



# **PEARSON TEACHERS UNION**

# **CONSTITUTION**

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## **1. AIMS**

- 1.1 The Pearson Teachers Union (PTU) shall at all times endeavour to achieve unity within diversity and to conduct its operations with efficiency and dispatch in order to realize the following aims:
- (a) the professional development of members so that the PTU may be a constructive force and may be recognized as an initiator of improvements in education in the Province of Quebec, always subject to its functions as a local of the Quebec Provincial Association of Teachers (QPAT);
  - (b) the protection of the professional, the economic and the social welfare of its members.

## **2. ELIGIBILITY**

- 2.1 Any teacher employed by the Lester B. Pearson School Board, or any person who is a member of a group for which the Pearson Teachers Union (PTU) holds a bargaining certificate by virtue of the Quebec Labour Code, shall be eligible for membership in the Pearson Teachers Union, provided that:
- (a) he/she pay an initiation fee of \$2.00 included in the union dues deducted;
  - (b) he/she pay regularly the annual fee required by this Constitution as determined by the Annual General Meeting (AGM);
  - (c) he/she agrees to abide by the Constitution of the PTU, and the resolutions adopted by the Delegates' Assembly, a general meeting or a referendum.
- 2.2 Furthermore, any other person who is a member of a group which the Delegates' Assembly may choose to accept as an eligible group, even in the absence of the Pearson Teachers Union (PTU) holding a bargaining certificate for that group, shall be eligible for membership in the Pearson Teachers Union, under conditions to be determined at that time.
- 2.3 Any teacher wishing to resign from the PTU must inform the PTU by registered letter. However, the teacher must continue to pay union dues in conformity with the collective agreement.

## **3. DUES**

- 3.1 The minimum fee for any new member entering the employ of the Lester B. Pearson School Board, on or after January 1, 1999, shall be \$2.00.
- 3.2 The membership fee for members employed full-time, part-time, by the lesson, at an hourly rate or on leave of absence shall be approved at the Annual General Meeting.
- 3.3 The membership fee for those who do not have contractual employment status shall be approved at the Annual General Meeting.

3.4 All members shall pay any special assessment levied and approved at a special general meeting.

#### **4. EXECUTIVE COMMITTEE**

4.1 The Executive Committee Officers shall be the President, the General Chairperson, the High School Vice-President, the Elementary School Vice-President, the Adult Education/Vocational Education Vice-President, the Secretary, the Treasurer and three (3) Officers at large.

4.2 All the Executive Committee Officers shall be elected every two (2) years according to the provisions foreseen in Section 5.

4.3 The Executive Committee Officers shall be directors of the QPAT. Should the PTU be entitled to fewer than ten (10) directors of the QPAT, then these directors shall be appointed by the Executive Committee from among its officers.

4.4 Should the PTU be entitled to more than ten (10) directors of the QPAT, then these additional directors shall be elected annually according to the provisions foreseen in Section 5. Should there be a need for additional directors because some officers of the Executive Committee are also directors of the QPAT Executive, this article shall also apply.

#### **4.5 Resignations and/or vacancies due to incapacity**

(a) An elected officer of the PTU who is appointed to a LBPSB administrative position shall offer, in writing, an immediate resignation to the Executive Committee and Delegates' Assembly.

(b) An officer elected to a specific post on the PTU Executive Committee who changes sector shall remain in the post to which he/she was elected for the balance of the mandate.

(c) The replacement of an officer on the PTU Executive Committee, due to a resignation, a vacancy due to incapacity and/or a change in Sector, shall be decided by the Executive Committee.

(d) In the case of a prolonged absence of more than one (1) month of the President, the Executive Committee shall appoint an interim president from one of its officers.

#### **5. ELECTION OF THE EXECUTIVE COMMITTEE OFFICERS**

5.1 Every second year, no later than March 15<sup>th</sup>, the Chairperson of the Nominations Committee shall ensure that the PTU office send to the senior delegates in all schools and centres the documents listed herebelow. If there is no delegate in a school or centre, the PTU Nominations Committee will designate a representative for the school or centre.

(a) notices calling for nominations for all positions on the Executive Committee;

- (b) copies of articles 5.1, 5.2 and 5.3;
- (c) copies of Appendix I - Election Procedure to be posted in a prominent place in all schools and centres immediately upon receipt. Appendix I will also be posted on the PTU website.

5.2 A nominee must submit:

- (a) a PTU Official Nominations Form. This form must be obtained at the PTU office, where the section of the form which indicates the name of the nominee and the position he/she is seeking shall be completed by a person of the PTU administrative staff;

the PTU Official Nominations Form shall include the written consent of the nominees as well as the support of at least twenty (20) members of the PTU who shall be drawn from at least four (4) different schools or centres. A sample copy of this form appears in Appendix 1 - Election Procedure.

