve learning conditions.
- 5.5.2 The YTA will provide secretarial services.
- 5.5.3 The YTA will provide publishing and mailing services at cost where volume exceeds normal amounts.
- 5.5.4 The YTA shall process and forward correspondence to sub-Associations.
- 5.5.5 Relevant information and publications will be forwarded to the chairpersons of sub-Associations.
- 5.5.6 Filing facilities shall be provided.
- 5.5.7 The YTA shall distribute Executive minutes to sub-Association chairpersons.
- 5.5.8 The YTA shall solicit the views and concerns of sub-Associations.
- 5.5.9 The YTA shall represent the views and concerns of sub-Associations to the Minister of Education, the Association of School Councils, the Department of Education and any other groups or agencies.
- 5.5.10 The YTA shall negotiate on behalf of sub-Associations.
- 5.5.11 Representation on behalf of a sub-Association shall be made by a representative of the sub-Association and the President, or the President alone at the request of the sub-Association.
- 5.5.12 The YTA shall encourage sub-Associations to implement in-services for their members.

## **5.6 CRITERIA FOR APPLYING FOR FUNDS**

- 5.6.1 Any sub-association, in good standing, may apply for funding to help the sub-association carry out its duties. Applications for funding must relate to the goals and objectives of the sub-association. (In good standing shall be defined as any sub-association which shows that they have fulfilled the requirements of the Association by having adhered to Constitution and Bylaws in that their objectives have been approved by the Executive and their voting members and Executive are active members of the YTA. As well, the sub-association is expected to be in accordance with the standard operating procedures section of the Handbook.)
- 5.6.2 Application for funding shall be made to the Executive at least one month prior to the funding being needed. Application must be in writing either in the form of a letter or in such other form as the Executive deems feasible. The application must include the reason for the funding and the anticipated costs.

- 5.6.3 Funding shall be to a maximum of the funding allowed. This shall be determined by the amount allocated in the budget line item for sub-association expenses divided by the eligible number of sub-associations.
- 5.6.4 The Executive may delegate the power to approve sub-Association funding if it so chooses.
- 5.6.5 In the event of monies being unused within the budget line of sub-Association expenses prior to the end of the fiscal year, the Executive may distribute that money to any sub-Associations that have requested funds beyond the original allocation. Such funds shall be distributed on pro-rated basis to all sub-associations who have submitted a request of funds beyond the original allocations.

## **6. MEETINGS**

### **6.1 PROCEDURE**

Robert's Rules of Order shall govern procedure at all meetings when not inconsistent with constitution and bylaws.

### **6.2 LEVELS OF AUTHORITY**

Decisions made at any level can be overruled only at the same level or a higher level. Levels of authority:

1. AGM or Special General Meeting
2. Central Council
3. Executive
4. Committees and Sub-Associations

YTA members may attend any AGM, Central Council, Executive, and Standing Committee meeting. However, because of the delicate and confidential nature of matters dealt with by the Ethics, Professional Relations, and Negotiations Committee, those meetings are not open to all members. Also, whenever a meeting resolves itself into a Committee of the Whole, observers are requested to leave. Members are allowed, upon request, to make presentations to any committee at a mutually convenient time.

### **6.3 VOTING**

- 6.3.1 Only members holding active membership who are not in arrears in payment of dues are eligible to vote at meetings of the Association.
- 6.3.2 Voting at elections shall be by secret ballot.
- 6.3.3 Voting at other times than the Annual General Meeting shall be conducted by mail, by telephone or by other means suitable to the membership, on matters on which the Executive or Central Council desires the opinion of ALL members.
- 6.3.4 Except as above, voting may be done by a show of hands.

- 6.3.5 The President's term of office shall run from the adjournment of CTF- AGM in the year of their election, to the adjournment, of CT-AGM in the next calendar year.
- 6.3.6 All other Executive offices shall run for a term of one year commencing July 1<sup>st</sup> in the year elected.
- 6.3.7 Subject to subsection five (5) above, elected persons shall serve from the last teaching day in June following the AGM, to the last teaching day of the succeeding June.
- 6.3.8 Defeated nominees for Executive position may run for any subsequent Executive position upon giving notice to the nominations committee.
- 6.3.9 The Constitution and Bylaws may be amended only as defined in the Constitution section # 2.3.5.

## **6.4 PROXY VOTING**

Proxy voting is governed according to the following:

- 6.4.1 A member may hold no more than four proxy voting cards, except in the case of Old Crow.
- 6.4.2 Proxy forms shall be filled in and signed by the member granting the proxy. No member shall sign more than one proxy form.
- 6.4.3 Proxy votes will be accepted only at Annual and Special General Meetings.

## **6.5 ANNUAL GENERAL MEETING**

### **6.5.1 General Information**

The Annual General Meeting is the major policy-making authority of the Association, in that it decides for or against issues brought before it in the form of resolutions from teachers, committees, sub-Association, the Executive, and Council. The Annual General Meeting involves the entire membership of the Yukon Teachers' Association.

The Annual General Meeting of the Association shall be held once a year during the fourth weekend in April. Should this weekend provide a scheduling conflict, the Executive are empowered to set the date of the AGM one week earlier or one week later than the fourth weekend in April. **At least thirty days' notice should be given to members.**

### **6.5.2 Quorum**

The quorum for the AGM or a SGM is listed in the Bylaws section 2.3.3.

### **6.5.3 Voting Body**

The voting body at an AGM or SGM shall consist of the Active Members of the Association in good standing. Active Members may, only to the extent permitted by the Bylaws, cast votes at a General or Special General Meeting by written authorization of proxy.

#### 6.5.4 **Business**

The business of the AGM includes:

- Receipt of reports
- Receipt of financial statements and establishment of the scale of fees
- Nomination of officers excluding President
- Election of officers, excluding President, authorize the appointment of auditor or a professional accountant
- General business
- The reading, amending and adoption of the previous AGM minutes with amendments if necessary to the Constitution and Bylaws when presented as motions.

#### 6.5.5 **Standing Rules**

##### a) **Right to Attend**

All members of the YTA have the right to attend the meeting.

##### b) **Right to Speak**

Except by consent of the meeting only active members are entitled to speak.

The right to speak is on recognition of the Chair and is obtained by standing or raising a hand. The only exception arises with points of privilege and order. Every person shall identify himself or herself when granted recognition by the Chair.

The Chair shall, in recognizing speakers, have the right to deviate from the order in which persons seek recognition so as to permit a speaker or speakers to present a contrary point of view from that of those who have already spoken.

No speaker may, without the consent of the meeting, speak more than once or for longer than three minutes on each motion, main or subsidiary. This rule shall not deprive the mover of the right to close debate.

It should be noted that asking and answering questions do not constitute speaking to a motion.

Questions and answers must be directed through the Chair.

##### c) **Agenda**

The preparation of the agenda shall be the responsibility of the President.

The agenda may contain the hours at which each session shall convene and adjourn and business to be transacted during each session.

When the agenda is presented to the meeting for adoption, the President or Executive shall recommend additions, if any, to that agenda.

The Annual General Meeting or Council Meeting shall, from time to time, make rules concerning which of its component parts shall have the right to submit matters for the consideration of the meeting.

d) **Motion to Adopt or Amend Standing Rules**

Such a motion shall, if required, be the first order of business.

e) **Motion to Adopt Agenda**

The agenda shall be circulated to the members. On behalf of the Executive there may be a resolution to amend the agenda to add items originating with the Executive or submitted to the Executive. The content of these items and the proposed time allotment for discussion shall be circulated to the members prior to the motion to amend the agenda.

