

# NSTU Guidebook

2014

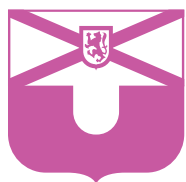
2015

Academic  
Year

Constitution

Policy

Operational  
Procedures



**Nova Scotia  
Teachers Union**



# NOVA SCOTIA TEACHERS UNION

# CODE OF ETHICS

This Code of Ethics is a guide to members in maintaining at all times the high traditions of their profession.

## I. MEMBER AND PUPIL

- (a) The member regards as confidential, and does not divulge other than through professional channels any information of a personal or domestic nature, concerning either pupils or home, obtained through the course of his/her professional duties.
- (b) The member should be just and impartial in all relationships with pupils.
- (c) The member should assume responsibility for the safety and welfare of his/her pupils, especially under conditions of emergency.
- (d) The member should avoid giving offence to the religious and political beliefs and moral scruples of his/her pupils and/or their parents.
- (e) The member should be as objective as possible in dealing with controversial matters arising out of the curriculum subjects, whether scientific or political, religious or racial.

## II. MEMBER AND MEMBER

- (a) The member should not make defamatory, disparaging, condescending, embarrassing, or offensive comments concerning another member.
- (b) The member shall not make derogatory remarks about the professional competence of another member.
- (c) The member shall not accept a position arising out of the unsettled dispute between members, and their employers.
- (d) The member shall not sexually harass another member. Sexual harassment shall mean any unsolicited and unwanted sexual comments, suggestions or physical contact directed to a specific member which that member finds objectionable or offensive and which causes the member discomfort on the job. The accused member must be made aware of the nature of the objection prior to action being taken.

## III. MEMBER AND INTERNAL ADMINISTRATION

- (a) The member should observe a reasonable, professional and proper loyalty to internal administration of the school/educational site.
- (b) The member responsible for internal administration should be professional, loyal, fair, and just to the members of the staff.
- (c) The member responsible for internal administration should not of his/her own initiative, make any detrimental report, oral or written, on a teacher's efficiency without first discussing the matter with the teacher.

# GUIDEBOOK



Constitution

Policy

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NOVA SCOTIA TEACHERS UNION

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# GUIDEBOOK



## MISSION

*As the unified voice for the advocacy and support of all its members,  
the NSTU promotes and advances the teaching profession and  
quality public education.*

# GUIDEBOOK



## BELIEFS

### We believe that

**The NSTU serves as the primary advocate of its members by**

- protecting and enhancing economic benefits
- improving working conditions
- supporting personal well-being
- keeping members informed
- promoting opportunities to participate

**The NSTU is committed to leadership in educational change by**

- maintaining and promoting excellence in teaching
- encouraging lifelong learning
- influencing educational trends through research and evaluation
- disseminating information

**The NSTU promotes and enhances public education for all students by**

- supporting a safe and healthy learning environment
- advancing the profession
- advocating social justice and unionism
- working with other organizations
- communicating our beliefs in order to affect public opinion and policy

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# NSTU CONSTITUTION

August 2014



## CONSTITUTION

## TPA

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## SECTION I

## CHAPTER 462

# AN ACT TO REVISE AND CONSOLIDATE THE ACTS RELATING TO THE NOVA SCOTIA TEACHERS UNION

---

**BE IT ENACTED** by the Governor and Assembly as follows:

**SHORT TITLE**

1. This Act may be cited as the Teaching Profession Act. 1968, c.109, s.1.

**INTERPRETATION**

2. In this Act, unless the context otherwise requires,
  - (a) "Council" means the Council of the Union as established pursuant to the by-laws of the Union;
  - (b) "Executive" means the Executive of the Council;
  - (c) "local" means a local organization of members of the Union formed pursuant to the by-laws of the Union;
  - (d) "Minister" means the Minister of Education;
  - (e) "public school" means any school established or maintained pursuant to the Education Act;
  - (f) "school board" means any school board or other authority employing teachers in a public school;
  - (g) "teacher" means a person holding a teacher's certificate or a vocational teacher's certificate or a vocational teacher's permit pursuant to the Education Act;
  - (h) "Union" means the Nova Scotia Teachers' Union. 1968, c.109, s.2; 1974, c.127, s.1.

**UNION CONTINUED**

3. (1) The Nova Scotia Teachers' Union as incorporated by Chapter 100 of the Acts of 1951, shall continue as a body corporate subject to the provisions of this Act.

**TRANSITION**

- (2) The by-laws, members, Council, Executive, officers, committees, locals and local executives of the Union existing immediately prior to this Act shall continue in effect or in office until changed or replaced pursuant to this Act. 1968, c.109, s.3.

**CONSTITUTION**

4. The Constitution of the Union shall consist of
  - (a) this Act;
  - (b) the by-laws; and
  - (c) the standing orders of the Council. 1968, c.109, s.4.

**LIABILITY OF MEMBERS**

5. No member of the Union shall be liable for the debts or liabilities of the Union unless the member shall have made himself personally liable therefor. 1968, c.109, s.5.

**MEMBERSHIP**

6. The members of the Union shall consist of persons who are members pursuant to Section 12 of this Act and such other persons as the Council by by-law determines. 1968, c. 109, s.6.

**OBJECTS**

7. The Objects of the Union are to advance and promote the teaching profession and the cause of education in the Province. 1968, c. 109, s.7.

**CONSTITUTION****TPA**

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**POWERS OF UNION**

8. The Union shall have power to do all things necessary or desirable for the attainment of the objects of the Union or incidental thereto, including, but not so as to restrict the generality of the foregoing, power for such purpose to
- (a) purchase, acquire, lease and hold real and personal property and sell, convey, lease, mortgage, or transfer the same;
  - (b) borrow money from any person or corporation and give security for any money so borrowed on any of the real and personal property of the Union by way of mortgage or otherwise;
  - (c) accept all gifts, legacies or bequests which may be given to the Union;
  - (d) expend any money of the Union;
  - (e) fix membership fees and special assessments of members and collect such fees and assessments;
  - (f) subject to this Act, suspend, expel or otherwise discipline any member and to re-instate any member so suspended or expelled. 1968, c. 109, s.8; 1974, c.127, s.2.

**EXERCISE OF POWERS**

9. Unless otherwise provided in this Act or by by-laws of the Union, the powers of the Union may be exercised by the Council. 1968, c.109, s.9.

**BY-LAWS OF COUNCIL**

10. (1) The Council may make by-laws not inconsistent with this Act dealing with or providing for
- (a) the management of the Union and its property;
  - (b) the constitution of the Union and of locals, including the basis of representation of locals on the Council;
  - (c) the officers, executive and committees of the Union and their respective powers and duties;
  - (d) the government, discipline and control of members;
  - (e) all other matters necessary or useful to carry out the objects and to exercise the powers of the Union.

**PROCEDURE FOR BY-LAWS**

- (2) Every by-law shall be passed by a vote of at least two thirds of the members of the Council present at a meeting thereof, notice of the intention to propose such by-law at such meeting having been given in writing by notice mailed postage prepaid at least thirty days before such meeting to each member of the Union at the member's last recorded address.

**NOTICE OF INTENTION**

- (3) In lieu of the notice provided for by subsection (2), notice of the intention to propose a by-law may be given by such notice being printed in an issue of a publication of the Union mailed to all schools in the Province at least thirty days before the meeting of the Council at which it is to be considered and a number of copies of the proposed resolution equal to at least ten per cent of the number of members of each local having been mailed to the respective secretary of each local at least thirty days before such meeting. 1968, c.109, s.10; 1972, c.131, s.1; 1974, c.127, s.3; 1977, c.132, s.1.

**PROFESSIONAL COMMITTEE**

11. (1) There shall be a Professional Committee of the Union, elected according to the by-laws.

**CONSTITUTION****TPA**

## By-Laws

## Standing Orders

**INQUIRY ON REQUEST**

- (2) The Professional Committee may, on the request of a local, the executive of a local or the Executive, inquire into any charge and determine if a teacher has been guilty of conduct unbecoming a member of the teaching profession.

**COPY OF REQUEST TO EXECUTIVE**

- (3) When any such request is made by a local, a copy thereof shall be forwarded to the Executive at the time such request is made.

**NOTICE TO MEMBER**

- (4) Any member so charged shall be given at least thirty days notice in writing of the charge and shall be given full opportunity to be heard by the Professional Committee and to be represented by counsel.

**DISCIPLINE OF MEMBERS**

- (5) The Professional Committee shall dismiss the charge or reprimand, suspend or expel the member.

**DECISION TO TEACHER**

- (6) The Executive shall transmit the decision of the Professional Committee to the teacher by prepaid registered post to the last recorded address of the teacher.

**RECOMMENDATIONS TO MINISTER**

- (7) The Executive shall transmit to the Minister such recommendations concerning the certification of the teacher as the Professional Committee may make. 1968 c.109, s.11; 1976, c. 91, s.1.

**ACTIVE MEMBERS**

12. (1) Every teacher who has a permanent contract, a probationary contract or a term contract, within the meaning of the Education Act, with a school board in a teaching, supervisory, or other professional capacity relating to education shall be an active member of the Union unless the teacher is expelled therefrom or unless the teacher resigns by written notice addressed to the Union at its head office and mailed by prepaid registered post.

**RESIGNATION**

- (2) Subject to subsection (3), the resignation of a teacher from the Union shall take effect at the end of the school year in which the resignation is tendered and shall be effective for one year following such school year.

**EFFECTIVE DATE OF RESIGNATION**

- (3) When a teacher is first employed in a public school, a resignation by the teacher from the Union shall take effect immediately if
  - (a) it is given before the first day of October when the teacher's employment began on the first day of the school year; or
  - (b) it is given within one month after the teacher's employment began.

**NOTICE REQUIRED**

- (4) A teacher whose resignation from the Union is in effect may continue not to be a member of the Union from year to year provided that during each school year following the teacher's resignation the teacher gives written notice as provided in subsection (1) of intention not to be a member for the succeeding school year.

**RAND FORMULA**

- (5) A teacher who has resigned or has been expelled from the Union and who continues to be employed by a school board in a teaching, supervisory or other

professional capacity relating to education shall pay to the Union through regular deductions, in the manner provided in Section 14, an amount equivalent to the regular fees for membership as are prescribed by the Union. 1968, c.109, s.12; 1974, c.127, s.4; 1988, c.36, s.1.

**CONSTITUTION****TPA**

## By-Laws

## Standing Orders

**REPORT ON MEMBERSHIP AND UNION FEES**

13. (1) Not later than the fifteenth day of August in every year, the Union shall send to the Minister:
- (a) a list of the names and addresses of the persons who have resigned as active members of the Union and whose resignations are effective for the current school year; and
  - (b) a scale of the fees payable to the Union by its active members for the then current school year.

**CHANGES**

- (2) Within ten days after the effective date of the resignation, other than a resignation that is effective at the end of a school year, of a member from active membership in the Union or the expulsion of a member or the readmission of a member, the Union shall send the name and address of the member to the Minister.

**MAINTENANCE OF LIST**

- (3) The Minister shall cause to be kept a list of the names and addresses of all persons who have resigned as active members of the Union or who have been expelled from the Union and who have not been readmitted to the Union as active members.

**DUTY OF MINISTER**

- (4) The Minister shall cause to be sent to each school board
- (a) on or about the fifteenth day of September in each year, a list of the names of the teachers employed by it whose resignations as active members of the Union became effective at the end of the preceding school year or who were expelled from the Union during the preceding school year; and
  - (b) the name of each member employed by it who has resigned, been expelled or been readmitted to the Union, within ten days after receiving notice of the resignation, expulsion or readmission pursuant to subsection (2). 1968, c.109, s.13.

**PAYMENT OF FEES**

14. (1) Every member of the Union shall pay to the Union annually such fees as are prescribed by the Union and every teacher who has resigned or has been expelled from the Union and who continues to teach shall pay an amount equivalent to such fees.

**SCALE OF FEES**

- (2) On or about the fifteenth day of September in each year, the Minister shall cause to be sent to each school board a copy of the scale of fees payable to the Union by its members as furnished to the Minister pursuant to Section 13.

**DEDUCTIONS BY SCHOOL BOARD**

- (3) Every school board or other authority shall deduct from the salary of each member of the Union and each teacher employed by it who has resigned or has been expelled from the Union an amount equal to the fees payable by the person to the Union according to the scale furnished by the Minister, and shall make such deductions in twelve equal monthly instalments, or in such other number of equal monthly instalments as may be agreed upon by the board and the Union, beginning in the month of September or in the month following receipt of notice that the person has become or been readmitted as a member of the Union.

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**REMITTING DEDUCTIONS**

- (4) Every school board or other authority shall remit each month to the Secretary-Treasurer of the Union the amount of deductions made by it pursuant to subsection (3) within ten days after the end of the month in which the fees are deducted.

**FAILURE TO REMIT**

- (5) The Minister shall cause to be withheld, from the amount payable by the Minister under the *Education Act* to a school board in any year, an amount equal to the difference between the sum of the deductions made by the board pursuant to subsection (3) and the amount remitted by it to the Secretary-Treasurer of the Union pursuant to subsection (4).

**PAYMENT TO THE UNION**

- (6) The Minister shall cause all amounts withheld by the Minister pursuant to subsection (5) to be remitted to the Secretary-Treasurer of the Union at such times and in such amounts as the Minister determines. 1968, c.109, s.14; 1972, c.131, s.2; 1974, c.127, s.5; 1988, c.36, s.2.

*Chapter 100 of the Acts of 1951, the Nova Scotia Teachers Union Act, and Acts in amendment thereof are repealed.*

*Chapter 109 of the Acts of 1968*

*Amended by Chapter 131 of the Acts of 1972*

*Amended by Chapter 127 of the Acts of 1974*

*Amendments to Chapter 109 (Acts of 1968)*

*May 20, 1976*

*May 19, 1977*

*May 25, 1988*

**SECTION II**

# **BY-LAWS OF THE NOVA SCOTIA TEACHERS UNION**

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**ARTICLE I — MEMBERSHIP****1. DEFINITIONS**

Members of the Nova Scotia Teachers Union (hereinafter referred to as the "NSTU" or the "UNION") shall consist of active members, retired members, associate members, active reserve members, regular reserve members, and honorary members.

**2. ACTIVE MEMBER**

- (a) Those persons described by Section 12 of the *Teaching Profession Act*;  
 (b) Those persons employed by way of regular, probationary and term contract included in a bargaining unit of employees and/or in the Faculty or Professional Support collective agreements of the Nova Scotia Community College represented by the Nova Scotia Teachers Union as their bargaining agent pursuant to the *Trade Union Act*.

- (c) Persons who are teachers within the meaning of the *Teaching Profession Act* who are employed by the Atlantic Provinces Special Education Authority.
- (d) Those members are eligible for active participation in Union affairs, including all voting, contingent upon the payment of NSTU fees, as set by Council. Notwithstanding limitations placed on participation in Union affairs through the failure to pay Union fees, contractual rights are maintained as long as a contractual and legal relationship exists with the bargaining unit employer. (2009-1)

### 3. ACTIVE RESERVE MEMBER

- (a) An Active Reserve Member is a teacher or other qualified person engaged on a day-to-day basis to take the place of a person regularly employed as a teacher by a school board, who has been employed as such for not less than fifteen (15) days in the preceding and/or the current school year, and who:
  - (i) pays an annual membership fee as fixed from time to time by Council;
  - (ii) pays Union fees on a per diem basis as fixed from time to time by Council; and,
  - (iii) has the rights of membership as outlined in Article I 10. (b), except that the right to vote in matters pertaining to contract applies only to collective agreements negotiated solely on their behalf pursuant to the *Teachers' Collective Bargaining Act*.
- (b) A teacher having completed a term contract may use the days taught during the preceding or current year to satisfy the 15 day teaching requirement specified in (a) above, for Active Reserve Membership during the current year. (2013-8)
- (c) A person retiring from teaching in Nova Scotia may use the days taught during the year of retirement to satisfy the 15-day teaching requirement, specified in (a) above, for Active Reserve Membership during the year of retirement or the year following retirement. This provision may be used only once.
- (d) An Active Reserve Member is a person employed in an auxiliary position in a bargaining unit of employees of the Nova Scotia Community College represented by the Nova Scotia Teachers Union as their bargaining agent pursuant to the *Trade Union Act*.

### 4. REGULAR RESERVE MEMBER

- (a) A Regular Reserve Member is a teacher or other qualified person engaged on a day-to-day basis to take the place of a person regularly employed as a teacher by a school board and who:
  - (i) pays an annual membership fee as fixed from time to time by Council;
  - (ii) pays Union dues on a per diem basis as fixed from time to time by Council;
  - (iii) has all the rights of reserve members pursuant to Article I 10. (c); and
  - (iv) upon qualification, may become an Active Reserve Member.
- (b) A Regular Reserve Member is a person employed in an auxiliary position in a bargaining unit of employees of the Nova Scotia Community College represented by the Nova Scotia Teachers Union as their bargaining agent pursuant to the *Trade Union Act*.

### 5. RETIRED MEMBER

A Retired Member may be a person who has retired under a provision of the *Teachers' Pension Act*. A Retired Member may be a person included in the Faculty and Professional Support Bargaining Units of the Nova Scotia Community College who has retired under a provision of the Public Service Superannuation Plan.

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**6. ASSOCIATE MEMBER**

- (a) an active member on leave of absence;
  - (b) a member of the faculty of a provincial university; or
  - (c) an education student at a university;
- (2009-2)

**7. HONOURARY MEMBER**

An Honourary Member is a person upon whom the honour has been conferred by a resolution of Council.

**8. OTHER MEMBER**

- (a) Persons who are not automatically members of the Union pursuant to Section 12 of the said Act and who are qualified to be active, retired, reserve or associate members as defined may make application for membership to the Executive Director who shall submit such applications to the Executive which may then accept such applications if it deems the qualifications have been met.
- (b) A person who is qualified to be an Active Reserve Member or a Regular Reserve Member, but who is not a member of the NSTU, is not entitled to any rights of membership in the NSTU. Such persons shall pay Union fees on a per diem basis as fixed from time to time by Council.

**9. FEES**

The amount of membership fees for active, retired, active reserve, regular reserve, and associate members shall be as fixed from time to time by Council.

**10. MEMBERSHIP RIGHTS**

The rights of membership shall include, but not necessarily be limited to the following:

**(a) ACTIVE MEMBER**

- (i) The right to benefits as provided through NSTU as bargaining agent.
  - (ii) The right to apply for legal assistance in instances resulting from problems arising in the performance of duties.
  - (iii) The right to professional counselling within education.
  - (iv) The right to vote and hold office at the local and/or provincial level.
  - (v) The right to attend Council:
    - a. as a voting delegate, when nominated by a Local;
    - b. as an alternate delegate, when nominated by a Local;
    - c. as an observer.
  - (vi) The right to membership in professional associations.
  - (vii) The right to membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan.
  - (viii) The right to receive NSTU publications through web access on the NSTU website.
  - (ix) The right to membership on NSTU committees.
  - (x) The right to access the NSTU Members Only material on the NSTU website.
  - (xi) The right to an NSTU web mail account.
- (2013-9)

**(b) ACTIVE RESERVE MEMBER**

- (i) The right to benefits as provided through NSTU as bargaining agent.
- (ii) The right to apply for legal assistance in instances resulting from problems arising in the performance of duties.

- (iii) The right to professional counselling within education.
- (iv) The right to vote at the local and/or provincial level.
- (v) The right to attend Council:
  - a. as a voting delegate, when nominated by a Local;
  - b. as an alternate delegate, when nominated by a Local;
  - c. as an observer.
- (vi) The right to membership in professional associations.
- (vii) The right to membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan.
- (viii) The right to receive NSTU publications through web access on the NSTU website.
- (ix) The right to membership on NSTU committees.
- (x) The right to access the NSTU Members Only material on the NSTU website.
- (xi) The right to an NSTU web mail account. (2013-9)

**(c) REGULAR RESERVE**

- (i) The right to benefits as provided through the NSTU as bargaining agent.
- (ii) The right to apply for legal assistance in instances resulting from problems arising in the performance of duties.
- (iii) The right to attend meetings of a designated Local, as an observer.
- (iv) The right to membership in professional associations.
- (v) The right to membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan.
- (vi) The right to receive NSTU publications through web access on the NSTU website.
- (vii) The right to professional counselling within education.
- (viii) The right to access the NSTU Members Only material on the NSTU website.
- (ix) The right to an NSTU web mail account. (2012-1)

**(d) RETIRED MEMBER**

- (i) The right to membership in the Retired Teachers Organization.
- (ii) The right to attend Council
  - a. as an invited non-voting delegate, when nominated by the RTO, or
  - b. as an observer.
- (iii) The right to membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan.
- (iv) The right to receive NSTU publications through web access on the NSTU website.
- (v) The right to access the NSTU Members Only material on the NSTU website.
- (vi) The right to an NSTU web mail account.

**(e) ASSOCIATE MEMBER**

- (i) The right to membership in professional associations, except the right to hold office.
- (ii) The right to attend Council as an observer.
- (iii) The right to membership in the NSTU Group Insurance Plan, in accordance with the provisions of the plan.
- (iv) The right to receive NSTU publications through web access on the NSTU website.
- (v) The right to access the NSTU Members Only material on the NSTU website.
- (vi) The right to an NSTU web mail account.

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**(f) HONOURARY**

- (i) The right to attend Council as an observer.
- (ii) The right to receive NSTU publications through web access on the NSTU website.
- (iii) The right to access the NSTU Members Only material on the NSTU website.
- (iv) The right to an NSTU web mail account.

**11. MEMBERSHIP LIST**

The Executive Director shall, under the supervision of the Secretary-Treasurer, maintain a record of the names and addresses of all members.

**12. LOCAL REBATE**

The Secretary-Treasurer shall, from annual membership fees received, pay to Local Unions a rebate in an amount as determined by each Council and not later than the date set out in By-Law, Article II, 4. *(2012-27) (2014-6)*

**ARTICLE II — LOCAL UNIONS****1. DEFINITION**

- (a) Any number of teachers who are members of the Union may, with the consent of the Provincial Executive, group together for geographical convenience or on an employer basis and form a Local Union (referred to as a "Local") and elect a President, Vice-President, and such other officers and executive members as the Local may determine.
- (b) Every NSTU member shall belong to a Local and no member shall belong to more than one Local.

**2. LOCAL EXECUTIVE**

The elected Executive of the Local shall be the governing body thereof.

**3. MEMBERSHIP REGISTRY**

- (a) A membership registry shall be conducted on an annual basis in the month of September. Amendments to the registry are permitted monthly up to the first Monday in December to determine Council representation and up to the first Monday in March for Local rebate purposes. This registry shall be the official record of membership and shall be used for such purposes as Annual Council representation and Local rebates. *(2014-5)*
- (b) The membership of the Community College Local coincides with the bargaining unit. Therefore, the membership registry for the Community College Local will be determined from the employer's records of those employees who have paid Union dues.

**4. REBATE TO LOCAL**

Rebates to Locals shall be made in two installments. The first installment shall be made no later than November 30 in any given year, and the second installment shall be made no later than May 31 in any given year.

## 5. GOVERNANCE

- (a) A Local shall be a committee of the NSTU for purposes within the area of such Local, and when acting as such shall be under the control of the Council, subject to the said Act and these By-Laws.
- (b) A Local shall not deal directly in matters of policy with the Provincial Government, the Department of Education, or other provincial organizations.
- (c) A Local shall determine the dates of its Local meetings and shall define a quorum for Local meetings and for meetings of its Local Executive. The Local shall designate one meeting during the school year as its annual meeting at which officers for the ensuing year shall be elected.
- (d) A Local may send its full allotment of delegates to Council and shall receive a full report of proceedings.
- (e) A Local shall submit, by October 31 of each year, the information required for its internal review, which will be conducted out of Central Office and a budget for the ensuing year.

*(2011-2, 2011-1)*

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## ARTICLE III — THE COUNCIL

### 1. DEFINITION

- (a) The Council shall be the supreme governing body of the Union.
- (b) The Council of the NSTU shall be composed of the Executive and members of Local Unions elected by Locals to be members of the Council, on the basis of one representative for a membership of from twenty-five to fifty active members, and one representative for every additional fifty members of the Local or major fraction thereof. Notwithstanding the number of voting delegates permitted herein, each Local shall be entitled to at least three voting delegates at Council.
- (c) Elected Chairpersons of the Regional Representative Council shall be voting delegates at Annual Council.
- (d) Elected Regional Economic Welfare Committee Chairpersons shall be voting delegates if they do not hold Local Office.
- (e) Each Professional Association shall be entitled to one delegate with voting status at the Annual Council.
- (f) The Chairperson or designate of a NSTU Provincial Executive Standing Committee is eligible to attend Council as a non-voting delegate.

*(2009-A, 2009-B)*

### 2. GOVERNANCE

- (a) A majority of members of the Council shall constitute a quorum. The President with the consent of the Executive may call a meeting of the Council for such time and at such place as he/she may determine and shall call a meeting of the Council when requested in writing by a majority of the Locals.
- (b) There shall be an Annual Meeting of the Council to be held at such time and place as the Executive may determine.
- (c) (i) A Local may elect alternate delegates who may attend the Council meetings at the expense of the Local or at their own expense, the number of which shall be based on a sliding scale 3 to 10 inclusive = 1 Alternate; 11 to 21 = 2 Alternates; 22 to 31 = 3 Alternates; 32 to 41 = 4 Alternates; and 42 + = 5 alternates, to a maximum of five (5) alternates per Local. Notwithstanding the number of alternate delegates

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permitted, each Local shall be entitled to at least one alternate delegate at Council. (2013-14)

- (ii) Alternate delegates may address the Council with the permission of the chair but they may not move or second resolutions or vote on any resolution. Permission to speak shall not be unreasonably withheld. In the unavoidable absence of a delegate, the Council may permit an alternate delegate from the Local to act as a delegate in his/her place.
- (iii) Alternate delegates will be permitted to be seated with the voting delegates of their Local.
- (iv) A non-voting delegate wishing to address Council shall request permission to speak. This request shall not be unreasonably withheld by the Council Chairperson.
- (d) Members of the Council entitled to form a quorum and vote are:
  - (i) members of the Executive;
  - (ii) duly elected delegates, or alternate delegates replacing delegates under section (c) of this Article.
- (e) When a meeting of Council, other than the Annual Meeting of the Council is called, delegates shall be restricted to the voting delegates who attended the Annual Council immediately prior to the special meeting of the Council. A voting delegate unable to attend this special meeting of Council shall be represented by a designate chosen by the Local, Regional Representative Council, or Professional Association Executive.
- (f) (i) Council shall not pass any motion involving a major change in policy or recommending a change in the Act unless notice of the intention to deal with the same and a copy of every proposed amendment, variation or repeal shall have first been included in an issue of the NSTU newsletter at least thirty (30) days before such Council meeting. This clause does not apply to motions amending By-Laws, notice of which must be given to members pursuant to Section 10(2) of the Act. (2013-1)
- (ii) Resolutions in the Council recommending changes in the basis of membership in the NSTU, the duties and powers of the Executive and its officers must be approved by a two-thirds majority vote of the members present at such meeting.
- (g) Vacancies
  - (i) The Council may remove the President from office during his/her term by a vote of at least two-thirds of the members of the Council personally present and voting, provided that notice of intention to move such motion has been previously given as provided in subsection (f) (i) of this section.
  - (ii) If the President has been removed in accordance with subsection (g) (i), then Article III (2) subsection (g)(iii)(iv)(v)(vi)(vii) shall apply.
  - (iii) When the office of President becomes vacant in the event of removal, resignation, illness, death or other inability to act within the first 15 months of the term, the First Vice-President shall assume the office of President until a by-election is held.
  - (iv) If the First Vice-President is unable or unwilling to assume the office of the President within the first 15 months the Chief Returning Officer shall request the Provincial Executive to appoint a member of the Provincial Executive as Acting President until a by-election is held.
  - (v) If the vacancy occurs after the first 15 months of the term the first Vice-President shall assume the office of President for the remainder of the term.
  - (vi) If the First Vice-President is unable or unwilling to assume the office of the President after the first 15 months the Chief Returning Officer shall request the Provincial Executive to appoint a member of the Provincial Executive as Acting President until the term is complete.

- (vii) The Chief Returning Officer shall call a by-election for the office of President within 30 days if the vacancy occurs within the first 15 months of the term.
- (h) Rules of Order  
The current edition of Robert's Rules of Order, Newly Revised governs the Nova Scotia Teachers Union in all parliamentary situations not provided for in legislation, By-Laws and Standing Orders.  
(2009-C; 2009-D; 2013-2)

## ARTICLE IV — THE PROVINCIAL EXECUTIVE

### 1. DEFINITION

There shall be an Executive of the Council, to be composed of the President, the immediate Past-President (one year position only), the First Vice-President, twenty-one members elected on a regional basis at the local level, including one member elected by all the members of the CSANE Local, and two members elected by all the members of the Community College Local. A majority of the members of the Executive shall constitute a quorum.  
(2010-3)

### 2. GOVERNANCE

- (a) A member of the Provincial Executive shall not concurrently hold office at the Local or Regional level.  
Notwithstanding 2. (a) above, a member of a Local Executive, the chair of a Regional Representative Council or the Chair of a Regional Economic Welfare Committee who is elected as a member of the Provincial Executive may complete his or her term of office at the Local or Regional level up to the end of July of the year in which the member was elected to the Provincial Executive. (2012-A)
- (b) A member of the Provincial Executive shall be an active member of the NSTU.
- (c) When the office of First Vice-President becomes vacant in the event of removal, resignation, illness, death or other inability to act, the position shall be filled by the Provincial Executive from among its members by majority vote, subject to ratification at the next Council.
- (d) The office of any member of the Executive, who absents himself/herself from two consecutive meetings of the Executive without reasons satisfactory to the Executive, shall be declared vacant by the Executive.
- (e) Any member of the Executive may resign his/her office by notice in writing to the President of the NSTU.
- (f) A vacancy in the office of Second Vice-President or Secretary-Treasurer shall be filled by majority vote of the Provincial Executive.
- (g) A Provincial Executive member who becomes ill and is unable to attend regular meetings of the Provincial Executive shall be represented immediately by an alternate selected by the Local(s) involved, and the alternate member shall have all rights and privileges of the duly elected Provincial Executive member during the time of incapacity.

### 3. DUTIES

The Executive functions in the name of the Council between sessions. It shall perform its duties in a manner that is consistent with the will of the Council as expressed through resolutions passed by the Council. In addition, the Executive shall carry out duties imposed specifically by the *Teaching Profession Act* and:

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- (a) appoint and dismiss an Executive Director and such other paid employees of the Union as it may deem necessary and determine their duties, remuneration and terms of employment, including bonding;
- (b) provide suitable offices and equipment for carrying on the work of the NSTU;
- (c) direct and supervise the business, property and affairs of the NSTU between Council meetings, and all decisions that are deemed policy by the Executive shall be forwarded to the upcoming Council as resolutions;
- (d) determine the place and date and make arrangements for workshops and special Council meetings;
- (e) issue a post-Council press release;
- (f) provide assistance with organizing Locals and Regional Representative Councils and Professional Associations;
- (g) shall ratify constitutions of Locals, Regional Representative Councils and Professional Associations by following regulations outlined in the NSTU Guidebook;
- (h) determine the boundaries of the Locals;
- (i) publish a magazine or other official publications;
- (j) cause the books and accounts of the Council to be audited annually by a chartered accountant and cause the report of the auditor to be submitted to Council;
- (k) have the power to convene an emergency meeting of a Local or a meeting of the NSTU members in a given area; and
- (l) is empowered to exercise on behalf of the Union, as the Executive deems advisable from time to time, the powers of the Union under the *Teachers' Pension Act* and report thereon to the Council at the next following meeting of the Council.

**4. MEETINGS**

There shall be at least six regular meetings of the Executive each year, the first of which shall be held within sixty days of the election of the Executive.

**5. TERM OF OFFICE**

- (a) Effective as of Annual Council 2013, the term of office for Provincial Executive members elected on a regional basis shall be two (2) years starting August 1<sup>st</sup> and ending July 31<sup>st</sup>.
- (b) The term of office for all members of the Executive whose term of office expires in 2013 or 2014 shall conclude on July 31, 2013 or July 31, 2014 respectively.  
(2011-A, 2013-30)

**6. REGIONAL REPRESENTATION**

- (a) The members of the Executive who are elected on a regional basis at the Local level (referred to as "regional members") shall serve for a two year term with one-half of such members (or as close to one-half as is possible) to be elected each year as described from time to time in the Standing Orders.
- (b) No regional members shall serve for more than two consecutive terms. A regional member may be re-elected following a term in which he/she is absent from the Executive.
- (c) The regional members shall be elected before the Annual Meeting of the Council by election at the Local level as described from time to time in the Standing Orders.
- (d) Service by a Provincial Executive member as a result of a by-election shall not be applied to the term of office when that same member is elected through a regular election.

**7. PROVINCIAL EXECUTIVE COMMITTEES**

The Executive at its first regular meeting shall appoint such committees of the NSTU as it from time to time is authorized to do by the Council and such other special committees as it may find useful or necessary. All such committees shall report to the Executive.

**8. PROVINCIAL EXECUTIVE PROCEDURES**

The Executive shall from time to time determine its own procedure as to notice of meetings, quorum, maintenance of minutes and other matters relating to its internal operations.

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**ARTICLE V — OFFICERS****1. DEFINITION**

The officers of the Union shall consist of a President, two Vice-Presidents, a Secretary-Treasurer and the immediate Past-President.

**2. ELECTIONS**

- (a) (i) The President shall be elected by a vote of the entire membership.
- (ii) The term of office of the President shall begin August 1<sup>st</sup> and end July 31<sup>st</sup>.
- (iii) The President shall hold office for a period of two years or until his/her successor has been elected and shall be eligible for re-election for a further period of two years.
- (iv) No President shall serve for more than two consecutive terms.
- (b) (i) The election of the First Vice-President shall be conducted during Council and be determined by majority vote.
- (ii) The First Vice-President shall hold office for a period of two years or until his/her successor has been elected and shall be eligible for re-election for a further period of two years. *(2014-15)*
- (iii) The term of office for First Vice-President shall be two (2) years beginning at the conclusion of Annual Council. *(2013-23)*
- (iv) No First Vice-President shall serve for more than two consecutive terms. *(2014-16)*
- (c) (i) The Second Vice-President and Secretary-Treasurer shall be elected by the Provincial Executive from the Regional, Community College, and CSANE members of the Provincial Executive.
- (ii) The election of the Secretary-Treasurer and Second Vice-President shall be determined by a majority vote (i.e. 50% plus one) of the Provincial Executive.
- (d) (i) The Second Vice-President and Secretary-Treasurer shall take office upon their election. *(2011-B; 2007-10)*

**3. DUTIES**

- (a) (i) The President shall be responsible for presiding at all meetings of the Council and of the Executive, and shall have general oversight of the affairs of these bodies.
- (ii) He/she shall be ex officio a member of all committees.
- (iii) He/she shall perform such other duties as are delegated to him/her by the Council or the Executive.

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- (b) The President of the NSTU shall convene a minimum of two conferences per year of NSTU Local Presidents and Regional Representative Council Chairpersons.
- (c) In the absence of the President, the First Vice-President shall perform the duty of the President. If he/she is also absent, the meeting shall be chaired by the Second Vice-President.

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## ARTICLE VI — COMMITTEES OF THE COUNCIL

### 1. DEFINITION

Committees of Council required for meetings of Council shall be appointed and constituted and shall have their duties defined as the Council may from time to time provide through Standing Orders. Such committees may include an Annual Council Elections Committee, a Resolutions Committee, and a Steering Committee.

*(2007-11)*

### 2. PROFESSIONAL COMMITTEE

- (a) The Professional Committee shall consist of six members elected by the Council.
- (b) Members of the Professional Committee shall be elected for a term of three years, with two members of the committee retiring each year.
- (c) No member of the Professional Committee shall be at the same time a member of the Executive or a Committee of the Executive.
- (d) The Professional Committee shall meet at least once a year for professional development opportunities.

### 3. DISCIPLINE COMMITTEE

Pursuant to the Teaching Profession Act, Section 10(1) (d), there shall be a committee of the Council to be called the Discipline Committee.

- (a) The Discipline Committee shall consist of five (5) members selected by the delegates voting at an Annual Council, and no member shall be at the same time a member of the Executive or a Committee of the Executive.
  - (b) The Discipline Committee may adjudicate conduct of Union members which is inimical to the interests of the Union.
  - (c) A complaint against the conduct of a member of the type referred to in Section (b), may be made by the Executive of a Local, a Local, or by the Provincial Executive of the Union.
  - (d) A member whose conduct is a matter of complaint by the parties referred to in Section (c), shall be notified by the Discipline Committee of a charge at least thirty (30) days prior to the date on which the charge is to be heard.
  - (e) The Committee, after fairly hearing the charge, and finding it sustainable, may:
    - (i) suspend the member from the benefits and privileges of membership;
    - (ii) expel the member from the Union;
    - (iii) reprimand the member.
  - (f) The members of the Committee shall be elected for terms of three (3) years.
  - (g) The Discipline Committee shall meet at least once a year for professional development opportunities.
-

## ARTICLE VII — OFFICIAL SPOKESPERSON FOR THE UNION

1. The President is the official spokesperson for the NSTU and its negotiating team unless some other person has been specifically delegated with this authority.

## ARTICLE VIII — GENERAL

### 1. LEGAL ASSISTANCE

If legal action is being taken or threatened against any member of the NSTU in matters arising out of his/her professional duties or status, or if, in the opinion of the Executive, legal action should be taken by a member in matters arising out of his/her professional duties or status, then such member may be granted such legal assistance as the Executive in its sole discretion may determine.

### 2. RESERVE FUND

- (a) The NSTU shall set up a Reserve Fund which shall be administered by the Executive subject to the ratification by Council and shall be maintained by amounts voted annually by Council.
- (b) Council may also approve use of an amount from the Reserve Fund for operational purposes. Council shall review any such amount annually. Following such reviews, Council may vary the amount. Council's authority to establish and/or vary the amount from the Reserve Fund shall be exercised by a majority vote of the whole Council.
- (c) The Fund may be used:
  - (i) when the NSTU incurs reasonable costs in prosecuting a legal strike;
  - (ii) as a source for loans within the NSTU for purposes of expansion or development;
  - (iii) for expenditures or loans in cases of emergency.
- (d) The amount of the Reserve Fund to be used to balance the operating budget shall not exceed \$350,000 per year.

### 3. FISCAL YEAR

The fiscal year of the Nova Scotia Teachers Union shall be August 1<sup>st</sup> to July 31<sup>st</sup>.  
(2010-2)

## ARTICLE IX — REGIONAL GOVERNANCE

1. There shall be 7 local regions representing the membership of the following Locals:

#### **Annapolis Valley Region**

Annapolis Local  
Hants West Local  
Kings Local

#### **Cape Breton-Victoria Region**

Cape Breton District Local  
Northside-Victoria Local

#### **Chignecto Region**

Pictou Local  
Colchester-East Hants Local  
Cumberland Local

#### **Halifax Region**

Halifax City Local  
Dartmouth Local  
Halifax County Local

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**South Shore Region**

Lunenburg County Local

Queens Local

**Tri-County Region**

Digby Local

Shelburne County Local (2014-4)

Yarmouth Local

**Strait Region**

Antigonish Local

Guysborough County Local

Inverness Local

Richmond Local

## 2. Mandate

- (a) The mandate of the Regional Representative Council within the geographic boundaries of a school board shall be to address bargaining unit issues for NSTU members employed with that school board.
- (b) To follow the policies of the Council of the Union and the directives of the Provincial Executive of the Union.

## 3. (a) For each region there shall be a Regional Representative Council which shall be a committee of the NSTU, and shall be accountable to the NSTU Provincial Executive.

- (b) Each Regional Representative Council have the duty to draft by-laws that govern the operation in their region.

- (c) Membership of the Regional Representative Council shall include:

**Local Representation**

Local membership shall be determined with equal representation by participating Locals and shall include:

- Local Presidents
- Local First Vice-Presidents
- Additional Local Member(s)

From the Local Representation, the RRC shall select a Secretary and/or Treasurer and the Chair of the REWC.

**Regional Representation**

- Chairperson
- Provincial Executive Member(s)

- (d) All members of the Regional Representative Council shall have voting privileges.

- 4. (a) The Chairperson of the Regional Representative Council shall be elected by secret ballot from and by the members of the Regional Representative Council. The election of the Chairperson shall be the first item of business at the June Meeting. The election shall be conducted by a Provincial Executive member.
- (b) The Chairperson of the Regional Representative Council shall serve a two (2) year term of office commencing August 1<sup>st</sup>.
- (c) The Chairperson of the Regional Representative Council shall serve a maximum of two (2) consecutive terms.
- (d) The Secretary and/or Treasurer of the Regional Representative Council shall be appointed by the Regional Representative Council following a selection process determined by the Regional Representative Council.
- (e) The Provincial Executive Member(s) shall be a member of the Regional Representative Council for their term of office.
- (f) A Regional Representative Council shall not deal directly in matters of policy with the Provincial Government, the Department of Education, or other provincial organizations. It may, however, on behalf of the Union, deal directly with the regional school board in its region. Subject to Article VII 1, the Chairperson of the Regional Representative Council shall be the spokesperson on local matters for NSTU members employed by the regional school board in the region.
- (g) Regional Representative Councils shall be funded on an equitable basis by Locals in the region.