- (b) the PTU Official Nominations Form must be filed with the PTU administrative staff no later than 4:00 p.m. on the tenth (10th) workday following the call for nominations.

5.3 A nominee must be an active member in good standing. Before assuming office, a nominee must have served as a delegate or an officer of the Executive Committee of the PTU for at least one (1) full school year.

5.4 The Nominations Committee shall:

- (a) determine that the nominations are in conformity with articles 5.1, 5.2 and 5.3;
- (b) publish the name of each candidate who is acclaimed to a position on the Executive Committee and the list of the positions for which an election shall be held giving the name of the candidates for each position. This information shall be made available to all PTU members and posted on the PTU website within three (3) workdays of the close of nominations;
- (c) at the same time, the Nominations Committee shall announce the date of the election.

5.5 In the event where there is more than one (1) candidate seeking a similar position in an election, the candidates shall be presented at a Special General Meeting by the Chairperson of the Nominations Committee.

Each candidate shall be permitted to address the meeting in person and be entitled to speak for two (2) minutes, with the exception of presidential nominees, who shall be entitled to speak for five (5) minutes, with a question period to follow. A candidate may waive their right to speak. In the case where all candidates waive the right to speak, the Special General Meeting shall not be held.

The date of the Special General Meeting shall be determined by the Executive Committee in accordance with article 12.2.

- 5.6 Within seven (7) workdays after the Special General Meeting, a secret ballot shall be conducted by the Returning Officer in each school or centre in conformity with the Election Procedure.
- 5.7 The Executive Committee Officers acclaimed in conformity with article 5.4 or elected in conformity with article 5.6 shall take office on July 1<sup>st</sup>.
- 5.8 Any QPAT vacancy shall be filled according to articles 4.3 or 4.4 as the case may be.
- 5.9 (a) In the event that the Executive Committee decides to replace an officer on the Executive Committee, as described in Article 4.5 (c), a by-election shall be held for the specific position on the Executive Committee;
- (b) The by-election, if held, will follow the same procedure as those described in Articles 5.1, 5.2, 5.3, 5.4, 5.6 as well as Appendix I - Election Procedures.
- (c) In the event of a by-election, the candidates shall be presented at a regular Delegates' Assembly. Each candidate shall be permitted to address the meeting in person and to speak for two (2) minutes. A candidate may waive their right to speak at the Delegates' Assembly.
- (d) The Executive Committee officer acclaimed in conformity with Article 5.4 or elected shall take office within seven (7) workdays.
- 5.10 Any election shall be held in conformity with Appendix I. The Election Procedures shall be approved by the Delegates' Assembly and be subjected to amendment by that body.

## **6. MEETINGS OF THE EXECUTIVE COMMITTEE**

- 6.1 The Executive Committee shall hold regular meetings at least once a month. The notice and the agenda shall be available prior to the meeting. At each meeting, the date and time of the subsequent regular meeting shall be set. Any emergency meeting of the Executive Committee may be convened with the consent of the majority of its officers.
- 6.2 The quorum for Executive Committee meetings shall be 50% of its members.
- 6.3 The President shall preside at Executive Committee meetings; the General Chairperson or another Executive Officer empowered by the President shall preside should the President be absent.

## **7. DUTIES OF EXECUTIVE OFFICERS**

### **7.1 The President shall**

- (a) preside at meetings of the Executive Committee and be entitled to vote;
- (b) at the invitation of any individual school or centre, have the right to attend its meetings;

- (c) sign and execute all contracts or agreements in the name of the PTU;
- (d) ensure, on behalf of the Executive Committee, that all employees of PTU are efficiently discharging their duties;
- (e) be ex officio representative on every committee of the PTU;
- (f) be Chairperson of the Negotiating Committee in which capacity he/she shall act as Chief Negotiator unless he/she chooses to delegate this responsibility;
- (g) convoke the Annual General Meeting;
- (h) be responsible for the day-to-day operation of the PTU;
- (i) act as the signing officer with the Treasurer;
- (j) in consultation with the Executive Committee, have the right to appoint the members of the Negotiating Committee from amongst the officers of the Executive Committee and the professional staff.

7.2 The General Chairperson shall

- (a) be the Chairperson of the Nominations Committee subject to the provisions of article 17.2;
- (b) be the Chairperson of general meetings of the PTU and at meetings of the Delegates' Assembly;
- (c) conduct meetings according to the rules appearing in the PTU handbook published to that effect.

7.3 The Elementary School Vice-President, the High School Vice-President and the Adult Education and Vocational Education Vice-President shall

- (a) be empowered to convene meetings of the delegates from their respective sector for purposes which are of exclusive interest to them. The agenda for such meetings shall be subject to approval by the Executive Committee (see article 9.7);
- (b) at the invitation of a school or centre, have the right to attend its meetings.