At subsequent times during the meeting, a motion to add an item to the agenda (except as new business), to delete an item from the agenda or to alter the time of consideration of an item shall be in order, subject to the rules contained herein.

f) **Motion to Adopt Minutes**

There shall be a motion to adopt the minutes of the previous meeting. These minutes shall have been circulated to YTA members.

g) **Motions to Amend the Agenda (Subsequent to its Adoption)**

Motions to amend the agenda include all alterations to the printed agenda and amendments thereto, adopted in the commencement of the meeting, including:

- Time changes to adjourn;
- Time changes to convene;
- Alterations of time allotted to consider an item.
- Motions to reconsider:
  - reconsiderations of a defeated motion;
  - proposal to amend a motion already adopted;
  - a motion to rescind a motion already adopted.
- Addition of items to be considered;
- Except where it is obviously impossible (such as alteration of time to adjourn the present session or to convene the immediate subsequent session) all motions to amend the agenda, subsequent to its adoption, require notice of motion.

h) **Main Motions**

Main motions must be moved and seconded. It is the primary responsibility of the sponsoring body of a main motion to move and second, but it is the right of any member to move or second any main motion. Recommendations of YTA committees take precedence over resolutions from individuals.

i) **Substitute Resolutions**

The meeting may accept a motion to amend the agenda calling for debate at a subsequent session on a resolution.

The normal procedure shall be that such substitute resolutions be prepared in consultation between the sponsor(s) of the main motions and the appropriate committee.

A motion duly moved and seconded becomes the property of the meeting and may not be withdrawn without unanimous consent of the members.

j) **Amendments**

An amendment to be in order may change the wording of the resolution or amendment to which it applies by addition, deletion or substitution of words. The amended resolution must retain the basic intent of the original motion.

k) **Subsidiary Motion**

**General Information**

No subsidiary motion is in order until after the chair is satisfied that an opportunity has been given to present the affirmative and negative points of view.

No member who has participated in the debate on a main motion or an amendment shall move a subsidiary motion thereto.

**Refer Main Motion with or without Amendment**

A motion to refer must indicate the body to which the motion is to be referred, may empower action, or may require a report to a subsequent Annual General Meeting, to the Executive or to the Council.

**Postpone Main Motion**

Postponement to a later session of the meeting can be achieved by a motion to amend the agenda. Postponement to a subsequent Annual General Meeting has the effect of ordering the inclusion of that item on the agenda of the subsequent meeting.

**Table Main Motion**

A two-thirds majority is required to table main motions.

Any tabled motion may be lifted from the table by motion to amend the agenda. Notice is required that such motion will be presented at a subsequent session. The motion to lift from the table is debatable but non-amendable.

**Previous Question**

The motion to move the previous question takes precedence over all subsidiary motions except to table. The mover must be recognized by the chair. The motion cannot be debated or amended. A two-thirds majority is required.

l) **Extraordinary Resolutions**

Extraordinary resolutions are amendments to the Constitution and Bylaws. It is recommended that the notice of motion contain the words "with or without amendment" so as to clarify the legal position of the meeting to propose amendments to the material as circulated.

m) **Committee of the Whole**

The meeting may, when considering any item on the agenda, resolve itself into a Committee of the Whole. The procedure is used for two reasons:

1. The topic is sufficiently complex to warrant interim decisions which will become binding only after passage of a final composite resolution recommended to the meeting by the Committee of the Whole, or;
2. The matter is a sensitive one and it is the opinion of the meeting that only YTA members and staff should be in attendance.

The procedure is for delegates to move and second that the meeting resolve itself into a Committee of the Whole, naming the chairperson of the Committee. After discussion, during which the standing rules may be waived, the Committee of the Whole moves to rise and report to the meeting. A motion is then placed before the meeting, which repeats the words of the report of the committee. Only the motion carried by the meeting in regular session appears in the minutes.

n) **Point of Privilege**

The point must concern the welfare or reputation of a member, a group of members or the YTA as a whole. The chair is required to rule immediately on the validity of the point. The ruling of the chair is subject to challenge

o) **Point of Order**

The point must concern an alleged breach of standing rules and must receive an immediate ruling from the chair. Ruling is subject to challenge.

p) **Call for Order of the Day**

The point is that there is a deviation from the agenda. It must receive immediate attention and the ruling of the chair is subject to challenge.

q) **Challenge**

If any member is dissatisfied with any ruling of the chair, the ruling may be challenged. A motion to sustain the chair takes precedence over all other business.

When a ruling of the chair is challenged by a member, all other business is suspended. The member making the challenge has the right to present argument to the meeting as to why the ruling is in error. The chair has the right to defend the ruling. The vote on the motion to sustain the chair follows immediately without further debate.

r) **Scrutineers**

A slate of candidates for general scrutineers shall be provided for the approval of the AGM at its opening business session.

The convention floor should be divided into a number of clearly defined areas.

Recounts shall be taken by ballot.

s) **Reports and Resolutions**

It is desirable that the President, Treasurer, and Committee Chairpersons prepare three copies of their annual report to be filed as follows: one copy in the chairperson's personal file, one copy for the secretary of the committee, the third copy for YTA office files.

A copy of each annual report is published and available at the AGM.

The President provides opportunity on the AGM agenda for delegates to ask questions concerning information reports.

All resolutions to be printed for consideration at the AGM should be submitted to the YTA office one month prior to the AGM to allow for consideration by the Constitution Policy Committee.

New resolutions may be submitted for consideration at the AGM provided they are presented in written form to the Chair of Constitution Policy not later than the session prior to that at which consideration is desired.

Rules for presentation of resolutions at the AGM will be published in a issue of the YTA Notes two months prior to the AGM.

t) **Suspension of Standing Rules**

A motion to suspend the standing rules requires notice at a previous session of an AGM or Council Meeting and two-thirds majority vote. Standing rules may be suspended without notice by unanimous consent providing the suspension is not contrary to the Constitution and Bylaws.

u) **Matters not covered in Standing Rules**

When the chair is required to make a ruling not covered by these rules, guidance shall be sought from Robert's Rules of Order.

**6.5.6 Guidelines for Nominations**

**President**-see Section 2.10.7

**Executive**

- a) Nominations for the AGM are in the hands of the Membership Committee, set up well in advance of the date of meeting. It is recommended that it be attempted to obtain a slate of officers one month prior to the AGM.
- b) Nominations may also be submitted to the Membership Committee in writing prior to the AGM, with the written consent of the nominees.
- c) Nominations for other officers may be submitted from the floor provided they are made not later than the session prior to that at which the vote is to be taken. If a nominee is absent from the meeting, the nominator must show in writing that the nominee wishes to allow his or her name to stand for that particular office.

- d) Where nominations are submitted in advance, the Chairperson of the Membership Committee shall arrange for pictures of all nominees and a precis of their relevant experience to be posted.
- e) Each candidate shall be allotted a set time to outline his or her proposals and reasons for the office sought.
- f) No candidate shall be declared elected until he or she has received a majority of the votes cast.
- g) Following an indecisive ballot, the candidate receiving the fewest votes shall be dropped from the ballot. The meeting may at its discretion order the dropping of additional names.
- h) Following the dropping of names, a candidate shall be declared elected when he or she receives more than 50% of the number of votes cast.