5. (a) The Regional Representative Council shall establish a Standing Committee called the Regional Economic Welfare Committee with membership consisting of Local First Vice-Presidents from each Local and other members as determined by the Regional Representative Council to a maximum of ten(10) members.
- (b) Membership on the Regional Economic Welfare Committee shall be established annually.
- (c) The Chairperson of the Regional Economic Welfare Committee shall be elected by secret ballot by the members of the Regional Economic Welfare Committee on an annual basis. The election of the Chairperson shall be the first item of business at that meeting. The election shall be conducted by the Chairperson of the Regional Representative Council.
6. The Regional Representative Council shall appoint members to committees as stipulated in Regional and Provincial collective agreements and establish other committees as required.
7. The successor Chair for the RRC shall be chosen from a Local other than the Local which had been represented by the outgoing RRC Chair; and the successor Chair of the REWC shall be chosen from a Local other than the Local which had been represented by the outgoing REWC Chair.
8. NSTU members employed by the Conseil scolaire acadien provincial (hereinafter referred to as "CSAP") shall belong to the Conseil syndical acadien de la Nouvelle-Ecosse (hereinafter referred to as "CSANE").
9. The Regional Representative Council shall carry out the responsibilities as set out in the Teachers' Provincial Agreement and Regional Collective Agreement between the employing school board and the NSTU.
10. A Regional Representative Council shall have the right to submit resolutions to Council by way of the Provincial Executive.
11. Locals wishing to reconfigure their RRC or REWC structure may make application to the Provincial Executive.

*(2007-25; 2007-24; 2007-22; 2007-21; 2007-20; 2007-19; 2007-18; 2007-18; 2007-16; 2007-15; 2007-14; 2007-13; 2007-12; 2009-3; 2009-4; 2011-4; 2011-3)*

*Approved by the Lieutenant Governor of Nova Scotia in Council on the 3rd day of December 1968. Gordon H. Davidson Deputy Clerk of the Executive Council Amended 1970 Council amended at each succeeding Council 1971-2014*

## SECTION III

# STANDING ORDERS

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## 1. MEMBERSHIP FEES

- (a) The fee for Voluntary Active Members, as defined in the By-Laws, Article I, Section 2, shall be the same as the fee for Active members as defined in Article I, pursuant to Section 12 of the *Teaching Profession Act*.
- (b) Notwithstanding 1(a), the amount of fee for Active Members employed under a term contract of less than an equivalent of sixty (60) days taught and claimed shall be determined on the basis of the number of days

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employed over a denominator of sixty (60) multiplied by eighty percent (80%) of the annual membership fee as fixed from time to time by Council.

- (c) No teacher shall pay an annual fee greater than the current amount payable by a full time teacher in any one school year.
- (d) The fee for Active Reserve Members, as defined in the By-Laws, Article I, Section 3 shall be \$32.00 per year and the fee for Regular Reserve Members, as defined in the By-Laws, Article I, Section 4 shall be \$10.00 per year.
- (e) An additional service fee in the amount of \$2.40 per teaching day is applied to a Reserve Member who is a substitute teacher. This amount shall be deducted at source. If the amount deducted exceeds the full service fee for an Active Member, a refund shall be granted.
- (f) The fee for Retired Members, as defined in the By-Laws, Article I, Section 5, shall be a fee set by the Retired Teachers Organization.
- (g) The fee for Associate Members, as defined in the By-Laws, Article I, Section 6, shall be \$10.00 per year.

**2. LOCAL UNION REBATE**

No Local may permit the use of any part of the funds it derives from rebate of fees for the purpose of conducting a campaign in respect of any election described by the Constitution of the Union.

**3. PROFESSIONAL ASSOCIATIONS**

- (a) The NSTU shall organize, promote and give financial assistance to Professional Associations in order to provide opportunities for member-initiated professional development.
- (b) Each Professional Association of the Nova Scotia Teachers Union shall submit annually the information required for its internal review, and shall submit a budget for the ensuing year.  
(2012-2; 2012-4)

**4. COUNCIL PROCEDURES**

- (a) On an annual basis, the Provincial Executive shall appoint an Independent Chairperson for the Council.
  - [i] The individual appointed shall meet the following criteria.
    - a. Be an individual with demonstrated knowledge of parliamentary procedure.
    - b. Be an individual who is not currently holding elected office in the NSTU.
    - c. Be an individual who is not currently seeking elected office in the NSTU.
    - d. Be an individual with no conflict of interest according to NSTU policy.
    - e. Be an individual who adheres to the principles outlined in the NSTU Code of Ethics.
  - [ii] In the event that the Independent Chairperson is unable to chair the meeting, the President will assume the duties of the Chairperson.
- (b) The Executive Director shall be responsible for the recording of the minutes of the Council meetings.
- (c) The minutes of every meeting of the Council, or the minutes as corrected, when approved, shall be signed by the Secretary-Treasurer and by the President, or in his/her absence by the chair of the meeting at which they are approved, and these shall be kept by the Executive Director of the NSTU as the official record of Council proceedings.
- (d) All recommendations of the Executive of the NSTU and its Committees which are to be presented to Annual Council for action, including

resolutions to fix membership fees, shall be sent to the Locals at least thirty (30) days prior to the meeting of Council.

- (e) The NSTU Report of Activities shall be in the hands of the delegates at least fourteen days prior to the Annual Meeting of Council.
- (f) The Treasurer's Report, including the proposed budget, shall be presented to the Council no later than the first business session of Council.
- (g) All resolutions that are identified by the Finance and Property Committee to have an effect on the proposed operating budget shall be dealt with prior to the presentation of the budget.
- (h) In the final business session of Council the budget shall be presented for discussion and questions to the Committee of the Whole meeting to amend and/or accept the budget.
- (i) The reports presented by committees to Annual Council shall be received and reviewed at a session prior to the consideration of resolutions arising from them.
- (j) Standing Orders may be changed by a majority vote of Council provided notice has been given thirty (30) days previously or by a two-thirds vote of Council, notice having been given at a preceding session of Council.

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## 5. RESOLUTIONS PROCEDURES

- (a) Resolutions submitted for consideration by Annual Council shall be accompanied by supporting briefs at the time of submission and be presented to the membership in the same order as they are to be deliberated during Annual Council proceedings.
- (b) All resolutions submitted for consideration by Annual Council shall be studied beforehand by the appropriate committee and/or the Provincial Executive. The findings and recommendations, if any, from such study shall be available to the delegates at Annual Council. *(2011-6)*
- (c) Economic Welfare resolutions shall be debated at Annual Council in Closed Session.  
Resolutions categorized as Economic Welfare and Working Conditions which relate to Provincial and/or Community College Negotiations and which are adopted at Annual Council shall be automatically referred to staff for consideration by the Provincial Economic Welfare Committee or the Community College Economic Welfare Committee.
- (d) A resolution adopted at Annual Council becomes effective immediately upon adoption unless the resolution itself specifies a particular time frame or unless the resolution affects the NSTU budget.
- (e) (i) A Local submitting a resolution classified by the Resolutions Committee as an NSTU Operational Procedure shall have that submission returned to the Local for redirection to the Provincial Executive for action.  
(ii) Should the Local not agree with the decision of the Provincial Executive concerning the issue, the affected Local is able to resubmit that same resolution to the next Annual Council. The brief accompanying the resolutions shall contain information concerning the Operational Procedure status of the submission as well as the decision of the Provincial Executive concerning the issue.
- (f) All resolutions to Annual Council shall be designated policy or action. Resolutions designated policy are recorded in NSTU policy documents and are subject to the six-year cycle review.
- (g) Resolutions designated action are removed from NSTU documents when action has been taken.
- (h) A full report of the action taken on each resolution passed by Council shall be presented at the following Council in the Disposition of Resolutions Report.

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**6. COMMITTEES OF COUNCIL****(a) STEERING COMMITTEE**

- (i) Before each Council meeting the Executive shall appoint from the elected delegates a Steering Committee.
- (ii) The Steering Committee shall monitor the progress of Council and make recommendations to Council concerning the appropriateness of time in relation to the business agenda.

**(b) THE ANNUAL COUNCIL ELECTIONS COMMITTEE (2011-5)**

- (i) Prior to the first session of the Council, the Executive shall appoint from among Council delegates, a Committee of four persons to be called the Annual Council Elections Committee.
- (ii) The Annual Council Elections Committee shall:
  - a. receive nominations for each vacancy on the following:
    - i. the Provincial Executive (first vice-presidential office);
    - ii. the Nova Scotia Teachers' Pension Appeals Committee;
    - iii. the delegation to the Canadian Teachers' Federation, and state the number of years each candidate will serve, if elected;
    - iv. the Professional Committee;
    - v. the Discipline Committee, and
    - vi. the Resolutions Committee.
  - b. obtain in advance the consent of each candidate nominated.
  - c. submit each name to the Council on a prepared form containing a statement of the nominee's professional activities, teaching position, experience and qualifications, provided this information is given to the Annual Council Elections Committee at least one hour prior to the time scheduled for commencement of the session in which the election is to be conducted.
  - d. nominations for Council, other than for First Vice-President, close with the report of the Annual Council Elections Committee and the call for further nominations from the floor by the Chairperson of Council at the session in which the election is to be conducted.
  - e. ensure that nominations for First Vice-President close in the opening session of Council with the report of the Annual Council Elections Committee and the call for further nominations from the floor by the Chairperson of Council.
- (iii) Ensure that any member of Council who is entitled to vote may nominate from the floor any eligible person to any office.
- (iv) Any member elected to a committee at Annual Council, except the Pension Appeals Committee shall be ineligible to serve consecutive terms of office on that same committee.
- (v) The election of the First Vice-President shall be determined by a majority vote of the delegates voting at Council. In all other elections held during Council, the successful candidate requires a plurality of the ballots cast.
- (vi) The committee shall draw up a standardized report form to be issued to all candidates for the office of First Vice-President, which includes a list of contributions and on which non-monetary items are assessed at a dollar value;
- (vii) The committee shall monitor Council election guidelines and report any suspected violations to the Chair of Council for consideration and possible action. The Chair or Council, after consultation with the Committee, shall attempt to resolve any concerns in an informal manner. If he/she is unable to resolve the matter informally, the Chair of Council shall make a ruling and may announce the ruling at the next session of Council.

(2011-7)

- (viii) The committee shall submit a report with recommendations concerning the conduct of any Council election to the Provincial Executive within ninety (90) days from the conclusion of Annual Council.

**(c) RESOLUTIONS COMMITTEE**

- (i)
  - a. The Resolutions Committee shall consist of five members.
  - b. Each Council shall select from the floor two members to the Resolutions Committee. All members elected shall serve a two (2) year term.
  - c. The Provincial Executive shall elect one of its members to serve as Chairperson of the Resolutions Committee for a one (1) year term.
- (ii) Members of the Resolutions Committee who are not delegates or alternate delegates to Annual Council are empowered to move and second resolutions presented through the Resolutions Committee at Council; they are not permitted to vote.
- (iii) The Resolutions Committee shall:
  - a. Prepare a document of resolutions submitted by NSTU Locals and the Provincial Executive that is circulated to all members prior to deliberations on Council floor.
  - b. Ensure that resolutions are available to members and to delegates to Annual Council in both official languages. (2011-14)
  - c. Designate each resolution by topic (Governance, Curriculum, Economic Welfare and Working Conditions, Government, Professional Development, General); by category (Policy, Action); by intent (Amend, Rescind, New); and by eligibility (2/3s Vote).
  - d. Ensure that resolutions affecting the organization's budget are costed by the NSTU Finance and Property Committee and make such costing information available at the time of discussion.
  - e. Consult the sponsoring Local to clarify the costing specifics of any resolution classified as a costed resolution.
  - f. Direct submissions from Locals that reaffirm current policy to the Provincial Executive for action.
  - g. Direct submissions from Locals that are current Operational Procedures to the Provincial Executive for action.
  - h. Combine resolutions of similar intent without altering the substantial intent of any resolution.
  - i. Consult with Local(s) on rewording of a submission.
  - j. Inform and report to the Local at least thirty (30) days prior to Council if a proposed resolution is out of order.
  - k. When legal advice has been requested, a written summary of such advice is made available on request to the Local.
  - l. Determine the eligibility of submissions received during Council proceedings for consideration under New Business.
  - m. Subject all decisions of the Resolutions Committee to a ruling of Council.
  - n.
    - i. Assign adopted resolutions to the appropriate Union committee for action;
    - ii. coordinate compilation of Reports; the Disposition Report, that includes the URL of an electronic compilation of memos and letters regarding adopted resolutions, and Reports to Council; and,
    - iii. manage the Policy Review. (2013-3)

(2011-15)

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**7. VICE-PRESIDENTIAL CAMPAIGN GUIDELINES**

In respect of Vice-Presidential campaigns, the following guidelines shall apply:

- (a) Active campaigning within the Council Chambers other than the normal address to delegates is prohibited. Passive campaign activity within Council Chambers is permitted.
- (b) Locals are prohibited from directly making any monetary or non-monetary contribution to any candidate's campaign. Such contributions do not include expenditure of funds designated for the Local (e.g. Local meeting room at Annual Council). (2013-4)
- (c) Campaign spending, excluding travel, by or on behalf of each candidate may not exceed \$1,500.00. Such expenses are the sole responsibility of the candidate. All promotional items including prizes sponsored by the candidate shall be included in the determination of the amount spent and shall be supported by receipts or assessed at fair market value. (2011-8)
- (d) All candidates must submit an approved financial statement report form to the Annual Council Elections Committee within sixty (60) days from the conclusion of Annual Council. This statement is to include a list of all contributions with non-monetary items being assessed at dollar value, and an itemized list of expenditures;
- (e) The Annual Council Elections Committee shall refer the financial statements of candidates to the Provincial Executive for review. These financial statements will be published in *The Teacher*.
- (f) Publicity:  
Each candidate is permitted to insert in an issue of *The Teacher* prior to Council:
  - (i) one head and shoulder photograph of himself/herself;
  - (ii) biography of personal, educational, and career achievements, of no more than 150 words;
  - (iii) a personally prepared platform of objectives, no more than 600 words in length.
- (g) Items in (f) must be sent to *The Teacher* fifteen (15) working days before publication and these will appear in alphabetical order.
  - (i) Each candidate will be given a second opportunity to publish a statement subject to the provisions of paragraph (f), which statement shall not be more than 750 words in length.
  - (ii) Paid advertisements in any medium (press, radio, TV, *The Teacher*) are prohibited.
  - (iii) The number of campaign posters and/or banners on display in the hotel at Annual Council may not exceed a total of twenty-five (25) for each candidate. When Annual Council is held at a facility where Local delegates are divided between two facilities, the number of posters will be increased to thirty-five (35). A campaign poster shall include any poster, banner or sign posted by or for a member running for an elected position that makes a reference to the candidate and/or the position being sought.
- (h) Upon request, each candidate shall be given a list of the room numbers at the main facility used by NSTU delegates, alternates, official observers and guests once delegates have been accommodated. Distribution of campaign materials to rooms shall be limited to those rooms so identified. Such identification shall not allow the name of the occupant of the room to be determined.

**8. COMMITTEE CAMPAIGN GUIDELINES**

In respect of electoral campaigns for committees elected at Council, the following guidelines shall apply:

- (a) Active campaigning within the Council Chambers is prohibited. Passive campaign activity within the Council Chambers is permitted;
- (b) Locals are prohibited from directly making any monetary or non-monetary contribution to any candidate's campaign. Such contributions do not include expenditure of funds designated for the Local (e.g. Local meeting room at Annual Council). (2013-4)
- (c) Campaign spending by or on behalf of each candidate may not exceed \$100. Such expenses are the sole responsibility of the candidate.
- (d) All candidates must submit an approved financial statement report form to the Annual Council Elections Committee within sixty (60) days from the conclusion of Annual Council. This statement is to include a list of all contributions with non-monetary items being assessed at dollar value, and an itemized list of expenditures;
- (e) The Annual Council Elections Committee shall refer the financial statements of candidates to the Provincial Executive for review. These financial statements will be published in *The Teacher*.
- (f) Publicity:  
Each candidate is permitted to insert in an issue of *The Teacher* prior to Council:
  - (a) One head and shoulder photograph of himself/herself;
  - (b) Biography of personal, educational and career achievements, of no more than 150 words;
  - (c) A personally prepared platform of objectives, no more than 300 words in length.
- (g) Items must be sent to *The Teacher* fifteen (15) working days before publication and these will appear in alphabetical order.
- (h) Paid advertisements in any medium (press, radio, TV, *The Teacher*) are prohibited.
- (i) The number of campaign posters and/or banners on display in the hotel at Annual Council may not exceed a total of twenty-five (25) for each candidate. When Annual Council is held at a facility where Local delegates are divided between two facilities, the number of posters will be increased to thirty-five (35). A campaign poster shall include any poster, banner or sign posted by or for a member running for an elected position that makes a reference to the candidate and/or the position being sought. (2011-9)
- (j) Upon request, each candidate shall be given a list of the room numbers at the main facility used by NSTU delegates, alternates, official observers and guests once delegates have been accommodated. Distribution of campaign materials to rooms shall be limited to those rooms so identified. Such identification shall not allow the name of the occupant of the room to be determined.

## 9. GENERAL CAMPAIGN GUIDELINES – ACTIVE AND PASSIVE CAMPAIGNING

With respect to all elections, the following definitions shall apply:

- (a) Active campaigning shall be considered any display or action that involves the presentation of partisan information in a manner that is difficult for a group of delegates to avoid. Examples of such active campaigning include the display of campaign posters,, the shouting of campaign slogans, shouting out in support of a candidate other than during the normal address to delegates, distributing materials throughout Council chambers including the placing of campaign materials anywhere within Council chambers prior to, during or following a Council session, and demonstrations in support of a given candidate. (2011-13)

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- (b) Passive campaigning shall be considered any display or action that is observable only by people in the immediate vicinity of the campaign material and involves no explicit action to promote or advance those materials at the time at which the material is seen or heard. Examples of such passive campaigning include the use of writing materials containing references to a candidate, the wearing of campaign clothing, buttons or ornaments, and the presence of a single copy of a candidate's campaign literature at the delegate's seat and table spot. *(2011-12)*
- (c) A candidate or representative of the candidate is permitted to place up to one (1) item per delegate per session at the tables in Council chambers prior to the start of the session. This would replace campaign material distribution at other times. A candidate would still be permitted to greet delegates as they enter Council chambers. *(2011-10)*
- (d) In the event that campaigning for any other NSTU election takes place during Council, the guidelines for the Council Committee election campaigns applicable to the conduct of the campaign during Council, shall apply.
- (e) Active campaigning for election to a position not related to the structure of the NSTU is prohibited.

**10. COMPOSITION OF THE PROVINCIAL EXECUTIVE**

- (a) Members of the NSTU teaching in the following regions shall elect twenty-one members to the Executive subject to the following conditions:
  - (i) elections shall be held fifteen (15) days or more prior to the first meeting of the Council;
  - (ii) the regions and the numbers to be elected from each region shall be as follows:

Annapolis-Hants West-Kings	2 members
Antigonish-Guysborough	1 member
Cape Breton Industrial	2 members
Colchester-East Hants	1 member
Community College	2 members
Conseil syndical acadien de la Nouvelle-Écosse	1 member
Cumberland	1 member
Dartmouth	1 member
Digby-Yarmouth	1 member
Halifax City	2 members
Halifax County	2 members
Inverness-Richmond	1 member
Lunenburg County	1 member
Northside-Victoria	1 member
Pictou	1 member
Shelburne-Queens	1 member

**11. REGIONAL ELECTIONS FOR PROVINCIAL EXECUTIVE**

- (a) The Local or Locals in each region shall, at least sixty (60) days prior to the Annual Meeting of Council, name a Nominating Committee representing such Local or Locals, such committee to consist of such persons as may be determined by the Local, as may be agreed upon by the Presidents of such Locals, or failing such agreement, as may be determined by the Provincial Executive. The Nominating Committee shall name its own Chair.
  - (i) The Nominating Committee shall receive nominations to the Provincial Executive up to thirty (30) days prior to the date set for the regional elections.

- (ii) If a single name is received by the Nominating Committee, the Nominating Committee shall declare the individual so nominated elected by acclamation.
- (iii) If no names are placed in nomination for a vacant regional Executive member position, the Provincial Executive shall convene another meeting of the Regional Nominating Committee at a later date. In the interim, the Provincial Executive would appoint a member from the Local(s) affected to hold the Provincial Executive position until such time as an election has been held. (2013-5)
- (b) The Regional Nominating Committee shall obtain consent of the nominees and shall publish the names and curriculum vitae of the nominees through a Local letter distributed before the regional election to schools in the region in sufficient numbers to cover all members and shall forward the names of such nominees to the Central Office.
- (c) At least thirty (30) days prior to the Annual Meeting of Council, the date of each regional election for members of the Provincial Executive shall be set by the President (or by agreement of the Presidents of Locals, if more than one Local) of the Local in each region, and the date shall be forwarded to the Provincial Executive for ratification. If no such date is fixed for any region within the time limit, the Provincial Executive may fix the date of the regional election.
- (d) The regional election shall be conducted in such manner as the Local may determine or, if there is more than one, as their Presidents may agree, or, failing such agreement, as may be determined by the Provincial Executive. The Regional Nominating Committee shall promptly inform the Locals and the Central Office of the persons elected.

## 12. RECORDING OF PROVINCIAL EXECUTIVE MEETING MINUTES

- (a) The Executive Director shall be responsible for recording the minutes of the Executive meetings.
- (b) The minutes of every meeting of the Executive or the minutes as corrected, when approved, shall be signed by the Secretary-Treasurer and by the President, or in his/her absence by the Chair of the meeting at which they are approved and shall be kept by the Executive Director as the official record of the Executive proceedings.

## 13. COUNCIL VOTING PROCEDURES FOR PROVINCIAL EXECUTIVE

- (a) Every Executive recommendation to the Annual Council requires a two-thirds (2/3) vote of the Executive members present and voting at an Executive meeting.

## 14. AWARDS

- (a) The Provincial Executive may from time to time recognize outstanding contributions of members by the means and under the conditions, which follow:
- (b) **Life Membership Award** which shall be:
  - (i) a suitable certificate, a pin and paid membership in the Retired Teachers Organization
  - (ii) awarded only to members retiring from the profession;
  - (iii) awarded for displaying consistently high qualities of leadership, performance and service to education, the teaching profession or to the Nova Scotia Teachers Union;
  - (iv) awarded at the sole discretion of the Provincial Executive.

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- (c) **Special Award** which shall be:
  - (i) a certificate and gift;
  - (ii) awarded only to active members;
  - (iii) awarded only for a particular outstanding service to education, the teaching profession, or the Nova Scotia Teachers Union;
  - (iv) awarded at the sole discretion of the Provincial Executive.
- (d) **Local Service Award** which shall be:
  - (i) a certificate and special pin;
  - (ii) awarded for displaying at the Local level a consistent and continuing involvement in Local leadership, professional development or long term service to education or the teaching profession;
  - (iii) awarded for a particular outstanding service to the Local, to education or to the teaching profession;
  - (iv) awarded to active members and newly retired members (i.e. within two years following retirement; *(2012-8)*)
  - (v) awarded by the Provincial Executive only on the recommendation of a Local Executive.

**15. COMMITTEES OF THE PROVINCIAL EXECUTIVE**

- (a) Following Annual Council the Executive shall appoint such committees as it deems necessary to carry out the NSTU program.
- (b) The Executive shall establish terms of reference for committees appointed by the Executive and shall forward the terms of reference to the Locals.
- (c) All committees appointed by the Provincial Executive shall serve from August 1 to July 31 of any school year unless otherwise directed by the Executive.
- (d) Voting privileges on NSTU committees shall be confined to members of the NSTU, others to act only in advisory or consultative capacity.

**16. CHIEF ELECTORAL OFFICER**

- (a) There shall be a Chief Electoral Officer of the Union who shall be the Solicitor of the Union.
- (b) The duties of the Chief Electoral Officer shall be:
  - (i) to advise on the conducting of any election described in the Constitution of the Union;
  - (ii) to decide the meaning of the Constitution in respect of elections;
  - (iii) to decide matters of complaint concerning elections presented to him/her by interested parties.

**17. RESERVE FUND**

The fund designated as the Reserve Fund in the annual budget as approved by Council, shall be invested by the Executive in accordance with the principles of safety, marketability and return.

**18. CANADIAN TEACHERS' FEDERATION**

Delegates to the Canadian Teachers' Federation Annual General Meeting shall be the President, or another CTF Director as chosen by the Provincial Executive from the members of the Provincial Executive, the Executive Director as a member of the CTF Board, and a number of other delegates defined by the Canadian Teachers' Federation who shall be elected by the Council. The First Vice-President or, in the absence of the First Vice-President the Second Vice-President, shall attend as an alternate

**19. PROVINCE-WIDE VOTING**

- (a) The results of all province-wide voting shall be published in *The Teacher* or another equivalent publication on a Local-by-Local basis within fifty (50) days of such voting.
- (b) All public political pronouncements must cease twenty-four (24) hours prior to a province-wide vote.

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The Executive shall assure that the Constitution of the Nova Scotia Teachers Union is available to each member of the organization. (2013-6)

*Approved 1967 Council*

*Amended at each succeeding Council 1963-2014*

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# NSTU POLICY

August 2014



## Introduction

The NSTU policy provides the context for effective decision-making and action on issues. The Provincial Executive has established the following operational principles for the development, implementation and evaluation of the organizations policy.

### **NSTU POLICY SHALL BE:**

- the Unions official position on issues of significant weight to the membership
- formulated with input from the membership
- determined as a result of an Annual Council resolution
- stated in clear and concise language
- recorded as a resolution in the official minutes of an Annual Council
- published and updated as necessary
- supplemented with position papers where appropriate
- reviewed in a six year cycle rotation

### **NSTU POLICY IS CLASSIFIED AND REVIEWED ACCORDING TO THE FOLLOWING SCHEDULE:**

2011	Curriculum
2012	Economic Welfare & Working Conditions
2013	Government
2014	Professional Development
2015	General
2016	NSTU Governance

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## 1. BUDGET REQUIREMENTS

- (a) As one option, the Finance & Property Committee shall provide to each Annual Council delegate, in advance of Council, a balanced budget. This balanced budget should not involve either a transfer of funds from the Reserve Fund or an increase in membership fees.
- (b) When a deficit budget is presented to Annual Council, the Provincial Executive shall provide options to cut expenditures so as to produce a balanced budget, rather than only providing the option to increase fees.  
*Reference: Resolution 99-35; Reaffirmed 2002-16; 2005-16; 2010-7*

## 2. CIVIL ACTIONS — LEGAL PROTECTION

The money budgeted for legal cases may be used at the discretion of the Provincial Executive if a Union member in good standing is involved in legal difficulties arising from the proper pursuit of professional duties.  
*Reference: Resolution 2000-56; Reaffirmed 2002-17; 2005-17; 2010-8*

## 3. CODE OF ETHICS

This Code of Ethics is a guide to members in maintaining at all times the high traditions of their profession.

## I. MEMBER AND PUPIL

- (a) The member regards as confidential, and does not divulge other than through professional channels any information of a personal or domestic nature, concerning either pupils or home, obtained through the course of his/her professional duties.
- (b) The member should be just and impartial in all relationships with pupils.
- (c) The member should assume responsibility for the safety and welfare of his/her pupils, especially under conditions of emergency.
- (d) The member should avoid giving offence to the religious and political beliefs and moral scruples of his/her pupils and/or their parents.
- (e) The member should be as objective as possible in dealing with controversial matters arising out of the curriculum subjects, whether scientific or political, religious or racial.

## II. MEMBER AND MEMBER

- (a) The member should not make defamatory, disparaging, condescending, embarrassing, or offensive comments concerning another member.
- (b) The member shall not make derogatory remarks about the professional competence of another member.
- (c) The member shall not accept a position arising out of the unsettled dispute between members, and their employers.
- (d) The member shall not sexually harass another member. Sexual harassment shall mean any unsolicited and unwanted sexual comments, suggestions or physical contact directed to a specific member which that member finds objectionable or offensive and which causes the member discomfort on the job. The accused member must be made aware of the nature of the objection prior to action being taken.

## III. MEMBER AND INTERNAL ADMINISTRATION

- (a) The member should observe a reasonable, professional and proper loyalty to internal administration of the school/educational site.
- (b) The member responsible for internal administration should be professional, loyal, fair, and just to the members of the staff.
- (c) The member responsible for internal administration should not of his/her own initiative, make any detrimental report, oral or written, on a member's efficiency without first discussing the matter with the member.

## IV. MEMBER AND EXTERNAL ADMINISTRATION

- (a) The member should adhere to a contract until the contract has been terminated by mutual consent, or the contract has otherwise been legally terminated. A verbal agreement is a contract.
- (b) The member should not accept a salary below that which he/she would receive according to the scale negotiated between the NSTU and the employer.
- (c) The member should not accept a salary above that which he/she would receive according to the scale negotiated between the NSTU and the employer, without notifying the NSTU.

## V. MEMBER AND PROFESSIONAL ORGANIZATION

- (a) The member should be a member of and participate in the Nova Scotia Teachers Union.
- (b) The member who in his/her professional capacity is a member of a committee, board, or authority dealing with matters affecting the educational program of Nova Scotia as a whole should be elected, appointed, or approved by the Nova Scotia Teachers Union.
- (c) The member, or group of members, should not take any individual action in matters which should be dealt with by his/her Local or by the NSTU.
- (d) The Local should not take any individual action in matters where the assistance of the NSTU has been sought, or in matters requiring the authorization of the NSTU.

## VI. MEMBER AND PROFESSION

- (a) The member should maintain his/her efficiency by professional development, or study, by travel or by other means which will keep him/her abreast of the trends in education and the world in which we live.
- (b) The member should engage in no gainful employment, outside of his/her contract, where the employment affects adversely his/her professional status, or impairs his/her standing with students, associates, and the community.
- (c) The member should not accept remuneration for tutoring his/her pupils except under unusual circumstances and with the approval of his/her supervisor or principal.

## VII. MEMBER AND COMMUNITY

- (a) The member should so conduct himself/herself in his/her private life that no dishonour may befall him/her or through him/her, his/her profession.

*Reference: Amended 2009-6; 2009-7; 2009-8; 2009-9; 2009-10; 2009-11; 2009-12; 2009-13; 2010-9*

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**4. CONFLICT OF INTEREST**

Individuals in an elected or appointed leadership role of the NSTU, its employees, and others acting on the organization's behalf have the obligation to avoid conflicts of interest; the perception of conflict of interest; and to ensure that their activities and interests do not conflict with their responsibilities to the Nova Scotia Teachers Union.

*Reference: Resolution 99-19; Reaffirmed 2002-18; 2005-18; 2010-10*

**5. DISCRIMINATION**

- (a) The NSTU, in recognition of its support for the *Nova Scotia Human Rights Act*, lends full support to members who face discrimination with respect to their employment on the basis of age, race, religion, gender, sexual orientation, physical or mental disability, fear of contracting an illness, ethnicity, family/marital status, source of income, political belief, affiliation or activity.
- (b) The NSTU, in its structure and delivery of professional services, is unbiased towards its members.

*Reference: Resolution 99-40; Reaffirmed 2002-19; 2005-19; 2010-11*

**6. EQUITY AND AFFIRMATIVE ACTION**

The NSTU is committed to the promotion of equity and affirmative action. This promotion must take place in the context of all contractual obligations between members, their employer(s) and within the NSTU organization.

*Reference: Resolution 2000-3; Reaffirmed 2002-20; 2005-20; Amended Resolution 2006-D*  
Equity for under-represented groups, i.e. aboriginal persons, racially visible persons, persons with disabilities and women must be considered in the hiring of staff, secondments, the formation of committees, and the Internship Program.  
*Reference: Resolution 2006-E; Amended 2007-47; 2010-12*

**7. EXECUTIVE DIRECTOR AND EXECUTIVE STAFF QUALIFICATIONS**

The Executive Director and Executive Staff of the Nova Scotia Teachers Union shall be eligible to hold valid Nova Scotia teacher professional numbers and/or be members of the NSTU in the employ of the Nova Scotia Community College.

*Reference: Resolution 99-44; 2002-21; Amended 2003-I; Reaffirmed 2005-21; Amended 2010-13*

**8. EXECUTIVE STAFF ADDITIONS**

The number of NSTU Executive Staff shall be increased only with the prior consent of Annual Council.

*Reference: Resolution 99-43; Reaffirmed 2002-22; 2005-22; 2010-14*

**9. INCLUSIVE LANGUAGE**

All communications be inclusive in the use of images, expressions and language to positively reflect and include the diversity of the membership in acknowledging the range of disabilities, gender, sexual orientation, ethnicity and race.

When a communication is unable to adhere to the inclusive language policy, the following disclaimer clause should appear:

This document is listed as an exemption to the NSTU Inclusive Language Policy.

*Reference: Resolution 2009-15; 2010-15*

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**10. MERCHANDISE — FAIR TRADE PURCHASING**

The NSTU encourages, stimulates, and practices “fair trade” and “environmentally friendly” purchasing whenever and wherever reasonably possible.

*Reference: Resolution 2002-119; Amended 2004-79; 2010-16*

The NSTU make every effort to acquire merchandise from local and/or unionized businesses.

*Reference: 2007-40*

The NSTU encourages members to purchase Nova Scotia produced products and services.

*Reference: Resolution 2010-16*

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**11. PRIVACY — MEMBER DATA**

The Nova Scotia Teachers Union fully respects the rights of its members to security and privacy with respect to the data supplied to it by its members. To that end, the following principles shall apply:

- (a) All data collected by the NSTU shall be used solely for Union business.
- (b) No individual member data will be released to anyone, other than for legitimate internal use unless individually and explicitly authorized by the member.
- (c) Data may be released to affiliate organizations or academic institutions in aggregate form for research approved by the Provincial Executive.
- (d) Aggregate member data may be released to news media only with prior approval by the Provincial Executive.
- (e) No member data will be released to commercial interests.

*Reference: Resolution 2003-18; Reaffirmed 2005-26; 2010-17*

**12. PROFESSIONAL ASSOCIATIONS****(a) MANDATE**

Professional Associations assume major responsibility for encouraging and assisting in professional development activities in their respective fields.

**(b) OBJECTIVES OF ASSOCIATIONS ARE:**

- (i) To improve professional practice by increasing members’ knowledge and understanding;
- (ii) To disseminate ideas, trends and new developments;
- (iii) To advocate interests of Professional Associations, consistent with NSTU policy and practice;
- (iv) To furnish recommendations and advise the Provincial Executive and NSTU committees on matters special to the Professional Association.

**(c) MEMBERSHIP**

- (i) Open to all active, active reserve, regular reserve and associate members of the NSTU.
- (ii) Voluntary.
- (iii) Fee paying as established at the Annual General Meeting.

*Reference: Resolution 2012-3, 2012-5*

**(d) COMMUNICATION**

Representations by Professional Associations external to NSTU are made only with the prior approval of the NSTU President.

**(e) FINANCES**

Financial grants are budgeted each year for Professional Associations.

*Reference: Resolution 99-42; Reaffirmed 2002-26 ; 2005-30*

**(f) PROVINCIAL PROFESSIONAL DEVELOPMENT DAY INFORMATION**

Each NSTU member shall receive a copy of the Provincial Professional Development Day Program Offering Information.

*Reference: Resolution 2006-20; Amended 2010-18*

**(g) PROVINCIAL PROFESSIONAL DEVELOPMENT DAY WORKSHOPS**

Each Professional Association, in the planning for their Provincial Professional Development Day make an effort to include a number of workshop sessions that are specifically focused on professional development for early career teachers and on diversity issues in education and that such workshops be clearly designated as such in the Provincial Professional Development Day booklet and/or NSTU website.

*Reference: Resolution 2008-60; Amended 2010-18*

**13. PROVINCIAL EXECUTIVE COMMITTEES****(a) AUTHORITY FOR COMMITTEES**

Authority to establish committees is granted to the Provincial Executive under

*Article IV 7. NSTU By-Laws.*

**(b) CATEGORIES OF COMMITTEES****(i) STANDING COMMITTEES**

a. Committees should be selected using the following criteria:

- i. regional representation;
- ii. experience in Union activities;
- iii. curriculum/grade level/college program representation;
- iv. Local size;
- v. gender balance; and diversity.

b. Members other than the President and/or Provincial Executive members may concurrently serve on only one (1) provincial standing committee.

**(ii) Ad Hoc COMMITTEES**

Ad hoc committees are established by the Provincial Executive for a specific time and specific purpose. Ad hoc committees cease to exist on the completion of the task assigned.

**(iii) TASK FORCES**

Task Forces are search and solve committees. A question or problem requires investigation usually through hearings, and a set of recommendations is prepared for consideration by the Provincial Executive.

**(iv) COORDINATION COMMITTEES**

These committees are formed to enhance the functioning of the NSTU by providing a formal mechanism for networking, advising and communicating. Coordination Committees are composed of elected officials representing various interest groups.

**(c) MANDATE OF COMMITTEES**

- (i) Committees of the NSTU are advisory bodies to the Provincial Executive and responsible to the Provincial Executive for their programs.
- (ii) Committees of the NSTU are not program-administering committees except as specifically authorized by the Provincial Executive.

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**(d) NOMINATING COMMITTEE APPOINTMENTS****(i) NOMINATING COMMITTEE OF THE NSTU**

At the first meeting of the Provincial Executive following Annual Council, a Nominating Committee of five (5) Executive members is to be appointed to prepare a slate of members to serve on various committees of the NSTU.

- (ii) The Provincial Executive shall designate the chairpersons of all Standing Committees.

*Reference: Resolution 99-36; 2001-12, 2001-20; 2002-11; 2002-27*

*Reference: Resolution 99-34; Reaffirmed 2002-288*

*Reference: Resolution 99-38, Reaffirmed 2002-29; Deleted 2005-27; Structure Review Report #42 – Council 2005; Amended 2007-48; 2007-46; 2010-19; Amended 2011-C; Amended 2012-9*

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**14. PROVINCIAL EXECUTIVE DIRECTIVES**

When the Provincial Executive enacts changes during the year which impact in a negative way on Local/Regional Representative Council finances, the Provincial Executive will also direct additional funds to Locals/Regional Representative Councils to carry out these changes.

*Reference: Resolution 2007-43; Resolution 2007-44, Amended 2010-20*

**15. PROVINCIAL EXECUTIVE MEETINGS**

Regular NSTU Provincial Executive meetings are considered open for attendance by any NSTU member, except for those portions of the meeting dealing with matters recommended by the Table Officers and confirmed by 2/3 majority of the Provincial Executive.

*Reference: Resolution 2000-8; Reaffirmed 2002-24; 2005-28; 2010-21*

**16. SCHOOL ADMINISTRATORS**

The NSTU recognizes the key role of public school principals as professional leaders and believes that school/educational site administrators should remain active members of the Nova Scotia Teachers Union.

*Reference: Resolution 99-48*

*Reference: Resolution 2001-25, 2000-4; Reaffirmed 2002-25; 2005-29; Amended 2010-22*

**17. SUBSTITUTE TEACHER INFORMATION MEETINGS**

The Nova Scotia Teachers Union encourages Locals to hold at least one meeting early in the school year to inform substitutes of information available regarding their rights and privileges, their duties and responsibilities; benefits of reserve membership; and, their obligation to supply their school board with accurate information for pay purposes.

*Reference: Resolution 2002-15; Reaffirmed 2005-32; 2010-23*

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**18. ACCOUNTABILITY PRINCIPLES**

The NSTU believes in the accountability of public education. Any accountability model must adhere to the following principles:

- (a) An effective accountability model
  - (i) is based on shared responsibility.
  - (ii) recognizes that each partner (government, school boards, teachers and administrators, parents/guardians and students) has a responsibility to be accountable for those aspects of education over which it has control and jurisdiction. They also have a responsibility for working collaboratively so that the system as a whole operates well.
  - (iii) reflects the multiple goals of public education.
  - (iv) acknowledges that the public has a right to know how well the education system is meeting its goals. Parents/guardians have a right to comprehensive information about their child's progress.
  - (v) fosters trust in the education system and promotes improvement.
  - (vi) acknowledges that there is a standard of practice for both conduct and competence.
  - (vii) respects the autonomy of professionals to establish and uphold professional standards of conduct and competence.
  - (viii) accepts the central role of quality classroom based assessment using a broad range of indicators to demonstrate student learning.
- (b) Within this model of educational accountability, teachers are responsible for knowledge, decisions, working collaboratively, maintaining currency and engaging in ongoing professional learning.
- (c) Within this model of educational accountability teacher organizations are responsible for developing programs to assist teachers in pursuing their professional learning, establishing and promoting standards of professional practice and responding to concerns relating to teacher competency.

