



Association of Administrative, Professional and Support Personnel

By-Laws Effective September 1, 2005

1.0 NAME

- 1.1 The Association name will be the Association of Administrative, Professional and Support Personnel.

2.0 MISSION/PURPOSE

- 2.1 To promote the general interest and support of members.
- 2.2 To maintain and continue collaborative working relationships within the Board.
- 2.3 To represent members of the Association as the exclusive negotiating authority for all of the members of the Association as hereinafter provided.
- 2.4 To maintain the highest standards of professional conduct and competence for our members.
- 2.5 To provide a communication link between the membership and administration.
- 2.6 To foster high morale in our membership.

3.0 MEMBERSHIP

- 3.1 All non-union permanent and term employees, regularly employed either full or part-time by the Thames Valley District School Board who are not members of any other recognized employee group which has established its right to negotiate or bargain with the Board will be members of the Association.
- 3.2 Membership in the Association implies a willingness on the part of the member to have the Association, through its elected or appointed representatives, negotiate with the Board on behalf of the member concerning those matters of common concern to all members.
- 3.3 Associate Social Membership: To allow the employees to participate in

Association social events; open to present and former Association members, not eligible to remain in the Association as regular voting members.

- a) who shall retain an ongoing interest in the ideals of the Association,
- b) who shall have no voting privileges,
- c) who shall not be eligible to hold any office,
- d) who shall pay one-half the dues paid by the members.

- 3.4 Probationary Employees: Probationary employees will become dues paying members with full rights and privileges as of the date of hire.
- 3.5 Temporary Employees: Temporary employees, whether an internal or external appointment, will be dues paying members with full rights and privileges.
- 3.6 Term Employees: Term employees fill a position created for a specific duration. This employee is a dues paying Association member with full rights and privileges. Upon completion of the term specified, Executive Council will review the position and a decision will be made to terminate the position, to extend the term or to create a permanent position.
- 3.7 Contract Employees: Contract employees are hired externally to complete a task internally. The incumbent is placed on the Association grid for payroll purposes only. This position has no rights or privileges by the Association. The incumbents do not pay dues.
- 3.8 Honourary Membership: Honourary memberships are extended to retired Association members to allow them to participate in social events.

4.0 **DUES AND MEMBERSHIP**

- 4.1 A membership fee of \$5.00 shall be charged each member at the time the member joins the Association.
- 4.2 Dues payable by payroll deduction shall be \$2.00 per bi-weekly pay.
- 4.3 The Board of Representatives may, at its discretion, reduce the annual dues without recourse to the membership. If, in the opinion of the Board of Representatives, the annual dues should be increased, the proposed increase must be presented to the membership at the next ensuing annual meeting of the Association for approval and, if approved the revised dues shall take effect on the first pay of the new Association Year.

- 4.4 One special assessment each fiscal year, not to exceed one-half of the annual dues, may be levied by the Board of Representatives at its discretion to meet unusual or unexpected circumstances. Such assessment to be reviewed and voted on at a special Board of Representatives meeting.

5.0 **EFFECTIVE DATE OF THE BY-LAWS**

- 5.1 The By-Laws of the Association shall be in force effective September 1, 2006.

6.0 **ASSOCIATION YEAR**

- 6.1 The Association fiscal year shall be from September 01 to August 31.

7.0 **BOARD OF REPRESENTATIVES**

- 7.1 The affairs of the Association shall be managed by a Board of Representatives consisting of the:

a) Executive

- Past President
- President
- Vice President
- Secretary
- Treasurer
- Negotiator(s)

- b) Representatives are elected in accordance with the provisions of this By-Law in the following areas:

Representative Areas and Number to be Elected:

- Group A: Assistants (Administrative, Secretarial, Executive) - 2
Group B: Supervisors / Group Leaders - 2
Group C: Officers / Auditors / Coordinators / Buyers - 2
Group D: Information / Computer, Technical Specialists - 2
Group E: Office Managers (S.S.) / Instructional Assistants - 2

- 7.2 Minutes of all meetings shall be made available to the membership; those minutes will include but not be limited to Board of Representatives meetings, the Annual General Meeting, and Special/Emergency meetings.

- 7.3 After all Executive positions have been filled, Representatives shall be elected from each of the areas to complete the divisional representation as specified in 7.1 above.
- 7.4 The Representatives, except as hereinafter provided, shall hold office for two years commencing with the alternating year. For the purpose of continuity, the terms of the office for the Representatives should be staggered.
- 7.5 At all Annual General Meetings following the adoption of this By-Law nominations and an election shall be conducted in each area for Representatives as required to fulfill the terms of this By-Law.
- 7.6 A simple majority of the members of the Board of Representatives shall form a quorum for the transaction of business.
- 7.7 In the case of equality of votes, the chair shall have the deciding vote.