#### **6.5.7 Travel of Members to General Meetings**

- a) YTA pays for travel from small communities for each member who needs to travel individually to attend YTA sponsored events.
- b) Members who wish to fly or take a bus to the AGM, will be eligible to claim 1/3 of the relevant vehicular travel rate as per 4.7.2.
- c) A maximum of two members from Old Crow be paid airfare to attend AGM or SGM's at the rate of 14 day advance booking economy seats.
- d) When members are attending AGM or SGM meetings and must use childcare, expenses may be claimed at the prescribed rate as found in the Financial Policies and Procedures. Receipts must be provided.
- e) YTA will reimburse cost of hotel rooms for rural members who attend the AGM at the prescribed rate as found in the Financial Policies and Procedures. Those who do not have hotel expenses will be reimbursed at the prescribed rate as found in the Financial Policies and Procedures.

### **6.6 SPECIAL GENERAL MEETINGS**

#### **6.6.1 Attendance**

Provision is made for all members or their representatives to attend. At least twenty-four hours notice shall be given to all members.

#### **6.6.2 Voting**

- a) Only members holding active membership who are not in arrears in payment of dues are eligible to vote at meetings of the Association.
- b) Balloting for areas outside of Whitehorse may be done by telephone or written ballots, dependent upon the urgency of the situation.

- c) Proxy voting, as outlined in the Handbook will be accepted at Special General Meetings.

**6.7 CENTRAL COUNCIL MEETINGS**

**6.7.1 General Information**

Central Council has been created to allow the membership a voice in decisions that are made during the year. The Central Council representatives are a liaison between the organization and its membership.

**6.7.2 Composition**

Central Council Meetings shall be held at least twice during the school year at the discretion of the Executive, or at the request of 40% of the Central Council Representatives. At least two weeks' notice with agenda should be given all council members.

The Central Council is made up of elected area and/or staff representatives and the Executive.

The composition of the Central Council shall be as follows:

- a) All members of the Executive Committee and representatives from each school or work site on the basis of the following formula:

YTA MEMBERS	YTA REPRESENTATIVES
1 – 22	1
23 – 37	2
38 – 52	3
53 – 67	4
68 – 82	5
83 +	6

- b) The members of each designated school shall elect representatives subject to 10.7.2.a above. Names shall be submitted to the Executive by September 15<sup>th</sup>.
- c) The active members not assigned to a school staff shall elect representatives as 6.7.2.a above and submit the names of same to the Executive by September 15<sup>th</sup>.

**6.7.3 Quorum**

The quorum for Central Council Meetings shall be a majority of the members of the Central Council.

**6.7.4 Voting**

- a) Staff Representatives and the Executive shall have the right to vote at Central Council Meetings.

- b) Staff representatives shall have the right to vote as directed by the majority of persons they represent.
- c) Central Council Representatives may be replaced by an alternate representative either appointed or elected by respective area membership. The alternate representative will have full voting privileges.

#### **6.7.5 Expenses**

The Central Council Representatives shall be reimbursed for all expenses necessarily and reasonably incurred for attendance at Central Council meetings or while otherwise engaged in attending to the affairs of the Association. Prescribed rates for expenses are found in the Financial Policies and Procedures.

#### **Regulations Governing Use of Automobiles**

Members traveling on YTA business are requested to pool the use of cars whenever possible. Delegates traveling from one location to a Central Council Meeting should travel in one car and/or arrange "pick up" en route whenever practicable.

Members shall carry their own automobile insurance for passenger hazard, third party liability, collision, etc. No claim for expenses arising out of the use of an automobile by a member shall be accepted by the YTA unless the claimant has insurance coverage satisfactory to the YTA. The YTA will not reimburse a member for losses resulting from accidents.

When two or more members are traveling to a meeting in the same car, the driver only may then claim reimbursement at the approved mileage rates.

### **6.8 EXECUTIVE MEETINGS**

#### **6.8.1 General Information**

Executive Meetings involve only the members of the Executive, although any YTA member may attend open sessions as an observer. A Special Executive Meeting may be called by any five Executive members. Except in cases of emergency, at least twenty-four hours notice should be given. Executive Meetings are held on a bi-weekly basis.

The Executive shall keep the membership informed of Executive business by issuing Executive Minutes and Treasurer's Reports.

The Executive shall, if requested, establish an expense account for the use of Executive members on official YTA business.

An Expense voucher shall be used for Executive travel.

Claimable expenses are:

- Vehicle travel at prescribed rates as found in Financial Policies and Procedures.
- The appropriate share of bus fares or plane fares (14 day advance economy class whenever possible) at cost.

- Necessary limousine or taxi charges.
- Hotel rooms at prescribed rates as found in Financial Policies and Procedures. Receipts required. (Members traveling in groups are encouraged to share rooms when feasible.)
- Private accommodation at prescribed rates as found in Financial Policies and Procedures.
- Meals, including gratuities- at prescribed rates as found in Financial Policies and Procedures.
- When YTA meetings extend over the meal break, each YTA member and invited guest or guests either have a meal at the expense of the YTA or, if no meal has been arranged, will be paid at the prescribed rates.

#### 6.8.2 Quorum

The quorum for an Executive meeting is a majority of the members elected at the AGM.

### 6.9 COMMITTEE MEETINGS

#### General Information

Committee meetings are held as needed or at the direction of the Committee Chairperson. Chairpersons should be aware of the following guide-lines for reports of their meeting(s):

- Reports containing only a statement of fact or opinion are received and placed on file; those containing recommendations must be approved by the committee and then the Executive.
- Committee Chairpersons shall prepare statements of expenditure and expenses for Executive approval.
- Reports of Committee Chairpersons should be submitted to the AGM and to the Central Council Meetings.
- Members of all committees of the YTA are paid according to the prescribed rates as found in the Financial Policies and Procedures.

### 7. EDUCATION LEAVE

#### Statement of Purpose

The purpose of educational leave is to provide an opportunity for members to improve their qualifications to the benefit of themselves and the Yukon educational system.

#### Criteria to apply

**All applicants must have 5 years of cumulative service in Yukon schools.** Candidates shall have all their temporary service in Yukon Education recognized for educational leave purposes.

#### Selection criteria

The following factors will be used to select applicants:

Evaluation Criteria for Education Leave Applications

The following criteria/ point system will be used in determining education leaves:

<b>Criteria</b>	<b>Maximum Points</b>
<i>Years employed in Yukon as defined in the Yukon Education Act (1.5 points per year – max of 10 years)</i>	15
<i>Service in a rural community (1 point per year – max 5 years)</i>	5
a) <i>Seeking a Bachelor’s Degree (10 points ) or</i> b) <i>Seeking a Master’s or Doctoral Degree in an education related field (10 points) or</i> c) <i>Seeking a Diploma or Certificate in an education related field (10 points)</i>	10
<i>Courses taken from an accredited institution toward area of study applied for (1 point for each 6 credit course or equivalent and .5 for each 3 credit course - max 5 points).</i>	5
<i>Educational Leadership</i>	5
<i>Future Contributions</i>	5
<i>Two Written References</i>	5
<i>Departmental Goals/Objective Points</i>	5
<b>Total Possible Points</b>	<b>55</b>

**APPLICATION DEADLINE**

*The deadline to apply for Education Leave is November 1.*

*Application forms are available from the YTA office OR the Department of Education.”*

See also the *Collective Agreement*, Education Leave, Article 16.