7.4 The Secretary shall

- (a) be responsible for recording the minutes of the Executive Committee meetings and forward the minutes to the PTU office staff within five (5) workdays;
- (b) be responsible for recording the minutes of the Delegates' Assembly, Annual General Meeting or any Special General Meeting and forward these minutes to the PTU office staff within five (5) workdays;

- (c) ensure that representation on the Delegates' Assembly is assessed in conformity with article 10.1;
- (d) ensure that the PTU office staff circulate to each school and centre a list of duly-elected delegates of the PTU;
- (e) ensure that the PTU office staff maintain as accurately as possible the membership lists and the distribution of the membership cards;
- (f) refer any proposed amendment to the Constitution to the next meeting of the Delegates' Assembly following receipt of the proposed amendment(s) and ensure that the text of the proposed amendment(s) is sent to each school and centre at least seven (7) workdays before the Annual General Meeting.

7.5 The Treasurer shall

- (a) be Chairperson of the Finance and Budget Committee in which capacity he/she shall present the budget and the auditor's report as deemed necessary to the
  - i) Executive Committee
  - ii) Delegates' Assembly
  - iii) Annual General Meeting
  - iv) Auditor;
- (b) have the care and custody of all the funds and securities of the PTU and oversee their deposit in such bank or banks or with such depository or depositories as the Executive Committee may direct;
- (c) be required at all reasonable times to exhibit the books and accounts to any member of the PTU;
- (d) have a supervisory function over all Executive Committee expenditures;
- (e) act as the signing officer with the President.

7.6 The Executive Committee Officers shall attend the meetings of the Executive Committee.

**8. DUTIES AND POWERS OF THE EXECUTIVE COMMITTEE**

The Executive Committee shall

- 8.1 administer the assets of the PTU;
- 8.2 conduct routine business, supervise all the services of the PTU and attend meetings of the Delegates' Assembly and general meetings. The Executive Committee shall execute decisions and special requests adopted at the above-mentioned meetings and by referendum;
- 8.3 have the right to engage and discharge all employees of the PTU in accordance with its policies;

- 8.4 have the right to initiate proposed amendments of the Constitution as foreseen in article 15.1;
- 8.5 be consulted on the appointment of the Negotiating Committee from amongst its officers;
- 8.6 approve a proposed list of delegates to the Provincial Council of QPAT including alternates.

## **9. THE DELEGATES' ASSEMBLY**

- 9.1 The Delegates' Assembly shall be composed of the Executive Committee and of delegates duly elected in accordance with the provisions of Article 10. It shall
  - (a) be a consultative body where all aspects of union activities are addressed;
  - (b) be a policy-making body.
- 9.2 The Delegates' Assembly shall
  - (a) determine the policy of the PTU in any given year subject to such directions as the membership may give either at a general meeting or by referendum;
  - (b) supervise the application of the Constitution of the PTU;
  - (c) receive as notices of motion resolutions from any meeting of the PTU members in a school or centre;
  - (d) decide on group membership applications and individual suspensions and expulsions;
  - (e) approve the proposed list of delegates to the Provincial Council of QPAT;
  - (f) approve or amend the PTU Official Nominations Form;
  - (g) approve or amend the PTU Rules of Order;
  - (h) approve or amend the PTU Election and Referendum Procedures.
- 9.3 The Delegates' Assembly shall hold at least eight (8) regular meetings during the school year. Special delegates' assemblies may be summoned by the President on his/her initiative, or by him/her when petitioned by at least ten (10) delegates from at least five (5) schools or centres.
- 9.4 Notice of regular meetings shall be sent together with the agenda to the senior delegate in each school or centre with sufficient copies for all other delegates in the school or centre plus additional copies for notice boards, five (5) workdays before the date of the meeting. All notices shall be posted on the PTU website.
- 9.5 The quorum of the Delegates' Assembly shall be half (1/2) of its total delegates.
- 9.6 Decisions shall normally be by simple majority of those voting "yes" or "no".



- 9.7 Meetings of the delegates of the Elementary School, the High School, or the Adult Education and Vocational Education sectors may be convened and chaired by the appropriate Vice-President (see article 7.3[a]), or by petition of at least twenty percent (20%) of the delegates of the sector concerned.

The provisions of articles 9.4, 9.5 and 9.6 shall apply to the meetings.

Decisions of such sectorial meetings shall be submitted within two (2) workdays to the President who shall place them on the agenda of the next meeting of the Executive Committee. The Executive Committee shall then submit such decisions to the Delegates' Assembly for ratification, rejection, or return for further study.

## **10. PTU DELEGATES**

- 10.1 During the first five (5) workdays of every school year, the PTU members of each school or centre shall elect from among themselves, a delegate or delegates as follows:

- (a) in a school or a centre with twenty (20) PTU members or less, one (1) delegate who shall be designated as the senior delegate in which capacity he/she shall be a member of the School or Centre Council;
- (b) in a school or centre with more than twenty (20) PTU members, one (1) delegate per every twenty (20) members or major fraction of twenty (20). The delegate with the greater number of votes shall be designated as the senior delegate in which capacity he/she shall be a member of the School or Centre Council;
- (c) the PTU members in a school or centre shall also elect an alternate who shall replace a delegate when he/she cannot act. The provisions of article 10.1 (a) and (b) shall apply.