8.0 **EXECUTIVE**

- 8.1 The Executive shall consist of the Past President, President, Vice President, Secretary, Treasurer, Negotiator(s).
- 8.2 The Past president shall be that member of the Association who has just completed a term as President. The President shall be that member of the Association duly elected. The President shall hold office until the next Annual General Meeting or until a successor is elected or appointed.
- 8.3 The Vice President shall be elected at the Annual General Meeting and shall hold office until the next Annual General Meeting.
- 8.4 The Secretary shall be elected by an affirmative vote of the majority of the members at the Annual General Meeting.
- 8.5 The Treasurer shall be elected by affirmative vote of the majority of the members at the Annual General Meeting.
- 8.6 Any member in an Executive position on the Board of Representatives may be removed from office before the expiration of their term by an affirmative vote of 2/3 of the Representatives for not performing the duties of the position they were elected to do.
- 8.7 If any other member of the Board of Representatives is not actively participating in the administration of the Association, that member of the Board of

Representatives may be removed from office before the expiration of their term by an affirmative vote 2/3 of the remaining Representatives.

- 8.8 No member of the Executive shall hold the same office for more than three consecutive terms.

9.0 DUTIES OF EXECUTIVE

- 9.1 The President shall preside at all meetings of the Association and of the Board of Representatives. The President shall be charged with the general supervision of the affairs and operation of the Association. The President shall attend meetings of Mutual Concerns with the Executive and Human Resource Services to represent and bring forth issues that affect members of the Association, policy issues or interpretation of the agreement. During the absence or inability of the President, duties and powers may be exercised by the Vice President. In the event that both the President and Vice President are absent from any meeting of the Association or the Board of Representatives, the members present at the meeting may elect a chair who shall exercise the powers of the President during such meeting.
- 9.2 a) The Secretary shall act as a Secretary at every meeting of the Association and the Board of Representatives. The Secretary shall have custody of all records and minutes up to August 31 of each year.
- b) In the event that the Secretary is temporarily unable to carry out the duties of that office, the President may appoint a temporary Secretary.
- 9.3 a) The Treasurer shall have custody of all books of account, keep full and accurate account of all receipts and disbursements and shall deposit all funds in the name of and to the credit of the Association in such bank as the Representatives may designate. The Treasurer shall disburse the funds under the direction of the Board of Representatives.
- b) The annual financial operating cycle for the Association will be September 01 to August 31 of each year.
- c) The Treasurer shall prepare by September 30th each year a financial statement for audit purposes as at August 31st.
- d) The Treasurer shall present the audited financial statement to the Board of Representatives at the November regularly scheduled monthly meeting.
- e) The Treasurer shall present at the Annual General Meeting the audited

financial statement of the operating cycle as at August 31st of the prior fiscal year.

- f) The Treasurer shall present at the Annual General Meeting a year to date financial status report as at April 30th.
- g) In the event that the Treasurer is temporarily unable to carry out the duties of that office, the President may appoint a temporary Treasurer.
- h) At the October meeting, the Treasurer shall submit a draft annual budget for approval by the Board of Representatives. Such approval is to be made no later than the November meeting.
- I) The Association shall maintain a minimum balance of \$15,000 for emergency expenses.

9.4 Honorarium

The members of the Executive and Board of Representatives as described in article 8.0 shall be entitled to receive a token of appreciation from the Association in the form of an honorarium in accordance with the following schedule. If a member of the Board of Representatives does not complete the full term, the Honorarium shall be pro-rated to the number of months served. If a member of the Board of Representatives is absent for more than three consecutive meetings without notifying the Board, the President may appoint a Representative from that area of representation to complete the current year as a member Representative.

- the President shall receive \$2.00 per member
- the Secretary shall receive \$1.75 per member
- the Treasurer shall receive \$1.50 per member
- the Negotiator shall receive \$1.50 per member
- Area Representatives shall receive \$50.00 per year
- the Past President shall receive \$50.00 per year
- the Vice President shall receive \$1.00 per member

Honorarium shall be paid by September 30th. The honorarium which is “per member” based shall be calculated on the actual number of members who have paid their membership dues to the Association as of August 31st each year.

9.5 Mileage

A mileage rate, consistent with the rate paid by the Board, will be paid to members of the Executive and Board of Representatives of standing and special committees to attend meetings or conduct approved business of the Association

other than general and/or special membership meetings.