**8. PROJECT OVERSEAS**

General Information

Project Overseas is a joint endeavor by the Canadian Teachers’ Federation and its member organizations to give professional assistance to fellow-teachers in developing countries. Most opportunities occur during the months of July and August. The travel and living expenses of participants are covered by the contributions from CTF members (provincial or territorial teacher organizations) and by a grant from the Canadian International Development Agency. It is not possible, because of the nature of the Project, for CTF to include any members of the participant’s family in any of the arrangements.

**8.1 Minimum requirements**

The minimum requirements for all applicants are as follows:

- a) membership in a provincial or territorial teacher organization which is a member of CTF
- b) an appropriate teacher’s certificate

- c) at least five years teaching experience in Canada
- d) Canadian citizenship
- e) excellent health
- f) evidence of flexibility and mature judgment

## 8.2 Application

Forms are available from the YTA office and the CTF website and must be returned by November 5<sup>th</sup>.

The final selection of teachers to participate in the project is made by the CTF from a list of names recommended by the YTA Executive.

On occasion, successful YTA candidates have stated their interest in serving on Project Overseas again. The Association tries to give as many of its members as possible an opportunity to participate, so reapplying members will only be considered if there are no suitable first time applicants

When three or more applicants meet the above criteria, preference will be given to:

- a) first time applicants
- b) the length of service with Yukon Education
- c) in-service planning and presentation experience

## 9. YTA LIFE AND HONORARY MEMBERSHIP AWARDS

### 9.1 Life Membership

Each year, in anticipation of the AGM, the Membership Committee will identify and select candidates for Life Membership in the Yukon Teacher' Association, from the records of retirements and resignations.

Central Council may be empowered to approve Life and Honorary Membership.

#### Criteria

To be eligible for YTA Life Membership a member must have:

- a) A minimum of 15 years membership in the in the Yukon Teachers' Association .
- b) Be no longer an active member, and no longer an employee of Yukon Education.
- c) Have conducted themselves in a manner respectful to the community and the Association

### 9.2 Honorary Membership

Honorary Membership shall be granted at the AGM on the recommendation of Central Council on any person whom the Association wishes to honor for their dedication to education and/or the Association.

Honorary Membership nominations must be submitted to the Chairperson of the Membership Committee by January 15.

Nominations must be in writing and include a brief biographical statement.

## 10. ALICE ELSTON AWARD

The YTA will present a special recognition award at such time as a deserving candidate(s) are identified. While not necessarily awarded annually, it will be presented at the YTA Award Celebration ceremony to an individual or individuals, who had given meritorious service to the Yukon Teachers' Association and/or the teaching profession, and education.

### **Procedure:**

Annually, the Membership Committee will invite nominations submitted in the manner prescribed in order to identify those individuals who should be considered for the award.

Nominations may be submitted by individual members or by a group i.e. a staff. Nominations should reach the YTA office no later than February 1.

The committee will review all nominations in order to submit a recommendation to the Executive Committee for confirmation in advance of the YTA Awards Celebration.

The nominations that do not result in an award will be kept on file for consideration in the two subsequent years.

### **Eligibility:**

Any person whose contributions to the Association or education warrant special recognition may be nominated. It is expected that such persons would have served education in at least one of the following:

- as an elected member of the YTA Executive
- as a professional educator
- as staff of the YTA or other territorial/provincial/national teacher organizations
- as a community advocate for education or children's rights

### **Presentation:**

When the Award is given, it shall be presented at the YTA Awards Celebration. The expenses of attendance of the recipient and one guest shall be borne by the YTA.

### **The Award:**

The presentation will be in the form of a plaque and a special commemorative pin.

The Award will be communicated to the media and other agencies as are appropriate. Recipients will have their names recorded in the YTA Members' Handbook and on a plaque displayed in the YTA office.

Nominations forms are available at the YTA office.

## 11. YTA POST- SECONDARY SCHOLARSHIPS

### **General Information**

The Doris Stenbraten, Mary Gartside, Elijah Smith and YTA 50<sup>th</sup> Anniversary scholarships are available for application by graduates of Yukon high schools.

**Doris Stenbraten** was an English teacher at F. H. Collins and a former President of the Yukon Teachers' Association.

**Mary Gartside** led a group of Whitehorse teachers in the formation of the professional organization, in the spring of 1955. This organization ultimately came to be called the Yukon Teachers' Association.

**Elijah Smith** was a highly respected leader of Yukon First Nations. As an Elder, he taught many Yukoners about the traditional ways of living of Yukon First Nations. Elijah Smith tabled the first land claim in Ottawa on behalf of Yukon First Nations.

**50th anniversary Bursary** was established in 2005 by the Yukon Teachers' Association (in commemoration of its anniversary) with the intention of supporting one or more Yukon students pursuing a post secondary education opportunity.

All Application forms are available from the YTA office and on the YTA website [www.yta.yk.ca](http://www.yta.yk.ca) and should be submitted by suitable candidates to the Membership Committee Chairperson no later than August 31. An official letter of acceptance from a recognized post-secondary institution must accompany applications

Applicants must submit an official transcript from a recognized secondary or post-secondary institution with their application. If a candidate is applying for more than one award, submission of one official transcript is sufficient. Unofficial transcripts will not be accepted.

It is incumbent on the applicant to disclose in the application any other Awards applied for or received. Payment of the award to successful applicants will be made directly to the institution.

## **12. PROFESSIONAL DEVELOPMENT**

### **STATEMENT OF PURPOSE**

Professional Development comprises all those activities which have as their major purpose, the development of attitudes, knowledge, skills and concepts which will improve the level of competence and ability of members in developing instructional programs and in carrying out these programs will aid in their professional growth.

#### **12.1 Objectives**

- a) To provide an opportunity for professional growth of members:
- b) To help members acquire new pedagogical knowledge and skills;
- c) To improve the quality of teaching through career-long professional development.

#### **12.2 Duties of Chair** (see PD COMMITTEE duties on page 45)

The duties of this committee are:

- a) To coordinate professional development programs in the Yukon;
- b) To accept or reject activities to be presented for Departmental approval and PD funding;
- c) To distribute information about professional development activities;
- d) To publish Professional Development reports;

- e) To provide motivation for PD projects to school staffs or specialist groups;
- f) To provide assistance to school staffs and specialist groups;
- g) To coordinate related Association projects such as in-services which reflect the desires and needs of teachers;
- h) To cooperate with the Department and/or specialist groups in curriculum studies;
- i) to select conferences to be attended and personnel to attend them’
- j) To provide a written report to Central Council and the AGM;
- k) To cause a record to be kept of all monies received, allocated and disbursed for Professional Development and Mentorship activities;
- l) To ensure the timely payment of approved expenses form the Professional Development and Mentorship Funds;
- m) To produce and review a financial report at least bi-monthly of all monies received and expended for Professional Development and Mentorship activities;
- n) To develop and present a plan indicating Professional Development priorities and proposed activities for the forthcoming year to the AGM for approval;
- o) To present a budget of anticipated Professional Development revenues and expenditures for the forthcoming year to the AGM for approval;
- p) To meet at least twice a month during the school year when feasible.

### **12.3 FUNDS**

Should it become obvious that all the funds allotted to a particular category are not going to be expended the PD Committee is empowered to reallocate funds.