*Reference: Resolution 2004-121; Reaffirmed Provincial Executive, February 2011*

**19. ANTI-HOMOPHOBIA, ANTI-TRANSPHOBIA  
AND ANTI-HETEROSEXISM**

- (a) The NSTU advocates for an educational system that is safe, welcoming, inclusive and affirming for people of all sexual orientations and gender identities/expressions.
- (b) The NSTU believes:
  - (i) That the role of educators is critical in creating positive societal change to address the realities of sexual minority issues for students, families and members;
  - (ii) That an assumption of heterosexuality as being the only sexual orientation throughout the school system denies sexual minority students and same-gender parented families affirmation and accommodation;
  - (iii) That sexual minority and Transgender students, staff and same-gender-parented families have the right to:
    - a. Be free from harassment, discrimination and violence;
    - b. Be treated fairly, equitably and with dignity;
    - c. Self identification and freedom of expression;
    - d. Have their cultures and communities valued and affirmed.

- (iv) That efforts must be made to ensure that education prepares young people to develop open, pluralistic and democratic societies, free of discrimination or aggression based on sexual orientation and gender identity/expression.
- (c) For anti-homophobia, anti-transphobia and anti-heterosexism education to become effective:
  - (i) Educators must accept their responsibility to educate themselves and to reflect upon their own attitudes and behaviours in modeling respect, understanding and affirmation of diversity.
  - (ii) Educators have a responsibility for the elimination of homophobia, transphobia and heterosexism in the working and learning environment.
  - (iii) Curriculum must include positive images and accurate information about history and culture which reflects the accomplishments and contributions of sexual minority and transgender people.
  - (iv) Educators must take actions to make educational sites safe for sexual minority and transgender staff, students and parents, and those who are perceived to be so by:
    - a. Treating everyone with respect and acceptance;
    - b. Using language that affirms all sexual orientations gender identities/expressions and not using disparaging remarks or language that implies one sexual orientation or gender identity is superior to another;
    - c. Challenging staff, students and parents who continue to display prejudice on the basis of sexual orientation or gender identity/ expression;
    - d. Developing an action plan to use in the event of an incident of discrimination or harassment and/or violence;
    - e. Never making assumptions in the matter of sexual orientation and gender identity expression;
    - f. Making a commitment to confidentiality in the event of a disclosure of sexual orientation or gender identity/expression;
    - g. Not assuming the superiority of heterosexuality or CIS-gender experience.
  - (v) Schools and school systems must adopt anti-homophobia, anti-transphobia and anti-heterosexism policies and recognize that homophobia plays an integral role in bullying and harassment in school.
  - (vi) Sexual minority and transgender students must have the right to counselling that is supportive, affirming and free from efforts on the part of counsellors to change their sexual orientation and/or gender/ expression identity through the use of or the referral to aversion, reparative, or conversion therapies.
  - (vii) Member preparation programs must include:
    - a. Knowledge, awareness and affirmation of those who identify as transgender or belonging to a sexual minority;
    - b. Strategies, lesson plans and curriculum that assist members in addressing sexual minority or transgender issues in classrooms and schools.
  - (viii) Educators must have access to professional development programs, which provide assistance in addressing sexual minority and transgender issues in classrooms and schools;
  - (ix) Educators must be made aware of sexual minority and transgender policy at the Union, provincial, and school board level.
- (d) The NSTU declares itself to be an anti-homophobia, anti-transphobia and anti-heterosexism organization which:
  - (i) promotes equity and inclusiveness for all individuals in the workplace;

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- (ii) recognizes student and member diversity and the goals of anti-homophobia, anti-transphobia and anti-heterosexism in the selection of its priorities and programs; and
  - (iii) promotes anti-homophobia, anti-transphobia and anti-heterosexism education.
  - (iv) develops and supports regular professional development opportunities for all of its members;
  - (v) supports the development of Gay-Straight Alliance as positive forces in schools; and
  - (vi) actively supports the development of inclusive policy by other educational stakeholders;
  - (vii) protects its members who, by reason of active involvement in sexual minority and transgender educational issues, become vulnerable to institutional backlash.
- (e) The NSTU believes that all educators and students of all gender identities and gender expressions have a right to a safe work/school environment. To that end the NSTU believes that:
- (i) All staff and students have the right to safe restroom facilities that they are comfortable using and correspond to their gender identify.
  - (ii) Transgender and gender non-conforming staff and students have the right to be addressed by a name and pronoun corresponding to their gender identity.
  - (iii) All staff and students have a right to privacy, that the transgender status of transgender and gender non-conforming staff and students is considered confidential, and that transgender and non-conforming students and staff have the right to share, discuss, and express their gender identity and gender expression as well as the right to decide when, with whom, and how much private and personal information to share.
  - (iv) All staff and student dress codes should be flexible and gender-neutral and that staff and students should not have to choose between 'male' and 'female' clothing.
  - (v) All staff have the right to be addressed without having gender prefixes assigned to their names.

*Reference: Resolution 2004-NB1, Amended 2009-NB1; 2011-11, Amended 2014-50*

**20. ASSESSMENT POLICY**

The Nova Scotia Teachers Union believes that teacher-developed and teacher-administered in-house evaluation instruments are the most effective and accurate means of assessment of student achievement. The NSTU supports the position of the Canadian Teachers' Federation that the primary purpose of student assessment is to support student learning and that classroom teachers have the primary responsibility for assessing and evaluating student achievement.

The NSTU firmly believes that provincial standardized tests are not intended, nor should they be used, for the purpose of teacher evaluations.

- (a) The NSTU does not support the administration of provincial exams; however, the organization recognizes the authority of the Department of Education to implement assessment measures.
- (b) The Department of Education should use Provincial assessments exclusively as a tool to inform instruction and support student learning.
- (c) Regional school boards should use assessment exclusively as a tool to inform instruction and support student learning.

- (d) The NSTU believes classroom teachers from across the province should be involved in a primary way with the design, implementation and marking of all provincial assessments.
- (e) The Department of Education should report exam marks only on a provincial and board-by-board basis. The compilation of scores on a school-by-school or student-by-student basis must not be permitted.
- (f) The Department of Education must define, adopt and clearly communicate a curriculum implementation model. Such a model must clarify the components such as pilots, field tests and their necessary evaluation.
- (g) The administration and marking of the student's exam should remain the prerogative of the classroom teacher who has taught the course to the students.
- (h) The Nova Scotia Teachers Union accepts the Policy on Assessment and Evaluation authored by the Canadian Teachers' Federation.

*Reference: Resolution 2001B; Reaffirmed 2004-97; 2011-16*

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## 21. CENSORSHIP

- (a) The NSTU recognizes the student's right of free access to different types of learning materials. The local school board should recognize the right of members, librarians and administrators to select books and other learning materials in accordance with current trends in education and to make them available in the schools. The NSTU further recognizes that there should be a procedure for reconsideration of materials in accordance with local school board policy.
- (b) The right of the member to use for instruction any books or other learning materials prescribed by the Department of Education is fully supported.
- (c) The wide-ranging diversity of some communities suggests that the values and morality of educationally sound material, no matter how judiciously selected, may be challenged by parents/guardians or students.
- (d) Complaints can be dealt with individually and fairly by using the following procedure:
  - (i) the concerned parent/guardian and/or student should be granted an in-school interview with an administrator and the subject teacher or department head where the value of the book or other learning materials in question can be explained and criticisms of it can be heard; and
  - (ii) if the interview has not resolved the person's objections, an alternate book or other learning materials of comparable importance and difficulty can be requested by filling out a form devised by the local board.

*Reference: Resolution 2001-41; Reaffirmed 2004-99; Amended 2011-18*

## 22. COMPREHENSIVE MATERIALS FOR FRENCH MEMBERS

All members, including French Core, Immersion or French First Language should have access to comprehensive materials, including texts and library resources.

*Reference: Resolution 99-59; Amended 2004-100; Reaffirmed Provincial Executive, February 2011*

## 23. COUNSELLORS

### (a) TEACHING POSITION

The position of school counsellor, or the equivalent duties, is a teaching position and, as such, those duties must be performed by a member.

*Reference: Resolution 2000-18; Reaffirmed 2004-117*

**(b) FULL-TIME GUIDANCE**

There should be a full-time Guidance Counsellor in every school in the P-12 public education system in Nova Scotia

*Reference: Resolution 2006-33; Amended 2011-19*

**(c) RATIO**

A guidance counsellor's responsibility should not exceed a ratio of 1 counsellor to 400 students.

*Reference: Resolution 2006-36, Amended 2012-6*

**(d) PROGRAM DELIVERY**

Guidance Programs should be delivered by trained Guidance Counsellors.

*Reference: Resolution 2006-37*

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**24. CURRICULUM POLICY**

- (a) The NSTU believes that the Department should:
  - (i) provide clear outcomes for all grade levels;
  - (ii) provide suitable materials that allow schools to provide programs suited to the student's level of development;
  - (iii) provide adequate staff, facilities and equipment in schools;
  - (iv) provide specialists programming for such areas as Guidance, Art, Music, Technology Education, Family Studies, Teacher-Librarians, Physical Education, French and other areas as appropriate;
  - (v) provide extensive in-service programs designed to assure that all school grades become a true continuum from elementary to high school;
  - (vi) assure that the final year before entrance to a high school credit system becomes a genuine transition to the high school model.
  - (vii) provide a minimum of a one day in-service to all teachers when introducing a new report card.
- (b) The NSTU believes that the credit system should not be introduced in the grade nine level.
- (c) The NSTU believes that adequate financial support for program changes must be assured before any introduction and implementation of such changes.
- (d) Decisions regarding choices of materials that support the curriculum should be made by licensed teachers.
- (e) The introduction of any new program or changes to present programs should be supported by appropriate supplies and professional development before implementation of the program.
- (f) As new curriculum is introduced to a particular grade level, teachers involved must receive the necessary resources/support in order to implement the program appropriately.
- (g) Teachers of combined classes should receive the necessary resources / support for all grade levels in order to implement the program appropriately.

*Reference: Resolution 2001-44, 2002-41, 2002-43, 2003-30; Amended 2004-101; 2011-20; 2013-65*

**25. CURRICULUM STANDARDS AND GUIDELINES**

- (a) Although the establishment of curriculum standards and guidelines is the responsibility of the Department of Education, teachers should have direct input in the establishment of provincial curriculum guidelines through NSTU nomination of committee members.
- (b) It is the responsibility of each individual member to be fully aware of and conversant with the particular sets of guidelines and other Departmental publications that are of direct concern to his/her teaching situation.

- (c) Guidelines established by the Department of Education should be as specific as the diversity of the Nova Scotia school population will permit.
- (d) Members should, as part of their professional responsibility, bring to the attention of the Department any concerns they have with Department publications or guidelines.

*Reference: Resolution 2001-54; Reaffirmed 2004-102; Amended 2011-21*

## 26. DISTANCE EDUCATION

Quality public distance education programs must be carefully designed, planned, implemented by NSTU members and adequately funded. Successful implementation of public distance education requires that:

- (a) Adequate resources and inservicing are available for public distance education teachers.
- (b) The NSTU support teachers engaged in providing public distance education.
- (c) NSTU members holding valid teacher certification exclusively are engaged in providing public P-12 distance education.
- (d) Support a network of public distance education teachers so as to provide for discussion, exchange of ideas and mutual support.
- (e) The NSTU inform the public of issues regarding public distance education.
- (f) The NSTU monitor the growth of public distance education in the province.

*Reference: Resolution 2001-42; Reaffirmed 2004-103; Amended 2011-22*

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## 27. GLOBAL EDUCATION

- (a) Global education is a perspective that underlies and shapes the teaching and learning processes in schools.
- (b) Through global education, learners develop critical understandings of global issues, as well as the skills to enable them to address those issues.
- (c) Through global education, learners acquire values that give priority to ecological sustainability, global interdependence, social justice for all the world's people, peace, human rights, and globally beneficial process of economic, social and cultural development.
- (d) Through global education, learners are enabled to develop the will and ability to act as mature, responsible citizens with a commitment to create positive futures for themselves, their communities and the world.
- (e) The NSTU believes members should be supported by all partners in education in their continuous efforts to bring a global perspective to Nova Scotia classrooms.

*Reference: Resolution 2001-45; Reaffirmed 2004-104; Reaffirmed Provincial Executive, February 2011*

## 28. INTEGRATION AND INCLUSION

- (a) A caring society provides education for all children who are able to benefit from education services.
- (b) Children with special physical, intellectual or emotional needs benefit from learning in the most enabling environment, characterized by flexibility, responsiveness and support.
- (c) 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 options for some children.
- (d) Ongoing, specially-designated and substantial funding should support the integration of exceptional children. Each school board should be accountable both to the Department of Education, which has responsibility for providing the funds, and to the public it serves. Sharing of human and material resources among school districts should be encouraged.

- (e) Funding should be based on actual audited costs, be long-term in its scope, and, most importantly, adequate to the challenge of successful integration.
- (f) To allow for maximum success for teachers working with integrated, exceptional children, teachers should receive the support services they deem necessary to provide a positive learning environment.
- (g) Successful integration is achieved when a child's educational program and environment further his or her cognitive, physical and affective development. The process of integration should ensure the rights of all children to an appropriate education and an equitable distribution of resources among all students.
- (h) Programs for students with special needs require allocated funds and teachers for "life skills" curriculum.
- (i) The NSTU endorses the Council of Atlantic Provinces Teacher Organizations (CAPTO) Policy on Inclusion.

*Reference: Resolution 2001-43; 2002-45; Amended 2004-105; 2011-23*

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## 29. INTELLECTUAL PROPERTY

The NSTU believes that intellectual property created by the member must remain the property of the member.

*Reference: Resolution 2002-76; Reaffirmed 2004-106; Reaffirmed Provincial Executive, February, 2011*

## 30. (a) LABOUR HISTORY

The teaching of the Labour History of Canada shall be encouraged in the junior high school's social studies curriculum.

## (b) HISTORY, CANADIAN

The NSTU supports the inclusion of Canadian history in the public school system.

*Reference: Resolution 2001-35, 2002-48; Reaffirmed 2004-107; Reaffirmed Provincial Executive, February 2011*

## 31. LANGUAGE OF INSTRUCTION AND STUDY

The NSTU supports Article 23 of the *Canadian Charter of Rights and Freedoms*.

*Reference: Resolution 2001-47; Amended 2004-108; Reaffirmed Provincial Executive, February 2011*

## 32. LEARNING RESOURCES

- (a) Learning resources should support and be consistent with the general educational goals of the Province and the school board, as well as with the aims and objectives of individual schools and specific courses.
- (b) Learning resources should meet high standards of quality in factual content and presentation.
- (c) Learning resources should be appropriate for emotional development, ability level, learning style and social development of students.
- (d) Learning resources should help students gain an awareness and understanding of our pluralistic society and the contributions of its members.
- (e) Learning resources should motivate students to examine their own attitudes and behaviours and to comprehend their own duties, responsibilities, rights and privileges as participating citizens in our society.
- (f) The NSTU opposes any arbitrary or unilateral addition or removal of learning materials or units of study.

*Reference: Resolution 2001-48; Amended 2004-109; Reaffirmed Provincial Executive, February 2011*

### 33. MULTICULTURALISM

- (a) Schools of Nova Scotia reflect a pluralistic, multi-ethnic society, which influences the teaching/learning styles represented in our schools.
- (b) The values and behaviour patterns present and presented in our schools differ among cultural groups.
- (c) Citizens in a democratic society need ethnic and cultural literacy (adequate understanding of ethnic groups, ethnicity and culture).
- (d) Members, because of their role in society, have a major responsibility to contribute to the development of ethnic and cultural understanding.
- (e) The curriculum should provide students with continuous opportunities to develop positive self-identities.
- (f) The curriculum should recognize the ethnic and cultural diversity of students within the school community.
- (g) The curriculum should describe the development of Nova Scotia and Canada as a multi-faceted society.
- (h) The curriculum should explore and clarify ethnic and cultural alternatives and options within Nova Scotian and Canadian society and make maximum use of local community resources.
- (i) School policies and procedures should foster positive multi-ethnic interactions and understandings among students, teachers, administrative and other support staff.
- (j) The NSTU shall foster and stimulate a higher level of member awareness and a deeper understanding of the relationships between social behaviour, learning styles and ethno-cultural differences and their implications.
- (k) Information shall be provided to members about the implications of multiculturalism in Nova Scotia and about services, programs, materials and developments relating to multiculturalism.
- (l) The NSTU shall encourage and promote the cooperation of members with organizations, groups and individuals involved with multiculturalism.
- (m) The NSTU encourages the development of a curriculum that reflects the ethno-cultural similarities and differences within the province.
- (n) The NSTU promotes an anti-homophobic, anti-heterosexist, anti-sexist and anti-racist approach to educational strategies, materials and attitudes within the provincial schools.

*Reference: Resolution 2001-46; Amended 2004-110; 2011-24*

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### 34. NEW CURRICULUM — PROFESSIONAL DEVELOPMENT

The NSTU supports the principle of professional development for members prior to and during the implementation of new curriculum.

*Reference: Resolution 2003-36; Amended 2004-111; Reaffirmed Provincial Executive, February 2011*

### 35. NON-CORE PROGRAMS — DEPARTMENT OF EDUCATION STANDARDS BE ESTABLISHED

The NSTU shall seek to ensure that a Department of Education standard be established and maintained regarding non-core programs at all levels. This must include the provision for instruction by qualified professionals who are NSTU members.

*Reference: Resolution 99-56; Reaffirmed 2004-112; Reaffirmed Provincial Executive, February 2011*

## 36. OUTCOMES-BASED RESOURCES

The NSTU urges the Department of Education and school boards to ensure the development and implementation of outcomes-based resources across the curriculum.

*Reference: Resolution 99-60, 2000-25; Amended: 2004-113; 2011-25*

## 37. PEACE EDUCATION

- (a) Peace is not merely the absence of war.
- (b) The pursuit and attainment of peace is initially the responsibility of each individual person and is a special responsibility of members.
- (c) The pursuit of peace is inextricably bound to the issues of human rights, a more equitable international economic order, preservation of the environment, individual and collective security, and disarmament.
- (d) To be genuine and lasting, peace must be shared equally by all the peoples of the world.
- (e) Violence and the abuse of power are never to be used to solve conflicts.
- (f) Children have the right to live, grow and develop in a world free of war and the threat of nuclear destruction.
- (g) The NSTU endorses the principle of worldwide nuclear disarmament and the reduction of other armaments.
- (h) World peace and individual freedom are both rational premises and viable objectives for education.
- (i) Educators should provide leadership in supporting the concept of global understanding and peace.
- (j) Justice, mutual respect, and a respect for differences can be taught and learned.
- (k) Students must be assisted in acquiring skills to make choices related to world concerns.
- (l) Peace education must concern itself with teaching cooperation at all levels.
- (m) A most urgent task of public education is to provide our young people with the knowledge, understandings, attitudes, skills and powers to transform our earth into a world beyond war and to live fully and authentically in this world of peace, democracy and justice.
- (n) Funds must be made available from public sources for the school system to undertake changes in structure and curricula, to educate the youth of our country, to believe they have a right to live in peace and to give them the skills to achieve this end.
- (o) Rules, decision-making procedures, interpersonal relationships, discipline and other institutional features of the school should foster cooperation, non-violent conflict resolutions, and responsibility for the school environment.
- (p) In planning peace education activities in schools, members and other persons responsible for peace education should consider, among other things, the following matters:
  - (i) inclusion of studies of nuclear weapons, the arms race and its connection to world hunger and poverty, the history of international disarmament negotiations, broad social and political studies including multiculturalism and racism, and protection of the environment as aspects of peace education;
  - (ii) developing skills of mediation and other forms of non-violent conflict resolution;
  - (iii) finding a balance between special peace studies and integrating education for and about peace within the regular curriculum.

*Reference: Resolution 2001-49; Amended 2004-114; Reaffirmed Provincial Executive, February 2011*

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## 38. QUALITY EDUCATION

### Principles

*Learning Culture:* There exists a responsible, reflective and interactive learning environment: a combination of beliefs, attitudes, and practices which recognizes the intrinsic value of learning and is shared by members of the community.

*Equity:* All students have fair and just access to a full range of quality programs and services needed to succeed in life.

*Range of Voices:* Recognizing the pluralism of our world, public education provides programs and activities that reflect the diversity of all students as well as the distinctiveness of each student.

*Relevance:* Public education offers a spectrum of relevant, meaningful programs and activities which respect individual values and reflect Canadian society.

*Entrepreneurship and Artistry:* Creativity, imagination, ingenuity, and risk-taking are valued and encouraged.

*Quality Relationships:* A caring and nurturing approach to education ensures that all participants are treated with respect and dignity.

### Program

*Breadth of Curriculum:* All students have access to a multi-dimensional curriculum.

Curriculum includes program supports such as library, guidance, and other services including those for students with special needs.

As well, curriculum is sufficiently flexible to support interdisciplinary linkages.

*Global Perspective:* Curriculum has a global perspective that recognizes interdependency, sustainability, tolerance, and understanding as crucial to the development of our world. Curriculum fosters culturally, economically, environmentally, politically, and socially responsible citizens.

*Language of Delivery:* Curriculum is available in either official language and addresses the needs of First Nation peoples and linguistic minorities where numbers warrant.

*Variety of Resources:* Curriculum is delivered using an appropriate selection of human, physical, and technological resources.

*Life Preparation:* Curriculum has exploration opportunities that allow the student to evaluate and choose an effective life path.

### Participants

*The Student:* All students making an effort are assured of some success every day. Students who are unable or unwilling to take responsibility for their learning receive support and intervention. Public education provides each student the opportunity for the following.

- Intellectual Development – The student is able to develop the knowledge, skills, and attitudes necessary for lifelong learning.

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- **Personal/Social Development** – The student is able to develop the self-confidence to learn from success and failure, have respect for and understanding of others, and take responsibility for personal actions.
- **Lifework Planning** – The student is able to develop an understanding of the relationship between an ongoing education and economic and personal well-being.

*The Educator:* Educators are integral components of the learning culture, have a sound philosophical base, and participate in ongoing professional development. Educators are designated as the following.

- **Professionals** – Educators are informed individuals who consistently improve their teaching within an atmosphere of collegiality. Educators adhere to their professional code of ethics and, as individuals, are principled, open-minded, and reflective practitioners. Educators are enthusiastic lifelong learners committed to personal and professional growth. Educators value teaching and the student.
- **Managers of Learning Environment** – Using appropriate technology and methodology, the educator is the primary manager of the learning environment. Program planning and implementation occur in collaborative, cooperative settings.

*The Parent/Guardian:* The student's home environment is critically important. Parents/guardians are responsible for providing a healthy environment supportive of teaching and learning.

*The Community:* Educators, students, board members and representatives of government agencies, business, labour and the general public value and support education and work together to assure the continual improvement of public education. Open dialogue ensures that the community is involved in and responsive to educational goals.

## Parameters

*Environment:* Educational sites are safe, healthy and pleasing environments conducive to learning and teaching.

*Time and Place:* Educational sites are flexible with respect to time and place in order to capitalize on a variety of teaching and learning opportunities.

*Leadership:* Leadership reflects the principles of sound vision, shared decision making, and public accountability with a commitment to continuous improvement and ongoing professional development.

*Funding:* Education programs in Nova Scotia are free to students in levels Primary to Twelve and publicly funded. Affordable fees shall apply to students enrolled in the Nova Scotia Community College.

## Our Beliefs

It is the belief of the Nova Scotia Teachers Union that each individual has the capacity to learn. Learning is a personal, lifelong process vital to both the individual and social well-being of every citizen.

The NSTU believes that educators recognize and value the richness and complexity of each learner's abilities. Educators nourish the desire to learn and provide opportunity for each student to realize their learning potential.

The NSTU further believes that public education is a community-shared responsibility. Appropriately supported, public education through its diversity provides the optimal learning environment.

#### Our Mission

Public education cultivates in the learner the knowledge, skills, and attitudes necessary to be an effective citizen; to participate in the workplace; to be a lifelong learner; and to have a fulfilling life.

#### Our Vision

Public education values the multiple intelligences and complexity of each member of society. The NSTU's perspective of public education is defined in terms of principles, program, participants, and parameters.

*Reference: Resolution 2001-52; Reaffirmed 2004-115; 2009-114; Amended 2011-26*

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### 39. PROFESSIONAL SUPPORT

The NSTU supports the principle of having more professional staff support at all school levels.

*Reference: Resolution 2003-35; Amended 2004-116; Reaffirmed Provincial Executive, February 2011*

### 40. STUDENT PROJECTS — POSTER CONTESTS

- (a) Cooperation, not competition, shall be fostered in visual arts programs in Nova Scotia's elementary schools.
- (b) Poster contests within schools should be solely on a voluntary basis.
- (c) If prizes are to be presented, they should be for the use of the whole school. Recognition for individual students should be by way of certificates of participation.
- (d) Contests should be governed by recommendations under Student Projects:
  - (i) Projects and activities sponsored by community or corporate groups should be compatible with the school/board/Department of Education curriculum.
  - (ii) Activities should allow for the active participation of all students within the classroom.
  - (iii) All students participating in the activity should receive certificates of participation if they are available.
  - (iv) The activity should be relevant to the age and interests of the intended participants.
  - (v) The activity should enhance the self esteem of the student.
  - (vi) If prizes are to be awarded they should be for the use of the whole school.
  - (vii) Activities which do not fall within the parameters of curriculum should not be compulsory.
  - (viii) Students should be made aware of opportunities presented by projects outside the curriculum and be permitted to participate if they so desire.
  - (ix) Students should not be compelled to enter competitions.

*Reference: Resolution 2001-50; Reaffirmed: 2004-118; Reaffirmed Provincial Executive, February 2011*

### 41. SCHOOL BOOK BUREAU FUNDING ALLOCATION

The NSTU believes that the School Book Bureau allotment should be flexible enough to allow schools to use up to 25% of their allotment for purchasing teachers resources outside of the School Book Bureau offerings.

*Reference: Resolution 2001-53; Amended: 2004-119; 2011-27*

## 42. TECHNOLOGY INTEGRATION PRINCIPLES

The following are principles for technology integration in public schools and the Community College:

- (a) While technology tools can enhance the ability of members to deliver educational programs and enrich the educational environment for students when applied in a pedagogically sound manner, people are the most important resource in the teaching/learning process.
- (b) Technology should be used as a tool to improve the quality of student-teacher relationships and not to replace members.
- (c) Technology must be integrated into the school system with consideration for equity of opportunity for students and NSTU members.
- (d) All school boards and the Community College should articulate a vision statement and long range plan for the integration of technology into the curriculum.
- (e) Members require access to appropriate, comprehensive, flexible, and ongoing professional development opportunities in the effective integration of technology.
- (f) Developing and maintaining a technology-integrated school environment requires an increase in member preparation time.
- (g) Members own what they create and are entitled to the protection of Canadian Copyright Laws.
- (h) In order to effectively integrate technology into the curriculum, every member requires access to a computer and an Internet connection both in the workplace and at home. This access is primarily the responsibility of the employer.
- (i) Technology infrastructure (hardware, software, consumables, technical support, professional development) must be in place prior to implementation of technology initiatives in order to achieve the intended curriculum/information technology outcomes.
- (j) Technology requires ongoing budget support for technicians, upgrading of hardware and software, and consumable supplies in order to be effective.
- (k) Technology maintenance and network administration are primarily the responsibility of board/ school technicians and not members.
- (l) The Nova Scotia school system must be protected from inappropriate corporate intrusion resulting from pressure to place technology in schools.

*Reference: Resolution 2002-50; Reaffirmed 2004-120; Amended 2011-28*

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## SECTION III

# ECONOMIC WELFARE & WORKING CONDITIONS

## 43. ABUSE AND BULLYING

Maximum learning and teaching conditions are achievable only in a safe school environment. Therefore it is the policy of the NSTU that:

- (a) The employer be responsible for providing and ensuring a safe and secure workplace free from fear of either physical and/or verbal abuse of members (including substitute teachers and student teachers) by students, parents/guardians or staff.
- (b) The employer be responsible for providing and ensuring a safe and secure workplace for members (including substitute teachers and student teachers) free from bullying which includes cyberbullying by students, parents/guardians, or staff.
- (c) The employer be responsible for providing and ensuring a safe and secure workplace for members (including substitute teachers and student teachers) free from bullying by students, parents/guardians or staff by way of Web pages and email, social media and other forms of electronic communication.
- (d) Members subjected to physical and/or verbal abuse and/or bullying receive full support of the employer and NSTU services, if required, in pursuing medical, legal and other necessary remedies.
- (e) The employer, in consultation with the local/regional bargaining unit, shall establish policies and procedures to ensure that incidents of physical and/or verbal abuse and/or bullying are reported, documented and dealt with effectively. Such procedures must be reflected in any discipline policy established by the board and should include but not be limited to the following:
  - (i) Notwithstanding Section 26 of the *Education Act*, the member at all times reserves the right to request denial of entry to the classroom to any student who has demonstrated and who continues to demonstrate the capacity to be physically or verbally abusive to said member.
  - (ii) The abusive student shall be removed immediately from the classroom and should be referred to the appropriate administrative personnel for remedy up to and including suspension for the remainder of the year.
  - (iii) Prior to a suspended student's re-admittance to school the original classroom or any other classroom, appropriate rehabilitative measures must have been taken by the student and be seen to have been taken by both the abused member and any member receiving the student as a result of re-admittance. Such measures exist on a continuum from an apology acceptable to the member to anger-management training.
  - (iv) The principal shall immediately reassign the student out of the class of the abused member, if so requested by the member. At the request of said member, where possible, this reassignment shall be permanent. In addition to the classroom, depending on availability, reassignment can mean home study, special behaviour class or alternate school placement.
  - (v) The employer shall be required to inform all receiving members of any and all information regarding students who may be a potential threat to the classroom environment and said member(s) involved.
  - (vi) The employer shall grant necessary time away from professional duties without loss of pay, benefits and/or accumulated sick time to members

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unable to work as a result of physical or verbal abuse and/or bullying suffered.

(vii) The employer shall make every effort to protect the member from further abuse and/or bullying by the abusive student, parent/guardian or staff member.

(viii) The employer shall be responsible for providing conflict resolution and/or crisis intervention training for professional employees. Release time should be provided by the employer.

*Reference: Resolution 2000-30; Reaffirmed 2003-42; Amended 2004-21, 2006-67; Amended 2012-76*

## 44. CLASS SIZE AND COMPOSITION

(a) It is the policy of the NSTU that class size and composition be considered a component in organizing for effective instruction.

(b) To foster effective instruction, class sizes should not normally exceed the following maxima:

(i) **Secondary** 25 Students

(ii) **Elementary** 20 Students

(iii) **Primary** 15 Students

(iv) **Special** 10 Students

(v) **Combined Classes/** 15 Students

### **Multi-Age Classes**

(c) Provided that all those involved with determining Special Education class size and member workload should recognize the additional demands entailed by the students with special needs integrated within a regular classroom, it follows that as the needs of the students with special needs, whether in a Special Education class or an integrated class, increase, class size should decrease.

*Reference: Resolution 2000-57; Amended 2003-43; 2006-68; 2012-77; 2013-51*

## 45. COLLECTIVE BARGAINING

(a) The NSTU believes in and is firmly committed to the principle of full collective bargaining rights for all bargaining units within its jurisdiction. Full collective bargaining rights means the absence of any government legislation restricting wages and benefits, the right to strike, or legislation designed to intimidate or threaten the Union for the purposes of achieving a favourable bargaining result.

*Reference: Resolution 2000-47*

(b) The NSTU is committed to the integrity of its membership and will vehemently oppose any attempt to remove any portion of the membership from the NSTU.

(c) The NSTU believes that all courses for which students receive academic credit, including pilot courses, must be taught by members who are members of the NSTU. The Union will continue to oppose the contracting out of duties performed by professional and support staff and any attempt to replace an NSTU certified teaching position with a non-NSTU position.

*Reference: Resolution 99-64, 99-31, 99-69, 2000-37, 2000-38*

(d) When a tentative agreement is reached by the Negotiating Committee, a recommendation of either acceptance or rejection shall be provided to the Provincial Executive.

(e) When the Provincial Executive requests a ratification vote by the membership on any tentative agreement, the Provincial Executive shall indicate its recommendation to either accept or reject the tentative agreement.

(f) All negotiated contracts for consideration be released regionally on the same day.

*Reference: Resolution 2001-10, 2001-9; Reaffirmed 2003-44; 2006-69; 2013-20.*

**46. FUNERAL ATTENDANCE**

Any staff member of a school who wishes to attend the funeral of an active staff member should receive permission to do so.

*Reference: Resolution 99-80; Reaffirmed 2003-45; 2006-70; Amended 2012-78.*

**47. INDIVIDUAL PROGRAM PLANS**

Members with students on Plans with Math Support Plans, Literacy Support Plans and Behavioural Support Plans be given a minimum of one-half day per month to plan for, set up and assess each Individual Program Plan.

*Reference: Resolution 2002-60; Reaffirmed 2003-46; 2006-71; Amended 2012-79*

**48. JOB-SHARING**

- (a) Job-sharing in the teaching profession is a viable and effective staffing option. Implementation of this option is encouraged by the NSTU.
- (b) A shared position is that which requires the services of a member full time, which is then divided among two or more persons who share the performance and the discharge of the responsibilities of that position on a part-time basis.
- (c) Salary is prorated and benefits are either full or prorated.
- (d) Job-sharing involves working on a part-time basis, but is to be distinguished from part-time members who are not job-sharers.
- (e) The teaching schedule of each sharing member shall be arranged in consultation with the school principal.
- (f) Appropriate job-sharing patterns are:
  - (i) AM PM
  - (ii) Alternate Day
  - (iii) Specific Day
  - (iv) Alternate Time Periods
  - (v) Partial service as a part of the pupils' regular daily program.
  - (vi) Half year split
- (g) It is necessary that teaching strategies and compatibility of partners be established between or among those participating in job-sharing agreement. The process of selection must involve all participants (members, principal and supervisor).
- (h) The impact of job-sharing on pupil, parent and member relationships is one that must be considered and planned for by the job-sharers.
- (i) Job-sharing must ensure consistency in approach and communication.
- (j) Job-sharing demands special planning and preparation, as these relationships are central to the positive operation of the classroom program.
- (k) Each job-shared position shall be represented at in-services, parent visitations and staff meetings.
- (l) The articulation and coordination of a shared teaching position is not confined to the delivery of instruction. Institutional demands must be addressed. The areas to be considered are: time tabling, preparation time, extracurricular, pupil evaluation, accessibility to pupils and parents, program development and continuity and professional development.
- (m) The matter of relationships is to be dealt with during the selection process.
- (n) The relationship between the job-sharing members shall be set out in written agreements prior to beginning shared teaching.
- (o) The relationship between the job-sharing members and the board should be set out in written agreements among the parties prior to beginning the shared teaching.
- (p) Regions are encouraged to negotiate an article on job-sharing with provisions that are in keeping with NSTU policy.

*Reference: Resolution 2000-44; Reaffirmed 2003-47; 2006-72; Amended 2012-80*

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## 49. MEDIA BLACKOUTS ON NEGOTIATIONS

All NSTU members will maintain media blackouts on contract negotiations until after the first regional briefing meeting has been held.

*Reference: Resolution 98-23; Amended Resolution 2003-49; 2006-73*

## 50. MEMBER ABSENCES

### (a) PROCEDURES FOR FULFILLING DUTIES OF ABSENT STAFF MEMBERS

When a member is requested to fulfill the duties of an absent staff member, the following practices shall be adhered to:

- (i) requests to fulfill the duties of the absent staff member(s) shall be made on an equitable basis;
- (ii) an official record of such requests shall be compiled and maintained by the school administration on a continuing basis and be made available to the member(s) upon request.
- (iii) the member referred to in (i) and (ii) shall accumulate time to be used for the purpose of marking and preparation when a substitute is available for hire to fulfill the duties of this member.

*Reference: Resolution 2004-C; Reaffirmed 2006-79*

### (b) SCHOOL BOARD PROCEDURES FOR SUBSTITUTE TEACHING ASSIGNMENTS

The Nova Scotia Teachers Union expects school boards to comply with the following practices on addressing substitute teaching assignments:

- (i) hire permanent substitute teachers under term contract status;
- (ii) utilize the Early Retirement Incentive Plan to bolster a roster of substitute teachers.

*Reference: Resolution 2004-D; Reaffirmed 2006-79*

### (c) EVALUATION OF PERMITS TO TEACH

The monitoring and evaluation of Permits To Teach as substitutes, which are strategically employed by school boards to address the substitute teacher shortage, should be ongoing by the organization.

*Reference: Resolution 2004-E; Reaffirmed 2006-79*

### (d) WAGES OF SUBSTITUTE TEACHERS

The NSTU should continue its efforts through provincial negotiations to ensure that substitute teachers' wages are based on the salary grid.

*Reference: Resolution 2004-F; Reaffirmed 2006-79*

## 51. (a) PART-TIME MEMBERS

- (a) The NSTU recognizes as a reality part-time employment as staffing option. A part-time member works:
  - (i) for the full school year on a part-time basis, or
  - (ii) for one-half of a year in a job-sharing situation.
- (b) Part-time members shall be entitled to time free from teaching, on a pro-rated basis, for the purpose of marking and preparation.
- (c) The working hours of part-time members shall be scheduled consecutively and mutually agreed upon.
- (d) Part-time members, if requested and with reasonable notice, are expected to attend parent-teacher meetings and staff meetings.
- (e) Part-time members shall receive salary pro-rated to scale.
- (f) Part-time members are encouraged to attend in-service sessions and special events like open houses. A schedule of days to be taught shall be negotiated with the employer before the commencement of service in each school year.

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**51. (b) CIRCUIT MEMBERS**

- (a) The NSTU recognizes as a reality circuit positions as a staffing option. A circuit member works on a full-time or part-time basis in more than one school and/or building.
- (b) Circuit members shall be allowed ample time for travel from school to school. Such time shall be exclusive of the lunch and noon hour break and of time allowed for marking and preparation.
- (c) Circuit members shall be guaranteed a lunch period of not less than thirty (30) minutes, excluding travel time between schools.  
*Reference: Resolution 2000-45, 99-68; Amended 2003-50; Reaffirmed 2006-74; Amended 2012-81*

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**52. PENSIONABLE EARNINGS**

Pension benefits paid under the Nova Scotia Teachers' Pension Plan shall be based on salary scales negotiated by the NSTU or by other employers covered under the Nova Scotia Teachers' Pension Plan.

*Reference: Resolution 2002-71; Reaffirmed Resolution 2003-51; Reaffirmed 2006-75 (defeat of resolution to rescind)*

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**53. REPORTING OF MEMBER EARNINGS**

The NSTU requires that any member receiving salary in excess of negotiated scales shall report such to the NSTU.

*Reference: Resolution 2003-B; Reaffirmed 2006-78*

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**54. SITE RENOVATIONS**

When a site is undergoing board-directed renovations, each affected member shall be given one day minimum, without students, to move a classroom.

*Reference: Resolution 2009-44*

**55. TEACHER ASSISTANTS**

- (a) The Nova Scotia Teachers Union believes that professional teachers should be free to teach and that non-professional tasks may be performed by other personnel. Teacher assistants should be assigned to a school under the direction of a teacher/principal to work with a child/children identified as having individual special needs which necessitate the use of additional services and supports. The NSTU maintains that only teachers can be responsible for programs and program delivery. The teacher's responsibility for students and for educational decision-making is not changed by the addition of teacher assistants. Teacher assistants can assist but should not be assigned to the program; rather, they should be assigned to a student/students or to a teacher.
- (b) A teacher assistant is defined as an individual who is employed to assist the teacher/teachers who work with a child/children who is/are identified as having individual special needs. Teacher assistants should possess training in a course in child care, personal/health care, child development, or experience in related work or an equivalent combination of training and experience.
- (c) The specific duties of a teacher assistant are varied, from assisting students requiring medication administration, attending to basic physical needs (toiletry, feeding, etc.), giving assistance under the teacher's direction, shadowing students and performing classroom clerical duties. It must be stressed that whatever the teacher assistant is assigned to do, it is always under the supervision of a competent educational professional. The tasks that might be performed by a teacher assistant shall be those as set out in The Report for Teachers on Teacher Assistants.

*Reference: Resolution 2000-17; Amended 2003-53; Reaffirmed 2006-80; Amended 2012-84*

**56. TEACHER-INITIATED IN-SERVICE**

The NSTU promotes the concept, through negotiation and lobbying, that each teacher be allowed to attend one or more in-service day each school year that the teacher has personally designed, organized, or selected based upon the teacher's professional needs, but not to fall on the Provincial Conference Day in October.

*Reference: Resolution 2000-32; Amended 2003-54; Reaffirmed 2006-81*

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**57. TEACHER-LIBRARIANS**

- (a) The Department of Education has recognized the importance of lifelong learning.
- (b) The Essential Graduation Learnings identify the knowledge, skills and attitudes that graduates will acquire in the course of their education.
- (c) Technological Competence is one of these learnings. The outcomes identified place an emphasis on a graduate's ability to locate, evaluate, adapt, create and share information using a variety of sources and technologies. Through the other learnings it is clear that graduates must be able to acquire, process and interpret information critically to make informed decisions.
- (d) The Department of Education has also engaged in many initiatives as part of the funding allocated for the Information Technology Initiatives.
- (e) Taking into consideration the importance accorded to literacy and technological competency in the public school programs, it is our belief that the library should become a site for the acquisition of these skills. Librarians, in the past, have demonstrated and continued to provide leadership in these areas.
- (f) Our recognition of the important role that librarians play in our information technology society leads us to articulate the following principles:
  - (i) The library is a specialized classroom and must be staffed with a teacher-librarian who possesses appropriate teaching certification and the necessary professional training up to and including a Master of Library Science.
  - (ii) Professional functions associated with the library such as planning, diagnosing, prescribing, instructing and evaluating should be carried out only by a teacher-librarian.
  - (iii) Every school in the province should have a qualified teacher-librarian.