9.6 Recognition / Acknowledgment of a Member

The request for recognition may be submitted by the member or a fellow member to the Secretary of the Association.

- a) The Association shall recognize / acknowledge a member within the Association with a gift or financial payment not to exceed \$50.00 for the following:
 - Marriage
 - Birth of a Child
 - Adoption
- b) The Association shall recognize / acknowledge a member with a gift basket or flowers not to exceed \$50.00 in the event of a long-term illness greater than 15 working days.
- c) The Association shall recognize / acknowledge the death of a member's partner or child by way of memorial contribution in the amount of \$50.00.
- d) The Association shall recognize / acknowledge the retirement of a member by way of a gift or financial payment not to exceed \$100.00.
- e) The Association shall recognize / acknowledge the death of a member by way of a memorial contribution not to exceed \$100.00.
- f) Any dues paying member of the Association is entitled to the payments outlined in 10.6.
- g) At the Annual General Meeting, the Association will recognize/ acknowledge members based on their length of service as at December 31 of the preceding year with TVDSB and a predecessor Board.

Length of Service	Recognition
5 Years	Letter
10 Years	Letter plus \$25
15 Years	Letter plus \$30
20 Years	Letter plus \$35
25 Years	Letter plus \$50
30 Years	Letter plus \$75
35 Years	Letter plus \$100

10.0 DUTIES OF BOARD OF REPRESENTATIVES

- 10.1 To attend all general and executive meetings or send a delegate.
- 10.2 To act as a communication liaison between the representative area and the Board of Representatives.
- 10.3 To bring forth issues/concerns of the representative area for “Mutual Concerns.”
- 10.4 To participate in decisions made during all general and executive meetings.
- 10.5 To assist in monitoring quorum at all general and special meetings of the Association.

11.0 AUDITORS

- 11.1 One or more auditors shall be appointed for the next fiscal year (September 1 to August 31), at each Annual General Meeting. The auditor(s) of the Association shall hold office until the completion of the audit for the fiscal year for which they are appointed. The auditor(s) may attend all meetings of the Board of Representatives as a non-voting member.
- 11.2 The year-end financial statements will be audited by October 31st. The auditor will confirm that the financial statement, as prepared and presented by the Treasurer, represents the true and correct financial position of the Association. The year-end audited financial statement will be presented to the Board of Representatives at the November monthly meeting and to the membership at the Annual General Meeting. The year-end audited statement will be posted on the web site of the Association and will be provided to any member upon request.

12.0 COMMITTEES

- 12.1 The Board of Representatives of the Association shall have the power to establish committees excepting the Negotiating Committee, from among the members of the Association from time-to-time and to determine the mandate of each committee. The duration of office of the committee and of its members shall be at the discretion of the Board of Representatives.

13.0 ANNUAL GENERAL MEETING

13.0 The Annual General Meeting of the Association, of which not less than one month's notice in writing shall be given each member by the Secretary, shall be held not later than June 30th each year, at a place to be named by the Board of Representatives, and all business to be transacted at the Annual General meeting shall be set out in written notice.

14.0 **SPECIAL/EMERGENCY MEETINGS**

14.1 Special meetings of the Association may be called by the President. Upon receipt of a written request of at least ten members of the Association, submitted to the Executive of the Board of Representatives, the Board may call a Special Meeting of the Association. Each member of the Association shall receive in writing at least one week's notice of a Special Meeting. No other business other than that set out in the written notice shall be transacted at the Special Meeting.

14.2 Emergency meetings of the Association may be called by the President on 24 hours notice. In such instances all members, to the extent possible, must be informed of the item and place of the meeting and the issues to be considered.

15.0 **ANNUAL GENERAL MEETINGS**

15.1 Procedure: At any Annual General Meeting of the Association, the President or in the absence of the President the chair of the meeting shall determine the order of business.

15.2 Every Annual General Meeting shall include:

- a report of the Board of Representatives
- a financial status report as at the immediately preceding April 30
- the audited financial statement for the last completed fiscal period
- a report of the Negotiating Committee (when applicable)
- a report from any Ad Hoc committees
- proposed by-law changes
- election of the Executive for the ensuing year
- election of the Board of Representatives
- election of auditor(s) for the ensuing year
- closing remarks

16.0 **VOTING PROCEDURES:**

- 16.1 For voting purposes, a quorum of at least 50% of the membership present at a general or special membership meeting must be maintained. Questions arising at any general membership meeting including proposed By-Law changes shall be decided by a majority of votes of members present with the exception of recommendations of the Negotiating Committee where a 2/3 majority vote is required. In the event that a member is unable to attend the meeting, the member will be allowed to vote by proxy on all issues contained in the notice of the meeting. The proxy form may be obtained from the Secretary of the Association. The proxy vote shall be approved by the President at the time that votes are recorded at the meeting and the vote shall be included accordingly. Each member is entitled to one vote, whether by ballot or by proxy.