### **12.4 INSERVICES**

- a) Members are encouraged to plan in-services in specialty areas and in areas which meet unique local needs.
- b) A PD Planner form must be fully completed by the in-service organizer(s), accompanied by any other relevant information and received by the YTA office 30 days prior to the function.
- c) The YTA encourages school staffs to exercise their right to determine and plan programs for non-instructional days.
- d) YTA PD committee will initiate and support joint professional development days for elementary and secondary schools in alternating years between territory-wide conference years.
- e) YTA PD committee and/or members are encouraged to plan in-services in partnership with Stakeholders.

- f) Applications for attendance at in-services should be received by the YTA office 21 days prior to the in-service.
- g) Participants must submit an Expense Claim Form for travel, accommodation and meal assistance within 30 days of the closing of the in-service. Members are to make their own travel and accommodation arrangements.
- h) In-service participants are encouraged to complete and submit in-service evaluation forms to YTA PD Chair

### **Registration Fee**

A registration fee may be collected from all members attending PD sponsored events.

### **Criteria for Attendance**

The criteria for Local In-services and Local Conferences are as follows:

- a) Applicability to experience of member.
- b) Applicant's anticipated assignment for the following year.
- c) The Applicant's previous PD history.
- d) Demonstrated willingness to share information gained from previous conferences or in-services.

### **Winter Conditions--Driving**

Between October 15<sup>th</sup> and March 31<sup>st</sup> or during "winter driving conditions", YTA members from Beaver Creek, Dawson City, Destruction Bay, Faro, Mayo, Ross River and Watson Lake will be granted one full day of RETURN travel time to drive from Whitehorse provided:

- The in-service or conference is an approved YTA PD activity.
- The in-service or conference is held at a time that requires return travel on school day.

### **Winter Conditions--Flying**

Between October 15<sup>th</sup> and March 31<sup>st</sup> or during "winter driving conditions", YTA members at Robert Service School may choose to fly to YTA-PD sponsored local in-services and conferences provided:

- The Yukon in-service or conference is an approved YTA PD activity
- Only one person from the school is attending the in-service
- The amount of time the member is out of the school is not greater than if the member drove
- If the flight schedule prevents a member from returning home on a Saturday, then the member pays his/her accommodation and meal expenses for Saturday.

### **Terms and Conditions**

YTA-PD will reimburse the lowest economy class airfare to participants in YTA- PD sponsored activities. Advance notice of any upgrades or change fees must be provided to YTA-PD and may not be approved for reimbursement.

When the PD Committee considers paying airfare it will take into account:

- availability of other transportation
- weather and road conditions
- distance
- time of year of in-service
- number of school days required for travel.

The PD Chairperson and the President may approve emergency requests for authorization for an airfare.

#### **Honoraria**

- Honoraria for conducting in-services may be paid to resource persons.
- A Per Diem of \$60.00 may be paid to non-YTA resource persons

#### **Public Attendance at In-services**

Where circumstances permit, and the organizers are agreeable, non YTA participants may be permitted to attend an YTA PD sponsored activity. A fee may be applicable.

### **12.5 CONFERENCES (Out of Territory)**

#### **Application for Attendance**

All applications for attendance at out-of-territory conferences must be submitted on an Out of Territory Conference Application Form and must be received by the YTA office **forty-five (45) days prior** to the conference date to the YTA office. Each pertinent section of the form must be fully completed and include a brochure and/or Agenda for the Conference.

#### **Criteria for Attendance:**

- a) Priority will be determined by YTA's Long Range Plan approved by AGM.
- b) Assignment of applicant compared to type of conference.
- c) Availability of local or regional PD conferences
- d) In the event that there is more than one applicant and other considerations are equal, greater attention will be paid to the reasons section of the application form.
- e) When considering applications to designated conferences, an attempt should be made to share conference attendance between rural and urban representatives.
- f) All due paying members, regardless of tenure may access funding for out of territory professional development.
- g) Member eligibility to attend an out of territory conference will not be supported in consecutive years unless extenuating circumstances occur.

#### **Conference Follow-up**

All out-of-territory participants shall submit a conference report. Participants are encouraged to share their new skills and knowledge with other YTA members.

## **Conference Expenses**

The following may be paid:

- 75% of the Conference fee;
- Travel costs;
- Accommodations (members are encouraged to use their government card for Government rates) and meal allowances;
- Teacher on Call Costs

Those members attending out of territory conferences are encouraged to stay over for the Saturday night when the Saturday stay reduces the cost of the airfare. YTA will pay for the actual room charge for that Saturday night.

For reimbursement of expenses, conference applicants must submit a completed Expense Claim Form and a conference report within thirty days. Receipts **must** accompany this form. Applicants may collect a cheque for approved costs from the YTA office prior to the conference.

## **Summer Conferences**

The criteria for selection and funding of out of territory conferences will be applied to summer conferences. June 1<sup>st</sup> will be considered the deadline to apply for conferences in the months of July and August.

## **PD Assistance for Members on Educational Leave**

The PD Committee will not cover costs for conferences or summer school for members proceeding on, during or returning from educational leave in the belief that these members are receiving funds for professional development in the stipend provided by the government.

## **12.6 Visitations**

The primary purpose of visitations is to allow members the opportunity to visit other members and resource persons within Yukon.

### **Applying for a Visitation**

- a) Applicants must complete a Visitation Form a minimum of 7 days in advance
- d) Receiving members may apply for ½ day sub-time to conference with the visiting member.

The host member(s) and the Principal of the host school must give prior permission. The PD Committee will, if requested, help to set up an agenda for the applicants.

## **12.7 Non-Credit Courses**

### **Application Criteria**

Members may apply for reimbursement of tuition fees, GST and course fees exclusive of student council, food and registrar fees. Reimbursement will be to a maximum of 75% of the allowable expenses to a maximum of \$400.00. The maximum amount payable per member per school year for non-Credit Courses is \$800.00.

Application must be made on a Non-Credit Course Application Form within 14 days of the commencement of the course. Payment will be made upon successful completion of the course. Receipts and transcripts (successful completion) must be submitted before payment will be made.

## **12.8 Credit Courses**

### **Application Criteria**

The Professional Development Committee will reimburse 75% of the cost of tuition, GST and course fees exclusive of student council, food and registrar fees for the course to a maximum of \$600.00 per course for credit courses. The maximum amount payable per member per year is \$1,200.00.

To be eligible to apply for Credit Course reimbursement, a member must:

1. Be an active member of the Association paying fees in the year of application.
2. In the case of summer credit courses, be returning to a position with Yukon Education the following year.
3. Have selected a course or courses, which relate to a teaching field or to a relevant degree.
4. Must not be on educational leave.

In order for a member to receive any reimbursement for credit courses, including correspondence courses, an application must be made on a Credit Course Application Form within 14 days of the commencement of the course.

Receipts and transcripts of marks must be submitted within three months (90 calendar days) of the completion of the course(s). Members who have not received marks or transcripts must advise in writing by this date, and provide information as to when the transcripts will be available.

Claims that have not been finalized within one calendar year of the completion of the course(s) will not be considered.

### **Assistance for Members on Educational Leave**

Members on paid Educational Leave will not be eligible for financial assistance for Credit and Non-Credit courses.

## **12.9 TERRITORY WIDE CONFERENCE**

YTA endorses a Territory-wide Conference every three years.