- 10.2 Should a PTU delegate or an alternate delegate resign, be incapacitated or refuse to act, the provisions of article 10.1 shall apply within the next ten (10) workdays.

## **11. DUTIES OF DELEGATES**

- 11.1 All delegates shall be responsible for attending all Delegates' Assembly meetings.
- 11.2 If necessary, delegates shall also be responsible for calling meetings in their school or centre prior to meetings of the Delegates' Assembly to discuss issues which appear on the agenda.
- 11.3 Delegates shall also be responsible for calling meetings in their school or centre as soon as possible within the week following a meeting of the Delegates' Assembly in order to report back to their members.
- 11.4 The senior delegate shall be responsible for forwarding to the PTU office, in writing, the name(s) of the duly elected delegate(s) of his/her school or centre, within five (5) workdays of their election.

- 11.5 The senior delegate shall be responsible for forwarding a list of members in his/her school or centre to PTU by October 30<sup>th</sup> of each year. The senior delegate shall also be responsible for distributing membership cards when received.
- 11.6 The senior delegate, assisted by the other delegate(s), shall receive all the circulars and relevant mail, and shall be responsible for posting information, and, in all necessary ways, of assuring that all members are fully informed of the affairs of the PTU.
- 11.7 The senior delegate, assisted by the other delegate(s), shall be responsible for the conduct of all ballots which are requested by the Delegates' Assembly, or which are in accordance with the election and referendum procedure outlined in this Constitution.

## **12. GENERAL MEETINGS**

- 12.1 All members in good standing shall have the right to attend and vote at general meetings.
- 12.2 The notice of a general meeting and the agenda shall be received in schools and centres five (5) workdays before the date of the meeting. A general meeting may be organized in two or more parts, when deemed by the Executive Committee to be warranted. In such a case, votes taken by secret ballot would be sealed and counted only at the final part.
- 12.3 A quorum for a general meeting shall be one hundred (100). If the quorum is challenged and the meeting is cancelled, the quorum at the second meeting called for the same purpose shall be the members present.
- 12.4 The agenda for general meetings shall be prepared and circulated by the Executive Committee.
- 12.5 Without prior notice, a motion may be presented from the floor at a general meeting to place any item at any place on the agenda for discussion. The Chairperson shall rule on the admissibility of the item based on its urgency and importance. The ruling may be challenged, without debate, by a two thirds (2/3) vote of those present at the general meeting.
- 12.6 The Annual General Meeting shall
- (a) be convened by the President no later than June 15<sup>th</sup>;
  - (b) receive written reports from all PTU committees and act as it deems fit on any recommendation contained in such reports;
  - (c) adopt the auditor's report and the budget and appoint the auditors for the following year;
  - (d) adopt or modify the Constitution with the exception of Appendix I - Election Procedure and Appendix II - Referendum Procedure which shall be adopted or modified by the Delegates' Assembly.
- 12.7 Special General Meetings may be convened at the discretion of the Executive Committee, or by resolution of the Delegates' Assembly, or by petition of sixty (60) or more members from at least three (3) schools or centres.

- 12.8 An Emergency Special General Meeting may be convened at the discretion of the Executive Committee. The notice for this meeting and the agenda shall be received in schools and centres within forty-eight (48) hours. The agenda for such meetings may not be modified.

#### Advanced Meetings

- 12.9 An advanced meeting shall be convoked for the PTU members of the Adult Education and Vocational Education sectors teaching in the evening, on the morning of the regular general meeting to be held for the other PTU members.
- 12.10 The notice of this advanced meeting and the agenda shall be identical to that of the general meeting and shall be received in the centres five (5) workdays before the date of the meeting.

One (1) workday prior to the regular general meeting, the PTU senior delegate in the centre shall inform the PTU office of the PTU members teaching in the evening who wish to attend the advanced meeting.

Should none of the teachers intend to attend the advanced meeting, it shall be cancelled.

- 12.11 Such meetings shall be held at the PTU office. The PTU President and/or the Vice-President for the Adult Education and Vocational Education sectors will address the members present and, if necessary, will conduct the advanced poll.
- 12.12 In the case of a secret ballot the votes shall be placed in the return envelope provided which shall be sealed and taken to the regular meeting. The counting of these ballots shall take place at the same time as those of the regular meeting.

### **13. REFERENDUM**

- 13.1 Any Referendum shall be held in conformity with Appendix II. The Referendum Procedure shall be approved by the Delegates' Assembly and be subject to amendment by that body.