*Reference: Resolution 2000-39, 2001-39; Reaffirmed 2003-55, 2006-82*

**58. SENIORITY — TEACHING ASSIGNMENTS**

Teaching assignments in individual schools shall take into consideration and respect the seniority of members.

*Reference: Resolution 2006-44*

## SECTION IV

## GOVERNMENT

## 59. EDUCATION POLICY — TEACHER/FACULTY INPUT

The NSTU shall work to ensure that the professional voice of the teacher/faculty member is an essential component in board and government policy decisions of an educational nature.

*Reference: Resolution 2000-84; Amended 2003-82; 2007-95*

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## 60. FUNDING OF PUBLIC EDUCATION

The cost of inservicing members necessitated by the introduction of new programs should be borne by the provincial government and the regional school boards and not through Professional Development Fund clauses in the *Teachers' Provincial Agreement*.

*Reference: Resolution 99-128; Amended 2003-83; Reaffirmed 2007-96*

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## 61. GUIDANCE COUNSELLORS

Teachers who have graduated from a minimum one-year university level program in counselling shall meet the standard of qualifications as set out by the Department of Education to implement the comprehensive guidance program in Nova Scotia public schools.

*Reference: 2007-87*

## 62. PUBLIC — PRIVATE PARTNERSHIPS

## (a) PREAMBLE

- (i) The Nova Scotia government's initiatives to enter into partnerships with the private sector have created its own set of issues for education. In its Public Schools Program document, the Department of Education presents the following goals for public education:

*... to help all students develop to their full potential, cognitively, effectively, physically and socially; and to help all students acquire the knowledge, attitudes and skills necessary for them to continue as thinking, learning, physically active, valued members of society.*

## (b) PRINCIPLES

The NSTU believes that the following principles must be respected in order to ensure that the ideals and goals of public education are maintained throughout this province.

## (i) ETHICAL PRINCIPLES

## a. CONTROL

- i. Schools must remain in the public domain.
- ii. Public Private Partnership schools must be subject to the public school policies of school boards and the Department of Education and all acts of the Legislature that are pertinent.

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- iii. Administration of the school and the delivery of educational services must be the responsibility of duly certified teachers as defined in the Education Act.
- iv. Public Private Partnership schools must respect all duly negotiated collective agreements and the legislation on which the agreements are based.
- v. The legitimate interest of the private partner should be limited to construction, and/or maintenance of the facility.
- vi. As public funds are used to pay the lease, all use of school space and facilities should be solely under the jurisdiction of the school board and the educational administration of the school.
- vii. Partnerships (lease agreements) must respect the collegial atmosphere of the school and this should be reflected in lease agreements.

**b. TRANSPARENCY OF PROCESS**

The public has a right to:

- i. A fair and transparent process that instills confidence and protects the integrity of public education which would include public participation in decisions affecting site, design and leases
  - A. Full public disclosure of the arrangements around Public Private Partnership (P3) schools to allow for monitoring and evaluation
  - B. A justification of why the Public Private Partnership (P3) model is the preferred model in this particular instance
  - C. A clear definition of roles and responsibilities of all partners
  - D. A definition and assignment of risk including long term guarantees such as performance bonds.
- ii. Public need, as determined by the site selection committee, must be respected in site selection.
- iii. Social and ethical behaviour must be an important consideration when a school, a school board and/or the Department of Education, choose a sponsor, partner or consortium.
- iv. Leases must be signed before construction begins.

**c. EQUITY**

The Province, through consultation with the Nova Scotia Teachers Union and the public, must develop standards for equitable construction, renovations, upgrading, and the provision of resources for all schools. An action plan to implement the standards must be developed and communicated to the public.

**(iii) OPERATIONAL PRINCIPLES**

- a. The safety, security, health, well-being and privacy of staff and students must be priorities in all decisions relating to Public Private Partnership (P3) schools.
- b. Leases must contain guarantees of:
  - i. standards of construction
  - ii. levels of services
  - iii. quality of furnishings & equipment
  - iv. sustainability throughout the duration of the leases.
- c. Due penalties must be imposed if the conditions described in the leases are not met.

**(iii) EDUCATIONAL PRINCIPLES****a. EXPERTISE**

- i. Public Private Partnerships must not place limitations on the academic freedom of the school community.
- ii. Public private partners and agreements must respect the right of professional educators to make all educational decisions.
- iii. Public private partners and agreements must recognize that professional educators are in the best position to make decisions concerning school resources, program, methodologies and other pedagogical issues.

**b. ACCESS TO STUDENTS**

The educational environment of students must be protected. Access to students must be dependent upon a positive evaluation by educators in relation to educational objectives.

**c. ADVERTISING**

- i. Schools should be free of commercial enterprise, including such things as advertising, franchising and other forms of business for profit.
- ii. Schools should generally be advertisement free zones.
- iii. Commercial enterprise in schools must be consistent with educational values.
- iv. Commercial enterprise must not exploit students as a captive audience.
- v. Commercial enterprise must not infringe on the individual's freedom of choice, freedom of expression or the academic freedom of the school community.

**d. CURRICULUM MATERIALS**

- i. The Nova Scotia Teachers Union supports the position of the Canadian Teachers' Federation, which states:  
*"...materials intended for classroom use should be subjected to rigorous evaluation. Particular attention should be paid to:*
  - *accuracy and completeness*
  - *objectivity*
  - *commercialism*
  - *bias and stereotyping"*
- ii. The names of sponsors of curricular supplements should be stated clearly on all packaging and teacher-directed materials.
- iii. Skills should be enhanced among school system officials, administrators, teachers, parents and students to assist them in a critical analysis of curricular materials.

**e. SPONSORSHIP**

- i. Sponsorship agreements must be consistent with educational values. Acknowledgment should be made only in appropriate ways.
- ii. The Department of Education and regional school boards, in co-operation with the Nova Scotia Teachers Union, must develop policies providing guidance for sponsorships and their acknowledgements.

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**f. DISCIPLINE**

Discipline and codes of conduct in Public Private Partnership (P3) schools must be in accordance with school and school board policies.

*Reference: Resolution 2000-77; Reaffirmed 2003-84; Amended 2007-97; 2013-80*

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## 63. SCHOOL/EDUCATIONAL SITE CONSTRUCTION OR MAJOR RENOVATIONS

When regional school boards are proceeding with the construction or major renovations of schools, the NSTU will seek to ensure its membership is involved in the development and design of such schools.

*Reference: Resolution 99-138; Amended 2003-85; 2007-98*

## 64. SCENT-SENSITIVE SCHOOLS/EDUCATIONAL SITES

Nova Scotia public schools/educational sites are to be scent-sensitive places of learning and working.

*Reference: Resolution 98-62; Reaffirmed 2003-86; 2007-99; 2013-81*

## 65. STUDENT ATTENDANCE

- (a) School boards shall have written student attendance policies with delineated procedures for identification, intervention and follow-up.
- (b) School boards shall consider a spectrum of educational programs to serve as interventions for students with attendance problems.
- (c) Initial efforts to deal with student absenteeism shall occur at the local school level with specialized regional level personnel involvement when cases are classified as chronic.
- (d) Schools shall have a consistent, accurate procedure for monitoring student attendance and providing for immediate attention to student absences.
- (e) Ongoing discussions shall occur among school staffs, parent groups and community agencies for the purpose of developing and implementing cooperative approaches to student attendance problems.
- (f) Each school board should establish a team representative of the community (e.g. academic social service, medical, legal, ethnic) to address student attendance issues.

*Reference: Resolution 2000-82; Amended 2003-81; 2007-94*

## SECTION V

# PROFESSIONAL DEVELOPMENT

## 66. DIVERSE REPRESENTATION

- (a) The NSTU supports organizations and programs that are working to encourage more students from under-represented groups to consider teaching as a career choice.
- (b) The NSTU recognizes the need to undertake steps to expedite the process of increasing numbers, throughout the province, of teachers, administrators, and board personnel from designated groups identified under the Nova Scotia Affirmative Action Policy. The NSTU will work

to remove barriers that inhibit peoples who have been traditionally marginalized.

*Reference: Resolution 99-145, 99-146, 99-163; Reaffirmed 2002-109; 2005-52; Title changed 2008-51, Reaffirmed November, 2013*

## 67. LITERACY EDUCATION

Education programs and professional development sessions should influence members to recognize and accept the need to develop language and literacy skills actively engage students in language and literacy as an inherent part of public school education and a particular responsibility of every member.

*Reference: Resolution 2000-92; Reaffirmed 2002-108; 2005-51; 2008-50; Reaffirmed November, 2013*

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## 68. MEMBER ACCESS TO COMPUTER TECHNOLOGY

- (a) Each member requires direct access to a computer with an Internet connection with appropriate software in order to do the necessary planning, preparation and evaluation required as part of his or her job. The NSTU therefore believes that it is the responsibility of the government to provide these tools for each member and that the computers should be updated every two years.
  - (b) Members require access to appropriate, comprehensive professional development in the use of technology, web based applications and social media.
    - (i) Implemented and mandated technological initiatives require appropriate professional development opportunities;
    - (ii) Responsibility for professional development shall rest at the appropriate Department level. Consideration must be given to members' technological competence and additional professional development be provided when required.
  - (c) Such professional development opportunities should be available both formally and informally, in ways which provide members with flexibility and choice and which encourage members to become comfortable with the use of the new technology. These opportunities should be conducted during the regular instructional day and should be consistent province-wide.
- Reference: Resolution 98-65, 2000-93; Reaffirmed 2002-116; Amended 2005-59; 2008-58; 2014-68*

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## 69. MEMBER PROFESSIONAL RESOURCES

Professional resources offered through such avenues, but not limited to, Teacher Centres, virtual libraries, Moodle and other web based resources provide valuable supports for the curriculum, pedagogical and professional development needs of members.

*Reference: Resolution 2000-98; Reaffirmed 2002-117; 2005-60; 2008-59; 2014-73*

## 70. NSTU REPRESENTATION

The NSTU shall be adequately represented in the directing and coordinating process in teacher, faculty and professional support education. The NSTU shall be represented on all committees at the Provincial Government level, the university level and other significant groups involved in the planning and design of teacher, faculty and professional support education programs.

*Reference: Provincial Executive, April, 1999; Reaffirmed Resolution 2002-110; 2005-53; 2008-52; 2014-69*

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**71. PROFESSIONAL DEVELOPMENT AND COLLECTIVE BARGAINING**

- (i) The NSTU believes that members, as represented by their Locals, have the right to input in the planning process, the allocation of funds and the time available for professional development activities.
- (ii) Funds paid under Article 60 for NSTU Professional Associations Provincial Conference Day must be solely to teachers attending any of the NSTU Professional Associations' conferences.

*Reference: Provincial Executive, April, 1999; Reaffirmed 2002-112; 2005-54*

*Reference: Resolution 2006-46; 2008-53; Reaffirmed November, 2013*

**72. RE-CERTIFICATION**

The NSTU is opposed to any attempt to require members to undergo mandatory periodic re-certification.

*Reference: Resolution 99-142; Reaffirmed 2002-113; 2005-55; 2008-54; Reaffirmed November, 2013*

**73. ROLE OF PROFESSIONAL DEVELOPMENT**

- (a) The Nova Scotia Teachers Union is a body of members organized for and devoted to improvement in the status of the teaching profession and the cause of education. The NSTU acts in an advocacy role with those agencies involved in the provision of programs for the professional development of members.
- (b) As an organization established fundamentally to foster and address the needs of its members, a principle focus of interest and concern to the NSTU is professional development. To the extent that inservicing is directed at school/campus, system or province-wide problems or needs, inservicing is primarily the concern of school boards and at the Department level.
- (c) The NSTU on an ongoing basis identifies strategies, initiatives and programs required to promote effective professional development practices by and for the membership.
- (d) The continual renewal of knowledge and expertise through a variety of experiences is central to the concept of professionalism. Professional development requires a lifelong commitment and meaningful growth requires the provision of adequate resources.
- (e) Members are central to student learning; all members of learning communities are partners in the learning process.
- (f) The NSTU supports four levels of professional development activity; provincial, local, school/campus and individual. The NSTU recognizes that the effectiveness of professional development is influenced significantly by format and that different objectives are achieved at each level.
- (g) The Nova Scotia Teachers Union accepts the following strategies in the continuing development of members:
  - (i) encourage positive attitudes toward the pursuit of continuing professional development;
  - (ii) establish a provincial standing committee, the Professional Development Committee, not to exceed seven members who are appointed by and provide advice to the Provincial Executive on matters relating to professional development and in-service education;
  - (iii) work with our partners in education to provide the organizational framework for the continuing professional development of members; and,
  - (iv) encourage NSTU Locals to be agencies that foster the professional growth of the membership.

- (v) input into one's own professional development is crucial. Teacher, faculty and professional support professional development and professional growth plans should be self-directed and job embedded.  
*Reference: Resolution 2000-97; Reaffirmed 2002-114; 2005-56; 2008-55; 2014-70*

## 74. SCHEDULING — MEMBER PROFESSIONAL DEVELOPMENT

The NSTU endorses the principle that obligatory professional development for NSTU members be conducted during the normal instructional day, and be job embedded.

*Reference: Resolution 2003-97; Reaffirmed 2005-57; 2008-56; 2014-71*

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## 75. SCHOOL-BASED STAFF DEVELOPMENT

The NSTU recognizes the school/campus as an integral unit for effective professional development and promotes the concept of school-based staff development with its membership and other educational agencies.

- (i) Professional development initiatives have the greatest impact when supported by strong leadership and collaboration.
- (ii) Professional learning communities play a key role in maximizing and sustaining benefits of professional development.
- (iii) Collaboration of all education partners in professional development plays an essential role in all professional development initiatives.

*Reference: Resolution 2000-91; Reaffirmed 2002-115; 2005-58; 2008-57; 2014-72*

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## SECTION VI

## GENERAL

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## 76. ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)

- (a) Students infected with HIV/AIDS should have the right to attend regular classes. The identity of a student with AIDS should be protected. Where the physical condition or behaviour of a student infected with AIDS poses a health risk, alternative instruction should be provided. Decisions regarding alternative instruction should be made on a case-by-case basis. Alternative instruction for students infected with AIDS should be provided exclusively by members who agree to provide their services.
- (b) The identity of a member with AIDS should be protected. Members infected with HIV/AIDS should have the right to continue their employment. Where a member with AIDS-related illness becomes too sick to work, full access to sick leave, long-term disability and medical benefits should be ensured.
- (c) Information on AIDS should be provided as part of the health education curriculum. In-service education should be made available to members concerning HIV and AIDS and other potentially communicable diseases.
- (d) The NSTU commends and encourages school boards in their efforts to cause to have adopted specific policies on students and members who have been exposed to the HIV/AIDS virus. Specifically, the NSTU re-affirms the member's and the student's rights of privacy and continued

employment/education until such time as the disease becomes a health threat to the public as defined by provincial medical personnel.

*Reference: Resolution 2001-114; Reaffirmed: 2004-72; 2009-79*

## 77. CTF — LEAVE FOR ELECTED OFFICERS

Members elected as officers of the Canadian Teachers' Federation shall not be unreasonably denied leave to carry out the duties of their offices.

*Reference: Resolution 2000-100; Reaffirmed: 2004-73; 2009-80*

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## 78. CHARITABLE DONATIONS, GIFTS & COMMUNITY INVOLVEMENT

(a) The NSTU believes that involvement with the community or cultural organizations is beneficial if:

- (i) they are of benefit to members and families;
- (ii) they are consistent with the general goals of education;
- (iii) they provide opportunities for building a sense of commitment in schools and students;
- (iv) they are a provincially mandated campaign;
- (v) they deal with issues not controversial in nature.

(b) The Nova Scotia Teachers Union does not normally provide direct financial support to charities or fundraising efforts, but encourages members to give on an individual basis to the charities of their particular choice.

*Reference: Resolution 2001-103; Amended 2002-34; Reaffirmed: 2004-74; 2009-81*

## 79. CLOSURE (OR RESTRUCTURE) OF EDUCATIONAL SITES

(a) The Nova Scotia Teachers Union recognizes that the closure or restructure of a school within a community is a matter of such consequence to that community that the closest cooperation between school authorities and the community is necessary. Alternatively, the Nova Scotia Teachers Union recognizes that the reorganization of school districts is necessary to promote the efficient instruction of pupils.

(b) The Nova Scotia Teachers Union recommends the following principles.

- (i) The school is an essential part of the identity of a community.
- (ii) The sense of belonging to a local community is an important part of the quality of life in the province of Nova Scotia.
- (iii) Schools should not be declared surplus solely on the basis of declining enrollment.
- (iv) It should be recognized that excess capacity may be temporary, given that changes in school enrollment patterns can be anticipated in the future.
- (v) The utilization of surplus schools for additional educational purposes should be given serious consideration.
- (vi) Schools with excess capacity could be modified to accommodate appropriate community needs and purposes.
- (vii) Modification of excess educational facilities should be temporary in design to allow for ready reconversion to school purposes.
- (viii) Municipal authorities and the Department of Education should actively cooperate with other government departments such as the Health Promotion and Protection and the Economic Development for the conversion of excess school capacity.
- (ix) When the closing of a school is being considered, public notice of the projected closing should be given at least two years in advance and planning should meet the criteria set out in the model which follows:

**IDENTIFICATION OF POSSIBLE SCHOOL CLOSURES**

- a. Not later than the month of October of any year, the school board should review the enrollment figures as of September 30 in that year.
- b. If the closure of a school is predicted from these figures, a school review committee should be struck

**(c) MEMBERSHIP OF SCHOOL REVIEW COMMITTEE**

- (i) The School Review Committee should consist of the Superintendent of Schools or his/her designate, a member of the school board, at least two parents of students in the school under review, the principal of each school under review or his/her designate.
- (ii) From this group, the school board shall designate a chair of the School Review Committee.
- (iii) Municipal officials such as the Mayor or Warden and area representatives on Municipal Councils should be invited to each meeting of the committee.
- (iv) Resource persons, in particular Municipal Planning Officers, should be assigned to the Committee to act in an advisory capacity.

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Development**(d) FUNCTIONS OF SCHOOL REVIEW COMMITTEE**

- (i) Examine demographic data and report to the board on the enrollment trends for the past five years and projections for the next five years.
- (ii) Hold public meetings designed to advise the community of the school review, provide information to the community, receive and record community input, and elect one or more parent representatives to the review committee.
- (iii) Consider and make recommendations to the board on steps which might be taken to assist the school and its program during the period of review.
- (iv) Consider and make recommendations to the board on the possibility of reorganizing the school buildings in the area.
- (v) Consider and report to the board on any other related matters including:
  - a. distance from place of residence, in particular, bussing schedules;
  - b. effects on program;
  - c. the school as a social factor in the community;
  - d. alternative use of school plant;
  - e. physical conditions of buildings;
  - f. effects on administration and members;
  - g. communication with parent-public;
  - h. briefing of students;
  - i. optional transfers; and
  - j. informing other levels of government.
- (vi) Present interim reports to the board when appropriate.
- (vii) Present a final report to the board at a time specified by the school board on its recommendations.
- (viii) At a community meeting, present a report to the community served by the school under review of the observations and recommendations which have been made by the School Review Committee.

**General****(e) PROCEDURES BY BOARD**

- (i) In instances where the board approved of the reorganization of a school:
  - a. The effective date will be determined by the board.
  - b. A committee to facilitate the reorganization of a school will be established by the board.

- (ii) Members of the School Review Committee should be invited to serve on the Facilitation Committee.

*Reference: Resolution 2001-100; Amended 2004-75; 2009-82*

## 80. COMMUNICABLE DISEASES

- (a) Members who identify the existence of pediculosis or any other communicable disease in the course of a cursory inspection should report the matter to the principal of the school.
- (b) The principal should give notice to the parents or guardian and require that the child receive appropriate medical attention.
- (c) The school should notify the appropriate medical health officer or other authority of the matter.
- (d) When upon cursory inspection there is evidence of spread of a communicable disease from one child to another the principal shall notify the parent or guardian and shall forthwith notify the public health authorities and seek assistance.

*Reference: Resolution 2001-101; Reaffirmed: 2004-76; 2009-83*

## 81. COMMUNITY-BASED EDUCATIONAL SITES

- (a) The NSTU supports the integrity of small community schools.
- (b) Many communities in rural Nova Scotia support the continued operation of small schools. This is evident in the groundswell of public opinion that accompanies many school board initiatives toward school closures and further consolidation.
- (c) People living in small rural communities are generally supportive of their schools because they can see quality relationships between members and children. Members in small community schools creatively meet the special challenges that these educational environments provide. Their efforts allow for the survival of a key social institution in which all children of the community come together for at least part of their early educational experience.

*Reference: Resolution 2001-102; Reaffirmed: 2004-77; Amended 2009-84*

## 82. DESIGNATION OF STAFF ROOMS

The NSTU supports the policy that school staff rooms be designated for use of staff, according to the wishes of the school teaching staff.

*Reference: Resolution 2001-111; Reaffirmed 2004-89; 2009-85*

## 83. EARLY HUMAN DEVELOPMENT

The NSTU believes early human development is an essential component of the social services that should be provided to all Nova Scotians and should be a viable part of a quality, universal, public education system.

Such services should have the following characteristics:

- Early Human Development should be equitable.
- Early Human Development should be public and therefore fully funded by the Department of Education and Department of Community Services.
- Early Human Development services should strive to include as much as possible, the time in a child's life from birth to enrolment in grade Primary. Prenatal counselling for families should be available within the context of Early Human Development.
- Early Human Development services should be voluntary.
- Early Human Development services should be administered by and come under the jurisdiction of the regional school boards. School boards should seek to utilize existing infrastructure to provide

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community space for the delivery of early human development programs.

- Early Human Development should be focused on problem-based play and should not be assessment-based or centred around a structured curriculum.
- Early Human Development programs should be delivered by qualified professionals in early childhood development. Further, such professionals should be certified as teachers and endorsed in a new category called “Early Human Development”.
- Nova Scotia universities should seek to integrate early childhood development programs and teacher education programs. Graduates from such an integrated program would be awarded, subject to the same procedures as other education graduates, an Initial Teacher’s Certificate (Early Childhood Development).

*Reference: Resolution 2009-NB2*

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### 84. EXECUTIVE STAFF LEGAL REPRESENTATION

A member, acting as a parent, who brings a complaint against another member, shall not be represented by a staff officer of the NSTU.

*Reference: Resolution 2000-99; Reaffirmed: 2004-78; 2009-86*

### 85. FINANCIAL STATEMENTS OF SCHOOLS — PUBLIC RECORD

The NSTU believes that regional boards should require all schools to prepare financial statements according to generally accepted accounting principles and make them available to the public.

*Reference: Resolution 99-157; Amended 2004-80; 2009-87*

### 86. HEALTH AND SAFETY

- (a) The NSTU makes the health of the province’s schools, and the people who must use them, a high priority.
- (b) The Nova Scotia Teachers Union is committed to providing a healthy and safe work environment and preventing occupational illness and injury. This commitment is demonstrated through the publication of the booklet “Occupational Health and Safety Act; Questions and Answers”. This document serves to clarify for members relevant sections of the *Occupational Health and Safety Act*.

*Reference: Resolution 99-150, 2001-105; Reaffirmed: 2004-81*

- (c) The NSTU makes workplace concerns such as, but not limited to, scents, cleaning products, off-gassing and environmentally safe renovations/new construction in educational sites in Nova Scotia a priority as a method of assisting its members. .

*Reference: Resolution 2005-76; Amended 2009-88*

- (d) The NSTU requests that NSTU members refrain from wearing scented products at all NSTU sponsored functions and places of work.

*Reference: Resolution 2009-14; 2009-88*

### 87. MEDICARE

The NSTU believes that health care is a fundamental right of every human being without distinction (race, gender, age, religion, sexual orientation, political belief, economic or social condition). Organizations representing millions of Canadians will mobilize to defend this right and to ensure that the following principles shape the future direction of the health care system.

- (a) The recognition of the highest attainment of health as a fundamental right throughout life and the necessity of preserving public health through

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active measures of promotion, prevention, and protection including such determinants as housing, food safety, income, education, environment, employment and peace.

- (b) The recognition of health care as a public good in which the few must not profit at the expense of the many. We affirm the need for a system of public health care, which is organized on the basis of public administration, public insurance, and the delivery of services on a public, not-for-profit basis.
- (c) Opposition to any commercialization and privatization of health. Therefore the federal government must negotiate a general exclusion of health services and health insurance from all trade agreements.
- (d) The need for the federal government to fully assume its responsibilities in respect to health, particularly by restoring and increasing federal transfers to levels sufficient to secure the integrity and enforcement of the *Canada Health Act, 1984*.
- (e) The reaffirmation of the original vision of a truly comprehensive public health care system for Canadians providing a continuum of services. The next steps are the expansion of the public system to include a universal system of home and long-term care services and pharmacare.
- (f) The need to move away from a fee-for-service model towards a community-based, multidisciplinary approach to the management, organization and delivery of services and care. Levels of services must be sufficient so that the burden of care does not fall on families, mainly women.
- (g) An accountable health care system through democratic participation and governance at all levels.
- (h) The recognition that health care workers are critical to the effective operation of the health care system and that decent wages, working conditions and training opportunities are essential to high quality care and the retention of health care workers.
- (i) The NSTU publicly states its support for the preservation of Medicare and that there be a strong recommendation against practices that involve a direct charge to the user.

*Reference: Resolution 99-70, 2002-122; Reaffirmed 2004-82; Amended 2009-89*

**88. MERIT PAY**

The NSTU vehemently opposes "merit pay" for teachers.

*Reference: Resolution 2010-NB1*

**89. NATIONAL UNITY**

The NSTU supports the concept of national unity.

*Reference: Resolution 2001-109; Reaffirmed 2004-83; 2009-90*

**90. NETWORKING WITH FRANCOPHONE TEACHERS**

The NSTU seeks to maintain and improve communication with other Canadian Francophone teachers' associations as well as the Francophone Services division of the Canadian Teachers' Federation.

*Reference: Resolution 2001-107; Amended 2004-91; changed title 2009-97*

**91. PERSONS WITH DISABILITIES**

For the purposes of this policy, persons with disabilities refers to disabilities of a physical, cognitive, emotional or other nature.

- (a) The NSTU believes:
  - (i) it is incumbent upon all members to have and to teach attitudes which improve awareness with respect to the abilities of persons with disabilities and to treat and to teach their children to treat persons with disabilities within the same value context that they treat other persons;

- (ii) the right of every child should be recognized to receive his or her education with his or her own peer group and that it is incumbent upon school authorities to make every effort to provide for the general and particular needs of persons with disabilities within the regular school organization;
  - (iii) it is incumbent upon all educators to take every opportunity to emphasize safety learning; and,
  - (iv) every effort should be made in school construction and renovation to accommodate the particular needs of persons with disabilities.
- (b) The NSTU believes that schools shall be barrier-free schools.  
*Reference: Resolution 2001-104; Amended 2004-84; 2009-91*

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There are certain minimal physical necessities which all members must have available in their workplaces i.e. staff washrooms.

*Reference: Resolution 2000-101; Reaffirmed 2004-85; 2009-92*

**93. PORNOGRAPHY**

- (a) The NSTU is opposed to the downloading, importation, manufacture, distribution, sale, broadcast or public display of pornographic material, in electronic form or otherwise.
- (b) Pornography is verbal or pictorial material that represents or describes sexual behaviour that is degrading, exploitative or abusive to one or more of the participants in such a way as to endorse the degradation.

*Reference: Resolution 2001-110; Amended 2004-86; Amended 2009-93*

**94. REPLACEMENT WORKERS**

The NSTU supports the Nova Scotia Federation of Labour in advocating legislation forbidding the use of replacement workers as substitutes for workers on legal strike in the Province of Nova Scotia.

*Reference: Resolution 2001-106; Reaffirmed 2004-87; 2009-94*

**95. RETIRED TEACHERS' POLITICAL INVOLVEMENT**

The NSTU believes that it is important for members to maintain their involvement with the NSTU and with education after they have left active teaching. To this end, the NSTU, through the Retired Teachers Organization, encourages and supports retired members in becoming politically involved. This involvement could include, but is not limited to, service on school boards.

*Reference: Resolution 99-161; Reaffirmed 2004-88; 2009-95*

**96. SAFE WORKPLACE AND MEMBER CONDUCT****STATEMENT OF PRINCIPLE**

1. The NSTU is committed to:
  - a. providing a safe, secure and respectful environment that is free from harassment at NSTU premises and at all provincially-sponsored events. NSTU premises are considered as the provincial office and such other premises as may be used for provincially-sponsored events. Provincially-sponsored events are considered to include all conferences, seminars, workshops, meetings or activities;
  - b. fostering the goodwill and trust necessary to protect the rights of all individuals;
  - c. neither tolerating nor condoning behaviour that undermines the dignity or self-esteem of individuals or the integrity of relationships; and

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- d. promoting mutual respect, understanding and cooperation as the basis of interaction among all who are employed by the NSTU, and who are members of the NSTU.
2. The NSTU will not tolerate any violence, threats, harassment, or intimidation at NSTU premises or at provincially-sponsored events.
3. This policy shall not abrogate the rights of any employee or member under the statutes of the province of Nova Scotia and shall not abrogate the rights of any NSTU employee under the collective agreement between the NSTU and the employees.

**APPLICATION OF THE POLICY**

1. This policy applies to all members of the NSTU and all employees of the NSTU. It applies to interactions between and among NSTU employees and all NSTU members at NSTU premises and provincially-sponsored events.
2. This policy applies in respect of personal harassment that is not covered by the *Nova Scotia Human Rights Act*.
3. Each Local, Regional Representative Council and Professional Association is encouraged to develop a Safe Workplace and Member Conduct Policy following this document as a model. In the absence of such document, members are expected to follow the principles set out in this policy and complainants report violations to the NSTU Executive Director, or designate, who will follow the procedures set out in this policy.

**DEFINITIONS**

1. Harassment is defined as engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.
2. Personal harassment includes objectionable conduct, comment, action or gestures directed towards a specific person or persons, which has the effect of creating an intimidating, humiliating, hostile or poisoned environment.
3. While harassment often involves repeated conduct or communication, or persistent patterns of behaviour, in some circumstances a single act or incident, which has a harmful effect, may also constitute harassment.
4. Some examples of harassment include:
  - unwelcome remarks, slurs, taunts or derogatory comments about a person;
  - written or verbal abuse or threats;
  - physical assault;
  - bullying;
  - intimidation;
  - physical or mental maltreatment;
  - jokes that embarrass or insult a person;
  - humiliating a person in front of his or her co-workers or peers;
  - abuse of authority that undermines a person's work performance; or
  - a departure from reasonable conduct.
5. The normal exercise of supervisory responsibilities include training, direction, instruction, appropriate performance reviews, counselling and/or discipline does not constitute harassment.
6. To the extent that conduct alleged to be harassment may also attract liability and/or responsibilities under other statutes, including the *Nova Scotia Human Rights Act*, the *Occupational Health and Safety Act* or the *Criminal Code of Canada*, the existence of this policy does not preclude the enforcement or exercise of rights under those statutes.
7. Protocol Officer(s) are those persons appointed at all and any provincially-sponsored events to deal with issues that arise at those events, including the receipt and investigation of complaints arising from this policy. Ordinarily, the Protocol Officer shall be the NSTU Executive Staff Officer in charge of the event.
8. In this policy, the term "complainant" refers to a person who makes a complaint under this policy. The term "respondent" refers to a person who,

in a complaint, is alleged to have engaged in conduct in breach of this policy.

#### **NO REPRISALS**

1. All complaints received will be taken seriously and will be handled promptly according to the procedures outlined in the NSTU Guidebook, Section III – Operational Procedures.
2. No adverse action, including retaliation, shall be taken or tolerated against anyone who, in good faith and on the basis of reasonable belief, makes a complaint or participates as a witness during an investigation of a complaint.

*Reference: 2010-42*

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## **97. SCHOOL ADVISORY COUNCILS**

Because the development of school advisory councils has had and will continue to have a significant impact on the management of schools and teachers' working conditions, the NSTU believes that:

- (a) School Advisory Councils should be advisory in nature in accordance with the Education Act.
- (b) the NSTU should continue to keep its members thoroughly informed on issues relating to school advisory councils. Professional development activities must be created, and tailored to respond to needs arising from the implementation of school advisory councils;
- (c) the NSTU must continue to monitor the impact of school advisory councils on contractual issues and teachers' working conditions; and,
- (d) the NSTU should continue to work with other recognized partners in education including the Nova Scotia School Boards Association, the Department of Education, the Nova Scotia Federation of Home and School Associations Inc., the Association of Nova Scotia Educational Administrators, the NSTU's Professional Associations and other community organizations to ensure the efficient, effective and supportive implementation of school advisory councils.

*Reference: Resolution 2001-113; Reaffirmed 2004-90; Amended 2009-96*

## **98. SEXUAL HARASSMENT**

- (a) The NSTU believes that, according to the policy guidelines as established by the Nova Scotia Human Rights Commission, an employer is responsible for its acts and those of its agents or supervisory employees with respect to sexual harassment regardless of whether the specific acts complained of were known of, authorized or even forbidden by the employer.
- (b) The NSTU believes that an equitable environment for work and study is to be promoted and maintained. It recognizes that sexual harassment is a criminal offence and that it should actively seek to prevent and condemn such action. As with other forms of discrimination prohibited by the *Canadian Charter of Rights and Freedoms* and the *Human Rights Act*, the NSTU is heartily opposed to sexual harassment in the workplace and believes that prevention is the best practice to eliminate sexual harassment.
- (c) The NSTU believes it should:
  - (i) develop an awareness in members of the Nova Scotia Teachers Union policy about sexual harassment and procedures for dealing with harassing situations;
  - (ii) encourage Local Executives to discuss this policy and related issues with its local school board;
  - (iii) encourage the Department of Education to implement curriculum changes which could facilitate discussion of these issues and cease to perpetuate perceptions of inequality between classes, sexes, sexual orientations and races;

- (iv) provide advice and assistance to the complainant, including information regarding the formal complaint, investigation and disciplinary processes of the Nova Scotia Teachers Union;
- (v) provide information regarding other formal and legal means of redress, including referral, if appropriate, to the Nova Scotia Human Rights Commission; and,
- (vi) provide a brochure outlining personal strategies to follow when dealing with sexual harassment situations.

*Reference: Resolution 2001-108; Amended 2004-92; 2009-98*

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## 99. STAFFING OF SMALL HIGH SCHOOLS

- (a) The NSTU believes in the following principle:  
All schools should be able to offer a program sufficient to ensure specific student outcomes under all categories of the PSP Essential Graduation Learnings (i.e., Aesthetic Expression, Citizenship, Communication, Personal Development, Problem-solving, and Technological Competence).
- (b) The NSTU believes the following three areas must be respected in staffing small high schools: Program Integrity, Expectations and Support for Members.

### (i) PROGRAM INTEGRITY

- a. Small high schools need to be staffed adequately to provide all the essential programs and services as per the PSP.
- b. Special consideration must be given to combined schools (e.g., P-9, 7-12) because of the large number of cross-over members and less flexible scheduling.
- c. Schools must provide a balance of advanced, academic, and graduation credits, including required courses and adequate options for all students (e.g., university-preparatory, college-preparatory, work-bound, special needs).
- d. Schedules should be developed to allow students to complete more than the minimum 18 credits required to graduate.
- e. Academic or advanced courses to meet the needs of gifted and talented students should be provided (Challenge for Excellence, DOE).
- f. Multiple options for compulsory credits should be provided (e.g., choice of Fine Arts and Canadian History courses).
- g. Schools should offer a range and balance of courses to include the humanities and the arts, as well as science, math, and technology.
- h. Students should have access to technology, labs, and equipment that are essential for particular programs.
- i. Single-section courses should be scheduled separately.
- j. Schools should avoid multi-grade and/or multi-course classrooms.

### (ii) EXPECTATIONS FOR MEMBERS

- a. The demands of multi-grade and/or multi-course classrooms and the range of student abilities should be recognized in determining teaching assignments.
- b. Members should be scheduled with appropriate preparation time during both semesters.
- c. Additional prep time should be given
  - i. if multi-graded classrooms have been necessitated
  - ii. for IPP and program planning
  - iii. to coordinate, monitor, and mentor students through their correspondence, distance, and independent studies

- d. Actual class size and climate, as opposed to only FTE student teacher ratios, should be considered in scheduling teaching assignments.
- e. Members teaching outside their specialty areas should have access to appropriate resources and professional development.

### (iii) SUPPORT FOR MEMBERS

All small high schools should have:

- a. one full-time non-teaching principal to provide educational leadership and support to members
- b. one full-time guidance counsellor as per Comprehensive Guidance and Counselling Program recommendations
- c. appropriate and equitable computer technology, maintenance, and technical services
- d. appropriate and equitable library, secretarial, and custodial services
- e. recognition of fixed costs within operating budgets
- f. policies, procedures, and professional development to guide the planning for, and delivery of, instruction in classrooms which are multi-graded due to PSP requirements and/or small enrolment in particular courses
- g. appropriate and equitable resource and special education services

*Reference: Resolution 2005-63; 2009-99*

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## 100. STAFFING OF SMALL SCHOOLS

Staffing in small schools should not be based on the number of students but rather on the courses that must be offered for high school graduation.

*Reference: Resolution 2007-55; 2009-100*

## 101. STRIKE BY SUPPORT PERSONNEL

- (a) Members of the Nova Scotia Teachers Union will continue to enter the school and teach as usual.
- (b) Members of the NSTU will not cross picket lines surrounding buses in loading zones and/or the garage area. Members will not use their own cars to transport students.
- (c) Members will not perform or request students to perform work previously done by striking employees.
- (d) When members are prevented by force or threat of force during a strike from entering a building, they should immediately report this to their superintendent or supervisor.
- (e) Members will not perform unusual duties or procedures that are inaugurated during a strike.

*Reference: Resolution 2001-112; Reaffirmed 2004-93; Amended 2009-101*

## 102. STUDENT/TEACHER RATIO DATA CIRCULATION

Numbers in NSTU advertorials and public relations materials should accurately reflect the true student/teacher ratio in the classrooms and, where possible, respond to misleading statistics quoted in the press.

*Reference: Resolution 2002-120; Amended 2004-94; 2009-102*

## 103. USE OF EDUCATIONAL SITE FACILITIES

The NSTU strongly opposes the use of educational site facilities for the commercial display or sale of firearms.

*Reference: Resolution 2002-123; Amended 2004-95; 2009-103*

## 104. USE OF INTERNET AND COMMUNICATIONS TECHNOLOGY POLICY (CYBERBULLYING)

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- (1) The NSTU recognizes the following definitions with respect to the appropriate use of Internet and communications technology:
  - (a) Appropriate Cyberconduct is the ethical, legal and positive relationships among and between members of the school community that reflect respectful and responsible behaviour while using information and communication technology.
  - (b) Appropriate Cyberconduct involves a set of rules for behaving properly online. In an educational setting, examples of appropriate cyberconduct include:
    - i Maintaining professional standards when communicating with members, students, parents, and administrators
    - ii Not accessing internet sites that are illegal
    - iii Not using technology to engage in criminal activity
    - iv Not sharing confidential information about students, parents, members or administrative personnel
    - v Not using the anonymity of the internet to bully, harass, or intimidate others
    - vi Not mass emailing someone (spamming) you disagree with
    - vii Not posting personal images of yourself or others on social networking sites without appropriate protections in place
  - (c) Cyberbullying: The use of information and communication technology to bully, embarrass, threaten or harass another. It also includes the use of information and communication technology to engage in conduct or behaviour that is derogatory, defamatory, degrading, illegal, and/or abusive.
  - (d) Information and Communication Technology: Equipment that includes, but is not limited to, any current or emerging stationary or wireless technologies or systems that can be used by individuals or groups for the purpose of communication, entertainment, data management, word processing, internet access, image capture/recording, sound recording and information transmitting/ receiving/ storing.
  - (e) Safe School Environment: Within the context of cyberconduct, it is an environment where teaching and learning takes place while accessing and utilizing all the educational opportunities, influence and potential of information and communication technology. Furthermore, it is a setting that is equitable and free from hazards and abuses directed at, or occurring from, users of information and communication technology.
- (2) The NSTU believes the following Guiding Principles should inform the approach adopted by all education partners concerning the appropriate use of the Internet and communications technology:
  - (a) Safe and caring schools that promote healthy workplaces for members and healthy learning environments for children and youth should be a provincial priority.
  - (b) Collectively, society shares the responsibility for creating positive learning environments that include cyberspaces which foster respect and understanding, and are free from inappropriate cyberconduct including cyberbullying.
  - (c) Individual rights to freedom of information, thought, belief, opinion and expression, should be balanced with the rights and responsibilities of parents, guardians and the education community. These include the

- right to guide individuals in the responsible use of information and communication technology.
- (d) Any response to cybermisconduct and/or cyberbullying should focus on protection of students, members, and the school community.
  - (e) Cybermisconduct, including cyberbullying, negatively influences student learning and member workplaces and should be viewed as a significant occupational health and safety issue.
  - (f) Cybermisconduct that originates from the school or from the community-at-large, which ultimately has a negative impact on the school climate and/or culture, warrants action by the school board, including the imposition of sanctions, when appropriate, on the offender or offenders.
  - (g) Swift, decisive action is necessary to effectively respond to cybermisconduct and/or cyberbullying. Varied strategies and responses are required to address this complex, multifaceted problem.
- (3) The NSTU firmly believes that education is the essential pillar upon which the appropriate use of the Internet and communications technologies can be realized.
- (a) Education, the most effective preventative measure to combat cybermisconduct and/or cyberbullying within school communities, is a shared responsibility of students, members, parents, administrators, school boards, communities, and site administrators.
  - (b) Education for cyberbullying prevention is a necessary and key element in addressing, preventing, and protecting students and members from cyber-related harm. It promotes positive, rewarding cyberexperiences and constructive interactions in an educational setting.
  - (c) Anti-bullying principles form the basis for appropriate cyberconduct and cyberbullying prevention. Education should involve:
    - i Modeling and demonstrating appropriate cyberconduct
    - ii Utilizing a whole school/whole community approach
    - iii Focusing on prevention, protection and intervention and, where possible, a restorative justice approach for violations.
  - (d) Teachers and members of the school community, including parents, should have ongoing access to learning opportunities that provide current, relevant education about evolving information and communication technology resources, appropriate cyberconduct and cyberbullying prevention strategies. Programs should be offered by multiple stakeholders including school boards, the NSTU, the Department of Education and service/site providers.
  - (e) Principles, processes and actions for effective cyberconduct and anti-cyberbullying education include:
    - i Developing educational materials in partnership with all stakeholders.
    - ii Disseminating educational materials about appropriate cyberconduct to the school community in its entirety.
    - iii Recognizing that educators, members, students, parents and the entire school community, including service/site providers, have a responsibility in working to eliminate cybermisconduct and cyberbullying from the teaching and learning environment.
    - iv Ensuring materials and information contain details that recommend guidelines for safe and appropriate cyberconduct, and outlines recommendations for response if targeted by cybermisconduct.
    - v Establishing consequences for engaging in cybermisconduct and/or cyberbullying that negatively affects the school climate and/or culture.