## **13. ADMINISTRATION OF THE CODE OF ETHICS POLICY**

### **13.1 Ethics Committee**

- a) The AGM shall elect and the Association shall maintain a committee of twelve active members of the Association, from a slate of candidates, not to include members of the Executive, to be known as the Ethics Committee. Members shall be elected for three year terms and shall serve from July 1 in the year they were elected until June 30 in the year in which their term expires or until the completion of a current case.

- b) In the circumstance that a vacancy occurs, Central Council shall appoint an interim member, from a slate of candidates submitted by the Ethics Committee.
- c) The term of the interim member(s) shall be until the next AGM, or until the completion of a Hearing not concluded by the date of the AGM.
- d) That at the beginning of each school year, the Executive shall make a motion appointing all members of the Ethics Committee as potential investigating Officers with the Committee given discretion to appoint the individual officer for each case.
- e) That at any stage of the administration of the Code of Ethics, the Ethics Committee may elect to postpone the processing of a complaint should the defendant in that complaint be contending with legal action or employment discipline.

### **13.2 Duties**

The duties of this committee are:

- a) to appoint annually a Chair from its membership prior to the last teaching day in June;
- b) to hold regularly scheduled meetings, a minimum of three each year to review procedures and guidelines;
- c) to appoint from its membership a Screening Panel of three members;
- d) subject to the Teaching Profession Act and any regulation made by the Executive, to regulate the convening, notice, place, management and adjournment of meetings and of its hearings, the appointment of a vice-chairperson, the mode of deciding questions, the transaction and management of business and procedure relating to the conduct of its hearings;
- d) to appoint when necessary from their membership a Hearing Panel of three members;
- f) to appoint when necessary from their membership an investigating officer(s);
- g) to prepare a slate of candidates for Central Council when a vacancy occurs on the Ethics Committee;
- h) to maintain confidential records of all proceedings.

### **13.3 Conflict of Interest**

In the event of a conflict of interest by members of the Ethics Committee which would prevent a case from being heard, the Ethics Committee shall request that the Executive either seek the help of a Provincial/Territorial Teachers' Association, or appoint additional members to hear and advise on the decision of the case before the Ethics Committee.

The Executive **may** on the recommendation of the Discipline Committee temporarily appoint additional members to the Discipline committee to deal with a specific case in the event that permanent members of the Discipline Committee cannot fulfill their duties.

### **13.4 Initial Protocol**

The right to file a complaint shall expire six months after the complainant knows of or can reasonably be expected to know of the events upon which the complaint is based. Complaints shall be directed to the designated office personnel (Reviewers).

At any stage of the administration of the Code of Ethics, the Ethics Committee may elect to postpone the processing of a complaint should the defendant in that complaint be contending with legal action or employment discipline.

#### **13.4.1 Receipt of Information or Complaint**

Information and/or complainants regarding conduct of members shall be received by the Employment Relations Advisor, President or Past President (Reviewers).

#### **13.4.2 Reduction to Writing**

In consultation with the Reviewer, a complainant shall be required to:

- i) submit the complaint and/or information in writing, and
- ii) notify the defendant of the concern in writing.

The Reviewer will request a written response from the defendant.

#### **13.4.3 Voluntary Resolution**

Depending on the nature of the complaint, the Reviewer(s) may recommend an appropriate means of resolving such complaint. With the agreement of the parties, resolution may be sought through:

- i) Voluntary agreement to pursue the matter in more appropriate ways
  - a) both parties meeting to discuss and resolve the issue(s).
  - b) exchange letters to clarify and resolve the issue(s).
- ii) Professional Relations Committee
- iii) Voluntary agreement to be bound by a mediator's recommendations.

### **13.5 SCREENING PANEL**

13.5.1 In the event that the matter is not resolved through voluntary means, it shall be referred in writing by the Reviewer to the Ethics Committee Chair, with a copy of the names of the parties involved sent to the Executive.

13.5.2 The Ethics Committee Chair shall convene a meeting of the Ethics Committee to appoint a 3 member Screening Panel and an investigator(s).

The Screening Panel shall:

- i) Cause to be served on the person whose conduct is the basis for the complaint and upon the complainant, a notice setting forth the

date, place, time and subject matter of the Panel meeting. This notice shall be double registered. In setting the time, place and date of such meeting, regard shall be taken to the convenience of the committee and all parties concerned.

- ii) Require reports from the Reviewer(s).
- iii) Require the names of witnesses, if any, from both parties.
- iv) Require written statements from witnesses.
- v) Maintain a record of its proceedings.

The Screening Panel may:

- a) Prescribe mediation and request the Ethics Committee appoint a mediation team;
- b) Order a report by an investigator(s) whose findings shall be reported to the Screening Panel for possible further action;
- c) Order a hearing by the Hearing Panel, articulate the charges and submit the matter to the panel; or
- d) Dismiss the complaint and provide written reasons for such dismissal.

When a hearing is ordered and the allegations are of a serious nature and/or the circumstances extraordinary, the Screening Panel may appoint an individual ( not a member of the Ethics Committee) to carry the Association's interests before the Hearing Panel.

### **13.6 FORMAL COMPLAINT**

13.6.1 The Executive may demand from any person or group lodging a written charge of unprofessional or unethical conduct, and before referring the matter to Ethics Committee the sum of \$500.00, as a deposit to offset the necessary costs and expenses, and, in case the complaint is found to be frivolous or vexatious, the deposit may be so applied; otherwise the deposit shall be returned to the person or group making the same.

13.6.2 In the event that the Screening Panel orders a hearing, a three-member Hearing panel shall conduct a full hearing of evidence related to the charge(s).The panel shall then deliberate in private, render a verdict, assess a penalty if appropriate, provide written reasons for its verdict and determine appropriate publication, if any, including the manner and substance of such publication.

13.6.3 The meeting of the Hearing Panel shall be held at the time and place determined by the Hearing Panel taking into consideration the convenience of all parties. Within 30 instructional days of the receipt of the formal complaint from the Screening Panel, the Hearing Panel shall have established a date for the formal meeting of the Hearing Panel. (AGM 2005)

13.6.4 At least fourteen days before the hearing a notice shall be served upon the person whose conduct is the subject of the inquiry. The notice shall embody a copy of the charges made against him/her or a statement of the subject matter of the inquiry, and shall also

specify the time and place of the hearing. The notice shall be sent by double registered letter.

13.6.5 The Hearing Panel shall maintain a record of its proceedings to be taken.

13.6.6 The Hearing Panel shall report to the Executive and the Parties, the verdict, the reasons for the verdict, the assessed penalty, and the determined publication, if any.

13.6.7 The minutes of the proceedings, the evidence adduced, and all exhibits produced or copies thereof shall be submitted to the Executive and kept in a confidential file with the Review Officer.

13.6.8 The Executive shall ensure that the decisions of the Hearing Panel are followed to the extent and spirit of the Panel's requirements.

### **13.7 ATTENDANCE OF WITNESSES**

For the purpose of procuring the attendance of any person as a witness before the Hearing Committee, the committee or any member thereof, may cause to be served on such person a notice requiring him/her attend before the committee and to produce such documents as he/she would be compelled to produce at the trial of an action at law. Such notice shall be served in the same way and shall have the same effect as a notice requiring the attendance of a witness at the hearing of a trial at law and the penalties in the case of disobedience to any such notices shall be as provided by the **Teaching Profession Act**.

### **13.8 LEGAL COUNSEL**

The committee may at the expense of the Association employ legal counsel who shall assist in the presentation of evidence and shall advise the committee upon questions of procedure and law, but who shall not be present during the committee's determination of the guilt or innocence of the accused.