### **14. RULES OF ORDER**

- 14.1 The PTU's Rules of Order shall be approved by the Delegates' Assembly and be subject to amendment by that body. Such rules shall be followed at all meetings of the PTU. These rules of order shall appear in the PTU handbook prepared to that effect.

### **15. AMENDMENTS**

- 15.1 The Executive Committee, or any twenty-five (25) members of the PTU drawn from at least two (2) schools or centres, may file the text of a proposed amendment to the PTU Constitution with the PTU office.
- 15.2 The Secretary shall ensure that the text of the proposed amendment is sent to each school or centre at least ten (10) workdays before the Annual General Meeting.

15.3 The amendment shall be adopted if approved by a simple majority of active members present and voting "yes" or "no" at the Annual General Meeting.

## **16. COMMITTEES**

16.1 The Standing Committees of the PTU shall be the:

(a) Finance and Budget Committee

(b) Nominations Committee

16.2 Ad hoc committees may be created by the Executive Committee or Delegates' Assembly either on their own initiative, or on the instructions of a general meeting.

16.3 All standing and ad hoc committees shall be subject to the following provisions:

(a) the chairperson of each ad hoc committee shall be chosen by the committee from among its own ranks;

(b) the membership of

(i) all standing committees shall be approved by the Delegates' Assembly who shall give due attention to names suggested by the Executive Committee, Delegates' Assembly or membership at large;

(ii) all committees, standing and ad hoc, shall be submitted to the Delegates' Assembly for ratification.

(c) Resignations and/or vacancies due to incapacity from any standing and ad hoc committee shall be presented to the Delegates' Assembly which shall approve the replacement if there are more than four (4) months left in the mandate. Otherwise, the Executive Committee shall decide if and how to replace the departing member.

(d) The chairperson of each committee shall

(i) report to the Delegates' Assembly;

(ii) submit written reports to the Executive Committee to be circulated at the Annual General Meeting.

## **17. SPECIAL PROVISIONS FOR CERTAIN COMMITTEES**

17.1 Finance and Budget Committee

The Treasurer of the PTU shall be the Chairperson of the Finance and Budget Committee; his/her duties as such are set out in article 7.5.

## 17.2 Nominations Committee

- (a) The Nominations Committee shall consist of the General Chairperson as Chairperson, and of four (4) additional members to be approved by the Delegates' Assembly at its first meeting in each school year to act for one (1) year.

Should any member of the Nominations Committee be a candidate in any given election, he/she shall be replaced immediately for the duration of that election by a member of the Delegates' Assembly appointed by the Executive Committee.

- (b) The duties of the Nominations Committee are set forth in Section 5 (Election of the Executive Committee), in Appendix I - Election Procedure and Appendix II - Referendum Procedure.

## 17.3 Negotiating Committee

The President of the PTU shall be Chairperson of the Negotiating Committee in which capacity he/she shall act as Chief Negotiator unless he/she chooses to delegate this responsibility.

The President, after consultation with the Executive Committee, shall have the right to appoint other members of the Negotiating Committee from amongst the Officers of the Executive Committee and the professional staff.

## 18. **SPECIAL PROCEDURES**

### 18.1 Discipline

- (a) A charge of a breach of the provisions of the PTU Constitution or of the resolutions adopted by a general meeting or referendum made by a member of the PTU against another member must be in writing and signed by the complainant.
- (b) Such charge must be filed, within twenty (20) workdays of the event giving rise to the charge, with the President of the PTU, who shall immediately acquaint the Executive Committee with the nature of the allegation giving all relevant details.
- (c) The Executive Committee shall then appoint and convene a Discipline Committee composed of three (3) members of the Delegates' Assembly and an officer of the Executive Committee. The Disciplinary Committee shall in the first instance examine the written allegations.

If it is the opinion of the Disciplinary Committee that a hearing is warranted, a copy of the charges and a notice of the place, date and time fixed for a hearing shall then be sent seven (7) workdays in advance by registered mail to the accused member. The latter may be accompanied at the hearing by a person of his/her choice, who must be a member of the PTU.

## **19. FISCAL YEAR AND AUDITORS**

- 19.1 The fiscal year of the PTU shall begin on the first (1<sup>st</sup>) day of August and shall end on the thirty-first (31<sup>st</sup>) day of July.
- 19.2 The auditor, or auditors, shall be appointed at the Annual General Meeting to audit the account books of the PTU for the current fiscal year. If the auditor, or auditors, chosen at the Annual General Meeting refuse to act, or are unable to do so, others may be chosen in their stead by the Delegates' Assembly.