17.0 SIGNING OFFICERS

- 17.1 The signing officers of the Association shall be the Past President, President, Vice President, Secretary and the Treasurer. Any two of the elected Executive shall be authorized to draw, accept, sign and make all cheques, orders, or other negotiable instruments upon the bank account of the Association, and generally for and in name and on behalf of the Association, transact any financial business authorized by the Board of Representatives. The said signing officers, or any one of them shall be authorized on behalf of the Association to deposit or transfer negotiable instruments, but to the credit of the Association only and for the said purpose to endorse the same or any of them on behalf of the Association.
- 17.2 All disbursements made from the account will be completed by cheque supported by documentation and approved as per the following:
- in accordance with Article 10.4, Honorarium; Article 10.5, Mileage; and Article 10.6, recognition/Acknowledge of a Member
 - as authorized by the Treasurer for expenses up to and including \$250.00;
 - expenditures over \$250.00 are to be approved by the Board of Representatives with the written consent of the Executive, either documented in the minutes of an Executive, Board of Representatives or General Membership meeting.

18.0 REPRESENTATIVE VACANCY

18.1 Board of Representatives

Where a vacancy occurs in the Board of Representatives from cause, the members of the Executive shall appoint a member of the Association from the division in which the vacancy occurs to fill the vacancy, and the person so appointed shall

hold office for the remainder of the term for which the preceding Representative was elected.

18.2 Executive Member Vacancy

Where a vacancy in the Board of Representatives also causes the position of one of the Executive of the Association to be come vacant; the Board of Representatives shall elect from among themselves a person to fill the position of that officer, by resolution or such other method as may be decided by a majority of the members of the Board of Representatives present, and the person so elected shall hold office for the remainder of the term for which the predecessor was elected.

19.0 **GENERAL NEGOTIATING COMMITTEE**

19.1 The General Negotiating Committee, shall normally consist of:

- President
- Vice President
- Past President
- 1 representative from each Representative Area (to be elected by the respective area)
- Chair or Co-Chairs of the General Negotiating Committee is to be elected from the Committee by the Committee membership. President Elect will be ex-officio member of the General Negotiating Committee and will act as secretary during meetings of the Negotiating Committee. The General Negotiating Committee is to be struck as required at the first Board of Representatives meeting following the annual elections to Board of Representatives. The Chair/Co-Chair of the Negotiating Committee shall attend all executive, director's and mutual concerns meetings during the term of the Negotiating Committee.
- Only 7 members of the General Negotiating Committee will be present during the actual negotiations with management.

19.2 In the event that negotiations are in progress and the term of the Executive members appointed to the General Negotiating Committee has expired, the current Committee shall continue in this role until such time as a contract has been ratified in order to ensure continuity in such matters.

19.3 The General Negotiating Committee is dissolved once the Agreement has been ratified. Chair/Co-Chair shall continue as member of the Executive until such time as the next General Negotiating Committee is struck.

- 19.4 The President shall call for a new General Negotiating Committee at such appropriate time in order to prepare for the next Agreement negotiations.
- 19.5 The General Negotiating Committee shall inform the membership regularly concerning its activities and make formal recommendations to members when appropriate.
- 19.6 The Committee shall not negotiate on behalf of non-members.

20.0 PROCESS FOR RESOLUTION OF ISSUES OR CONCERNS

- 20.1 Personal, policy or interpretation concerns may be brought up with your area representative or a member of the Executive to be addressed with Human Resource Services in the Mutual Concern arena for resolution. Where no resolution seems possible, the individual or Executive may file a grievance for resolution following the new procedures. Where no resolution seems possible in the grievance procedures, the Executive may take the issue to the membership to receive approval to seek legal advice and/or action, and approval to spend funds of the Association for this purpose.
- 21.1 At all meetings, Robert's Rules of Order shall govern procedures except as otherwise indicated in these By-laws.

22.0 AMENDMENTS OF THE BY-LAWS

- 22.2 No amendments, alteration, or addition to these by-laws shall be made unless due notice thereof in writing, setting forth the proposed amendment, alteration or addition, shall have been given to the Secretary of the Association at least 45 days before the Annual General Meeting of the Association. The Secretary of the Association shall include the proposed amendment, alteration or addition in the agenda of the Annual General Meeting of the Association and the proposed amendment, alteration or addition shall be disposed of at the Annual Meeting of the Association.