### **13.9 REPORTS TO THE EXECUTIVE**

After holding an inquiry, the Hearing Panel shall report to the Executive its verdict, assessed penalty, reasons for its verdict and determination of publication if any, signed by members taking part in the inquiry and concurring in the report. Such a report, if signed by the majority of the members taking part in the inquiry, shall be deemed to be the report to the committee.

Remedy: The following remedies may be imposed by the Ethics Committee:

- a) expel the member from the Teachers' Association;
- b) suspend the member from the Teachers' Association for any period of time it considers proper;
- c) recommend to the Minister that the Minister suspend or cancel the teaching certificate of the member;
- d) require the member to pay a penalty;
- e) require the member to pay a sum of money calculated by the Hearing Panel as the costs of the hearing; or,

- f) discipline the member in any other reasonable way it considers proper.

The publication, if any, of the decision, will take into consideration the interests of the party whose position was confirmed by the Hearing.

### **13.10 APPEAL PROCESS**

A person who is found guilty of unprofessional or unethical conduct may appeal, within 14 days from the date of the person's receipt of the decision to the Minister who shall appoint a Teaching Profession Appeal Board to hear and make a determination of the appeal.

The grounds for appeal will generally but not exclusively include:

- a) that the appellant was denied a fair hearing process by the Hearing Panel;
- b) that the appellant has new evidence which was not, and could not reasonably have been available to the appellant at the hearing before the Hearing Panel;
- c) that the Hearing Panel erred in its interpretation of a provision of the Code of Ethics;
- d) that the Hearing Panel erred in the application of a provision of the Code of Ethics or the Constitution to the facts as determined by the Hearing Panel;
- e) that the penalty imposed was not reasonably commensurate with the gravity of the breach found by the Hearing Panel.

## **14. THE COLLECTIVE AGREEMENT DEFENCE FUND**

The purpose of the Collective Bargaining Defence Fund is to pay costs directly related to strikes, lockouts, and extraordinary expenses associated with contract negotiations and enforcement.

The fund be discretely reported within the financial reports and fiscal management of the YTA to the Central Council and within the reports to the AGM.

Any revenues generated by the fund remain within the fund.

Expenditures from the fund shall be in accordance with policies and procedures approved by Central Council and shall include strike/lockout/job action pay and may also provide for expenditures to negotiate a collective agreement including publicity/information campaigns, special legal expenses and workshops not already provided for in the operating budget.

The proposed expenditures shall be approved by the Executive to a maximum of \$20,000 per fiscal year-excluding compensation related to job actions. The approval will require a 2/3 majority of Executive members present at the meeting.

### **Strike-Lockout-Job Action Pay**

The amount of pay be \$60 per day commencing from the first day that earnings are interrupted by the job related action and will continue for each day of the dispute and on which the member is not at work and is participant in the Association's directed action.

All active members who are on the payroll of the employer at the time of the interruption of services and earnings shall be eligible for pay unless:

- a) in receipt of sick leave benefits, or
- b) in receipt of WCB benefits
- c) in receipt of disability insurance

Upon receipt of a list of eligible members, submitted by the person(s) designated by the Finance committee, and authenticated by the Finance Committee of the Executive, payment of strike lock out job action pay shall be undertaken. Payment shall be made by cheque directly to the members.

In the event members are paid by the Employer for any day for which they have received payment under this policy, the amount received under this policy for those days shall be repaid to the YTA.

Rotating or intermittent interruption in service/earnings shall qualify on the same basis as a consecutive-day interruption.

YTA will make arrangements to provide YTA guaranteed loans to members involved in job related actions. Members will be eligible for \$1000 loan after 15 days of job actions and an addition a \$1500 after a further 10 days. The loans would be interest free for the first five months following and end of job disruption and the YTA would continue to guarantee the loan for a further five months.

The YTA will normally follow up with members who default on their loans as follows:

- a) if the member is not experiencing financial difficulties, obtain a letter of commitment and a series of postdated cheques sufficient to retire the debt within two years;
- b) if the member agrees to repay but is experiencing financial difficulties, obtain a letter agreeing to pay and a series of post dated cheques to retire the debt within two years after an initial one year deferral;
- c) if the member refuses to repay, pursue legally;
- d) normally, interest will be charged on defaulted loans after the interest free period.

**END OF SECTION 4, REGULATIONS**

## **HISTORY OF THE YTA**

In the spring of 1955, a group of teachers in Whitehorse, led by Mary Gartside, formed the Whitehorse Teachers' Association. Later that year the first Teachers' Institute was held in the Yukon in an attempt to organize a professional Association for all Yukon teachers. The BCTF delegate to the meeting was John Prior, a past president of both the BCTF and CTF. As a result of his visit, the Yukon Teachers' Association was formed on October 4, 1955 with sixty charter members. Alice Homewood Elston became the first president. (See list of Charter Members and past presidents). It was registered as a society under the Societies Act of Yukon on June 26, 1959.

To help maintain contact with the outlying areas, the Association produced the QUARTERLY, permitting an exchange of views and news. This was followed by the YTA BULLETIN, later called the YUKON NOTES, and the monthly NEWSLETTER which was succeeded by a newspaper, the YUKON TEACHER which was published five times a year.

Communications were improved with the granting of leave to Executive members when necessary to visit the rural areas

The YTA, in 1960, fought and won the right to negotiate with the YTG on matters of salary. Also, a program was established to help teachers gain further education through government allowances to cover fees, textbooks and travel, and by providing educational leave. In 1962, the right of tenure was written into the Education Ordinance. Previously, a teacher could be dismissed at the will of the Commissioner with no reason given and no provision for arbitration. In 1964, the Yukon teachers entered a pension scheme when the Federal Civil Service Retirement Plan was made available to them.

The YTA became a full member of the CTF in 1969. Mike Heron, YTA President from 1973-75, was the first YTA member to serve as President of CTF (1976-77).

In 1970, provision was made for the appointment of a part-time secretary and a permanent office. The AGM, in June 1971, established Central Council to provide for a wider representation and to serve as a steering body of the Association. During the years 1971-74, the YTA submitted a number of briefs to the Legislature; the YTA president was invited to attend Territorial Council meetings to clarify the teachers' stand on certain issues; many of the suggestions were incorporated into the School Ordinance (1974).

The YTA adopted a Code of Ethics, established two student scholarships, provided for the development of specialist groups within the Association and attained the right to Joint Consultation meetings with the Department of Education.

In 1977, the President of the YTA was granted half-time leave from teaching duties to devote to Association business. In 1980, the Presidency became a full time position.

In 1982, the YTA hosted the CTF AGM in Whitehorse.

From 1985-1990 the Association was actively involved in the preparation of a new Education Act that was proclaimed in 1990 along with a Teaching Profession Act, which the Association had worked for since 1974. With these new Acts, Yukon teachers gained the abilities to negotiate working conditions and to develop their professional rights and responsibilities more fully.

In August of 1991 the YTA moved into their newly purchased office building at 2064 Second Avenue.

Inclusion of paraprofessionals and aboriginal language instructors in the early 1990s made the YTA unique among the CTF affiliates. The 1992 AGM established the Elijah Smith Scholarship.

The Association hired Dennis Rankin as its first Executive Director in August, 1996. After a decade of labour relations alternatives, including a legislated contract for 1994-1997 with a salary rollback and the first YTA strike – a few days of rotating school closures in February 2001, a renewed agreement was achieved through negotiations.