## **20. GENERAL BANKING PRACTICES**

- 20.1 A bank account or bank accounts shall be kept in the name of the PTU in such chartered bank or banks as may be selected by the Executive Committee. All moneys belonging to the PTU shall be paid into such bank or banks or with such depository or depositories as the Delegates' Assembly direct, and all cheques payable upon the PTU bank account or bank accounts shall be signed by the President and the Treasurer. Failing this, they shall be signed by any two (2) directors of the Executive Committee appointed by resolution of the Executive Committee.
- 20.2 All bills of exchange, promissory notes, and other negotiable instruments shall be accepted, made, drawn or endorsed for or on behalf of the PTU by such officers as may from time to time be authorized by resolution of the Executive Committee. Cheques and other negotiable instruments paid to the PTU's bankers for collection and requiring the endorsement of the PTU may be endorsed on its behalf by such solicitors or officers as may from time to time be authorized by resolution of the Executive Committee.
- 20.3 All records of money paid to the PTU shall be signed by the Treasurer or anyone whom he/she or the President may appoint, and such receipts shall be an effectual discharge for the moneys therein stated to be received.

## **21. INDEMNIFICATION**

- 21.1 Provisions shall be made in the budget for the indemnification of any member of the PTU who shall incur verifiable expenses for the benefit of the PTU while executing authorized functions approved by the President, the Executive Committee or the Delegates' Assembly.

## APPENDIX I

### ELECTION PROCEDURE

1. The PTU senior delegate in each school or centre shall act as the Returning Officer in that school or centre, unless he/she is a candidate in the election or is otherwise unable to act. In such a case, he/she shall appoint a deputy who should, if possible, be a junior delegate. Failing this, the Nominations Committee shall designate a representative for the school or centre.

Any candidate shall be entitled to appoint a scrutineer in the school or centre to represent him/her during voting hours, and at the counting of the votes in that school or centre.

2. At least ten (10) workdays prior to the election or the by-election, the PTU office shall submit to each school or centre an up-to-date list of all PTU members teaching in the schools or centres. This list shall be posted by the Returning Officer and any errors or omissions shall be brought to the attention of the PTU office. Prior to the election, the PTU office shall issue to all schools or centres a reminder publicizing all necessary details.

The Returning Officer shall update the voting list of the PTU members in the school or centre. This list may be amended on the day of the election to include substitutes or teachers returning to work following an absence and exclude absent teachers. On the day of the election, the Returning Officer shall ensure that each teacher signs the voting list in the space provided.

3. In an election or a by-election, each candidate must submit by e-mail to the PTU office, no later than 4:00 p.m. on the fifth (5th) workday following the close of nominations, a full page (8 1/2 x 14) which must include his/her name, the position for which he/she is a candidate and his/her curriculum vitae. It may include a statement and a picture (to be photocopied). The candidate shall be responsible for layout and translation.

Within the four (4) workdays which follow, the PTU office shall publish on its website the full page submitted by each candidate in conformity with the preceding paragraph and ensure its distribution as follows:

3 copies per elementary school;  
3 copies per secondary school;  
3 copies per centre.

4. All voting shall normally take place in the schools or centres on the day specified by the Chairperson of the Nominations Committee. However, should an emergency (flood, fire, etc.) necessitate vacating a school or centre on voting day, the Returning Officer shall inform the PTU Office of the situation as soon as possible. Other arrangements for voting shall be made. Furthermore, should a specific activity in a school or centre (professional day, field trip, etc.) result in the majority of the PTU members being out on voting day, the Returning Officer shall inform the PTU Office as soon as possible. The Chairperson of the Nominations Committee shall be empowered to allow such schools or centres to vote on the one (1) workday preceding the date set for the election.

Furthermore, the PTU members of the Adult Education and Vocational Education sector who teach in the evening shall be allowed to vote on the evening of the workday which precedes the day of the election.

The Returning Officer of the centre shall assign a Deputy Returning Officer from among the PTU members. The Returning Officer shall make the necessary arrangements with the Deputy Returning Officer to ensure that the provisions of Appendix I are respected.

The Nominations Committee may decide to hold an advance poll, two (2) workdays preceding the vote, at the PTU Office for teachers who expect to be absent from their school or centre on voting day. The PTU Office shall take the necessary steps to inform the Returning Officer of the names of such teachers. The Returning Officer shall place their initials beside those names and write the reason why.

5. Voting in each school or centre must take place
  - (a) in clearly specified polling areas which shall be publicized beforehand by the Returning Officer;
  - (b) at times throughout the school day previously publicized by the Returning Officer, and for up to twenty (20) minutes before or after the school day. However, the Returning Officer may declare the polls closed if the full membership of that school or centre has voted.
6. A polling station shall be established for those members of the PTU Staff who are PTU members, or for those officers of the Executive Committee who may be present at the PTU office on the day of the vote. At the discretion of the Chairperson of the Nominations Committee, it may also be used as an emergency polling station should circumstances warrant.
7. At least two (2) workdays prior to the election, a number of ballots equal to the number of PTU members in his/her school or centre shall be delivered to the Returning Officer. In addition, extra ballots shall be delivered on the following basis to the Returning Officer:

<u>No. of PTU Members</u>	<u>Extra Ballots</u>
1 - 40	3
41 - 80	5
81 - 120	7
121 - 160	9

The Returning Officer:

- (a) must notify the PTU office of their receipt;
  - (b) shall be responsible for their safekeeping until they are returned to the PTU office.
8. Ballots shall under no circumstances be:
  - (a) distributed throughout the school or centre;



- (b) placed in the hands of voters outside the polling area(s);
- (c) inserted in the mail boxes of voters;
- (d) removed from the polling area(s) by any voter;
- (e) given to anyone other than PTU members.
- (f) left unattended

No candidate and no scrutineer shall at any time be permitted to handle any ballot other than his/her own.

9. Ballots may be marked with any sign which clearly indicates the voters' intention and does not serve to identify the ballot. Any voter who has accidentally spoiled his/her ballot shall immediately tear it in half in the presence of the Returning Officer, who shall place the torn ballot in the return envelope provided and issue a new ballot.
10. The counting of the votes will be conducted in each school or centre immediately after the close of the poll by the Returning Officer in the presence of one (1) witness and of the scrutineer(s) if any; however, the absence of the scrutineer(s) shall not be cause for delay or invalidation of the count. The Returning Officer and the witness shall account for all ballots (used, unused, spoiled), record the vote and sign the tally sheet. Any scrutineer present may sign the tally sheet.
11. The Returning Officer shall:
  - place all ballots (used, unused and spoiled), the tally sheet and the voting list into the return envelope provided
  - seal the envelope and sign across the flap
  - immediately place the sealed return envelope in the inter-school mail and forward to the PTU office.
12. The Nominations Committee shall use the Tally Sheets to count the vote. It may decide to count the actual ballots from the school or centre in the case of a close result or for such other reasons it may deem appropriate. The counting of the votes shall be conducted at the PTU office by the members of the Nominations Committee under the supervision of the Chairperson of the Nominations Committee the week after the vote.
13. When the count is finished, all members of the Nominations Committee present shall sign a statement attesting to the results. The Chairperson of the Nominations Committee shall ensure the publication of the results in all schools or centres within the next three (3) workdays.
14. Should the difference in the overall results between the leading candidate and the runner-up for any office be fewer than twenty-five (25), the Chairperson of the Nominations Committee shall automatically conduct a recount.
15. Any PTU member, who has cause to believe that there has been an irregularity in the election procedure, shall submit a statement in writing to the Chairperson of the Nominations Committee, within ten (10) workdays of the publication of the overall results in the schools or centres. He/she must give the particulars of the alleged irregularity and submit such reasonable proof as he/she may possess.

The Chairperson of the Nominations Committee shall without delay convene a meeting of

the Nominations Committee to which he/she shall invite the complainant and any interested parties. If, after hearing the evidence, the Nominations Committee is of the opinion that the charge is substantiated, in part or in whole, it shall then decide whether to order a recount in the school(s) or centre(s) affected, to invalidate the election results from the school(s) or centre(s) affected, or to order a new election.

The findings of the Nominations Committee shall be published in all schools or centres within seven (7) workdays of the hearing.

16. The ballots, the tally sheets and the voting list shall be kept under seal in the PTU office for two (2) months following the election.

**OFFICIAL NOMINATIONS FORM**

The following members of PTU wish to nominate: .....

for the position of ..... for the school years 20.... - 20...

<u>Printed</u>	<u>Signature</u>	<u>School or Centre</u>
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		

I, ....., do hereby accept nomination for the position  
of ..... of the Pearson Teachers Union for the school  
years 20.... - 20....

## APPENDIX II

### REFERENDUM PROCEDURE

1. The PTU senior delegate in each school or centre shall act as the Returning Officer in that school or centre. Should he/she be unable to act, he/she shall appoint a deputy, who should, if possible, be a junior delegate. Failing this, the Nominations Committee shall designate a representative for the school or centre.
2. At least ten (10) workdays prior to a referendum the PTU office shall submit to each school or centre an up-to-date list of all PTU members teaching in schools or centres. This list shall be posted by the Returning Officer and any error or omission shall be brought to the attention of the PTU office. Prior to the referendum, the PTU office shall issue to all schools or centres a reminder publicizing all necessary details.

The Returning Officer shall update the voting list of the PTU members in the school or centre. This list may be amended on the day of the referendum to include substitutes or teachers returning to work following an absence and exclude absent teachers. On the day of the referendum, the Returning Officer shall ensure that each teacher signs the voting list in the space provided.