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- (f) The NSTU believes teacher education programs should include:
  - i Comprehensive and current information about appropriate cyberconduct and cyberbullying prevention measures. This should include data, facts and realistic examples of occurrences.
  - ii Lesson plans and strategies that assist members to recognize and address cybermisconduct and cyberbullying in classrooms and school communities.
  - iii Information and practical experience with new and emerging information and communication technology.

**(4) Each member of the education community exercises specific Roles And Responsibilities****(a) Students**

- i At home, at school and anywhere outside the school, students should follow principles of appropriate cyberconduct and adhere to principles and policies of acceptable use.
- ii Students should advise the appropriate adult if they observe/ know about another person being bullied or experience bullying themselves.
- iii Students are encouraged to actively participate in and contribute to school board cyberconduct and anti-cyberbullying activities including policy development and education programs.

**(b) Parents and Guardians**

- i Parents are encouraged to:
    - (1) Promote appropriate cyberconduct and anti-cyberbullying behaviour at home.
    - (2) Familiarize themselves with the information and communication technology and websites used by their child.
    - (3) Have an acceptable use agreement for the use of information and communication technology at home, which includes clearly identified and consistently enforced consequences.
    - (4) Keep computers and other information and communication technology devices in an open, common area and have filter software installed.
    - (5) Determine if the school board has a cyberconduct and/or anti-cyberbullying policy and review its contents. If such policies are not in place, parents should pursue having one adopted through their local parent advisory council.
    - (6) Actively participate in and contribute to school board cyberconduct and anti-cyberbullying activities including policy development and education programs.
    - (7) Maintain open communication with children about appropriate cyberconduct and/or cyberbullying and treat any report(s) of bullying as a serious matter.
    - (8) Become familiar with and be alert for behaviour that indicates a child may be the target of a bully.
  - ii If a child is the target of a bully, assist him/her in determining the best response. Consult with the school board re: the board's cyberconduct and anti-cyberbullying policy and with the school staff for assistance.
- (c) Members are encouraged to:**
- i Model appropriate cyberconduct
  - ii Adhere to their Professional Code of Ethics, and the school board's appropriate cyberconduct and cyberbullying prevention policy.
  - iii Participate in Professional Development sessions to familiarize themselves with cyberbullying prevention processes, actions and

- responses related to cyberconduct and cyberbullying as part of their regular P.D. and in-service opportunities.
  - iv Assess and appropriately respond to incidents of cybermisconduct and/or cyberbullying among students or between student(s) and the member.
- (d) Schools and School Boards are encouraged to:
  - i Collaboratively develop and adopt appropriate cyberconduct and anti-cyberbullying policies and procedures and fully communicate them to all stakeholders.
  - ii Enable students to actively participate in and contribute to school board cyberconduct and anti-cyberbullying activities including policy development and education programs
  - iii Develop principles of effective, appropriate cyberconduct and cyberbullying prevention policies and procedures that include:
    - (1) An Acceptable Use Agreement with an attendant monitoring, evaluation, and complaints process.
    - (2) Clear, comprehensive definitions of appropriate and inappropriate cyberconduct, established access privileges and identifiable consequences for those who engage in cybermisconduct.
    - (3) An explanation of the responsibilities of students, teachers, parents, and school boards re: cyberconduct.
    - (4) A statement that policies and procedures shall apply to any and all cybermisconduct and cyberbullying that negatively affects the school environment regardless of whether it originated from the school.
    - (5) Dedicated timelines for policy and procedures to be updated regularly.
- (5) The Nova Scotia Department of Education should promote and publicly advocate for appropriate cyberconduct and anti-cyberbullying behaviour in the school community by:
  - (a) Developing and providing curriculum documents, training programs, policy and directives, and public education resources about appropriate cyberconduct and evolving information and communication technology.
  - (b) Amending the Education Act and Regulations to recognize the influence of information and communication technology and to provide explicit protection for members and students against cybermisconduct and cyberbullying.
  - (c) Providing sufficient resources to enable school communities to combat cybermisconduct and cyberbullying.
  - (d) Conducting its own research, or collaborating with ongoing research, about appropriate cyberconduct and cyberbullying.
- (6) The Nova Scotia government should recognize the extreme impact that cybermisconduct and cyberbullying has in the public arena by:
  - (a) Requesting the Federal Government to make amendments to the Criminal Code of Canada and the Youth Criminal Justice Act which identifies that using information and communication technology to convey a message which threatens death or bodily harm or perpetuates fear and intimidation in another constitutes a punishable offence under the Code.
  - (b) Enacting new information and communication technology/ cybermisconduct and cyberbullying legislation that protects members and students from harm.

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- (c) Amending the Occupational Health and Safety, Human Rights, and Workers Compensation legislation to include protection from cybermisconduct and cyberbullying.
- (d) Conducting an annual ongoing public awareness campaign with partners focusing on appropriate cyberconduct and the prevention of cyberbullying.
- (e) Co-ordinating the efforts of other Departments to support Education (Justice, Social Services, Health) in enhancing protection against cybermisconduct/cyberbullying and supporting the targets.

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- (7) Website, Internet Service Providers and telecommunications providers share a responsibility with respect to the appropriate use of the Internet and Communications Technology.
  - (a) Website, Internet Service Providers and telecommunications service providers should develop and enforce acceptable use, appropriate cyberconduct and anti-cyberbullying policies, and ensure that the procedure for reporting cybermisconduct and/or cyberbullying is clearly communicated and readily available to users.
  - (b) Website, Internet Service Providers and telecommunications service providers should thoroughly investigate any complaints of cybermisconduct and cyberbullying and take the appropriate actions (removal of all items from all links, including archives) when there is evidence that cybermisconduct or cyberbullying is occurring within a site.
  - (c) Website, Internet Service Providers and telecommunications service providers should partner with the NSTU, Council of Atlantic Provinces Teacher Organizations (CAPTO), and the Canadian Teachers' Federation (CTF) to support and facilitate development and administration of appropriate cyberconduct and anti-cyberbullying initiatives.

*Reference: Resolution 2008-NB1; Reaffirmed 2009-104*

# OPERATIONAL PROCEDURES

August 2014



## Introduction

The NSTU Operational Procedures is the official document of the NSTU that contains the organizations operational directives for policy implementation.

NSTU Operational Procedures are characterized as flexible, detailed statements of how the organization conducts its activities.

NSTU Operational Procedures are under the jurisdiction of the Provincial Executive and require Provincial Executive approval for revision. This document contains the following notations:

*Reference: the date a motion was adopted, and the date(s) of any amendment(s).*

## SECTION I

## GOVERNANCE

## 1. ANNUAL COUNCIL PROCEDURES

- (a) Annual Council Resolutions shall be published in both of Canada's official languages.
- (b) Council Chambers shall be designated a scent sensitive environment.
- (c) At Annual Council, the Provincial Executive, other than the Table Officers (President, Secretary-Treasurer, two Vice-Presidents, and Past President) are excused from sitting at the head table. The Executive Director will also sit at the head table during Annual Council.
- (d) An electronic copy of the Council Minutes can be found on the NSTU website.
- (e) An electronic copy of the Annual Council Workbook will be created to complement the paper copy, and made available to delegates. (2014-42)
- (f) Delegates to Council shall observe a standard of conduct in all activities of Council, including business and social functions that inspires the respect of colleagues and reflects positively on the NSTU and the teaching profession in the community.
- (g) A range of options will be considered when determining social events during Annual Council.
- (h) The national anthem shall recognize both official languages.
- (i) The Provincial Executive shall annually appoint an independent Chairperson for Annual Council following criteria outlined in the Standing Orders.
- (j) The Executive Director in consultation with the NSTU President shall annually appoint a Council Parliamentarian.
- (k) The Secretary-Treasurer shall be responsible for presenting audited Financial Statements to Council.
- (l) Where possible, each Local send at least one new member to Annual Council each year. (2014-3)
- (m) A Local may sponsor one observer to Council. The Observer selected must not have attended a previous Annual Council. Expenses incurred are the sole responsibility of the Local. Permission to send additional observers at the Local's expense may be requested through the Provincial Executive.

*Reference: Provincial Executive, Dec. 1975; 1994; 1995; 1997, November 2002; February 2003; Structure Review Report – Council 2004; January 2005; Recommendations #46 & #47 Structure Review Report, May, 2005; February, 2007, March 2007; April 3, 2009; January 2013; June 2014; 2014-3; 2014-42*

## 2. ATLANTIC PROVINCES SPECIAL EDUCATION AUTHORITY (APSEA)

- A. APSEA Local
  - (i) A Local structure for APSEA members was established as of August 1, 2012 subject to By-Laws Article II.
  - (ii) Negotiations for APSEA shall be handled through the APSEA Coordinators and NSTU central office.
  - (iii) A staff person shall continue to be appointed to liaise with APSEA.

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**B. APSEA Representatives**

- (i) Each region shall be represented by a minimum of one NSTU representative. Regions shall be defined as outlined in the APSEA Constitution.

*Reference: Provincial Executive, September, 1982, Amended December, 2012*

### 3. COMMITTEES — GENERAL INFORMATION

#### (a) GENERAL TERMS OF REFERENCE

##### (i) SELECTION CRITERIA

- a. Standing Committee appointments should be staggered to ensure that all committees have members with experience as well as new members to the Committee.
- b. Unless explicitly stipulated, the Provincial Executive should endeavour to appoint only one Executive member to each Standing Committee.
- c. Restriction to a committee in any particular year shall be made known during the advertisement stage.
- d. The advertising for committee members shall allow applicants an opportunity to indicate general areas of interest as well as naming Standing Committees of interest. The information requested should be relevant and include activities other than NSTU involvement, which might show aptitude, or experience that would be useful for a specific committee.
- e. The NSTU should actively promote the importance of committees and of member participation to the membership at large.
- f. Each member selected to serve on NSTU Standing and/or Ad Hoc Committees established by Annual Council and/or the Provincial Executive shall receive a copy of NSTU Operational Procedures 9 (a) Expense Guidelines with their letter of congratulations.
- g. A list of committees, the membership of each committee, along with the members' Locals, should be published.

*Reference: June, 2001; December, 2004, February, 2007, January 2012*

##### (ii) MEETING PROTOCOLS

- a. Committees shall hold one of their meetings for the purpose of reviewing the resolutions to be presented to Annual Council. Committees should be prepared to make recommendations to Annual Council concerning the reviewed resolutions.
- b. Committees are not authorized to spend money or to commit the NSTU to the expenditure of monies, acts, or engagements except as authorized by the Executive.
- c. Requests from committees to meet outside of Halifax shall be considered on their own merits and the request shall be approved or denied by the President in consultation with the Executive Director.
- d. All Standing Committees and/or ad hoc committees established by Annual Council and/or the Provincial Executive, when practical, should commence their meetings not earlier than 2:00 p.m.

*Reference: February 2007, January, 2012*

##### (iii) TERM OF OFFICE

- a. Appointment to a committee will be for one defined term of two years. In extraordinary circumstances, an extension of one year is permissible. The exception would be that the Insurance Trustees

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are appointed to five (5) year terms, the Pension Committee are appointed to three (3) years terms, and the Comité de programmation acadienne are appointed to three (3) year terms.

- b. Standing Committees of the Executive shall serve from August 1 to July 31 unless otherwise directed by the Executive.

*Reference: April 3, June 5, 2009, January 2012, September 2012*

#### **(iv) DESIGNATION OF CHAIRPERSONS**

The Provincial Executive shall designate the chair of all Standing Committees. The criteria for selecting the committee chair should be:

- a. Union involvement
- b. Area of expertise
- c. In the second year of the member's term
- d. Recommendation of the Standing Committee
- e. Additional criteria as determined by the Nominating Committee.

*Reference: Provincial Executive, December 2-3, 2004*

#### **(v) RESPONSIBILITIES**

- a. Before the commencement of the meeting of Annual Council, a Standing Committee will have the opportunity to recommend a chair for the following year selected from their returning members.
- b. Chairpersons of all provincial Program and Coordinating Committees of the NSTU are responsible for submitting a detailed end of the year report outlining their year's activities, accomplishments and recommendations for the incoming committee and, if necessary, committee recommendations to the Provincial Executive. The Provincial Executive will review any recommendations and act as it deems appropriate.

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#### **Template for Program & Coordinating Committees:**

1. Chairpersons of all provincial program and coordinating committees of the NSTU are responsible for submitting a detailed annual report to the Provincial Executive. The deadline for receipt of reports is July 31.
2. As a guideline, these reports should be a minimum of 300 words in length and a maximum of 750 words.
3. Annual provincial program and coordinating committee reports should concisely state the mandate of the committee.
4. Reports should list the members of the committee, as well as the frequency and dates of all meetings held during the program year.
5. Reports should summarize the activities and accomplishments of the committee and highlight any major initiatives undertaken.
6. Recommendations included in annual reports must be endorsed by the committee.
7. Reports should summarize committee recommendations, if any, as adopted by the NSTU Provincial Executive.
8. Reports should summarize recommendations, if any, made to the incoming committee.
9. Reports may, at the chairperson's discretion, reference external consultations undertaken during the year, conferences organized by the committee or attended by its members, and studies or reports issued during the year.
10. Reports should reference the annual amount budgeted for the committee and the actual amount spent.

- c. Chairpersons of all provincial Administrative Committees of the NSTU are responsible for submitting a detailed end of the year report outlining their year's activities and accomplishments.

#### **Template for Administrative Committees:**

1. Chairpersons of the Finance and Property Committee, the Nominating Committee, the Personnel Committee and the Governance & Policy Committee are responsible for submitting an annual report to the Provincial Executive. The deadline for receipt of reports is July 31.
  2. As a guideline, these reports should be a minimum of 300 words in length and a maximum of 750 words.
  3. Annual administrative committee reports should concisely state the mandate of the committee.
  4. Reports should list the members of the committee, as well as the frequency and dates of all meetings held during the program year.
  5. Reports should summarize the activities and accomplishments of the committee and highlight any major initiatives undertaken, while omitting all confidential details of the committees' proceedings and any recommendations made to the NSTU Provincial Executive.
  6. Reports should reference the annual amount budgeted for the committee and the actual amount spent.
- d. This report is due in time for mailing for the September Provincial Executive meeting, and shall be kept on file with the NSTU.
  - e. The Annual Reports will be posted to the NSTU website.  
*Reference: May, 1974; June, 1985, 1986, 1988, 1994, 1995, 2001; September 2004; October 2004; December 2004; January 2006*

### **(b) REMOVAL OF A PERSON FROM A COMMITTEE**

#### **Preamble**

Removing, or impeaching, a committee member is a very serious action and should never be approached lightly. Due process must always be followed.

#### **(i) GROUNDS FOR REMOVING A COMMITTEE MEMBER**

- a. Disruption of committee efforts  
This is not to be considered the same as strenuous, spirited debate and such provision should never be used to stifle debate.
- b. Inappropriate behaviour
  - i. Consumption of drugs or alcohol prior to or during a committee meeting;
  - ii. Abuse of other committee members;  
*Note: the standard of proof, even to begin such an inquiry, should be very high.*
  - iii. Failure to attend three (3) consecutive committee meetings without valid reasons.

#### **(ii) PROCEDURES**

- a. A complaint may be made by:
  - i. The chairperson of the committee
  - ii. The Provincial Executive liaison
  - iii. The Secretary-Treasurer
- b. The complaint shall be made in writing to the President.
- c. If possible, the President should attempt to resolve the situation.

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- d. If the complaint cannot be resolved through the informal intervention of the President, the Nominating Committee in consultation with both the President and the Executive Director will investigate the complaint.
- e. If the complaint is found to be valid and of such a nature to warrant removal from the committee, the Nominating Committee will present its recommendation to the Provincial Executive in closed session. The Nominating Committee will present the results of its investigation to the Provincial Executive. The Nominating Committee chairperson should move a motion that its recommendation be adopted.
- f. If the motion passes, the member will be informed that he or she is no longer serving on the committee.
- g. The Nominating Committee will propose a candidate to replace the removed member for the remainder of that person's term. The completion of this term will not count as part of the term of appointment of the newly named member, irrespective of where in the original member's term the appointment occurs.

*Reference: September 2001*

## 4. NSTU COMMITTEES

### (a) STANDING COMMITTEES

Standing Committees of the NSTU are divided into Administrative, Program and Statutory Committees.

#### Administrative Committees

- Personnel
- Nominating
- Finance & Property
- Governance & Policy Committee

#### Program Committees

- Comité de programmation acadienne
- Curriculum
- Equity
- Member Services
- Pension
- Professional Development
- Public Affairs/Public Relations
- Substitute Teacher
- Teachers With Administrative Responsibilities

#### Statutory Committees

- Appeals

*Reference: 99-36; June 4, 2004; January 19, 2006, February 2011, January 2012, January 2013*

### (i) APPEALS COMMITTEE

#### a. AUTHORITY

The Provincial Executive of the Nova Scotia Teachers Union shall appoint a committee of seven (7) persons representing the

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membership to be called the Appeals Committee, which, subject to the general policy of the Union and with due attention to any particular policies of the Union that may be appropriate, shall hear any teacher in respect of an appeal under Section 36 of the *Education Act* and after doing so, shall authorize the assistance, if any, to be accorded the teacher in respect of an appeal under Section 36 of the *Education Act* and report to the Provincial Executive.

**b. HEARING PROCESS**

- i. No statements are made under oath.
- ii. The Committee shall be satisfied that there is a clear statement of charges against the member.
- iii. The individual must have the right to attend in person or be represented by counsel, or be present with the assistance of counsel.
- iv. The individual must have the right to convert the evidence against him/her by means of contrary statements or cross-examination.
- v. The failure of one party or the other to appear before the Committee will not relieve the Committee of its duty to make the best assessment of the facts possible under the circumstances.
- vi. The right of either party to withhold information, as parties deem necessary will be respected by the Committee.

**c. QUORUM**

In approving assistance, the Committee shall be satisfied that a reasonable doubt exists that a member has been appropriately treated in respect of the law, or professional practice taking into account prevailing concepts of employer-employee relationships. For these purposes, a quorum of the Committee shall consist of five (5) members.

**d. QUASI-JUDICIAL GUIDELINES**

- i. It is a fundamental principle of quasi-judicial procedure that all who decide, must hear. A Committee member who, for whatever reason, cannot hear all the evidence and argument on which he/she must base his/her decision, should disqualify himself/herself from deciding.
- ii. It does not follow from the above that all who hear must decide. In other words, abstentions are possible.
- iii. From time to time, affairs may come before the Committee in which a member is personally involved. The Committee should expect that the member disqualify himself/herself. A member who considers himself/herself interested to a very minor degree might declare his/her interest to the Committee for a decision.

**e. FINANCE**

Subject to the approval of the NSTU Finance Committee, the Appeals Committee may authorize payment of expenses incurred by interested parties in attending hearings.

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**f. STAFF INVOLVEMENT**

- i. A staff investigation into matters brought before the Committee will be made prior to the meeting of the Committee.
- ii. The staff report will be made available to the Committee on a confidential basis.

**g. LEGAL COUNSEL**

- i. The advice of the NSTU solicitor may be available to the Committee.
- ii. Legal counsel is available to the Committee through the NSTU solicitors. It is recommended that the attendance and opinion of the solicitor be available to the Committee as a matter of routine.

**h. NEW INFORMATION TO COMMITTEE**

- i. Where the Committee decides not to authorize assistance for a member, the member may, prior to commencement of the hearing before the Board of Appeal, present to the Committee information which is new or additional to that previously presented to the Committee. The Committee may, in its discretion, decline to receive or act upon the new or additional information unless the member can show that the information was not reasonably available to the member for presentation to the Committee at the time of the first hearing of the member's application for assistance.
- ii. The Committee shall consider any such new or additional information, and shall, as it considers appropriate in the light of such information, confirm, vary or revoke its decision.

**i. APPEAL PROCESS**

- i. A member may appeal to the Provincial Executive from a decision of the Committee (or from a confirmation, variation or revocation of such a decision), solely on the ground that there has been a material failure by the Committee to conform to the procedures applicable to the conduct of its hearings and meetings. There shall be no appeal from a decision of the Committee (or a confirmation, variation or revocation of such a decision) on any other ground. In particular there shall be no appeal on the ground that the Committee has erred in determining whether there is reasonable doubt that a member has been appropriately treated by his/her employer.
- ii. If, upon the hearing of such an appeal, the Provincial Executive concludes that there has been a material failure by the Committee to conform to the procedures, it shall set aside the decision of the Committee and refer the matter to the officers of the Union, consisting of the President, Vice-Presidents, Secretary/Treasurer, and Immediate Past President (Table Officers).

**j. APPEAL STANDARD**

- i. The terms of reference for the Committee clearly indicate that a fairly low level test is to be applied in deciding to support an appeal.
- ii. The standard to be applied by the Committee is whether there is a reasonable doubt that the member has been appropriately treated, taking into account the following factors:

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**A. Procedural Law/Procedural Fairness**

Difficulties in this area will normally centre on procedures established by Sections 33 and 34 of the *Education Act*. In addition, general procedures established by common law may be considered by the Committee.

**B. Professional Practices and Standards**

Difficulty in this area can normally be tested against accepted professional practices and standards, such as those evidenced by:

- i. NSTU Supervisory Practices Guidelines and/or
- ii. NSTU Code of Ethics

**C. Labour Jurisprudence**

These are the prevailing concepts of employer-employee relationships, based on trends established in arbitral law respecting just cause for discipline. Infrequently, a unique case will be presented which will break new ground and the Committee will be left to its own best estimate of the course to follow.

- iii. Reasonable doubt of appropriate treatment does not necessarily require the member to show that the case will succeed before a Board of Appeal. It does mean, however, that there must be a real doubt as to whether appropriate treatment has been accorded to the member, having regard to the factors identified above.
- iv. The Appeals Committee will also:
  - a. Consider such resolutions as may be referred by Annual Council and make appropriate recommendations.
  - b. Participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.

*Reference: July, 1980; Amended April, 1982; Nov.*

*1986; May 1987, Oct. 17, 2002, December 2, 3, 2004*

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**(ii) COMITÉ DE PROGRAMMATION ACADIENNE****a. MANDATE**

- i. The Comité de programmation acadienne shall:
  - A. study the curriculum and all proposed changes in it as it relates to Acadian educational sites under the direction of CSAP.
  - B. report its findings and make recommendations to the Provincial Executive
  - C. inform CSANE members of trends and developments in curriculum
  - D. consider such resolutions as may be referred by Annual Council and make appropriate recommendations
  - E. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration
- ii. The Comité should divide its areas of activities into:
  - A. Curriculum Monitoring** – The NSTU Comité de programmation acadienne must critically evaluate

proposed changes in the curriculum and it must make recommendations to the Provincial Executive based upon its evaluations.

- B. Development of Policy** – Basic curriculum policy should be a matter of continuing study by the Comité de programmation acadienne and the Comité should be recommending policy on basic curriculum matters to the Provincial Executive of the NSTU.
- C. Study and Research** – The Comité de programmation acadienne should initiate from time to time special projects related to matters of current importance in the area of curriculum and its implementation.
- D. Communication** – It is essential that the Comité be aware of all significant activities being sponsored by the Department of Education (Section française) the Programmes éducatifs division of the CSAP, member and teacher organizations, school boards and universities so that the Comité de programmation acadienne can make recommendations with full knowledge of the situation. It is important for the Comité de programmation acadienne to inform CSANE members of trends and developments in curriculum as well as specific programs.

**b. COMPOSITION**

The NSTU shall appoint a seven member Comité de programmation acadienne representing the three Acadian regions of the province: Southwest, Central and Northeast.

All members appointed to the Comité de programmation acadienne shall serve three (3) year terms.

At least:

- i. One (1) elementary school teacher
- ii. One (1) middle level/junior high school teacher
- iii. One (1) senior high school teacher
- iv. One (1) administrator
- v. One (1) Provincial Executive member
- vi. One (1) CSANE Executive member.

**c. MEETING FREQUENCY**

It is anticipated that the Comité de programmation acadienne can fulfill its mandate through three meetings per year.

*Reference: Provincial Executive May, 1996; Feb., 2002, Oct., 2002; March 26-27, 2004; March 25 & 26, 2010; December 2010; March 2011, September 2012*

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## (iii) CURRICULUM COMMITTEE

### a. MANDATE

- i. The Curriculum Committee shall:
  - A. study the curriculum and all proposed changes in it
  - B. report its findings and make recommendations to the Provincial Executive
  - C. inform members of trends and developments in curriculum.
  - D. consider such resolutions as may be referred by Annual Council and make appropriate recommendations

- E. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.
  - ii. The Committee should divide its areas of activities into:
    - A. Curriculum Monitoring** – The NSTU Curriculum Committee must critically evaluate proposed changes in the curriculum and it must make recommendations to the Provincial Executive based upon its evaluations.
    - B. Development of Policy** – Basic curriculum policy should be a matter of continuing study by the Curriculum Committee and the Committee should be recommending policy on basic curriculum matters to the Provincial Executive of the NSTU.
    - C. Study and Research** – The Curriculum Committee should initiate from time to time special projects related to matters of current importance in the area of curriculum.
    - D. Communication** – It is essential that the Committee be aware of all significant activities being sponsored by the Department of Education, teachers and teacher organizations, school boards and universities so that members can be informed and so that the Committee can make recommendations with full knowledge of the situation. It is important for the Curriculum Committee to inform members of trends and developments in curriculum as well as specific programs.
- b. COMPOSITION**
  - i. The NSTU shall appoint an eight member Curriculum Committee. Every reasonable effort will be made to ensure the Committee consists of:
    - A. Two (2) elementary school teachers
    - B. Two (2) middle level/Junior high school teachers
    - C. Two (2) senior high school teachers
    - D. One member from CSANE
    - E. One (1) Provincial Executive liaison
  - ii. Of the seven members, two are to be administrators.

**c. MEETING FREQUENCY**

It is anticipated that the Curriculum Committee can fulfill its mandate through three meetings per year.

*Reference: Provincial Executive, May, 1981, October, 2002, March 26-27, 2004, December 2, 3, 2004, May 5, 2005*

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## (iv) EQUITY COMMITTEE

### a. MANDATE

- i. The Committee shall:
  - A. Explore current practices, attitudes and research regarding diversity, equity and social justice.
  - B. Promote professional development workshops to assist members with equity and diversity issues such as cyberbullying, homophobia, transphobia, racism, sexism, etc.
  - C. Examine trends and issues with regard to equity in the teaching profession.

- D. Provide information and support to Local Equity Committees or contact persons.
  - E. Formulate recommendations, as appropriate, dealing specifically with equity and diversity interests.
  - F. Consider such resolutions as may be referred by Annual Council and make appropriate recommendations.
  - G. Participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.
- ii. The NSTU shall take the following steps to encourage the equitable involvement of all NSTU members in leadership roles within the education system:
- A. Encourage and support members of equity-seeking groups in the pursuit of leadership positions.
  - B. Encourage and support equity-seeking groups to seek positions on the Provincial Executive and professional executive staff.
  - C. Encourage the Minister of Education to continue the practice of supporting and promoting equity-seeking groups in roles of leadership in education.
  - D. Encourage the School Administrators Association to hold in-services on gender stereotyping in education.
  - E. Encourage and support each Professional Association to sponsor a workshop on equity and diversity as it relates to its specialty.
- Reference: Resolution 99-41; Reaffirmed 2002-33; Amended 2004-12; Resolution 2005-34 moved to Operational Procedures; October 2014*

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### b. COMPOSITION

The Equity Committee shall consist of six (6) members plus a Provincial Executive member.

### c. MEETING FREQUENCY

It is anticipated that the Equity Committee will be able to accomplish the mandated tasks through three meetings per year.

*Reference: Provincial Executive, April, 1981; June, 1983; Oct. 1985; 2002-29; Oct., 2002; June, 2003; May 5, 2005; 2005-37; October 2014*

## (v) FINANCE & PROPERTY COMMITTEE

### a. MANDATE

- i. Prepare an annual budget:
  - A. Present draft budget to Provincial Executive;
  - B. Cost all resolutions to Annual Council.
  - C. Provide a schedule detailing budget items titled Programs and Services in the Annual Council Workbook. (2014-41)
- ii. Exercise control over the finances of the NSTU:
  - A. Monitor all expenditures of the NSTU;
  - B. Ensure checks and balances are in place for NSTU funds (see Treasurers' Guide on the NSTU website);
  - C. Receive regular reports on income, expenditures, investments and loans;
  - D. Ensure audits are conducted on a yearly basis;

- E. Receive and examine the internally reviewed reports of Locals, RRC's and Professional Associations;
    - F. Present regular financial statements to the Provincial Executive;
    - G. Determine interest rates on repayment of money borrowed from the Reserve Fund;
    - H. Receive reports from the Executive Director regarding unanticipated expenditures.
  - iii. Make recommendations to the Provincial Executive on the provision of financial and management service:
    - A. Meet with current providers annually to ensure quality service;
    - B. Review proposals of service providers as require;
    - C. Provide recommendations to the Provincial Executive on contracts with service providers every three (3) years.
  - iv. Provide leadership, guidance and training for Local, RRC and Professional Association Treasurer:
    - A. Ensure a handbook is prepared and updated for Treasurers;
    - B. Arrange for meetings and/or conferences for Treasurers on a regular basis.
  - v. Exercise oversight and control of properties held or leased by the NSTU.
  - vi. Provide recommendations to the Provincial Executive on matters referred to the Committee by the Provincial Executive.
  - vii. Consider resolutions referred by Annual Council and make appropriate recommendations.
  - viii. Participate as required in the NSTU Policy Review process by providing recommendations for the Provincial Executive's consideration.
  - ix. Provide advice to and representation on NSTU Employee Pension Plan Advisory Committee.
- b. COMPOSITION**
- i. The Finance and Property Committee shall consist of five (5) members, one of whom shall be the Secretary-Treasurer, who shall also function as Chair, plus one other Executive member, and three members at large.
  - ii. Committee members shall be elected/appointed annually at the August Executive Meeting.
  - iii. In no circumstance will the number of sitting members exceed five (5).
  - iv. The Finance & Property Committee shall be represented at Annual Council by the NSTU Secretary-Treasurer and the Provincial Executive member on the Committee.
- c. MEETING FREQUENCY**
- The Committee shall meet on a regular basis and report in a timely fashion to the Provincial Executive.
- Reference: Provincial Executive, June, 1985, December 1989, April, 1999; Sept., 2001, October, 2002; January 20-22, 2005; June 29, 2005; October 19, 2006; April 3, 2009; October 2011; 2014-41*

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**(vi) GOVERNANCE & POLICY COMMITTEE****Mandate**

The mandate of the Governance and Policy Committee is to develop and maintain an ongoing consciousness of, commitment to, and practice of all aspects of good governance with the Provincial Executive and within the Nova Scotia Teachers Union as a whole.

To that end, the Governance and Policy Committee shall:

1. Develop and review policy with a view to authority, responsibility and accountability;
2. Regularly review the governance relationships between and amongst the
  - (a) Individual members
  - (b) Annual Council
  - (c) Provincial Executive
  - (d) Locals
  - (e) Regional Representative Councils
  - (f) Standing Committees
  - (g) Professional Associations, and
  - (h) Staff of the Nova Scotia Teachers Union.
3. Study the principles and practices of good governance;
4. Regularly review the terms of references for this Committee;
5. Set out annual priorities for the work of this Committee;
6. Make recommendations for the consideration of the Provincial Executive;
7. Consider such matters as referred by the Provincial Executive.

**Composition & Meeting Frequency**

The work of the Governance and Policy Committee will be strengthened by:

- Having one member of the Provincial Executive representing each region;
- Having one or two member(s) of Staff attend the meetings to assist the Committee;
- Holding regularly scheduled meetings with dates to be determined annually by the Committee; and
- Ensuring that meeting structures and processes are reviewed annually.

*Reference: Provincial Executive, April 28, 2011*

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**(vii) MEMBER SERVICES COMMITTEE****a. MANDATE**

The mandate of the Committee is to:

- i. identify bargainable items;
- ii. prepare background information related to the merits of negotiable items;
- iii. identify trends and developments in teacher bargaining across Canada with special emphasis on the Atlantic Provinces;
- iv. review economic forecasts;
- v. forward recommendations to appropriate Union committees;
- vi. plan appropriate workshops for local negotiators;

- vii. review the results of the most recent provincial and local contract bargaining;
- viii. consider such resolutions as may be referred by Annual Council and make appropriate recommendations.
- ix. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.

**b. COMPOSITION**

The Member Services Committee shall consist of eight (8) members as follows:

- i. The First Vice President of the NSTU who shall be Chair;
- ii. one member representing APSEA;
- iii. one member representing Community College members;
- iv. a Community College representative from the Provincial Executive;
- v. one member who is currently serving as a Local First Vice-President; and
- vi. three members at large.

**c. MEETING FREQUENCY**

It is anticipated that the Member Services Committee can fulfill its mandate through three meetings per year.

*Reference: Provincial Executive, January 1993, October, 2002; June 2011*

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**(viii) NOMINATING COMMITTEE**

**a. GUIDELINES**

- i. The Nominating Committee shall review the applications of all eligible candidates for committees.
- ii. From the complete list of candidates submitted, the Nominating Committee shall select candidates to present to the Executive for appointment.
- iii. Executive members shall receive a list of all applicants prior to the selection.
- iv. Replacements to committees shall be recommended from the list of eligible candidates.
- v. No candidate shall serve on more than one Standing Committee. Standing Committees do not include the Provincial Economic Welfare Committee or the Community College Economic Welfare Committee.
- vi. All NSTU members shall be informed of the opportunity to serve on NSTU committees.
- vii. No applications that are received after the published deadline will be considered by the Committee except in exceptional circumstances. Exceptional circumstances would include situations where there is a reasonable explanation for the lateness or where no other eligible application has been received for the vacancy to be filled and where to readvertise would cause an unnecessary delay for the relevant committee to complete its work.

*Reference: Provincial Executive, January, 1973, April, 1986; Dec. 2005, December 2011, January 2012*

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### b. PROCESS

- i. The goal of the NSTU is that committee appointments accurately reflect the diversity of the membership.
- ii. There should be a break of at least one year immediately following the last year on a committee before a person may be reappointed to a Standing Committee.

*Reference: Provincial Executive, June, 2001, October 2004, January 2012*

### iii. Presentation to the Provincial Executive

- a. The Nominating Committee will circulate the name(s) it is recommending to the Executive prior to the start of the Executive Meeting at which the appointment will take place. The list of applicants and nominees will be made available only at the Provincial Executive meeting at which the decision is to be made Representation to the Nominating Committee concerning a candidate outside the context of a Provincial Executive meeting or a meeting of the Nominating Committee should be deemed inappropriate.
- b. For each individual Committee, the Nominating Committee will place in nomination the name(s) is recommending for appointment.
- c. The appointment of committee members to the Substitute Teacher Committee shall be at the October meeting of the Provincial Executive.

*Reference: Provincial Executive, Nov. 2000; June, 2001; Feb. 2005; April 3, June 5, 2009, January 2012*

### iv. Selection of the Provincial Economic Welfare Committee and the Negotiating Team

The two provincial Executive members of the Provincial Economic Welfare Committee and the 1<sup>st</sup> Vice-President will be invited to attend the Nominating Committee meeting when the two nominees of the Provincial Negotiating Team are chosen. Their attendance would be in an advisory non-voting capacity.

*Reference: Provincial Executive, November 2001; February 2005*

*Reference: Provincial Executive, May, 2002, April 22, 2004, June, 2010 (2010-NB3), January 2012*

## (ix) PENSION COMMITTEE

### a. MANDATE

The Pension Committee shall:

- i. identify pension issues to Provincial Executive as required;
- ii. recommend to the Provincial Executive pension resolutions for Annual Council;
- iii. consider such resolutions as may be referred by Annual Council and make appropriate recommendations;
- iv. participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration;
- v. be educated on the basics of the pension plan; understand and be updated on valuation of the plan and the investment portfolio;

- vi. facilitate sessions for Locals or regions or educational sites on pension in geographic regions by staff liaison officer with Pension Committee member in attendance.

**b. COMPOSITION**

The Pension Committee shall consist of:

- i. One member appointed to the six (6) geographic regions in the province for a three (3) year term;
- ii. One Provincial Executive member for Committee business only;
- iii. One retired member for Committee business only who shall be elected by the Retired Teachers Organization at its Annual General Meeting for a term of two (2) years;
- iv. Two (2) staff liaison officers responsible for pension matters one of whom shall act as the liaison between the Pension Board and the Pension Committee.

**c. MEETING FREQUENCY**

- Three meetings per year for Committee business. Two full day training sessions at the beginning of each year for all members.

*Reference: Provincial Executive, Nov., 1987, June, 1995, Oct., 2002, March 26-27, 2004; February 24-26, 2005; Amended February 2009; June 5, 2009, April 25, 2013*

## OPERATIONAL PROCEDURES

### (x) PERSONNEL COMMITTEE

#### Governance

**a. MANDATE**

#### Curriculum

**i. General Guidelines**

It is intended that this Committee will:

- A. Focus executive responsibility in program planning and evaluation and be a source of feedback to the whole executive;
- B. Serve as a small, functional group to work with the Executive Director as a two-way sounding board;
- C. Exist as an identifiable structure, visible to all NSTU employees, which will maintain a continuity of involvement in the administrative area;
- D. Provide a more informed base for the achievement of mutually satisfactory negotiation.

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**ii. Terms of Reference**

- A. The Committee shall develop appropriate details of its own operation, subject to Executive approval, as time and experience may suggest.
- B. The Committee shall, with and through the Executive Director in support of his/her current responsibilities assess and evaluate on this matter to the Executive.

**iii. Staffing**

- A. The Committee shall assume all previously ad hoc duties related to staffing. Among the duties shall be the task of screening, interviewing and recommending to the Executive for ratification one or more candidates for any position. A report summarizing the elimination process shall be submitted with any recommendation.

- B. In the event of a vacancy in executive staff, a minimum of five candidates will be short-listed.
- C. In the event there are not five qualified candidates from the original advertisement, a second advertisement shall take place at a provincial and national level.
- D. All résumés of short-listed candidates shall be sent to Executive members as soon as possible before the next Executive meeting.
- E. The Committee will develop and share the set procedures for the interview process to all members.
- F. When developing a rubric for short-listing, the Committee will take into consideration the credentials/experience, leadership experience, volunteer experience, and skill set specific to the posting.
- G. Every reasonable effort shall be made to maintain two bilingual staff officers, one to work in Professional Development and the other to work in Member Services.
- H. Hirings for replacement staff positions should occur three to six months before the current staff officer is due to leave, when possible and/or necessary.
- I. Successful candidates for staff positions will be given appropriate job training experiences and opportunities before assuming full job responsibilities when possible and/or necessary.