The Education Staff Relations Act (ESRA) arose from the scheduled ten year review of the Education Act. The ESRA effectively addresses the labour relations for the YTA employees of the Department of Education.

The Association created a special recognition award by which outstanding service to the organization could be recognized. Named in memory of Alice Elston, the award was first presented in 2004 to Glenna Howard and in 2005 to Sandra Gabb.

A group of former YTA members under the leadership of Ruth Armson founded the Yukon Retired Teachers' Alumni (YRTA) in 1998. They have joined with the Association in planning events to commemorate the first 50 years 1955 to 2005.

## PAST PRESIDENTS

1955-56	Alice Elston (Homewood)
1956-57	John Munsell
1957-58	Claude Campbell
1958-59	Hank Bugara
1959-60	Doris Stenbraten (McMurphy)
1960-61	N. J. E. Moberg
1961-62	Warren Rongve
1962-63	Gerry Bell
1963-64	Paul Nametenko
1964-65	Les Bullen
1965-66	Manny Kloster
1966-67	Warren Rongve
1967-68	Hank Bugara
1968-69	John Pacy
1969-70	Robert Dunlap
1970-71	William Schoeman
1971-72	Carole Keddy
1972-73	Jim Schmitz
1973-75	Mike Heron
1975-77	Fred Smith
1977-79	Mary Melynk
1979-80	Gordon Yakimow
1980-82	Sandra Gabb
1982-83	Robert Dick
1983-84	Glenda Eberlein Johnston
1984-87	Paul Nugent
1987-89	Glenna Howard
1989-93	Ken Taylor
1993-95	Terry Price
1995-98	Kerry Huff
1998-2001	Paul Nordahl
2001-2003	Terry Price
2003-2005	Ian Oostindie
2005-2007	Sandra Henderson
2007-2009	Jim Tredger

## HONORARY MEMBERS

Rene Alford	June 1972	Mimi Waterreus	April 1998
W. Buchan	December 1972	Aron Senkpiel*	May 2004
F. Levirs	June 1972	Yvonne Schneider	May 2004
William Schoeman	April 1984	Bill Ferguson*	April 2005
L. Lund	April 1985	Dennis Rankin	April 2008
Piers McDonald	April 1993		

## LIFE MEMBERS

**1965**

Jack Hulland\*

**1967**

Mary Gartside

**1970**

D. Carswell

L. Carter

Alice Patnode

**1971**

T. Thompson\*

**1972**

L. Farley\*

**1973**

L. Wooley

**1974**

H. Hellaby

Doris Stenbraten\*

**1976**

S. Johnson

**1977**

V. White

**1979**

Joan Shaxon\*

**1981**

M. Langevin

N. Harrison\*

Ted Harrison

**1983**

Marj Almstrom

Lillian Hrick

M. Berg

**1986**

Irma Bourassa

**1987**

M. Schmitz

Sylvia Hackney

E. Holroyd

Margaret Healy

**1988**

Ike Penner\*

Freda Baker

Maurice Wearmouth

**1989**

Ellen Harris

**1990**

Clare Stark

Tish Tomlin\*

Ollie Hunnie

**1991**

Frances Pillman

Ron Hoepfner

Ruth McCauley

**1992**

Fred Smith

Wally Seipp

Joyce Caley

**1993**

Gordon Yakimow

**1995**

Millie Jones

**1996**

Ellen Eby

Bill McLay\*

Freda Tomlinson

Judy Winberg

**1997**

Dave Brekke

Ron Carr

Lois Murtagh

**1998**

Clarke Blysak

Pam Makarewich

Robert Dick

**2000**

Don Roberts

Pat Healy

Michelle Brown

Ruth Armson

Helen Seipp\*

Flo Kitz\*

Ben Sheardown\*

**2002**

Margaret Stenzig

Shirley Pennell

Patti Nash

Ken Nash

Roy Mathies

Sister Patricia Langley\*

Jean Johnson

Eugene Clements

Ron Campbell

Marcella Brown

Bernice Broder

Irene Brekke

**2003**

Barb Zaccarelli

Sue Findlater

Terry Burns

Sister Edith Elder

Jack Kingscote

Sandra Gabb

Maura Glenn

Dave Hobus

Glenn Hurlburt

Henry Klassen

Richard Martin

Al Loewen

Diane Loewen

Megan Perry

Bob Sharp

Murray Cathers

Dave Stockdale

Kirsten Palmer

**2004**

Mike Craigen

Elaine Couling

Helen Emslie

Penny Ferbey

Jackie Hinde

Ross Kelly

Wendy McKinnon

Ev Pasichnyk

Jean McKinnon

Mary Melnyk

**2005**

Suzanne Bertrand

Kathy Birkel

Dorothy Charette

Maggie Griffiths

Richard Griffiths

Nedien Hoganson

Judy Klein

Bob McCauley

Grace Mossop

Roxienne Prestone  
Valerie Ross  
Heather Thompson  
Trudy Veres  
Kathy Webster  
Jeanne Wilson

**2006**

Nancy Ball  
Nancy Brady  
Paul Deuling  
Margaret Hanulik  
Edith Healy  
Ruth Holt  
Brian Hunt  
Beverly James  
Sandra Johnson  
Mary Ann Johnston  
Betty Kelly  
Gail Kreitzer  
Eleanor O'Donovan  
Brenda Mainer  
Gail Miller  
Jan Milner  
Wil Petricko  
Barbara Phillips  
Margaret Stenzig  
Valerie Stockdale

**2007**

Eleanor O'Donovan  
Rich Clark  
Hazel Bunbury  
Collyne Bunn  
Ted Garland  
Elsie Hume  
Jim King

Keith Kirkham  
Giles Lansfield  
Sandy Landfield  
Keith Lay  
Kathryn Millar  
MaryLynn Penner  
Ray Young

**2008**

Aileen McCorkell  
Betty Davidson  
Dan Davidson  
Don Harding  
Donna White  
Edmond Ruest  
Ernie Swerhun  
Helen Strelloff  
Joanne Faulkner  
Josie Mathian  
Jan Wallace  
Lee Kubica  
Margot Simonot  
Nancy Colberg  
Myra Egli  
Ollie McCallum  
Patricia Spence  
Sandra Henderson  
Sue Langevin  
Virginia Freese

**2009**

Marilynne Lee-Taylor  
Wes Sullivan  
Lydia Oleson  
Bob Sutherland  
David Galloway  
Rosemary Burns

Pat Cassidy  
Marilyn Greely  
Kevin Hall  
Faye Silvester  
Bruce MacGregor  
Richard Burke  
Barb Macrae  
Kerry Huff  
Lorraine Allen  
Annie Avery  
Nancy Kowalyshe  
Gloria Roman  
Diane Parenti  
Pat Berrel  
Bill Callander  
Katie Shewfelt  
Ellen Johnson

**2010**

Lois Johnston  
Judy Prevost  
Ruth Lawrence  
Terry Markley  
Marie Simoens  
Gayle Smith  
Martha Smith  
Sharon Westberg  
Margaret Bob  
Sharon Davies  
Fern Johnstone  
Monique Lange  
Wendy Jickling  
Jan Gallant  
Faye Silvestre

**RECIPIENTS of ALICE ELSTON AWARD**

Glenna Howard	2004
Sandra Gabb	2005
Janet Wallace	2006

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