3. All voting shall normally take place in the schools or centres on the day specified by the Chairperson of the Nominations Committee. However, should an emergency (flood, fire, etc.) necessitate vacating a school or centre on voting day, the Returning Officer shall inform the PTU Office of the situation as soon as possible and other arrangements for voting shall be made. Furthermore, should a specific activity in a school or centre, (professional day, field trip, etc.) result in the majority of the PTU members being out on voting day, the Returning Officer shall inform the PTU Office as soon as possible. The Chairperson of the Nominations Committee shall be empowered to allow such schools or centres to vote on the one (1) workday preceding the date set for the referendum.

Furthermore, the PTU members of the Adult Education and Vocational Education sector who teach in the evening shall be allowed to vote on the evening of the workday preceding the day of the referendum.

The Returning Officer of the centre shall assign a Deputy Returning Officer from among the PTU members. The Returning Officer shall make the necessary arrangements with the Deputy Returning Officer to ensure that the provisions of Appendix II are respected.

4. The Nominations Committee may decide to hold an advanced poll, two (2) workdays preceding the vote at the PTU office for teachers who expect to be absent from their school or centre on voting day. The PTU Office shall take the necessary steps to inform the Returning Officer of the names of such teachers. The Returning Officer shall place their initials beside those names and write the reason why.
5. Voting in each school or centre must take place:
  - (a) in clearly specified polling areas which shall be publicized beforehand by the

Returning Officer;

- (b) at times throughout the school day previously publicized by the Returning Officer, and up to twenty (20) minutes before or after the school day. However, the Returning Officer may declare the polls closed if the full membership of that school or centre has voted.

- 6. A polling station shall be established for those officers of the PTU Staff who are PTU members, or for those members of the Executive Committee who may be present at the PTU office on the day of the vote. It may also be used as an emergency polling station should circumstances warrant, at the discretion of the Chairperson of the Nominations Committee.
- 7. At least two (2) workdays prior to the referendum a number of ballots equal to the number of PTU members in his/her school or centre shall be delivered to the Returning Officer. In addition, extra ballots shall be delivered on the following basis to the Returning Officer:

<u>No. of PTU Members</u>	<u>Extra Ballots</u>
1 - 40	3
41 - 80	5
81 - 120	7
121 - 160	9

The Returning Officer:

- (a) must notify the PTU office of their receipt;
  - (b) shall be responsible for their safekeeping until they are returned to the PTU office.
- 8. Ballots shall under no circumstances be:
    - (a) distributed throughout the school or centre;
    - (b) placed in the hands of voters outside the polling area(s);
    - (c) inserted in the mail boxes of voters;
    - (d) removed from the polling area(s) by any voter;
    - (e) given to anyone other than PTU members.
    - (f) left unattended
  - 9. Ballots may be marked with any sign which clearly indicates the voter's intention and does not serve to identify the ballot. Any voter who has accidentally spoiled his/her ballot shall immediately tear it in half in the presence of the Returning Officer, who shall place the torn ballot in the return envelope provided and issue a new ballot.
  - 10. The counting of votes will be conducted in each school or centre immediately after the close of poll by the Returning Officer in the presence of one (1) witness. The Returning Officer and the witness shall account for all ballots (used, unused, spoiled), record the vote and sign the tally sheet.
  - 11. The Returning Officer shall:
    - place all ballots (used, unused and spoiled), the tally sheet and the voting list into the return envelope provided

- seal the envelope and sign across the flap
- immediately place the sealed return envelope in the inter-school mail and forward to the PTU office.

12. The Nominations Committee shall use the tally sheets to count the vote. It may decide to count the actual ballots from the school or centre in the case of a close result or for such other reasons it may deem appropriate. The counting of the votes shall be conducted at the PTU office by the members of the Nominations Committee under the supervision of the Chairperson of the Nominations Committee the week after the vote.
13. When the count is finished, all members of the Nominations Committee present shall sign a statement attesting to the results. The Chairperson of the Nominations Committee shall ensure the publication of the results in all schools or centres within the next three (3) workdays.
14. Should the difference in the overall results of the referendum be fewer than twenty-five (25), the Chairperson of the Nominations Committee shall automatically authorize a recount.
15. Any PTU member, who has cause to believe that there has been an irregularity in the referendum procedure shall submit a statement in writing to the Chairperson of the Nominations Committee within ten (10) workdays of the publication of the overall results in the schools or centres, He/she must give the particulars of the alleged irregularity and submit such reasonable proof as he/she may possess.

The Chairperson of the Nominations Committee shall, without delay, convene a meeting of the Nominations Committee to which he/she shall invite the complainant and any interested parties. If, after hearing the evidence, the Nominations Committee is of the opinion that the charge is substantiated, in part or in whole, it shall then decide whether to order a recount in the school(s) or centre(s) affected, to invalidate the referendum results from the school(s) or centre(s) affected, or to order a new referendum.

The findings of the Nominations Committee shall be published in all schools or centres within seven (7) workdays of the hearing.

16. The ballots, the tally sheets and the voting list shall be kept under seal in the PTU office for two (2) months following the referendum.