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### iv. Program Reviews

- A. The Committee shall conduct a regular, ongoing review of program area requirements, aims and objectives, and in particular, examine staff deployment and relative workload.  
*(It is understood that this task could be accomplished on a rotational basis over several years. It is to be emphasized that the function of the Executive Director includes these things. The Committee should serve to initiate, receive and convey to the Executive the results of such reviews. The active role in administration is solely that of the Executive Director. The Committee should complement his/her efforts without becoming personally involved, and should therefore be able to serve in a bargaining capacity in the normal manner.)*
- B. Complaints pertaining to specific job performance of members of executive staff shall, in the first instance, be handled as an administrative procedure:
  - i. except in unusual circumstances, a complaint should first be made in writing to the individual staff member affected.
  - ii. if the complainant is not satisfied with the response of the individual staff member, then the complainant may refer the complaint, in writing, to the Executive Director. If the complaint is not resolved to the satisfaction of the complainant by the Executive Director, it shall be referred to the Personnel Committee for its consideration with an explanation of the action taken.
  - iii. if an unresolved complaint is brought to the attention of the Personnel Committee, the Committee may suggest further course of action be taken by the Executive Director.

- iv. Any complaint that cannot be resolved by the Executive Director, in concert with the Personnel Committee, will be brought to the Provincial Executive for its consideration.

**b. COMPOSITION**

- i. The Committee shall consist of four (4) Executive members, one of whom shall be the Second Vice-President. The Second Vice-President shall chair the Committee. The Provincial Executive shall consider balance in the composition of the Committee.
- ii. A quorum of the Committee shall be three (3) members;
- iii. The Provincial Executive should make every reasonable attempt to ensure a carry-over of at least one member from year to year.
- iv. The President should exercise ex officio power and participate as regularly as possible.
- v. The Executive Director shall serve as advisor, consistent with his/her responsibilities to the Executive (*see the Constitution*).
- vi. The Committee shall be appointed at the first regular Executive meeting after August 1<sup>st</sup>.

**c. MEETING FREQUENCY**

The Committee shall meet regularly and report at least semi-annually to the Executive.

**d. TRAINING**

Members of the Personnel Committee will get specific training on interviewing techniques and staffing issues each year.

*Reference: Provincial Executive, January 1978; April 1982; December 1986; February 2004; January 20-22, 2005; April 1, 2006; April 27, 2006, March 2007*

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**(xi) PROFESSIONAL DEVELOPMENT COMMITTEE**

**a. MANDATE**

**i. The mandate of the Professional Development Committee is:**

- A. to support and develop strategies and programs to promote professional development for the membership of the Nova Scotia Teachers Union at the individual, educational site, Local, and provincial levels;
- B. to provide advice to the Provincial Executive on matters relating to professional development and in-service education;
- C. to monitor the professional development needs of the membership;
- D. to liaise with the Local Professional Development Committees;
- E. to meet annually to identify themes and topics for future issues of *AVISO*;
  - I. to set editorial policy;
  - II. to set advertising policy;
  - III. to evaluate issues of *AVISO*;

- F. to make recommendations with regard to future directions for the publication; and to prepare recommendations for the Provincial Executive;
- G. to consider such resolutions as may be referred by Annual Council and make appropriate recommendations;
- H. to participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.

**ii. Activities of the PD Committee include:**

- A. Administering the following Programs:
  - NSTU Full Time Study Grant
  - Out-of-Province Study Grant
  - Travel Fellowship, and the Educational Research Award Program
- B. Supporting and assisting Local PD Committees
- C. Offering professional development opportunities, in cooperation with Local PD Committees, to enhance skills at the Local PD Committee level
- D. recommending policy to the Provincial Executive on matters relating to the professional development needs of the membership

**b. COMPOSITION**

The Professional Development Committee is not to exceed seven (7) members.

**c. MEETING FREQUENCY**

It is anticipated that the Professional Development Committee can fulfill its mandate through three meetings per year.

*Reference: Provincial Executive, September, 1991; May, 1995; May, 2002, October, 2002, March 27-28, 2004, June 4-5, 2004 (Editorial Advisory Committee disbanded; February 2009)*

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## (xii) PUBLIC AFFAIRS/PUBLIC RELATIONS COMMITTEE

**ROLE:**

- Promotes the involvement in public affairs by encouraging NSTU members to take an active part in government affairs pertaining to education while maintaining the NSTU's historical position of not attaching itself to any political party.
- Examines and reviews NSTU public relations and communication programs.

**a. MANDATE**

**I. Political Action**

- A. The Committee shall maintain contact with all major provincial political parties.
- B. The Committee shall monitor the policies and practices of the major provincial political parties for the purpose of identifying issues impacting on education. The Committee shall then advise the President and Provincial Executive of these issues.
- C. During provincial elections, the Committee will inform members of any public education platforms and policies that political parties put forward.

- D. The Committee shall develop NSTU member awareness and urge member involvement in the political process.
- E. The Committee shall identify educational issues for consideration by the Provincial Executive for political action.
- F. The Committee shall encourage NSTU members to take an active role in the election process and exercise their democratic right to vote.

## II. Local Public Affairs/Public Relations Committee

- A. The Committee shall review the Public Affairs/Public Relations Handbook and resource material to assist Local committees in carrying out their mandate.
- B. The Committee shall provide opportunities for Local leaders of Public Affairs/Public Relations to meet and network through an annual meeting.

## III. General

- A. Consider such resolutions as may be referred by Annual Council and make appropriate recommendations.
- B. Participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.
- C. The NSTU maintains its historical position of not attaching itself to any political party.

### b. COMPOSITION

The Committee shall consist of two (2) Provincial Executive members selected by the Provincial Executive and five (5) NSTU active members chosen through the Nominating Committee process.

### c. MEETING FREQUENCY

It is anticipated that the Public Affairs/Public Relations Committee will be able to accomplish the mandated tasks through three meetings per year.

*Reference: January 2013 – combined the two committees with a new mandate; February 2014*

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## (xiii) SUBSTITUTE TEACHER COMMITTEE

### a. MANDATE

The mandate of the Substitute Teacher Committee shall be:

- i. to advise the Provincial Executive on issues affecting and of concern to substitute teachers;
- ii. to consider such resolutions as may be referred by Annual Council and make appropriate recommendations;
- iii. to participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration;
- iv. to organize a provincially-sponsored conference for Local substitute liaisons.

**b. COMPOSITION**

- i. The Committee shall consist of five Active and/or Active Reserve members with preference where possible for Active Reserve members.
- ii. The Committee shall also include one member from the Provincial Executive as the Executive representative.
- iii. Appointment to this Committee shall be for a one-year renewable term with consideration given to continuity.
- iv. The appointment of committee members to the Substitute Teacher Committee shall be at the October meeting of the Provincial Executive.
- v. The annual report of the Committee shall be distributed to substitute teachers following approval by the Provincial Executive.

**c. MEETING FREQUENCY**

The Committee shall meet three times a year.

*Reference: October 29, 1999; March 31, 2000; February 2002; Feb., 2003; June 5, 2004; Aug. 13, 2004; February 24-26, 2005; April 1, 2006, Budget, May 2013*

**(xiv) TEACHERS WITH ADMINISTRATIVE RESPONSIBILITIES COMMITTEE****a. MANDATE**

The mandate of the Teachers with Administrative Responsibilities Committee is to provide a voice for teachers in administrative positions.

**b. TERMS OF REFERENCE**

- i. Examine and report to the Provincial Executive on matters affecting teachers with administrative responsibilities.
- ii. Make a recommendation to the Provincial Executive, through the Nominating Committee, for the administrative member on the Provincial Economic Welfare Committee.
- iii. Make submissions on Economic Welfare to the Provincial Economic Welfare Committee.
- iv. Examine and make recommendations to Provincial Executive on each of the following administrative areas:
  - A. Communication
  - B. Professional Development
  - C. Recruitment/Selection and Retention
  - D. Collegial Model
  - E. Issues and Trends
  - F. Such other issues as directed or approved by the Provincial Executive.
- v. Facilitate communication with the Regional Representative Councils and the Locals with a view to gather and share information on relevant topics in support of public education.
- vi. Consider such resolutions as may be referred by Annual Council and make appropriate recommendations.
- vii. Participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.

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**c. STRUCTURE**

- i. The Standing Committee would draw its membership from teachers who hold administrative responsibilities.
- ii. There shall be six members on the Standing Committee.
- iii. When possible, one member would be selected from each of the following areas:
  - A. Senior Administration;
  - B. High School;
  - C. Junior High or Middle;
  - D. Elementary; and
  - E. Department Head.
- iv. The Provincial School Administrators' Association would be invited to put forward a nominee to fill the sixth position (through the Nominating Committee to the Provincial Executive)
- v. Each member would be assigned one RRC (including CSANE) with the purpose of communicating with these Locals in the Region to share and gather information.
- vi. The Committee encourages the SAA to focus on their primary objectives. See Constitution – Article 2: Objectives:
  - actively recruit new members for Local SAA
  - identify needs at the Local/Regional/Provincial Level and seek support
  - create effective lines of communication with Local Executives
  - identify items for Provincial Asking Package
  - identify programs and services which would enhance the role of administrators
  - advise Standing Committee on relevant topics.

**d. MEETING FREQUENCY**

It is anticipated that the Teachers with Administrative Responsibilities Committee will be able to accomplish the mandated tasks through three meetings per year.

*Reference: September 20, 2002; October, 2002; March 25-26, 2004*

**(b) AD HOC COMMITTEES**

- (i) Whenever possible and practical, the Nominating Committee shall make recommendations to the Provincial Executive for appointments to Ad Hoc committees.
- (ii) Ad Hoc committees will normally be expected to complete their task in no more than three meetings. Should additional meetings be required, the chairperson and the Executive Staff Officer will seek authorization from the President and the Executive Director.
- (iii) Should consultation with members of the NSTU be required through questionnaires or similar instruments, these instruments will be approved by the President and the Executive Director.
- (iv) Prior to the establishment of an Ad Hoc Committee appointed by the Provincial Executive, a clear mandate must be outlined so as to determine whether an existing Standing Committee could take on the required task.

*Reference: February, 1985; October, 1989; September, 1990; February, 2007, January 2012*

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**(c) COORDINATION COMMITTEES****PROFESSIONAL ASSOCIATIONS COORDINATION COMMITTEE****(i) MANDATE**

- a. to review resolutions forwarded by Professional Associations prior to submission to the Provincial Executive;
- b. to recommend policy to the Provincial Executive with regard to the operation of Professional Associations;
- c. to make recommendations to the Provincial Executive regarding the formation or disbandment of Professional Associations;
- d. to advise the Provincial Executive on Professional Association matters;
- e. to monitor the financial status of Professional Associations;
- f. to circulate PACC Minutes to PA Presidents once approved by the Provincial Executive;
- g. to assist the officers of Professional Associations in organizing managing and directing the business and affairs of their respective Associations;
- h. to receive the annual reports of Professional Associations;
- i. to organize and facilitate an annual Professional Associations Conference;
- j. such other functions or tasks as assigned by the Provincial Executive of the NSTU.

*Reference: Amended: April 27, 2006; February 2009*

**(ii) COMPOSITION**

- a. A Provincial Executive member shall be appointed yearly by the Provincial Executive to serve as liaison between the Professional Associations Coordination Committee and the Provincial Executive.  
*Reference: Provincial Executive, October, 2001*
- b. Composition should consist of seven (7) members.
- c. Representatives of the participating associations shall be chosen by lottery to serve on the Committee.
- d. Interested associations shall submit their names to the Chairperson of the Coordination Committee.
- e. The Chairperson shall be chosen by the members of the Committee on an annual basis.
- f. Any associations having a member on the current Coordination Committee must withdraw from the lottery for a two-year period following their term of office.
- g. A committee member's term of office shall be two years beginning August 1<sup>st</sup> on a rotation basis.
- h. Should a vacancy occur on the Committee as a result of a member being absent for two consecutive meetings, the Professional Association which that member represents shall be asked to name a replacement.
- i. The Chair of the Professional Associations Coordination Committee has the right to attend Annual Council as an observer. Authorized expenses will be covered by the NSTU.

**(iii) MEETING FREQUENCY**

The PACC will normally meet three (3) times per year.

**(iv) ANNUAL REPORT**

The PACC shall submit to the Provincial Executive an annual report of its programs, activities and finances for the preceding year.

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*Reference: Provincial Executive, November 23, 2000; Oct., 2001; (Professional Services Committee disbanded, September, 2001, Council 2002); February 2012*

## 5. COUNCIL & OTHER COMMITTEES

### (a) DISCIPLINE COMMITTEE

#### (i) AUTHORITY

Pursuant to the *Teaching Profession Act*, Section 10(1) (d) the NSTU makes reference to the composition and mandate of the Discipline Committee in Article VI. 3. of its By-Laws.

#### (ii) MANDATE

Issues to be dealt with by the Discipline Committee (the "Committee") include conduct inimical to the interests of the Union, which would not come before the Professional Committee.

#### (iii) DUE PROCESS

The concept of due process requires that the Committee must ensure that all who appear before it are fairly heard. The process of hearing fairly must involve the following principles:

- a. An individual must have a clear statement of the complaint against him/her.
- b. The individual must have the right to attend in person and be represented by counsel.
- c. An individual must have the right to contradict the evidence against him/her by means of contrary statements or cross-examination.

#### (iv) ATTENDANCE BY COMMITTEE MEMBERS

It is a fundamental principle of quasi-judicial procedure that all who decide, must hear. A Committee member, who, for whatever reason, cannot hear all the evidence and argument upon which he/she must base his/her decision should disqualify him/herself from deciding.

#### (v) INTEREST OF COMMITTEE MEMBERS

From time to time affairs may come before the Committee in which a member is personally involved. The Committee should expect that the member disqualify him/herself. A member who considers him/herself interested to a very minor degree might declare his/her interest to the Committee for a decision.

#### (vi) COUNSEL

Legal counsel is available to the Committee through the NSTU solicitors. It is recommended that the attendance and opinion of the solicitors be available to the Committee as a matter of routine.

#### (vii) NSTU STAFF

At the request of the Executive Director or the Committee a staff investigation may be made with respect to the complaint, which investigation will be presented to the Committee. If at any time during an investigation, the staff member concludes that the complaint is frivolous or vexatious or does not raise issues which lie within the mandate of the Committee, the staff member shall report that

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conclusion to the Committee. The Committee may at any time require that a complainant show cause for the continuance of any proceeding. If cause is not shown to the satisfaction of the Committee, the Committee may dismiss the complaint.

**(viii) PROCEDURE**

- a. A quorum of the Committee consists of a majority of members of the Committee.
- b. All decisions, rules and direction of the Committee shall be by way of majority vote.
- c. At the commencement of a hearing, the Committee shall elect one of its members to act as chair for the purpose of hearing and disposing of the complaint.

**(ix) NOTICE**

- a. A complaint filed pursuant to Article VI, clause 3.(c) of the By-Laws shall be in writing, shall identify the member, shall identify the conduct complained of, shall be sufficiently detailed to allow a reasonable individual or his or her solicitor an opportunity to prepare an adequate response and shall be filed with the Executive Director.
- b.
  - i. Upon receipt of a complaint the Executive Director shall, as soon as practicable,
    - A. Advise the member that the complaint has been filed and provide a copy of the complaint;
    - B. Refer the matter to the Discipline Committee.
  - ii. The Executive Director, after consulting the members of the Discipline Committee, shall set a hearing date and shall, not less than 30 days before the hearing date, cause to be served on the member, a notice of the hearing date stating the date, time and place at which the Committee will hold the hearing. The notice shall further advise the member of the right to appear in person, with or without counsel, and that the Committee may proceed at the hearing and dispose of the complaint in the absence of the member complained of, in the event of that member's failure to appear at the hearing.

**(x) ACTION OPEN TO THE COMMITTEE**

- a. If the complaint is not proved in the opinion of the Committee, the Committee may dismiss the complaint.
- b. If the Committee is satisfied that the complaint is proven:
  - i. The Committee may decide that the member be reprimanded.
  - ii. The Committee may decide that the membership of the member in the NSTU be suspended for a stated term of time.
  - iii. The Committee may decide that the member be expelled.

**(xi) THE CONDUCT OF HEARINGS**

- a. If the member complained of fails to appear at a hearing, the Committee may proceed with the hearing and deal with the complaint in the absence of the member, upon being satisfied that the member was served with notice of hearing as provided herein.
- b. Evidence may be given before the Committee in any manner that the Committee considers appropriate and the Committee is not bound by the rules of law respecting evidence applicable to judicial proceedings.
- c. Except as provided herein, the Committee may determine its own procedure.

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- d. All proceedings before the Committee shall be conducted “in-camera” unless the Committee, the complainant and the member complained of agree otherwise.
- e. Where a proceeding is commenced before the Committee pursuant to these regulations, and the term of office on the Committee of a member sitting for a hearing expires or is terminated, other than for cause, before the proceeding is disposed of but after evidence has been heard, the member shall be deemed to remain a member of the Committee for the purpose of completing the disposition of the proceeding in the same manner as if the term of office of the member had not expired or had not been terminated.
- f. The Chair of the Committee may from time to time adjourn a hearing.
- g. The complainant, either the Local or the Provincial Executive or an individual acting on behalf of either, will present its case first.
- h. An opportunity for the member, his/her representative or members of the Committee to examine the evidence presented, must then be provided.
- i. The member will present his/her case second.
- j. An opportunity for the complainant, its representative or Committee members, to examine the evidence of the member, shall be provided.
- k. An opportunity to make a statement in summary in rebuttal will be given first to the member.
- l. An opportunity to make a statement in summary in rebuttal will be given second to the complainant.
- m. No statements are made under oath.
- n. The failure of one party or the other to appear before the Committee will not relieve the Committee of its responsibility to make the best assessment of the facts possible under those circumstances.
- o. The decision of the Committee will consist in one part of a simple statement of its decision and in the second part of reasons leading to its decision.
- p. The Committee shall notify the member and the complainant of its decision by prepaid, registered letter to his/her or their last recorded address and will also file copies of the decision with the Provincial Executive.

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#### (xii) IMPLEMENTATION

Upon filing of the decision with the Provincial Executive, it shall be the responsibility of the Provincial Executive to implement the decision.

#### (xiii) MEMBER POLITICIANS

The Discipline Committee of the NSTU may review actions and initiatives taken by members-turned-politicians that are inimical to the interests of the Union, in order to develop suitable sanctions against these individuals.

*Reference: Provincial Executive, Jan., 1976; July, 1995; 97-92*

**(b) NSTU GROUP INSURANCE TRUSTEES****(i) MANDATE**

The mandate of the Insurance Trustees is to manage the NSTU Group Insurance plans as defined by the Trust Deed between the NSTU and the Trustees of the Nova Scotia Teachers Union Group Insurance Trust Fund.

- a. The replacements on the Insurance Trustees shall be representative of various geographical areas throughout the province.
- b. The Insurance Trustees shall submit an audited annual financial report to the Provincial Executive.
- c. An Insurance Trustee shall not hold or run for any elected office in the NSTU while serving as a Trustee.
- d. Insurance Trustees may be eligible to be elected by their Local as a delegate to Annual Council. (*January 2015*)
- e. The Insurance Trustees shall consider such resolutions as may be referred by Annual Council and make appropriate recommendations.
- f. The Insurance Trustees shall participate as required in the NSTU Policy Review Process by providing recommendations for the Provincial Executive's consideration.

**(ii) COMPOSITION**

- a. The maximum number of Trustees shall be six.
- b. Trustees shall serve a term of five years and are not eligible for reappointment.
- c. Where any Trustee has died, resigned or been removed, the Provincial Executive shall appoint a successor for such Trustee and the new Trustee shall serve a term of five years.
- d. When the vacancy occurs after the first Trustee's meeting of the school year, the new Trustee will complete that year and the five-year term will begin at the end of that school year.
- e. Every effort shall be made to provide that at least one of the Trustees be fluent in both official languages.
- f. No term, probationary or permanent NSTU staff member shall be eligible to serve as an Insurance Trustee.

**(iii) MEETING FREQUENCY**

The Insurance Trustees typically meet ten times per academic year. The Trust Deed stipulates that the Trustees determine their rules of procedure. *Reference: Provincial Executive, January, 1986, October, 2002, January, 2003; February 24, 2005; December 1-2, 2005; January 19-20, 2006; April 1, 2006, December 2011; October 2012; January 2015*

**(c) PENSION APPEALS COMMITTEE****(i) AUTHORITY**

The *Teachers' Pension Act* and the NSTU Constitution Standing Order 6(b)(ii).

**(ii) APPOINTMENT**

The appointment to the Nova Scotia Teachers' Pension Appeals Committee shall be elected at Annual Council for a period of two (2) years to coincide with the *Teachers' Pension Act*.

*Reference: Provincial Executive, November, 1996; June, 2002*

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**(d) PENSION BOARD**

- (i) The NSTU representatives on the Nova Scotia Teachers' Pension Board consist of:
- the NSTU President;
  - the Immediate Past President, or person designated by the Provincial Executive;
  - the Executive Director;
  - a staff officer responsible for pension matters.
  - In the event that a Pension Board member named for office is unable to serve, then the NSTU shall appoint a replacement on a temporary or permanent basis.

*Reference: October 2007*

**(ii) Pension Board Representation**

The staff liaison to the Pension Board is named designate to the Pension Committee.

*Reference: Provincial Executive, September, 1998; amended February 24-26, 2005*

**(e) PENSION PLAN INC. BOARD OF DIRECTORS — TRUSTEES**

The Board of Directors, Pension Plan Inc. are appointed by the Provincial Executive upon recommendation of the NSTU Table Officers.

**(a) MANDATE**

This Board oversees the investment and administration of the Teachers' Pension Fund.

**(b) COMPOSITION**

- One retired member, for a three-year term, renewable for a second three-year term.
- One active member, for a two-year term, renewable for a second three-year term.
- An NSTU Staff Officer, three-year term, indefinite renewals.
- One person whose professional background involves actual experience managing/overseeing the investments of a pension/insurance fund(s), preferably with a CFA or CFP designation (or equivalent). Their term would be a three-year term, renewable for a second three-year term.

**Criteria for selection:**

- Person(s) have considerable knowledge about the Teachers' Plan;
- Person(s) have experience in and/or knowledge about investments particularly the investments of pension funds; and
- Person(s) have experience as a Trustee or has a working knowledge of Trusts.

Application for these positions will be through *The Teacher* and the NSTU website.

*Reference: September 16-17, 2005; replaces the Minister of Finance's Pension Investment Advisory Committee; amended October 2011.*

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**(f) PROFESSIONAL COMMITTEE****(i) AUTHORITY**

Pursuant to the *Teaching Profession Act*, Section 11(1), there shall be a Professional Committee. The composition and term of office of its members are outlined in the NSTU By-Laws, Article VI 2.

**(ii) MANDATE**

Issues to be dealt with by the Professional Committee (the "Committee") are those matters stated in the *Teaching Profession Act*.

**(iii) DUE PROCESS**

The concept of due process requires that the Committee must ensure that all who appear before it are fairly heard. The process of hearing fairly must involve the following principles:

- a. An individual must have a clear statement of the complaint against him/her.
- b. The individual must have the right to attend in person and be represented by counsel.
- c. An individual must have the right to contradict the evidence against him/her by means of contrary statements or cross-examinations.

**(iv) ATTENDANCE BY COMMITTEE MEMBERS**

It is a fundamental principle of quasi-judicial procedure that all who decide, must hear. A Committee member, who, for whatever reason, cannot hear all the evidence and argument upon which he/she must base his/her decision should disqualify him/herself from deciding.

**(v) INTEREST OF COMMITTEE MEMBERS**

From time to time affairs may come before the Committee in which a member is personally involved. The Committee should expect that the member disqualify him/herself. A member who considers him/herself interested to a very minor degree might declare his/her interest to the Committee for a decision.

**(vi) COUNSEL**

Legal counsel is available to the Committee through the NSTU solicitors. It is recommended that the attendance and opinion of the solicitors be available to the Committee as a matter of routine.

**(vii) NSTU STAFF**

At the request of the Executive Director or the Committee a staff investigation may be made with respect to the charge, which investigation will be presented to the Committee. If at any time during an investigation, the staff member concludes that the charge is frivolous or vexatious or does not raise issues which lie within the mandate of the Committee, the staff member shall report that conclusion to the Committee. The Committee may at any time require that a complainant show cause for the continuance of any proceeding. If cause is not shown to the satisfaction of the Committee, the Committee may dismiss the charge.

**(viii) PROCEDURE**

- a. A quorum of the Committee consists of a majority of members of the Committee.

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- b. All decisions, rules and direction of the Committee shall be by way of majority vote.
- c. At the commencement of a hearing, the Committee shall elect one of its members to act as chair for the purpose of hearing and disposing of the charge.

**(ix) NOTICE**

- a. A charge filed pursuant to Section 11 of the *Teaching Profession Act*
  - i. shall be made to the Committee;
  - ii. shall identify the member;
  - iii. shall identify the conduct complained of;
  - iv. shall be sufficiently detailed to allow a reasonable individual or his or her solicitor an opportunity to prepare an adequate response; and
  - v. a copy of the charge shall be filed with the Provincial Executive and the Executive Director.
- b. Upon receipt of a charge the Executive Director shall, as soon as practicable,
  - i. Advise the member that the charge has been filed and provide a copy of the charge;
  - ii. Provide copies to all members of the Professional Committee.
  - iii. The Executive Director, after consulting the members of the Professional Committee, shall set a hearing date and shall, not less than 30 days before the hearing date, cause to be served on the member, a notice of the hearing date, stating the date, time and place at which the Committee will hold the hearing. The notice shall further advise the member of the right to appear in person, with or without counsel, and that the Committee may proceed at the hearing and dispose of the charge in the absence of the member complained of, in the event of that member's failure to appear at the hearing.

**(x) MATTERS TO BE PROVED**

The *Teaching Profession Act* indicates that the complainant must prove that the teacher charged is "guilty of conduct unbecoming a member of the teaching profession."

The term "unbecoming conduct" may include:

- a. violation of the Code of Ethics;
- b. infamous conduct which is conduct likely to scandalize the community with which the profession must deal.

**(xi) ACTION OPEN TO THE COMMITTEE**

- a. If the charge is not proved in the opinion of the Committee, the Committee may dismiss the charge.
- b. The Committee may apply either internal or external sanctions:
  - i. **Internal:**
    - A. The Committee may decide that the member be reprimanded.
    - B. The Committee may decide that the membership of the member in the NSTU be suspended for a stated term of time.
    - C. The Committee may decide that the member be expelled.
  - ii. **External:**
    - A. The Committee may decide to recommend to the Minister that the member's license be suspended for a term of time.
    - B. The Committee may decide to recommend to the Minister that the member's certificate be cancelled.

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### (xii) THE CONDUCT OF HEARINGS

- a. If the member charged fails to appear at a hearing, the Committee may proceed with the hearing and deal with the charge in the absence of the member, upon being satisfied, that the member was served with notice of hearing as provided herein.
- b. Evidence may be given before the Committee in any manner that the Committee considers appropriate and the Committee is not bound by the rules of law respecting evidence applicable to judicial proceedings.
- c. Except as provided herein, the Committee may determine its own procedure.
- d. All proceedings before the Committee shall be conducted "in-camera" unless the Committee, the complainant and the member complained of agree otherwise.
- e. Where a proceeding is commenced before the Committee pursuant to these regulations, and the term of office on the Committee of a member sitting for a hearing expires or is terminated, other than for cause, before the proceeding is disposed of but after evidence has been heard, the member shall be deemed to remain a member of the Committee for the purpose of completing the disposition of the proceeding in the same manner as if the term of office of the member had not expired or had not been terminated.
- f. The Chair of the Committee may from time to time adjourn a hearing.
- g. The complainant, either the Local, the Executive of a Local or the Provincial Executive or an individual acting on behalf of either, will present its case first.
- h. An opportunity for the member, his/her representative or members of the Committee to examine the evidence presented, must then be provided.
- i. The member will present his/her case second.
- j. An opportunity for the complainant, its representative or Committee members, to examine the evidence of the member, shall be provided.
- k. An opportunity to make a statement in summary in rebuttal will be given first to the member.
- l. An opportunity to make a statement in summary in rebuttal will be given second to the complainant.
- m. No statements are made under oath.
- n. The failure of one party or the other to appear before the Committee will not relieve the Committee of its responsibility to make the best assessment of the facts possible under those circumstances.
- o. The decision of the Committee will consist in one part of a simple statement of its decision and in the second part of reasons leading to its decision and the Committee will file a copy of the decision with the Provincial Executive.
- p. The Provincial Executive shall notify the member and the complainant of the decision by prepaid, registered letter to his/her or their last recorded address and shall transmit to the Minister of Education such recommendations concerning the certification of the member as the Committee may make.

### (xiii) IMPLEMENTATION

Upon filing of the decision with the Provincial Executive, it shall be the responsibility of the Provincial Executive to implement the decision.

*Reference: Provincial Executive, January 1976, July 1995*

**(g) PROGRAM DEVELOPMENT ASSISTANCE FUND COMMITTEE**

**(i) AUTHORITY**

*Teachers' Provincial Agreement Article 14*

The appointment of NSTU members to the PDAF Committee shall be done by the Nominating Committee. Appointments will be for a three-year term and be appropriately staggered.

*Reference: Provincial Executive, January 1997*

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**(h) RESOLUTIONS COMMITTEE**

The Resolutions Committee administers the resolutions process for Annual Council. For composition and mandate of the Committee, see Standing Order 6 (c) Committees of Council.

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**(i) SHEONOROIL FOUNDATION — BOARD OF DIRECTORS (TRUSTEES)**

The Sheonoroil Foundation is an arms-length charitable agency created to fund school and campus-based projects and research directed at reducing violence in schools and community college campuses. The Board of Directors is the governing body of the Foundation; it develops Foundation policy, mandates Foundation initiatives and approves project funding.

The objects of the Sheonoroil Foundation are:

- (a) to engage in or support research and investigation into the effects of educational site violence on the physical and emotional health and welfare of teachers, faculty, professional support and other stakeholders in the public education and community college systems, and the corresponding impact upon the ability of individuals to perform their roles in the system and otherwise support the education process;
- (b) to develop and support appropriate intervention strategies to deal with issues of violence in the public school and community college systems, and
- (c) to serve as a central repository for the preparation, collection, and distribution of resources on school and campus violence

**Composition**

- (d) There shall be six (6) persons appointed as Trustees for terms of three (3) years, with one such Trustee to be a Retired Teachers' Organization member, and the remaining five (5) Trustees to be active members; and
- (e) one (1) additional member from the Provincial Executive for a term of two (2) years, with one year renewable.

*Reference, February 2003*

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## 6. COMMUNITY COLLEGE SYSTEM

### (a) COMMUNITY COLLEGE LOCAL

- (i) A Local structure for Community College members was established as of August 1, 1999 subject to By-Laws Article II.
- (ii) Two Community College members elected by members of the Community College Local shall sit as voting members on the Provincial Executive and shall be responsible for Community College issues.

*Reference: Provincial Executive, February, 1998, May 2010 (Res. 2010-3 & 26)*

### (b) COMMUNITY COLLEGE REPRESENTATIVES

- (i) Each Community College Campus is entitled to NSTU campus representatives based on the same formula applicable to P-12 NSTU representation as described in NSTU Local Structure.
- (ii) The campus representatives shall have the responsibilities as outlined in the NSTU Local model. The campus representative shall be responsible for Local matters.
- (iii) A staff person shall continue to be appointed to liaise with Community Colleges.

*Reference: September 1982, November 1990; Structure Review Report, Council 2004*

### (c) FEES

- (i) The annual dues payable by faculty members of the Community College are collected on an adjusted basis to reflect the terms and conditions contained within the Community College Faculty Collective Agreement.
- (ii) The annual dues payable by professional support members of the Community College are collected on an adjusted basis to reflect the terms and conditions contained within the Community College Professional Support Collective Agreement.

*Reference: Provincial Executive, September 1998*

## 7. CONFLICT OF INTEREST

### (a) POLICY AND GUIDELINES

#### (i) DEFINITION

Conflict of interest occurs when a person in a position to effect an official decision has a personal or financial interest in the outcome of the decision.

#### (ii) PURPOSE

- a. The purpose of a policy on conflict of interest is to protect the integrity of the Nova Scotia Teachers Union as well as the integrity of those persons in leadership roles within the Nova Scotia Teachers Union. The policy is also intended to safeguard the rights of the membership as well as to provide guidelines to protect those in leadership roles from perceived or real conflicts of interest.
- b. It is impossible to state a set of rules to set out proper behaviour in every situation. As such, the policy and guidelines are intended to provide assistance and direction in determining acceptable behaviour and conduct.

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**(iii) POLICY**

It is the policy of the Nova Scotia Teachers Union that those in an elected or appointed leadership role, employees and others acting on its behalf have the obligation to avoid ethical, legal, financial, personal or other conflicts of interest and to ensure that their activities and interests do not conflict with their responsibilities to the Nova Scotia Teachers Union or its welfare.

**(iv) FRAME OF REFERENCE**

- a. Although a conflict of interest is usually seen in terms of monetary gain, it is equally possible in terms of but not limited to status, power, friendship and future influence.
- b. A potential conflict of interest occurs when an individual's personal or private interests might lead an independent observer to reasonably question whether the individual's professional actions or decisions are determined by considerations of significant personal interest, financial or otherwise.

**(v) GUIDELINES**

- a. Preamble  
Pursuant to the policy on Conflict of Interest the following guidelines are intended for a quick reference only. Before listing guidelines it should be noted that guidelines that are adhered to too strictly may deprive the NSTU of valuable input and judgment. It may also amount to denial of personal rights, to independence of thought and action, and may sometimes unfairly disadvantage persons who in no way have a conflict of interest.
- b. Guidelines
  - i. Persons in leadership roles shall be sensitive to the perception of conflict of interest.
  - ii. Grounds for a possible perception of conflict of interest shall be made known in advance.
  - iii. Those in leadership roles are advised to consult when in doubt whether conflict may exist or be thought to exist.
  - iv. When in doubt, those in leadership roles shall err on the side of caution rather than presume that no conflict shall be perceived.
  - v. When persons in leadership roles refrain from participation or withdraw from a meeting because of the possibility of a conflict of interest, this shall be stated and recorded.
  - vi. When a person in a leadership role continues to participate despite possible perception of a conflict of interest, it is acceptable to ask for the meeting's concurrence in this choice, and it is acceptable for another participant to challenge this decision.

**(vi) POTENTIAL AREAS OF CONFLICT**

Real or apparent conflicts of interest include, but are not limited to:

- a. Where persons in leadership roles have a direct or indirect interest in any enterprise which transacts business with the Union.
- b. Where persons in leadership roles vote on appointment to a position for which that member(s) has applied.
- c. Where a person serves on a selection committee and there are applicants with respect to whom that member should be disqualified.
- d. Where an employee or elected official renders service for compensation and that compensation is an attempt to gain favour.

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- e. Where a person has a dual leadership role, both within and outside the Union and that person has the capacity to effect a decision inimical to the interests of the Union, that person shall declare their potential conflict.

**(vii) DISCLOSURE**

Upon assuming membership on the Provincial Executive or appointment to a staff position, that person shall report to the Executive Director of the NSTU any affiliation which may lead to any perceived or potential conflict.

**(viii) VOTING**

- a. In voting situations where an individual stands to gain personally, it is expected that the person concerned will not vote. Such person may take part in the consideration of the matter but shall absent themselves when the vote is taken. The absence shall be reported in the minutes.
- b. Individuals do have the right to vote for themselves in elections. Where there is a potential collective gain, as in a motion to increase a subsidy allocated for attending conventions, all members continue to have a right to vote.
- c. It is also advisable to declare any interest in a motion that may provide a gain to relatives and/or associates.

**(ix) POLICY ENFORCEMENT PROCEDURES**

If an Executive member or an NSTU employee does not declare a possible conflict of interest and a possible conflict of interest is found to exist, or where a conflict of interest is determined to have occurred, the person(s) may be liable to the Nova Scotia Teachers Union and subject to such actions as deemed legal and appropriate. Procedures, processes and reporting under this policy shall be under the advisement and direction of the Executive Director of the NSTU.

**(x) APPEAL**

Any decision of the Executive Director taken as a result of the application of this policy shall be subject to appeal to the Table Officers of the NSTU.

*Reference: Provincial Executive, February 1999*

## 8. ELECTION PROCEDURES

**(a) VOTING DAY SCHEDULING**

The election for NSTU President and the election of Provincial Executive members shall not take place on the same day.

*Reference: Provincial Executive, November 19, 1999*

**(b) ELECTRONIC VOTING PROCEDURES FOR ELECTIONS/BY-ELECTIONS FOR PROVINCIAL EXECUTIVE**

Regional Elections for Provincial Executive members shall be conducted using electronic voting.

*(Reference: June 2009)*

- (i) a. On or before a date not less than 60 days prior to the upcoming Annual Council, the Provincial Executive shall designate a Provincial Executive member or Local President or officer to

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- convene the initial meeting and such a convenor will not be a candidate in the election.
- b. The business of that meeting shall be:
    - i. to decide the date or dates of the election which must be on Tuesday, Wednesday, or Thursday, and must be held on or before a date not less than 15 days prior to the upcoming Annual Council;
    - ii. to arrange for the appointment of a Nominating Committee consisting of two members from each Local within the electoral region (each Local should appoint one alternate member), or consisting of a minimum of four members where there is only one Local in the electoral region;
    - iii. to name a chairperson of the Nominating Committee who will also be the Regional Electoral Officer; (The person so named shall not be a member of the Provincial Executive);
    - iv. to forward from that meeting at least 30 days prior to Annual Council to central office, the names of the Nominating Committee and the dates of the election so that they may be published in *The Teacher* preceding the election dates.
  - (ii) Notwithstanding the procedures outlined in (b.), in the event of a By-Election the following procedures shall apply.
    - a. On or before a date set by the Provincial Executive, the Provincial Executive shall designate a Provincial Executive member or Local President or officer to convene the initial meeting and such a convenor will not be a candidate in the election.
    - b. The business of that meeting shall be:
      - i. to be informed of the date for the by-election;
      - ii. to arrange for the appointment of a Nominating Committee consisting of two members from each Local within the electoral region (each Local should appoint one alternate member), or consisting of a minimum of four members where there is only one Local in the electoral region;
      - iii. to name a chair of the Nominating Committee who will also be the Regional Electoral Officer;
      - iv. to forward from that meeting the names of the Nominating Committee to central office, on or before a date set by the Provincial Executive.
  - (iii) The Nominating Committee thus constituted shall meet at least twice.
    - a. The first meeting shall be at the call of the Chairperson, and all procedures should be reviewed and agreed upon.
    - b. The first meeting of the Nominating Committee shall take place as set forth in (i) a. above.
    - c. The Chairperson of the Committee shall be the Regional Electoral Officer who shall have general oversight and management of the election process subject to the Constitution and this procedure.
  - (iv) The Nominating Committee shall meet one week prior to the close of nominations. Any member of the Committee who intends to stand for election should make this intent known to the Nominating Committee and the Local President in time to find a replacement.
  - (v) The Nominating Committee thus constituted shall receive nominations for the office until 30 days prior to the date of the election.
  - (vi) At the close of nominations, the Nominating Committee shall:
    - a. forward names of nominees to the central office for the preparation of the ballot;
    - b. cause to be circulated, a brief curriculum vitae for each candidate to each educational site in sufficient number for each member.

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- (The central office will assist in providing clerical assistance if the regional Nominating Committee deems it advisable);
- c. the Regional Electoral Officer shall contact each NSTU representative at an appropriate date prior to the election to ensure that the NSTU representative understands his/her duties in respect of the election;
- d. if one name only is placed in nomination, the Nominating Committee shall declare that person elected and inform the central office in writing.

## (vii) Ballot

- a. The electronic ballot shall have candidates listed in alphabetical order on the NSTU website ([www.nstu.ca](http://www.nstu.ca)). Unless otherwise instructed by a candidate, the full name of the candidate shall be posted on the ballot.
- b. Voters will be provided with a voting card which contains a private voting key to access the electronic ballot.

## (viii) Distribution of Voting Cards

- a. Voting cards and nominal lists will be distributed by the NSTU Central Office to NSTU representatives.
- b. Additional voting cards will be available from the Regional Electoral Officer.
- c. A list of voting keys issued shall be maintained at Central Office.
- d. NSTU Representatives shall confirm receipt of voting cards by email to the Regional Electoral Officer.

## (ix) Advance Issue of Voting Cards

- a. Voting cards shall be available to the NSTU Representative for distribution the day before the vote to be issued to an NSTU member(s) who certifies that he/she is unable to receive a voting card on voting day because he/she will be away from the regular worksite during the voting period.
- b. The NSTU Representative shall have the member sign the nominal list and provide the member with a voting card and instructions on how to vote during the voting period.

## (x) On Voting Day

- a. NSTU Representatives are encouraged to make arrangements to have a dedicated computer available to staff to use for the voting period and that the computer automatically display the NSTU website where members can vote.
- b. NSTU Representatives, after a voter has been identified, provide a voter with a voting card which contains a private voting key under the silver scratch box. Voters will sign next to their name on the nominal list confirming that they have received a voting card.
- c. NSTU Representatives are to instruct voters to go to the NSTU website ([www.nstu.ca](http://www.nstu.ca)), select the icon for the vote and follow the instructions for voting.
- d. NSTU Representatives are to mail the original signed nominal list as well as all unused voting cards to the Regional Electoral Officer.
- e. Regional Electoral Officers with the assistance of an electoral committee, if necessary, shall:
  - i. confirm that all NSTU Representatives have received voting cards;
  - ii. call all worksites on voting day to make sure voting is proceeding as scheduled;

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- iii. call all worksites to ensure that signed nominal lists are forwarded to the Regional Electoral Officer.
- (xi) Verification and Counting
  - a. Voting keys will be validated and counted electronically.
- (xii) Eligibility to Vote
  - a. All NSTU members employed on the designated voting day shall be eligible to vote, including members on educational or deferred salary leave, or active reserve members.
  - b. Substitute teachers/auxiliary members employed on the day designated as voting day shall be eligible to vote.
- (xiii) Nominal Lists
  - a. A list of eligible voters (effective April 1) shall be available to the candidates prior to the election.
- (xiv) Announcement of Balloting Results
  - a. Within twenty-four hours of the close of electronic voting, the chairperson of the Nominating Committee shall inform the NSTU central office, the Locals and the candidates promptly of the vote results with an indication of the total votes received by each candidate. The information to NSTU central office shall be confirmed in writing by the Chairperson of the Nominating Committee.
  - b. The Regional Electoral Officer shall keep the nominal lists and unused voting cards in a safe place for a period of sixty days.
  - c. The Regional Electoral Officer may, at the request of the Nominating Committee, delay a final declaration of a result, should he/she have reason to believe that an irregularity has occurred in respect of which he/she needs additional information.
  - d. The period by which a final declaration of a result may be delayed shall not exceed five days.
- (xv) All elections are decided by a plurality of the votes cast.
- (xvi) A quorum of the Nominating Committee shall be more than fifty percent of its membership.
- (xvii) The Presidents of the Locals in the region may make all other determinations necessary for the proper conduct of the election(s) in the region, not inconsistent with the matters outlined herein, or the By-Laws, or the Standing Orders of the Union and shall supervise the functions of the Regional Electoral Officer.
- (xviii) In the event that the Presidents of the Locals are unable to agree, an appeal may be made to the Provincial Executive of the NSTU, which may refer the matter to the Chief Electoral Officer of the Union for determination.
- (xix) The Nominating Committee Chairperson shall accept calculations of the expenses of NSTU representatives engaged in the election. He/she shall submit these and his/her own expenses to central office where these will be checked, and if approved, he/she and the NSTU reps shall be reimbursed.

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*Reference: Provincial Executive, Sept. 1979; Feb., 1983; Jan. '86, Oct. '87, Dec., 1997; March, Sept., Dec. '99, June 6, 2003; Structure Review Report, Council 2004 Paper balloting Rescinded February 2009  
Electronic Balloting Procedures September 2009; Amended January 2010; June 2011*

### **(c) ELECTRONIC VOTING PROCEDURES FOR ELECTION OF NSTU PRESIDENT BY UNIVERSAL SUFFRAGE**

#### **(i) ELIGIBILITY OF CANDIDATES**

Candidates for the office of President must be active members of the Nova Scotia Teachers Union.

#### **(ii) NOMINATIONS**

- (a) Nominations for the office of President of the Nova Scotia Teachers Union shall be submitted on the official nomination form and may be made in the following manner:
  - (i) any candidate may be nominated by obtaining the signatures of twenty-five active or active reserve members of the Nova Scotia Teachers Union; and
  - (ii) each nomination form must also contain the signature of the candidate.
- (b) Nomination forms for the position of the President of the Nova Scotia Teachers Union must be received by the Executive Director of the Union by not later than 4:00 p.m. on the third Friday in February. Nomination forms must be delivered to the Executive Director via mail, courier or in person. Nominations received by telephone, facsimile or other electronic means will be considered invalid.
- (c) Nomination forms may be obtained from the Executive Director of the Nova Scotia Teachers Union.

#### **(iii) RETURNING/ELECTORAL OFFICERS**

- (a) Prior to the deadline for nominations, the Provincial Executive shall appoint a Provincial Returning Officer for the province and a Regional Electoral Officer for each geographic region of the province. (This may be a retired member). These individuals shall be responsible for the conduct of the election.
- (b) As per Article 31.02 (iv) of the Teachers' Provincial Agreement, the Regional Electoral Officer may request to be released from teaching duties on voting day if they deem it necessary to carry out their duties.

#### **(iv) BALLOT**

- (a) The electronic ballot shall candidates listed in alphabetical order on the NSTU website ([www.nstu.ca](http://www.nstu.ca)). Unless otherwise instructed by a candidate, the full name of the candidate shall be on the ballot.
- (b) Voters will be provided with a voting card which contains a private voting key to access the electronic ballot.

#### **(v) DISTRIBUTION OF VOTING CARDS**

- (a) Voting cards and nominal lists will be distributed by the NSTU Central Office to NSTU representatives.
- (b) Additional voting cards will be available from the Regional Electoral Officer.

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- (c) A list of voting keys issued to each Local shall be maintained at Central Office.
- (d) Members will receive an email to his/her NSTU web mail address from Central Office reminding them that it is voting day and to see his/her NSTU representative to receive a voting card.
- (e) NSTU Representatives shall confirm receipt of voting cards by email to the Regional Electoral Officer.

**(vi) PROMOTION OF THE VOTE**

- (a) Posters shall be created and mailed to Reps to display at worksites that remind members of the election dates and times and encourage voting.
- (b) The NSTU website shall be used to post messages reminding members to vote and Locals be encouraged to use their websites as well.
- (c) NSTU web mail shall be used to send reminders to reps, local leaders, and Provincial Executive members of the election, both before and during the voting period.
- (d) On voting day, an email will be sent to each member with an NSTU web mail address to remind them to vote, with a link to the website voting page.
- (e) Locals shall be encouraged to include training for NSTU Reps at Rep Retreats on the procedures to follow for electronic voting.

**(vii) ON VOTING DAY**

- (a) NSTU Reps are encouraged to make arrangements to have a dedicated computer available to staff to use for the voting period and that the computer automatically display the NSTU website where members can vote.
- (b) NSTU Representatives, after a voter has been identified, provide a voter with a voting card which contains a private voting key under the silver scratch box. Voters will sign next to their name on the nominal list confirming that they have received a voting card.
- (c) NSTU Representatives are to instruct voters to go to the NSTU website ([www.nstu.ca](http://www.nstu.ca)) select the icon for the vote and follow the instructions for voting.
- (d) NSTU Representatives are to mail the original signed nominal list as well as all unused voting cards to NSTU Central Office in a Postage Paid Envelope at the end of the day.
- (e) Regional Electoral Officers with the assistance of an electoral committee, if necessary, shall:
  - (i) confirm that all NSTU representatives have received voting cards.
  - (ii) call all worksites on voting day to make sure voting is proceeding as scheduled;
  - (iii) call all worksites to ensure that signed nominal lists are forwarded to Central Office.

**(viii) VERIFICATION AND COUNTING**

- (a) Voting keys will be validated and counted electronically.
- (b) The counting and recording of votes shall be conducted on a Local-by-Local basis.

**(ix) ELECTION OF CANDIDATE**

- (a) A candidate must obtain a majority of the votes cast (50% + 1) to be declared elected as the President of the Nova Scotia Teachers Union.

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- (b) In the event that a candidate does not obtain a majority, there shall be a second ballot. The second ballot shall contain only the names of the two candidates obtaining the highest number of votes cast on the first ballot.
- (c) In the event of an equality of votes, the choosing of candidates for the second ballot or for the election of President, the decision shall be by lottery. (i.e. placing the names of the candidates on equal size pieces of paper placed in a box and one name being drawn by a person chosen by the Provincial Returning Officer.)

**(x) ANNOUNCEMENT OF BALLOTING RESULTS**

- (a) The Provincial Returning Officer shall, as soon as the results are known:
  - (i) Notify all candidates of the vote results with an indication of the total votes received by each candidate. Results on a Local-by-Local basis shall be sent via email.
  - (ii) Announce within the NSTU to the Provincial Executive and Local Presidents the results as in (i) above.
- (b) The Local Presidents and Provincial Executive are to forward this information to the general membership through NSTU reps.
- (c) The NSTU shall, upon completion of (a) above, issue a media release announcing the outcome of the vote but not containing the vote count.
- (d) The results of the vote shall be published in the issue of *The Teacher* subsequent to the election.

**(xi) APPEAL**

- (a) A defeated candidate receiving at least ninety-eight percent (98%) of the votes cast for the leading candidate is entitled to appeal the vote.
- (b) Notwithstanding (a) a candidate receiving at least ninety-eight percent (98%) of the votes cast for the candidate receiving the second highest number of votes is also entitled to appeal the vote.
- (c) A candidate requesting an appeal of the vote must do so within forty-eight (48) hours of the notification of results and shall provide in writing the reasons for the appeal to the Provincial Returning Officer.
- (d) The Chief Electoral Officer shall, as soon as possible, respond to the candidate's appeal and either shall deny the appeal or order a revote in the identified Local(s).

**(xii) NOMINAL LISTS**

- (a) A list of eligible voters, effective December 1, shall be available to candidates by February 28.
- (b) A revised list of eligible voters, effective April 1, shall also be available to candidates prior to the election.

**(xiii) ELIGIBILITY TO VOTE**

- (a) All NSTU members employed on the designated voting day shall be eligible to vote, including members on educational or deferred salary leave, or active reserve members.
- (b) Substitute teachers/auxiliary members employed on the day designated as voting day shall be eligible to vote.

**(xiv) VOTING**

- (a) The election of the NSTU President shall be conducted by electronic voting.

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- (b) The election of the NSTU President shall be held within ten (10) calendar days following Victoria Day.
- (c) If required, notwithstanding xi (d) – Appeal, a second ballot shall be conducted ten (10) calendar days following the first vote or sooner, if possible.
- (d) The voting day shall be from 6:00 a.m. – 8:00 p.m.
- (e) The vote shall be conducted by the NSTU representative (or designate in their absence).

**(xv) ADVANCE ISSUE OF VOTING CARDS**

- (a) Voting cards shall be available to the NSTU Representatives for distribution the day before the vote to be issued to an NSTU member(s) who certifies that he/she is unable to receive a voting card on voting day because the member will be away from the regular worksite during the voting period.
- (b) The NSTU representative shall have the member sign the nominal list and provide the member with a voting card and instructions on how to vote during the voting period.

**(xvi) FINANCIAL**

- (a) Candidates shall be eligible to be reimbursed for election expenses incurred after nomination up to \$2,000.00. In addition, candidates on a run-off vote may claim an additional \$500.00 to a total of \$2,500 for election expenses incurred. The NSTU will cover up to fifteen (15) substitute days. Each candidate in a run-off vote is allowed to have a replacement substitute paid for two (2) additional days.
- (b) To be eligible for financial assistance candidates must receive at least ten percent (10%) of the total votes cast in the first round of voting. The percentage shall be rounded to the nearest percent.
- (c) The claim for expenses must be submitted on an Election Claim Form available from the Provincial Returning Officer. Allowable expenses include travel, accommodations, meals, postage, stationery, substitute days, telephone costs, printing and other promotional costs. All expenses must be substantiated by receipts and approved by the Provincial Returning Officer.
- (d) Total campaign spending, excluding substitute days (to a maximum of 15 days) and travel, by or on behalf of each candidate may not exceed \$4,000.00
- (e) Total campaign spending for candidates on a run-off vote may include an additional one thousand dollars (\$1,000.00) for a total of \$5,000.00.
- (f) A financial statement report must be submitted on the prescribed form to the Provincial Returning Officer within sixty (60) days of the election. Such reports to be published in *The Teacher*.
- (g) Costs incurred by Locals for the distribution of voting cards during the election of the NSTU President be reimbursed to Locals upon receipt of the appropriate documentation verifying these costs.

**(xvii) CANDIDATES' PUBLICITY**

- (a) In an election year the NSTU shall publish two special election issues of *The Teacher*. Each candidate for office will be entitled to one page per issue, content to be determined by the candidate. The first issue will also contain an explanation of the method of voting. Candidate material shall appear in alphabetical order. Once nominated all candidates' input to *The Teacher* shall be limited to

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the special election issues. The incumbent President may continue to include the "From the NSTU President" column in *The Teacher*.

- (b) Candidates' statements carried in *The Teacher* will also be carried on the NSTU website during the campaign.
- (c) Paid advertisements in any medium (press, radio, television, *The Teacher*) are prohibited.
- (d) The NSTU will produce an election poster containing a photograph and brief statement from each candidate. Posters shall be 11" X 17" in size and be a maximum of two colours including background. Colours may be of the candidate's choice. Posters will be mailed to NSTU worksites not later than April 10 and shall be provided on the basis of one poster per NSTU worksite.
- (e) The NSTU shall provide each candidate with two (2) complete sets of mailing labels, upon request.

#### **(xviii) CAMPAIGNING**

- (a) The NSTU shall conduct the Provincial all candidates' debate and broadcast it over the Internet as well as producing DVDs that will be sent to each Local.
- (b) The use of the EDNET and NSCC webmail is prohibited for campaigning purposes.
- (c) Active campaigning for the office of NSTU President may begin no sooner than the Monday following March Break.
- (d) No formal invitation to candidates shall be given by Locals or RRC's prior to the close of nominations.
- (e) If Locals invite candidates to attend a meeting or any Local event, the invitation must include all candidates.

#### **(xix) ADMINISTRATIVE**

- (a) All candidates shall be offered the same NSTU services.
- (b) The Provincial Returning Officer, with the assistance of Central Office shall arrange an all candidates' orientation to occur before the spring break.
- (c) The candidate information kit shall be sent prior to the orientation meeting and shall include a list of the dates of known Local meetings.
- (d) Following the election, the Provincial Returning Officer and the Regional Electoral Officers, with the assistance of Central Office, shall conduct an evaluation of the election procedures, by surveying the candidates. A report shall be made to the Provincial Executive at its November meeting. The evaluation forms and report shall be kept on file to facilitate periodic overall reviews.

#### **(xx) ATTENDANCE AT ANNUAL COUNCIL**

- (a) If not otherwise eligible to attend, Candidates may attend the Annual Council at the expense of the Union.
- (b) A candidates' forum at 2:00 p.m. Saturday consisting of seven minute presentations and a question and answer period of up to 30 minutes shall be arranged at Annual Council.

*Reference: Provincial Executive, April 2008, Amended January/February 2009; previous procedures rescinded February 2009; Amendment October 15, 2009; January 2010*

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## 9. (a) EXPENSE GUIDELINES

### (i) EXPENSE FORMS

- a. The Nova Scotia Teachers Union has adopted the revised Committee expense account form, which specifically references: Article 31.07(b) of the Provincial Agreement and Article 37.2(b) of the Community College Faculty and Professional Support Agreements.
- b. The expense form for Provincial Executive members was revised to reference:  
Article 31.07(a) of the Provincial Agreement and Article 37.2 (a) of the Community College Faculty and Professional Support Agreements.  
*Reference: Provincial Executive, September, 1998*
- c. In the event of an ambiguity concerning the consistency of an expense claim with NSTU expense guidelines, the expense form will be submitted to the next Finance and Property Committee meeting for review and disposition.  
*Reference: Provincial Executive, February 21, 2003 (CC article numbers updated May, 2014)*

### (ii) GUIDELINES FOR MEETING EXPENSES

Barring unforeseen circumstances, weather or road conditions, all members attending NSTU meetings shall abide by the following guidelines recommended by the Finance and Property Committee:

#### a. (i) RELEASE TIME FOR PURPOSE OF TRAVEL

When travel time is required by a member due to distance, the member shall utilize no more than one-half day release time for the purposes of travel to and no more than one-half day release time for the purposes of travel from a meeting.  
*Reference: February 2014*

#### (ii) RELEASE TIME FOR THE PURPOSE OF TRAVEL TO ANNUAL COUNCIL

A half day substitute be provided for all members who travel beyond 250 kilometres to attend Annual Council. (*Reference: 2014-17*)

#### b. ACCOMMODATIONS

- i. Accommodation for the previous night may not be claimed for meetings that begin at 2:00 p.m. or later;
- ii. Accommodation for the night of the meeting may not be claimed for meetings that conclude at 1:00 p.m. or earlier.

#### c. MEAL CLAIMS

When attendance at a meeting or travel to and from a meeting occurs during the normal meal hours, members may claim for the respective meals. In cases where a meal is provided by the Union, the meal claim is invalid.  
*Reference: Provincial Executive, May 5, 2000*

#### d. INCIDENTAL CHARGES

When staying overnight on approved NSTU business, an amount of \$4.00 per overnight is claimable.  
*Reference: September 2007*

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**(iii) FAMILY CARE**

- a. The Union will cover the necessary family care expenses for members if they are participants at
  - i. Annual Council;
  - ii. Committees of the NSTU;
  - iii. meetings of Provincial Executive;
  - iv. Local Presidents' Conference;
  - v. negotiating sessions; and
  - vi. other authorized Union business.
- b. All claims must be accompanied by a properly completed expense form and will be paid on the basis of amounts approved from time to time by the Provincial Executive.
- c.
  - i. The rate for family care shall be set at the minimum hourly wage rate set by the Province of Nova Scotia up to a maximum of eight (8) hours/day for children under the age of 14 years, or ten (10) hours/day maximum if overnight is required if the child is 18 years of age or younger.
  - ii. These rates will apply to special needs dependents and elder care with the approval of the Finance & Property Committee.
- d. Before claims are paid, receipts must be provided from the person/agency providing such childcare.
- e. The Union will reimburse receipted pet care expenses to a maximum of \$ \$20.00 including tax per day

*Reference: Resolution 99-18, amended February 22, 2001; February 21, 2003, February, 2007, November 2009, March 5, 2010; November, 2012; April 2013; 2014-17*

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**(iv) REIMBURSEMENT**

- a. NSTU members are eligible to claim hotel, meals, travel and other appropriate expenses while attending or while en route to or from NSTU approved provincial NSTU meetings and conferences, according to rates established from time to time by the Provincial Executive.
- b. NSTU members may claim hotel accommodations en route to an approved NSTU meeting, conference or event providing that the distance from the member's home to the event venue is in excess of 450 km. Reimbursement shall be the cost of the en route accommodation or the amount negotiated at the NSTU contract hotel, whichever is the lesser.
- c. The cost of taxi travel to and from the hotel to the Union building will only be reimbursed with receipt and approval.
- d. Parking Guidelines:  
If not staying at any hotel, parking fees up to a maximum of \$25.00 per diem with official parkade receipts will be accepted.

*Reference: Revised February 2003; Amended March, 2003; April 2003, September 2007, February 2008*

**(v) EXPENSE DIFFERENTIAL**

- a. NSTU reps who attend either coincidentally held meetings, or closely scheduled meetings, of an NSTU committee and an outside agency or group, shall be entitled to collect an expense reimbursement from the outside agency or group, plus the appropriate differential for NSTU committee-related expenses, should NSTU expense guidelines differ or exceed those of the outside agency or group.

*Reference: December 1986*

- b. NSTU representatives who are entitled to expenses paid by any organization or group other than the NSTU shall be subject to the expense guidelines and conditions of that organization or group, and shall not be entitled to expense reimbursement from the NSTU.

*Reference: Provincial Executive, November, 1986*

#### (vi) NSTU EXPENSE RATES

##### a. MEAL ALLOWANCE

The NSTU meal allowance is \$49.00/day; (\$11.00 – Breakfast; \$13.00 – Lunch; \$25.00 – Dinner), including tax and gratuities.

*Reference: Provincial Executive, December, 1985, March, 1991; Reviewed February & March, 2003; March, 2006, February 2008*

##### b. METRAGE RATE

The NSTU metrage rate for NSTU members is forty-four cents (44¢) per kilometre.

*Reference: Provincial Executive, March 2001; September 2005; March 2006; April 2006*

##### c. HOTEL CLAIM

Without a receipt for hotel accommodations, the Union will accept a claim for \$20.00 per overnight for members who require accommodation other than his/her own residence.

*Reference: Provincial Executive, Amended February 2003*

#### (vii) CANADIAN TEACHERS' FEDERATION TRAVEL

NSTU members attending CTF meetings and/or Conferences will be reimbursed expenses following CTF expense guidelines.

*Reference: Provincial Executive, April 2007*

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## 9. (B) CONFERENCE GUIDELINES

### (i) PROVINCIALLY-ORGANIZED CONFERENCES

- a. Two members from a Local shall be permitted to attend the following conferences, with the Local responsible for all authorized expenses incurred by the second delegate, except for the Communications Conference where two participants/Local are budgeted to attend. These conferences will take place at the contract hotel when possible. (*October 2014*)
  - i. Communications Conference
  - ii. Equity
  - iii. New Member Contact
  - iv. Professional Development
  - v. Substitute Liaison
- b. Two members from a Local shall be permitted to attend the following two conferences, with the Local responsible for all authorized expenses incurred by the second delegate. Due to the Community College Local having members in two bargaining units (Faculty and Professional Support) the NSTU budgets for all authorized expenses for two delegates, one from each Unit. However, if the CC Local decides to send two members from

one Unit, the Local will be responsible for paying all authorized expenses for one delegate.

Provincial Executive members shall also be invited to attend these conferences. Due to the potential numbers and limited meeting capacity at the Dr. Tom Parker Building, these two Conferences will take place at the contract hotel when possible: *(October 2014)*

- i. Member Services; REWC Chairs are also invited to attend (no alternates);
  - ii. Pension Symposium.
  - c. Further to By-Laws, Article V, 3 (b), the President shall host two conferences per year of NSTU Local Presidents and RRC Chairs. The April Conference shall also include the Provincial Executive.
  - d. The NSTU budget includes one member per Professional Association to attend the Professional Association Leaders Conference. In specific instances, Associations may send a second participant, with the Association responsible for all authorized expenses.
  - e. Locals shall be informed of all estimated conference expenses prior to the deadline date for registration and will be billed based on the final costs per delegate following the conference.
  - f. If a Local agrees to send a member to a provincially-sponsored conference and the member does not show, the Local shall be responsible to pay the member's share of the final conference costs.
  - g. The NSTU shall pay one-half day substitute costs, if necessary, for one member per Local when traveling more than two hours from their workplace when attending NSTU Standing Committee sponsored conferences commencing at 7:00 p.m.
  - h. RCH Coordinators of the Regional School Boards are invited to attend the biennial Equity Conference and they shall be responsible for all expenses incurred. *(October 2014)*
  - i. Conference Agendas will be sent to all registered conference participants at least one week prior to the first day of the conference. *(October 2014)*
  - j. All participants will have the opportunity to provide feedback about the conference on an Evaluation Form. This Form will be distributed to participants before the end of the Conference. *(October 2014)*
- Reference: Provincial Executive, Sept. 1983; 1984; 1992; 1993; April 2005; February 2007; March 2008; April 2014, June 2014, September 2014, October 2014*

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### (ii) EXECUTIVE PLANNING CONFERENCE

- a. All expenses of the Provincial Executive members will be paid;
- b. lodging and meal expenses for a guest and dependent children, eighteen (18) and under, accompanying Provincial Executive members will be paid;
- c. all approved expenses of executive staff members will be paid;
- d. all approved expenses of invited guests will be paid; but
- e. expenses of others, either accompanying or in addition to those identified in a, b, c, or d, will NOT be paid, unless special prior approval is granted by the President and Executive Director or by the Provincial Executive.

*Reference: Provincial Executive, November 1983; July 1996*

### (iii) OUT OF PROVINCE TRAVEL

NSTU members approved to represent the Union outside the province of Nova Scotia shall be entitled to claim compensation for expenses not paid by other groups or organizations, in accordance with the following:

- a. Hotel Accommodation – Single room rate (receipt required).
- b. Meals – NSTU rates
- c. Travel Expenses
  - i. Within Maritime Provinces, either:
    - return economy air/bus/train fare (receipt required),  
OR
    - return metrage (NSTU rates)
  - ii. All other provinces, either:
    - return economy air/bus/train fare (receipt required),  
OR
    - return metrage (NSTU rates), to a maximum of the return economy airfare.
- d. Other Expenses
  - i. Family care (NSTU rates)
  - ii. Taxi fare/car rental (receipt required)
  - iii. Conference fees (receipt required)
  - iv. Airport parking

*Reference: Provincial Executive, September, 1987*

#### (iv) EDUCATION INTERNATIONAL

The NSTU shall be represented at the Education International General Assembly by the President who is in office on July 31 of the year of the General Assembly, and by the Executive Director.

*Reference: Provincial Executive, November, 1985*

#### (v) FINANCIAL ASSISTANCE — NATIONAL AND INTERNATIONAL CONFERENCES

Requests for financial assistance from recognized national or international education organizations, whose mandate directly relates to the work of the NSTU and members in Nova Scotia are subject to the following guidelines:

- a. Counterparts or affiliates of the NSTU or NSTU Professional Associations with:
  - i. expected participation of less than 150 delegates up to \$500.00;
  - ii. expected participation of 150 - 500 delegates up to \$1,000.00;
  - iii. expected participation of more than 500 delegates up to \$1,500.00.
- b. Other recognized education organizations with:
  - i. expected participation of up to 500 delegates up to \$500.00;
  - ii. expected participation of over 500 delegates up to \$1,000.00.
- c. Disbursements according to these guidelines should be made by the Table Officers, subject to ratification by the Executive.

*Reference: January, 1987; December, 1987*

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## 10. NSTU LOCALS

### (a) STRUCTURE

Note: Authority to establish NSTU Local structure is granted under Article II of the By-Laws.

### (b) ROLES AND RESPONSIBILITIES

1. Roles and Responsibilities shall be categorized as follows:
  - (a) Local Executive – planning and implementation of the policies and directives of the Provincial Executive.

- (b) Local Council – information sharing, problem solving and decision making.
  - (c) General Membership – information gathering and information sharing.
2. A member shall have the right to vote on all motions at general Local meetings.

**(c) NSTU REPRESENTATIVE**

1. A NSTU representative is an active member of the NSTU assigned to an educational site within the geographical or educational site boundaries of the Local.
2. Each educational site shall elect a minimum of one NSTU representative. Educational sites with up to twenty-five (25) members may elect one representative. Educational sites with twenty-six (26) to fifty (50) members shall elect two; and educational sites with over fifty (50) members shall be entitled to the maximum of three representatives. The educational site shall be entitled to an equal number of alternate representatives.
3. Under exceptional circumstances, a Local General Meeting may approve additional NSTU representatives at an individual educational site.
4. The NSTU representative(s) shall be a member of the Local Council.
5. List of duties for NSTU representatives  
Because of the importance of regular communication with our members, two key duties are:
  - a. Timely distribution and posting of NSTU information received through the provincial NSTU representative network.
  - b. Timely distribution and posting of information received from your NSTU Local.

The NSTU representative will be called upon to:

  - c. Direct members' requests to the appropriate Local or provincial support persons.
  - d. Coordinate annual membership registry data collection in his/her educational site.

Because of the principal's leadership role within the educational site, it is important to:

  - e. Keep the principal informed regarding NSTU matters.
  - f. Request time on the staff meeting agenda for NSTU updates.

The NSTU representative will also be expected to:

  - g. Call other meetings when necessary.
  - h. Assist new members to become informed NSTU members.

**(d) THE LOCAL EXECUTIVE**

1. The Local Executive shall include the following from the active NSTU membership of the Local.
  - a. President
  - b. Immediate Past President (if available)
  - c. First Vice-President
  - d. Vice-President – Communications (Public Relations, Public Affairs)
  - e. Vice-President – Professional Development
  - f. Secretary
  - g. Treasurer
  - h. Provincial Executive Member(s)
2. The Local Executive may include Member(s)-at-Large.
3. The Local Executive shall meet a minimum of six (6) times per year at a location determined by the Local President.

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4. Table Officers shall be the President, First-Vice President, Secretary, Treasurer and designated Vice-President(s) selected by the Local Executive at its first meeting following the Annual General Meeting.
5. The President and First Vice-President shall serve as members of the Regional Representative Council.
6. A quorum of the Local Executive shall be fifty percent plus one (50%+1) of Local Executive members.

**(e) THE LOCAL COUNCIL**

The Local Council shall meet a minimum of five times per year. It shall include the NSTU representatives and the Local Executive. A quorum of the Local Council shall be fifty percent plus one (50%+1) of the Local Council members.

**(f) NEW MEMBERS WITHIN A LOCAL OR REGIONAL STRUCTURE**

1. For consistency with Community College initiatives, and with the exception of TIP (Teacher Induction Program), the term New Member shall be used when describing initiatives designed to support new members.
2. A New Member Committee shall be established at either the Local, sub-Local or regional level with specific responsibility for providing supports for new members and encouraging their participation in the Union.
3. Each Local shall designate a New Member Contact Person from their Executive.
4. The NSTU shall budget for an annual meeting/conference to bring Contact Persons together. This would replace the New Member Symposia.
5. Programs and services shall continue to be developed at the provincial level.

*Reference: November 29, 2001; March 25, 26, 2004*

**(g) ELECTIONS**

1. Active and active reserve NSTU members of the Local have the right to vote in any Local election.
2. Active and active reserve NSTU members of the Local are eligible to serve as Annual Council delegates.
3. Active NSTU members of the Local are eligible to be elected as Local Executive members.
4. Active NSTU members of the Local are eligible to serve as NSTU Representatives.
5. The Local Executive shall be elected by secret ballot.
6. The term of office for all Local Executive members except the Immediate Past President shall be two (2) years – starting August 1<sup>st</sup> and ending July 31<sup>st</sup>.
7. The term of office for the Immediate Past President shall be one (1) year – starting August 1<sup>st</sup> and ending July 31<sup>st</sup>.
8. Any Local Executive position may be held by the same person for a maximum of two (2) consecutive terms.
9. Should any Local Executive position except Past President remain vacant following elections at the Annual General Meeting, the Nominating Committee shall conduct a by-election at the next General Meeting of the Local.
10. In the event that the Local President cannot fulfill duties or complete a term of office, the First Vice-President shall assume the duties of the Local President in the interim. The Nominating Committee shall seek nominations for the position at the next General Meeting of the Local and conduct an election at that meeting. The term of office for this position shall be until the completion of the vacated term of office.

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11. In the event that a Local Executive member other than the Local President cannot complete a term of office, the position shall be filled through a by-election administered by the Nominating Committee. The Nominating Committee shall seek nominations for the position at the next General Meeting of the Local and an election conducted at that meeting. The term of office for this position shall be until the completion of the vacated term of office.
12. The term of office for NSTU representative shall be one (1) year, August 1<sup>st</sup> through July 31<sup>st</sup>.
13. The NSTU representative(s) and alternate representative(s) shall be elected by the individual educational site members no later than September 15<sup>th</sup>.
14. If the NSTU representative or alternate representative is unable to complete the term of office, the site shall elect another representative or alternate for the duration of the vacated term of office.
15. Delegate selection to Annual Council shall be based according to the procedures outlined in the Local's Operational Procedures.

*Reference: Provincial Executive November 2007; nomenclature change May 2011*

#### (h) COMMITTEES

- a. The Local Executive shall establish the following Standing Committees.
  - i. Finance
  - ii. Nominating
  - iii. Communications (Public Relations/Public Affairs)
  - iv. Professional Development
- b. The Local Executive may establish the following Standing Committees.
  - i. Economic Welfare
  - ii. Resolutions
  - iii. Social
  - iv. Substitute Teacher
  - v. Equity
  - vi. New Teacher
- c. The Local Executive shall appoint members to each Standing Committee on an annual basis.
- d. The Local Executive may appoint ad hoc committees as circumstances dictate.
- e. The Local Executive shall appoint members to other committees as required.
- f. The Local Executive shall appoint members to assignments as requested by the NSTU Provincial Executive through staff.
- g. The Local Executive shall appoint additional members to the Regional Representative Council.
- h. All Standing Committees of the Local shall be chaired by a Local Executive member.
- i. The Immediate Past President or designate shall chair the Resolutions Committee and the Nominating Committee.
- j. The Local Treasurer shall chair the Finance Committee.

*Reference: June 5, 2004; February 24-26, 2005; February 2007*

#### (i) MEETINGS

- a. Annual General Meeting
  - i. There shall be an Annual General Meeting of the Local held in May or June for:
    - receipt of annual reports;
    - presentation of a financial statement;
    - presentation of a proposed budget for the upcoming year;
    - and,

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- election of officers for the upcoming year.
- b. General Meetings
  - i. Including the Annual General Meeting, general meetings shall take place at least three (3) times per year during the periods:  
Fall  
Winter  
Spring
  - ii. The times and locations of these meetings shall be posted within all educational sites by the NSTU representative prior to September 30<sup>th</sup> in each school year.
  - iii. The quorum for a general meeting shall be the number of active and active reserve members equivalent to fifty percent plus one (50% +1) of the Local Council membership.
- c. Special Meetings
  - i. In the event of an emergency or other need, a special meeting shall be called by the Table Officers and/or the Provincial Executive.
  - ii. A special general meeting to address a specified issue shall be called by the Local Table Officers upon the written request of five percent (5%) of the members of the Local. Five (5) working days' notice of such a meeting shall be given to the general membership.
  - iii. A special meeting shall consider only the business specified in the notice calling such a meeting.
- d. Local Council Meetings
  - i. Meetings of the Local Council shall be called by the Local Executive.

#### **(j) FINANCES**

1. The fiscal year shall be from August 1<sup>st</sup> to July 31<sup>st</sup>.
2. Based on NSTU Membership Fees, a Local Rebate shall be determined by the Annual Council of the Nova Scotia Teachers Union.
3. A minimum of three signing officers shall be bonded for the disbursement of Local funds and other banking purposes.
4. The signing officers shall be selected from the Local Table Officers.
5. The Local Executive may make expenditures up to 5% of the Local's budget to a maximum of \$3,000. without prior approval of the general membership.
6. Local Executive members may receive honoraria as determined by motion at the Annual General Meeting.
7. When Local Council and Committee members are required to attend meetings, they shall be reimbursed at the provincial rate.
8. When attending Local meetings, NSTU Representatives, NSTU Local Committee Members and NSTU Local Executive Members shall be eligible to claim family care costs in the amount approved by the NSTU Provincial Executive.
9. A minimum of ten percent of the Local's budget shall be designated for NSTU representative training.
10. The financial records of the Local shall be subjected to an annual review in accordance with guidelines provided by the Finance and Property Committee of the NSTU.

#### **(k) LOCAL REBATES**

1. Authority to set rebates for NSTU Locals is granted in Article I, 12 of the NSTU By-Laws.

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2. The minimum annual NSTU rebate to Locals is automatically increased in direct proportion to NSTU fee increases. Current formula is 200 members x NSTU fee.
3. The rebate to Locals is 17% of the membership fee.  
*Reference: December, 1988; 2003-G; February 2007, November 2007, May 2008, May 2012; Council Budget, May 2013*

#### (l) LOCAL RESERVES & FINANCIAL ASSETS

The following guidelines shall apply to local reserve funds and financial assets of the locals:

1. While locals of the NSTU are not required to have a reserve fund, from time to time locals may have revenue greater than expenditures and therefore, have surplus funds that are in excess of cash flow needs that shall be transferred to a local reserve fund.
2. The monies shall be invested to maximize return while minimizing risk of loss keeping in mind the cash flow needs of the local.
3. The fund may be used:
  - i. When the local incurs expenditures in the operating budget greater than the revenue received in a fiscal year (funds needed to balance the budget);
  - ii. When the local incurs reasonable costs in prosecuting a legal strike; or
  - iii. When the local requires additional revenue in cases of emergency.*Reference: June 2008*

#### (m) ACCOUNTABILITY

1. Individuals in an elected or appointed leadership role, NSTU employees and others acting on the organization's behalf have the obligation to avoid conflicts of interest; the perception of conflict of interest; and, ensure that their activities and interests do not conflict with their responsibilities to the Nova Scotia Teachers Union.
2. Local Executive and Local Council members are expected to fully attend as well as actively participate in all meetings of the Local.
3. Local Executive members are responsible to fairly represent Local Executive decisions when speaking on issues addressed by the Local Executive.

#### (n) REMOVAL FROM LOCAL EXECUTIVE

1. A member of the Local Executive may be removed from office for any of the following reasons:
  - (a) continued gross or willful neglect of the duties of the office;
  - (b) failure or refusal to disclose necessary information on matters of organization business;
  - (c) unauthorized expenditures, signing of cheques, or misuse of organization funds;
  - (d) unwarranted attacks on a president or refusal to cooperate with the president;
  - (e) misrepresentation of the organization and its officers to outside persons; and
  - (f) conviction for a felony.
2. Examples of invalid grounds for removal are:
  - (a) poor performance as an officer due to lack of ability;
  - (b) negligence that is not gross or willful;
  - (c) a tendency to create friction and disagreement; and
  - (d) mere unsuitability to hold office.

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3. Commencing Proceedings:
  - (a) A notice of motion to remove an executive member may be moved by a member at a Local General Meeting. The threshold of acceptance for this vote will be 50% plus one of those members in attendance who vote.
  - (b) A notice of motion to remove an executive member may be conducted by the local executive. The threshold of acceptance for this vote will be 50% plus one of the local executive.
4. Notice of Motion  
Members of the Local must be given 30 days' notice of a Special General Meeting to remove a member of the Local Executive.
5. Removal Procedure  
The affected member must be given:
  - (a) adequate notice of the motion (30 days);
  - (b) a fair hearing (the opportunity to speak to the motion at the meeting called for the purpose of removal) scheduled as the single agenda item of a Special General Meeting of the Local;
  - (c) the right to consult counsel at the member's cost (during 30 day notice of motion time frame);
  - (d) a reasonable opportunity to present a defense (the opportunity to speak to the motion at the meeting called for the removal to be debated); and,
  - (e) notice that failure by the member to attend the meeting will not delay the proceedings.
6. The Vote
  - (a) The vote will be conducted by secret ballot at a Special General Meeting of the Local.
  - (b) Only active and active reserve members of the Local in attendance at the meeting are eligible to vote.
  - (c) The affected member may request an observer to view the counting of ballots.
  - (d) The threshold of acceptance for the vote will be 50% plus one of the eligible members attending the meeting who cast a ballot. Spoiled ballots will not be counted.
  - (e) The result will be binding as of the release of the vote result.

*Reference: March 2007*

**(o) RULES OF ORDER**

The current edition of Robert's Rules of Order, Newly Revised governs the Nova Scotia Teachers Union in all parliamentary situations not provided for in legislation, By-Laws and Standing Orders.

**(p) OPERATIONAL PROCEDURES**

1. Operational Procedures shall be established by a Local to address:
  - i. the duties and responsibilities of the Local Executive;
  - ii. the duties and responsibilities of committees;
  - iii. the duties and responsibilities of NSTU representatives;
  - iv. other areas deemed necessary by the Local Executive.
2. A Local's Operational Procedures shall be adopted, amended, or rescinded by a majority of the votes cast by members present at a Local Council meeting.

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**(q) AMENDMENTS**

1. A Local's Constitution may be amended by a two-thirds (2/3) majority of votes cast by the members present at a General Meeting or Special Meeting convened for that purpose.
2. Notice of proposed amendment(s) shall be given to members ten (10) working days prior to the meeting.
3. Amendments to a Local's Constitution require ratification by the NSTU Provincial Executive at a scheduled meeting following approval by the Local's general membership.

**(r) COUNCIL OF THE LOCAL SUB UNITS**

1. The Council of any Local may designate a sub unit which may meet:
  - a. for geographical convenience to discuss matters of interest within the designated geographical area;
  - b. for negotiating or professional development purposes when these interests are different from the Local,.
2. A designated sub unit shall be financed from the general revenue of the Local as the general meeting may from time to time direct.
3. A designated sub unit shall operate subject to the general oversight and supervision of the Local, its Council and Executive and shall faithfully adhere to all policies and practices which the Local may make.
4. All sub-units of NSTU Locals shall conform to the following characteristics:
  - a. Members in the sub-unit shall appoint such officers as they deem necessary which will include at least a President and Treasurer.
  - b. Members in the sub-unit shall appoint one person to represent them on the Local Executive.
  - c. Members in the sub-unit are entitled to run for any office locally or provincially subject to any conditions which may apply to any other members of the Local.
  - d. Members in the sub-unit are entitled to services and facilities provided by the host Local.
  - e. The host Local shall provide a percentage of the amount rebated to the Local by the central office in respect of members in the sub-unit for administration and programming of the sub-unit.
  - f. The host Local shall reserve at least one place from among the active delegates entitled to attend Annual Council.

*Reference: Provincial Executive, May, 1982; April 1992; Sept., Oct., 2000; Jan. 16, 2003; Structure Review Report, Council 2004; February 2007; May 2009*

**(s) FUNDING FOR SMALL LOCALS**

1. Small Locals of 200 or fewer members will receive a \$5,000.00 top up when their net assets per member are less than the average net assets per member of all Locals across the province (based on year end of the previously published Summary of Statement of Revenue & Expenditures by Locals). No Local belonging to an RRC shall receive less than the smallest Local contributing to an RRC.
2. CSANE's Local rebate is topped up by an additional \$5,000 per year.
3. Any Local is permitted to appeal to the Finance and Property Committee for extraordinary operating funds during any given fiscal year.
4. Any Local of 300 or fewer members experiencing undue financial hardship due to extraordinary expenses incurred as the result of a provincial initiative, may apply to the Provincial Executive for additional operating funds in the amount of the actual expenses incurred. Such application shall include a current financial statement for the Local,

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documentation of the expenses incurred and a rationale of the financial hardship incurred.

*Reference: Provincial Executive, February, June, 1999; April 1, 2005, April 25, 2013, May 2014 Council budget*

**(t) REAL ESTATE, PURCHASE AND ASSIGNMENT OF USE OF LOCALS**

**1. General**

- 1.01 It is recognized that operations and activities within a Local required to provide an adequate standard of service to members of the Local may reach a level where the demand for space for offices, meetings and related activities can most effectively be met through the acquisition of premises dedicated to those purposes.
- 1.02 The purpose of this policy is to establish guidelines for the purchase by the NSTU of property for occupancy and use by a Local for the purposes referred to in article 1.01. The policy applies to:
  - (a) the purchase of property;
  - (b) use, maintenance, upkeep, renovation and management of property; and
  - (c) sale of property.
- 1.03 For purposes of this policy, except where the context otherwise requires, the following terms shall have the meanings assigned below:
  - (a) "costs and expenses" means all direct and indirect costs and expenses, as determined by the Provincial Executive, associated with the purchase, use, maintenance, renovation, management or sale of a property. Costs and expenses include but are not limited to costs arising out of due diligence investigations and negotiations preceding a purchase, the purchase price, commissions, costs of construction and renovation including labour and materials, permits, insurance, taxes, utilities, supplies, furnishings and equipment, maintenance, professional fees, penalties, uninsured liabilities, NSTU administrative costs and such other costs or expenses as the Provincial Executive may in its discretion from time to time determine;
  - (b) "Executive Director" means the Executive Director of the NSTU;
  - (c) "Finance and Property Committee" means the Finance and Property Committee set out in Operational Procedure 4 (a) and further described in 4 (a) V.
  - (d) "Local" means a Local Union as established from time to time under the Constitution of the NSTU;
  - (e) "Local Executive" means the Executive of a Local;
  - (f) "NSTU" means the Nova Scotia Teachers Union;
  - (g) "property" or "properties" means real property acquired and owned by the NSTU, or intended to be acquired by the NSTU, for the purpose of occupancy and use by a Local under this policy;
  - (h) "Provincial Executive" means the Executive of the Council of the NSTU; and
  - (i) "purchase" means the purchase of a property and, where applicable, includes the construction of a building or other improvements on a property, or the initial renovation of an existing building on a property.

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- 1.04 The Provincial Executive interprets, and implements this policy as part of its responsibility, under sections 3. (b) and (c) of Article IV of the NSTU By-Laws, to supervise the property and affairs of the NSTU and to provide suitable office space for the carrying on of its work.
- 1.05 The Executive Director acts on behalf of and as directed by the Provincial Executive in ensuring that this policy is effectively administered and that the interests of the NSTU are protected in all matters related to the purchase, use, maintenance, renovation, management and sale of properties under this policy. The Executive Director shall consult with Local Executives in discharging the responsibilities of the Executive Director under this policy.

## **2. Authorization for purchase or sale**

- 2.01 The NSTU may purchase property for the occupancy and use of a Local, and sell such property when it is no longer required, where the Provincial Executive is satisfied that:
  - (a) the purchase or sale is in the interest of the NSTU;
  - (b) the purchase or sale is warranted on the basis of providing efficient service to the members of the Local;
  - (c) in the case of a proposed purchase,
    - (i) the proposed acquisition of office premises has sufficient support among the members of the Local, having regard to the results of the referendum referred to in article 5.01;
    - (ii) the finances of the Local are, and are expected to be, satisfactory, having regard to the anticipated costs and expenses associated with the purchase, maintenance and use of a property; and
    - (iii) the specific property proposed to be purchased is suitable for the purposes of the NSTU and the Local.
  - (d) the proposed terms and conditions for the purchase or sale are reasonable; and
  - (e) the purchase or sale is consistent with the terms and intention of this policy, and the Provincial Executive decides to approve of the purchase or sale of the property.
- 2.02 Every transaction relating to the purchase or sale of a property, including but not limited to agreements of purchase and sale and agreements related to development or renovation of a property (e.g. construction contracts), shall have the prior authorization of the Provincial Executive and all associated documents shall be executed on behalf of the NSTU only by those officials of the NSTU having authority to sign documents on its behalf.
- 2.03 The Provincial Executive may, acting within this policy, impose such terms, restrictions, or requirements or give or withhold such approvals or authorizations as it determines are necessary or desirable in giving effect to the terms and intention of this policy.
- 2.04 Where the approval and authorization of the Provincial Executive referred to in articles 2.01 and 2.02 are given, the Executive Director shall be responsible, acting consistently with article 1.05, to manage and oversee all aspects of the proposed purchase or sale of a property as in his or her judgment is necessary to implement the decision of the Provincial Executive and to protect the interests of the NSTU.

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Matters for which the Executive Director is responsible include but are not limited to:

- (a) negotiation of the purchase or sale;
- (b) due diligence investigations;
- (c) engagement and instruction of required professional advisors; and
- (d) engagement and supervision of a contractor(s) to carry out approved improvements or renovations. Items (b), (c) and (d) shall be carried out by local suppliers where possible.

- 2.05 Where, as a result of investigations or negotiations or other steps taken under article 2.04, the Executive Director concludes that the purchase or sale of a property should not proceed, or that further direction is required, the Executive Director may suspend or discontinue the purchase or sale process and, except in circumstances covered by article 3.03(3), refer the matter to the Provincial Executive for final decision.

### 3. Financial matters

- 3.01 All costs and expenses relating to a property are for the account of the Local to which occupancy and use of the property is intended to be assigned, is assigned, or has been assigned, as the case may be. Costs and expenses shall be paid out of the funds of the Local in the manner provided by this policy.
- 3.02 The Provincial Executive has, where necessary, conclusive authority to identify, and determine the amounts of, costs and expenses for all purposes of this policy.
- 3.03 (1) Without limiting the generality of article 2.01, and in particular clause (c)(ii) of that article, the Provincial Executive shall not approve the purchase of a property under this policy unless it is satisfied that the Local has a sound financial plan to pay the estimated purchase price in full, together with all estimated costs of development or renovation if applicable, and all other costs and expenses associated with the purchase of a property.
- (2) Every approval given by the Provincial Executive for the purchase of a property under this policy shall be subject to the condition, among any others prescribed by the Provincial Executive, that the approval shall not be effective until the Local has first transferred, to the NSTU Local facilities account, funds in an amount determined by the Provincial Executive to be sufficient to meet the costs referred to in article 3.03(1). No expenses or obligations shall be incurred, or other steps taken in connection with an intended purchase, until funds in the required amount have been deposited by the Local in the NSTU Local facilities account.
- (3) Where it becomes apparent in negotiating an intended purchase of a property that the funds transferred under article 3.03(2) will not be sufficient to meet the costs referred to in article 3.03(1), the Executive Director shall advise the Local Executive of that fact, and shall suspend the purchase process until the Local has transferred to the NSTU Local facilities account additional funds sufficient, in the opinion of the Executive Director, to enable

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those costs to be met. If the Local Executive advises the Executive Director that the required additional funds will not be transferred, or if the additional funds have not been transferred within a reasonable period of time as determined by the Executive Director, the purchase process shall be discontinued by the Executive Director.

- (4) Where the intended purchase of a property is discontinued by the Provincial Executive or the Executive Director, or the purchase is for any other reason not completed, the funds referred to in 3.03(2) shall be returned to the Local, less all costs and expenses incurred by the NSTU in connection with the intended purchase.

#### 3.04 Costs and expenses shall be paid as follows:

- (a) costs and expenses associated with the purchase of a property shall be paid by the NSTU out of the funds of the Local transferred under article 3.03(2) to the NSTU Local facilities account for that purpose. Where the transferred funds exceed the costs and expenses actually incurred, the difference shall be returned to the Local. Where expenses exceed the transferred funds, the difference shall be deducted from the Local's rebate;
- (b) costs and expenses other than those paid under (a) may be paid by the NSTU or the Local. In the event that these costs and expenses are paid by the NSTU, the NSTU shall be reimbursed by the Local for such costs and expenses. Reimbursement shall be made by way of deductions, from each of the semi-annual payments to the Local on account of rebates of membership fees, of amounts sufficient to cover all costs and expenses incurred by the NSTU as of the date of the rebate payment.

#### 3.05 The payment and reimbursement of all costs and expenses shall be under the administrative supervision and authorization of the Executive Director.

### 4. Maintenance and use

- 4.01 The Executive Director has supervision of all matters relating to the use, maintenance, upkeep, renovation, and management of properties, including the establishment and implementation of such practices and procedures as are in the judgment of the Executive Director required to protect the interests of the NSTU.
- 4.02 Occupancy and use of a property shall be assigned to the Local, following purchase, effective on a date determined by the Executive Director.
- 4.03 In taking up occupancy and use of a property, Locals accept the terms and conditions prescribed by or under this policy relating to occupation and use of the property.
- 4.04 Occupancy and use of a property by a Local shall continue until otherwise determined by the Provincial Executive acting under article 5.06 or article 5.07.
- 4.05 Properties shall be used by Locals in accordance with terms and conditions of use prescribed from time to time by the Provincial Executive, which terms and conditions shall include but not be limited to the following:
  - (a) properties shall be used for carrying on the business and affairs of the NSTU as may be determined from time to time by the Provincial Executive;

- (b) properties shall be used, managed and maintained in accordance with all NSTU policies, practices and procedures in effect from time to time;
  - (c) no portion of a property may be devoted to the regular use of any third party;
  - (d) no activity for profit shall be carried on within a property;
  - (e) no permanent liquor bar or ongoing social use shall be established or conducted on a property;
  - (f) no activity shall be carried on a property which is contrary to the interests of the NSTU;
  - (g) no renovations or improvements shall be made to a property, in excess of \$5,000.00, except as authorized by the Finance and Property Committee and carried out by the Local Executive as approved by the Executive Director.
- 4.06 All properties shall be furnished and equipped, at the cost of the Locals, through a consultative process between the Executive Director and Local Executives.
- 4.07 The Local Executive of a Local to which the occupancy and use of a property is assigned under this policy shall be accountable to the Provincial Executive for the day to day use of the property in accordance with this policy, and shall liaise with the Executive Director concerning all matters referred to in this Article 4.

## **5. Procedures for initiating purchase or sale process**

### **Purchase**

- 5.01 Where a Local is proposing that the NSTU purchase office premises for the Local as contemplated by this policy, the Local Executive shall cause to be conducted a referendum of the members of the Local as to whether or not the members support the purchase of premises and the use of the funds of the Local for that purpose.
- 5.02 Where, after conducting the referendum referred to 5.01, a Local proposes the establishment of office premises under this policy, and has identified a property or properties for potential purchase, the Local shall by resolution passed at a general meeting request that the Provincial Executive consider the proposal. The request shall include a completed submission in a form that may from time to time be determined by the Provincial Executive. The information and materials to be provided as part of the proposal of the Local shall include but not be limited to:
- (a) particulars of the need for premises to efficiently serve the members of the Local;
  - (b) the results of the referendum referred to in article 5.01;
  - (c) information respecting the current financial position of, and the financial outlook for, the Local;
  - (d) information respecting the property or properties which the Local has identified for potential purchase, including the estimated costs of purchase;
  - (e) details of the process by which the properties were identified, including searches conducted and reports and advice received from real estate consultants;
  - (f) the estimated annual costs of maintenance, upkeep and use of the property or properties;
  - (g) confirmation by the Local of its awareness of, and adherence to, the terms and conditions of this policy; and

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- (h) any other information requested by the Provincial Executive.
- 5.03 Upon receipt of such a proposal, and complete information of the type required under article 5.02, the Provincial Executive shall consider the proposal, having regard to, among other things, the criteria set out in article 2.01.
- 5.04 Where the Provincial Executive is satisfied that the proposal meets the requirements of this policy, including the criteria set out in article 2.01, and that the proposal is otherwise in the interest of the NSTU, the Provincial Executive may by resolution approve the purchase of a property by the NSTU and associated transactions, in accordance with this policy, and subject to such conditions not inconsistent with this policy as the Provincial Executive determines to impose.
- Sale**
- 5.05 A Local may at any time by resolution passed at a general meeting propose to the Provincial Executive that a property assigned to its occupancy and use be sold. Such a proposal shall include but not be limited to:
- (a) information as to why the property is considered by the Local no longer to be required or suitable for the purposes of efficiently serving the members of the Local; and
  - (b) any other information requested by the Provincial Executive.
- 5.06 Where under Article 5.05 the Provincial Executive, after consultation with a Local decides that a property be sold, all costs associated with the sale shall be deducted from the sale price and the balance shall be deposited in the Local facilities account. Disbursement of such funds from this account shall be at the direction of the Provincial Executive.
- 5.07 The Provincial Executive, acting on its own initiative, may at any time by resolution determine, after consultation with the affected Local, either or both of the following:
- (a) that the occupancy and use of a property by the Local shall end temporarily or permanently as of a date determined by the Provincial Executive;
  - (b) that the property shall be sold on terms prescribed by the Provincial Executive.
- Reference: Provincial Executive, February 22, 2001, September 22, 2001; October 2011*

## (u) REAL ESTATE, LEASING AND ASSIGNMENT OF USE OF LOCALS

### 1. General

- 1.01 It is recognized that operations and activities within a Local required to provide an adequate standard of service to members of the Local may reach a level where the demand for space for offices, meetings and related activities can most effectively be met through the leasing of premises dedicated to those purposes.
- 1.02 The purpose of this policy is to establish guidelines for the lease by the NSTU of property to be assigned to the occupancy and use of Locals for the purposes referred to in article 1.01.
- 1.03 For purposes of this policy, except where the context otherwise requires, the following terms shall have the meanings assigned below:
- (a) "costs and expenses" means all direct and indirect costs and expenses, as determined by the Provincial Executive,

associated with the lease or termination of a lease of a property and use of a property by a Local. Costs and expenses include but are not limited to costs arising out of due diligence investigations and negotiations preceding a lease, commissions, rent, common area costs, maintenance and operating costs, landlord administrative fees, leasehold improvement costs, costs of parking, security, permits, insurance, taxes, utilities, supplies, furnishings and equipment, professional fees, penalties, uninsured liabilities, NSTU administrative costs and such other costs and expenses as the Provincial Executive may in its discretion from time to time determine;

- (b) "Executive Director" means the Executive Director of the NSTU;
- (c) "Finance & Property Committee" means the Finance and Property Committee set out in Operational Procedure 4. (a) and further described in 4. (a) V.
- (d) "Local" means a Local Union as established from time to time under the constitution of the NSTU;
- (e) "Local Executive" means the Executive of a Local;
- (f) "NSTU" means the Nova Scotia Teachers Union;
- (g) "property" or "properties" means real property leased, or intended to be leased, by the NSTU for the purpose of occupancy and use by a Local under this policy;
- (h) "Provincial Executive" means the Executive of the Council of the NSTU; and
- (i) "lease" means the lease of a property, or any renewal thereof, and, where applicable, include the carrying out of initial leasehold improvements.

1.04 The Provincial Executive interprets and implements this policy as part of its responsibility, under sections 7(b) and (c) of article IV of the NSTU By-laws, to supervise the property and affairs of the NSTU and to provide suitable office space for the carrying on of its work.

1.05 The Executive Director acts on behalf of and as directed by the Provincial Executive in ensuring that this policy is effectively administered and that the interests of the NSTU are protected in all matters related to the lease, occupancy and use of properties under this policy. The Executive Director shall consult with Local Executives in discharging the responsibilities of the Executive Director under this policy.

## **2. Authorization for lease**

- 2.01 The NSTU may lease property for the occupancy and use of a Local, or terminate a lease of such a property when its use is no longer required, where the Provincial Executive is satisfied that:
- (a) the lease or termination of lease is in the interest of the NSTU;
  - (b) the lease or termination of lease is warranted on the basis of providing efficient service to the members of the Local;
  - (c) in the case of a proposed lease,
    - (i) the finances of the Local are, and are expected to be, satisfactory, having regard to the anticipated costs and expenses associated with the lease; and
    - (ii) the specific property proposed to be leased is suitable for the purposes of the NSTU and the Local.

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- (d) the proposed terms and conditions of the lease or termination of lease are reasonable;
  - (e) the proposed lease or termination of the lease is consistent with this policy, and the Provincial Executive decides to approve of the lease or termination of lease.
- 2.02 Every transaction relating to the lease or termination of a lease of a property, including but not limited to agreements of lease and agreements related to improvements of a leased property, shall have the prior authorization of the Provincial Executive and all associated documents shall be executed on behalf of the NSTU only by those officials of the NSTU having authority to sign documents on its behalf.
- 2.03 The Provincial Executive may, acting within this policy, impose such terms, restrictions, or requirements or give or withhold such approvals or authorizations as it determines are necessary or desirable in giving effect to the terms and intention of this policy.
- 2.04 Where the approval and authorization of the Provincial Executive referred to in articles 2.01 and 2.02 are given, the Executive Director shall be responsible, acting consistently with article 1.05, to manage and oversee all aspects of the proposed lease or termination of lease as in his or her judgment is necessary to implement the decision of the Provincial Executive and to protect the interests of the NSTU. Matters for which the Executive Director is responsible include but are not limited to:
- (a) negotiation of the lease or termination of lease;
  - (b) due diligence investigations;
  - (c) engagement and instruction of required professional advisors; and
  - (d) supervision of leasehold improvements.
- Items (b), (c) and (d) shall be carried out by local suppliers where possible.
- 2.05 Where, as a result of investigations or negotiations or other steps taken under article 2.04, the Executive Director concludes that a property should not be leased or that a lease should not be terminated, or that further direction is required, the Executive Director may suspend or discontinue the lease or termination process and refer the matter to the Provincial Executive for final decision.

### 3. Financial matters

- 3.01 All costs and expenses relating to a property, including but not limited to, the lease or termination of a lease respecting the property, are for the account of the Local to which occupancy and use of the property is intended to be assigned, is assigned, or has been assigned, as the case may be. Costs and expenses shall be paid out of the funds of the Local in the manner provided by this policy.
- 3.02 The Provincial Executive has conclusive authority, where necessary, to identify and determine the amounts of, costs and expenses for all purposes of this policy.
- 3.03 Where and for so long as the Executive Director consents, the payment of costs and expenses shall be made directly by the relevant Local. In the absence of such consent, payment of costs and expenses shall be made by the NSTU and the NSTU shall be reimbursed by the Local for such costs and expenses. Reimbursement shall be made by way of deductions, from

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each of the semi-annual payments to the Local on account of rebates of membership fees, of amounts sufficient to cover all costs and expenses incurred by the NSTU as of the date of each rebate payment.

- 3.04 The payment and reimbursement of all costs and expenses shall be under the administrative supervision and authorization of the Executive Director.

#### **4. Maintenance and use**

- 4.01 The Executive Director has supervision of all matters which are the responsibility of the tenant under a lease, including, as applicable, matters relating to the use, maintenance, upkeep, renovation, and management of properties. The Executive Director may establish and implement such practices and procedures relating to these matters as are in the judgment of the Executive Director required to protect the interests of the NSTU.
- 4.02 Occupancy and use of a property shall be assigned to the Local, following conclusion of a lease, effective on a date determined by the Executive Director.
- 4.03 In taking up occupancy and use of a property, Locals accept the terms and conditions of use prescribed by or under this policy relating to occupation and use of property.
- 4.04 Occupancy and use of a property by a Local shall continue until otherwise determined by the Provincial Executive acting under article 5.05 or article 5.06.
- 4.05 Properties leased by the NSTU shall be used by Locals in accordance with the lease, and in accordance with such terms and conditions of use as are prescribed from time to time by the Provincial Executive, which shall include but not be limited to the following:
- (a) leased properties shall be used for carrying on the business and affairs of the NSTU as may be determined from time to time by the Provincial Executive;
  - (b) leased properties shall be used, managed and maintained in accordance with all NSTU policies, practices and procedures in effect from time to time;
  - (c) no portion of a leased property may be devoted to the regular use of any third party;
  - (d) no activity for profit shall be carried on within that portion of the property leased by the NSTU;
  - (e) no permanent liquor bar or ongoing social use shall be established or conducted on a property;
  - (f) no activity shall be carried on, on a property which is contrary to the interests of the NSTU; and
  - (g) no improvements shall be made to a property, in excess of \$5,000.00, except as authorized by the Finance & Property Committee.
- 4.06 All leased properties shall be furnished and equipped at the cost of the affected Local.
- 4.07 The Local Executive of a Local to which the occupancy and use of a property has been leased under this policy shall be accountable to the Provincial Executive for the day to day use of the property in accordance with this policy and shall liaise with the Executive Director concerning all matters referred to in this article 4.

#### **5. Procedures for initiating lease or termination of lease Lease**

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- 5.01 Where a Local proposes the establishment of office premises under this policy, and has identified a property or properties for potential lease, the Local shall by resolution request that the Provincial Executive consider the proposal. The request shall include a completed submission in a form that may from time to time be determined by the Provincial Executive. The information and materials to be provided as part of the proposal of the Local shall include but not be limited to:
- (a) particulars of the need for premises to serve the members of the Local;
  - (b) information respecting the current financial position of the Local, and the financial outlook for the Local;
  - (c) except where the proposal is for renewal of a lease:
    - (i) information respecting the property or properties which the Local has identified for potential lease, including the estimated rent and associated costs; and
    - (ii) details of the process by which the properties were identified, including searches conducted and reports and advice received from real estate consultants;
  - (d) confirmation of acknowledgement of and adherence to this policy; and
  - (e) any other information requested by the Provincial Executive.
- 5.02 Upon receipt of such a proposal, and complete information of the type required under article 5.01, the Provincial Executive shall consider the proposal, having regard, among other things, to the criteria set out in article 2.01.
- 5.03 Where the Provincial Executive is satisfied that the proposal meets the requirements of this policy, including the criteria set out in article 2.01, and that the proposal is otherwise in the interest of the NSTU, the Provincial Executive may by resolution approve the lease of a property and associated transactions, subject to such conditions not inconsistent with this policy as the Provincial Executive determines to impose.

### Termination of lease

- 5.04 A Local may at any time by resolution propose to the Provincial Executive that a lease respecting a property assigned to its occupancy and use be terminated. Such a proposal shall include but not be limited to:
- (a) information as to why the property is considered by the Local no longer to be required or suitable for the purposes of efficiently serving the members of the Local; and
  - (b) any other information requested by the Provincial Executive.
- 5.05 Where under article 5.04 it is proposed by a Local that a lease respecting a property be terminated, the Provincial Executive shall decide whether the lease shall be terminated and, if so, the terms and conditions for termination of the lease and occupancy and use of the property by the Local.
- 5.06 The Provincial Executive, acting on its own initiative, may at any time by resolution determine, after consultation with the affected Local Executive, either or both of the following:
- (a) that the occupancy and use of a property by the Local shall end temporarily or permanently as of a date determined by the Provincial Executive; and

- (b) that a lease shall be terminated on terms prescribed by the Provincial Executive.

## 6. Transitional

- 6.01 Notwithstanding any other provision hereof, this policy does not apply in respect of a property occupied and used under a lease concluded prior to the date of adoption of this policy, but does apply to the property as of the renewal of any such lease.

*Reference: Provincial Executive, June 8, 2001; October 2011*

# 11. OFFICIAL SPOKESPERSON

At the discretion of the President, the Executive Director is an official spokesperson for the NSTU.

*Reference: March, 1978*

# 12. POLICY PROCEDURES

## POLICY

### (i) AUTHORITY

The NSTU determines policy administration in Standing Orders.

### (ii) OPERATIONAL PRINCIPLES

- a. NSTU policy is the Union's official position on issues of significant weight to the membership.
- b. NSTU policy is formulated with input from the membership.
- c. NSTU policy is determined as a result of an Annual Council resolution.
- d. NSTU policy is stated in clear and concise language.
- e. NSTU policy is recorded as a resolution in the official minutes of Annual Council.
- f. NSTU policy is published and updated as necessary.
- g. NSTU policy is supplemented with position papers where appropriate.
- h. NSTU policy is reviewed in a six-year cycle.

### (iii) DEVELOPMENT

#### a. Step One Identification

Using one or more of the following:

- i. resolutions to Council
- ii. focus groups
- iii. surveys
- iv. public forums

#### b. Step Two Data Collection

Using one or more of the following:

- i. literature research by staff/Standing Committee, ad hoc committee
- ii. Local workshops
- iii. Professional Association workshops
- iv. questionnaires

#### c. Step Three Confirmation

By resolution to Annual Council

### (iv) PARAMETERS

#### a. Definition

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NSTU policy is a statement reflecting a goal, value or belief of the Union used to guide decisions of the organization.

**b. Role**

An NSTU policy statement communicates the Union's position on an issue. An NSTU policy statement provides the context for decision-making and action on an issue.

**c. Review**

The review procedure will be conducted with the Provincial Executive in the fall of each year under the coordination of the Resolutions Committee Chair (or designate) and the staff liaison.

*Reference: January, 2002*

**(v) REVIEW PROCEDURES**

**a. Step One:**

Policy is forwarded to the appropriate NSTU Committee for analysis and recommendation.

**b. Step Two:**

The NSTU Resolutions Committee compiles step one results and provides the Provincial Executive with a set of recommendations concerning policies under review.

**c. Step Three:**

The Provincial Executive adopts resolutions to Annual Council regarding policies under review recommended for amendment or to be rescinded. Reaffirmed policy shall be so noted in the Guidebook along with the Provincial Executive meeting date on which the reaffirmation took place.

**d. Step Four:**

When existing policy or action resolutions are amended, new words be in bold and deleted language be crossed out.

*Reference: June 5, 2004; April 30, 2009, June 2011*

**(vi) CLASSIFICATION AND THE CYCLE OF REVIEW**

- 2011 Curriculum
- 2012 Economic Welfare and Working Conditions
- 2013 Government
- 2014 Professional Development
- 2015 General
- 2016 NSTU Governance

**(vii) DOCUMENTATION, CIRCULATION AND COMMUNICATION**

- a. NSTU policies shall be compiled in a single document of statements. Policy statements will generally not exceed 100 words.
- b. A cross-referencing system shall be included in NSTU Guidebook.
- c. NSTU Policy and Position Papers will be posted on the website.
- d. Policy will be communicated using one or more of the following:
  - i. Information Sessions
  - ii. Column in *The Teacher*

*Reference: Provincial Executive, October, 1997, September 2013*

## 13. PRESIDENT'S BENEFITS

The President has a right to the following benefits:

- (a) All benefits under the Teachers' Provincial Agreement between the NSTU and the Minister of Education;
- (b) All benefits within the Agreement of the President's Local of the NSTU and the regional school board;
- (c) The President shall receive a benefit of \$2,280. per annum

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- (d) The President is paid his/her salary on the basis of 1.60 of the maximum salary for TC 8 on the current scale.
- (e) With respect to entertaining done by the President, claims covering the costs of such entertainment shall be submitted by the President when he/she feels that such expense has been incurred on behalf of the NSTU.
- (f) On taking office, a lump sum allowance shall be given to the President equivalent to the cost of moving from his/her normal place of residence to Halifax and return.
- (g) The Provincial President shall be paid a monthly allowance of \$2,000. upon moving to the Halifax Regional Municipality, providing he or she maintains his/her principal residence upon taking office. If the President's principal residence should change during his or her term of office, he or she must advise the Union immediately.
- (h) While travelling with the President on NSTU business, the following President's spousal expenses shall be authorized for payment: meal and accommodation expenses while travelling within the province of Nova Scotia. Appropriate receipts must accompany the submission of President's spousal expense forms, where possible. The total allowable President's spousal expenses for any one fiscal year shall not exceed \$500.

*Reference: Provincial Executive, 1975; 1985; 2000; February 2002; March 25, 26, 2004; February 24, 2005; October 2012*

## 14. PROFESSIONAL ASSOCIATIONS

### (a) GOVERNANCE

- (i) The model Constitution and model Operational Procedures for NSTU Professional Associations shall be adopted by all NSTU Professional Associations with ratification by the Provincial Executive.

### (b) FORMATION/DISSOLUTION

- (i) Formation of a Professional Association may occur under the following guidelines:
  - a. STEP ONE**
    - i. At least 100 NSTU members who are potential members of the association shall submit a petition to the Coordination Committee, requesting establishment of the association.
    - ii. With the petition, the applicants include a rationale explaining why their professional needs cannot be met through existing associations.
    - iii. Existing Professional Associations are then requested to make provision to reflect the varied needs of the petitioning group.
    - iv. The Coordination Committee shall forward a recommendation to the Provincial Executive.
  - b. STEP TWO**
    - i. NSTU Staff meets with Organizing Committee representatives to prepare a Constitution and Operational Procedures for the new Professional Association consistent with the NSTU model constitution and operational procedures.
    - ii. The Organizing Committee serves as the Nominating Committee to compile a slate of officers for the new Professional Association.
    - iii. Two members of the Organizing Committee are identified as signing officers for the association's account.

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### C. STEP THREE

- i. NSTU Staff serves as Chairperson of the Founding Meeting of the new Professional Association for the following agenda items:
    - A. Provincial Executive motion to establish Professional Association
    - B. Mandate of Professional Association
    - C. Adoption of Constitution and Operational Procedures
    - D. Election of Officers
  - ii. The President of the new Professional Association assumes the Chair and conducts the remainder of the meeting's agenda.
  - iii. The Provincial Executive considers a motion to ratify the new Professional Association's Constitution at its next scheduled meeting.
  - iv. Copies of the Professional Association's Constitution and Operational Procedures are filed with the NSTU.
- (ii) Dissolution of a Professional Association shall occur under any of the following conditions:
- a. If the annual membership of the association should drop below 50 active NSTU members for two successive years and if the paid conference attendance should drop below 50 active NSTU members for two successive years.
  - b. If a Professional Association does not hold an annual conference or its equivalent on Professional Development Day for two successive years.
  - c. If any of the conditions for grant disbursement are not met over one year, the second year shall be considered the probationary year. The Coordination Committee will make contact with the President of the Professional Association regarding probationary status and that non-compliance will result in dissolution.
  - d. The Coordination Committee will review the recommendations to ensure that procedures for dissolution have been respected. The Coordination Committee will then forward the recommendation to the Provincial Executive.
  - e. The final decision as to dissolution rests with the Provincial Executive.

*Reference: April 1, 2006*

### (c) FINANCES

- (i) NSTU Professional Associations set membership fees annually. Each Professional Association of the Nova Scotia Teachers Union shall submit annually to the Finance & Property Committee of the Union, an internally reviewed statement of its financial record for the past year, and shall be requested to submit a budget for the ensuing year. Professional Associations are encouraged to establish expense policies that would ensure that no member is out-of-pocket for work done on behalf of the Association. The guidelines set out in the Professional Association Treasurers Guide must be followed.
- (ii) Professional Associations may qualify for their executive meeting expenses to be paid for if, at the end of their previous fiscal year, their financial net assets are less than \$13,350. Meeting expenses will be paid for three (3) executive meetings for a maximum of eight (8) executive members. NSTU expense guidelines will be followed for reimbursement. Any expenses that appear unreasonable will be subject to the approval of the Finance and Property Committee.
- (iii) Professional Associations whose Financial Net Assets are less than \$13,350 in the previous year shall have costs for three executive

meetings paid for by the NSTU. Any Professional Association experiencing undue financial hardship due to the implementation of this operational procedure may apply to the NSTU Provincial Executive for consideration of additional funding to deal with cost over-runs. *April 2012*

- (iv) There shall be no purchases of capital equipment over \$1,000. without prior approval of the NSTU Finance & Property Committee. *June 2014*
- (v) Professional Associations may provide gifts to presenters, special guests and conference organizers. Limited random draws of names of conference delegates for prizes of a modest value may take place. Alternatively, a draw for a single item of a value not to exceed \$200.00 shall be allowed. Professional Associations shall not purchase gifts, prizes or door prizes for each delegate or attendee. This restriction does not apply to gifts that have been donated to the Professional Association by an unrelated party. *October, 2012; June 2014*

#### **(d) COMMUNICATIONS**

- (i) Upon request, NSTU Professional Association Presidents shall have a designated NSTU web account mailing list
- (ii) Members of NSTU Professional Associations are expected to communicate via NSTU webmail.

#### **(e) PROVINCIAL PROFESSIONAL DEVELOPMENT DAY**

- (i) NSTU Professional Associations are encouraged to include in conference advertising the intended interest level of each workshop: introductory, developmental or research. Programs and resource persons used as part of a Professional Association conference shall not be used 24 hours prior to or after the Professional Association conference unless written permission has been granted by the Professional Association president. Locals may use the resource persons in conjunction with Professional Associations.
- (ii) The Provincial Professional Development Day shall continue to be retained and maintained as an annual Professional Association professional day of the Nova Scotia Teachers Union. Boards shall be encouraged to promote the attendance of their professional staffs at the Annual Conferences.
- (iii) Professional Associations shall distribute receipts of payment and attendance at the conclusion of all Provincial Professional Development Day Conferences.
- (iv) No Professional Association is to partner with a national or other external organization for a multi-day conference over NSTU Annual Conference week. Professional Associations are to only organize a conference for their Association within the parameters of Provincial Professional Development Day.

*June 2014; January 2015*

#### **(f) TRAVEL ACCIDENT**

- (i) All members of the Executive of the Professional Associations, all members of committees of the Professional Associations, and all conference volunteers who are required to travel to meetings of the Professional Associations shall be included in the NSTU Master Travel Accident Insurance Policy.
- (ii) Each Professional Association will be billed for the cost of this Travel Accident policy as the cost relates to that Association.
- (iii) Any Professional Association experiencing undue financial hardship due to the implementation of this operational procedure may apply to

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the NSTU Provincial Executive for consideration of additional funding to deal with cost over-runs.

*Reference: Provincial Executive, June, 1987; April, 1992; 1993; 1994; 1995; 1998; Renamed and amended January 2005; September 2006; March 2008; June 2008, October 2008, February, 2009, April 30, 2009, March 5, 2010; February 2012, June 2014*

## 15. PROVINCIAL EXECUTIVE

### (a) CODE OF ETHICS

This Code of Ethics is a guide to members of the Provincial Executive of the Nova Scotia Teachers Union in maintaining the high traditions of their profession and the trust placed in them by the membership of the Union as a whole.

- (i) The Executive member shall be guided in his/her conduct at all times by the Code of Ethics of the teaching profession.
- (ii) The Executive member upon assuming office shall undertake to fulfill the obligations and duties of his/her office to the best of his/her ability.
- (iii) All discussion and decisions taken while in camera or in Closed Session are to be considered confidential.
- (iv) The Executive member shall not make any allegations or statements of a derogatory nature about any individual, individuals, or group of individuals, unless he/she has documented evidence to substantiate his/her claims, or such claims are of a very exceptional and serious nature. Such evidence must have been obtained only through legitimate and legal means, and shall be made available, on request, to all members of the Provincial Executive.
- (v) The Executive member shall consider all decisions of the Executive to be decisions of the Executive as a whole, unless his/her objection is recorded in the minutes of the Executive and is a matter of record.

*Reference: January, 1974*

### (b) ACCOUNTABILITY

- (i) Individuals in an elected or appointed leadership role, NSTU employees and others acting on the organization's behalf, have the obligation to avoid conflicts of interest; the perception of conflict of interest; and ensure that their activities and interests do not conflict with their responsibilities to the Nova Scotia Teachers Union.
- (ii) Provincial Executive members are expected to fully attend as well as actively participate in all meetings of the Provincial Executive.
- (iii) Provincial Executive members are responsible to fairly represent Provincial Executive decisions when speaking on issues addressed by the Provincial Executive.

### (c) OBLIGATIONS

- (i) Once a decision has been made at the Executive table, an Executive member shall be duty bound to support that decision and to explain it in a reasonable manner. *(June 2014)*
- (ii) Provincial Executive members agree that support can be given to an Executive decision while indicating that the individual recorded a nay vote "It is the decision of the majority of my colleagues and, therefore, I am prepared to support it.
- (iii) Personnel matters, discipline and professional relations cases shall be regarded as confidential. Neither the views expressed in debate nor the vote of individuals on any issue shall be considered public information.

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- (iv) The Executive member should be a positive liaison and link between the Provincial Executive and the Local, providing effective two-way communication.
- (v) It is essential that the Executive member keep the channels of communication open to develop confidence within the Local/ Region regarding the actions of the Provincial Executive and staff. If a difference of opinion should arise between a Local and central office as to a particular course of action taken, the Executive member is in a key position to help resolve any dispute or grievance by contacting and arranging a meeting with the involved parties, and helping to bring about an amicable solution by whatever means are practical.
- (vi) The Provincial Executive shall conduct information sessions across the province as deemed necessary.
- (vii) A Provincial Executive member shall resign from all provincial committees, Sheonoroil Board, and Sheonoroil Committees upon election to Provincial Executive office.

*Reference: December, 1975, August, 1998, March, 2007(May 2010 Res. 2010-6) June 2014*

#### (d) RESPONSIBILITIES

- (i) The Provincial Executive member has the responsibility to present provincial NSTU issues to the Local(s).
- (ii) The Provincial Executive member has the responsibility to present regional issues to the Provincial Executive.
- (iii) The Provincial Executive member has the responsibility to attend Local Executive, Local Council, Local General, Regional Representative Council and Provincial Executive meetings.
- (iv) The Provincial Executive member has the responsibility to promote the programs and services of the NSTU.
- (v) The Provincial Executive member has the responsibility to attend the annual Provincial Executive Planning Meeting and may attend the NSTU Leadership Conference. *(June 2014)*
- (vi) The Provincial Executive member has the responsibility to attend tentative agreement presentations.
- (vii) The Provincial Executive member has the responsibility to attend Annual Council.
- (viii) Provincial Executive members shall be eligible to serve on or chair Standing Committees as appointed by the Provincial Executive.
- (ix) Provincial Executive members shall be eligible to serve on ad hoc Committees, Task Forces and Annual Council Committees as assigned by the Provincial Executive members.
- (x) Provincial Executive members shall serve as members of designated Regional Representative Councils.
- (xi) Community College Members shall serve as members of the Community College Local Executive.
- (xii) A Community College Member shall chair the Community College Economic Welfare Committee. If a Community College Member is unable to serve, a member designate as appointed by the Provincial Executive shall chair the Community College Economic Welfare Committee.
- (xiii) A Community College Member shall serve as a member of the Community College Negotiating Team. If a Community College Member is unable to serve, a member designate as appointed by the Provincial Executive shall serve as a member of the Community College Negotiating Team.
- (xiv) A Community College Member shall serve as a member of the NSTU Member Services Committee. If a Community College Member is

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unable to serve, a member designate as appointed by the Provincial Executive shall serve as a member of the NSTU Member Services Committee.

- (xv) The Conseil syndical acadien de la Nouvelle-Écosse Member shall serve as a member of the CSANE Local Executive.
- (xvi) The Conseil syndical acadien de la Nouvelle-Écosse Member shall serve as a member of the CSANE Local's Economic Welfare Committee.
- (xvii) Provincial Executive members shall engage in such duties as assigned by the Provincial Executive.

*Reference: March 2007; January 2008; June 2014*

#### **(e) TABLE OFFICERS' RESPONSIBILITIES**

- (i) Provide recommendations to the Provincial Executive on matters that arise between Provincial Executive meetings.
- (ii) Facilitate the business of the NSTU.
- (iii) Review agendas for Provincial Executive meetings.
- (iv) Recommend items for closed sessions for Provincial Executive meetings.
- (v) Prepare recommendations for a schedule of Provincial Executive meetings.
- (vi) Approve benevolent fund requests.
- (vii) Process general funding requests and make recommendations to the Provincial Executive.
- (viii) Prepare Provincial Executive Planning agenda.
- (ix) Report on Canadian Teachers' Federation activities.
- (x) In the event that the NSTU President is serving as a CTF Vice-President, NSTU representation to the CTF Board of Directors in the place of the NSTU President, shall be the 1<sup>st</sup> Vice-President, or if unable to attend, the 2<sup>nd</sup> Vice-President.
- (xi) Report on CAPTO activities.
- (xii) Such other duties as requested by the Provincial Executive.
- (xiii) The NSTU Past President shall act in an advisory capacity to the NSTU President and shall perform such duties and exercise such powers as may be delegated to them from time to time by the NSTU President and/or the Provincial Executive. *(June 2014)*

*Reference: Provincial Executive, April 26, 2007, August 14, 2007, June 2014*

#### **(f) TEMPORARY VACANCY**

The Provincial Executive will select a sitting Executive member to represent an area when there is a temporary vacancy.

*Reference: February 2014*

#### **(g) MEETINGS OF THE PROVINCIAL EXECUTIVE**

##### **(i) LOCATION**

- a. Regular meetings of the Provincial Executive will be held in rooms 201 - 206 of the Dr. Tom Parker Building.
- b. Provisions will be made in Rooms 201-206 for an Executive table, staff table and seating accommodations for observers.

##### **(ii) MEETING STATUS**

- a. The closed portion of the meeting will be scheduled at the beginning of the Executive meeting.
- b. Executive members may put the motion that the meeting move "in-closed session" at any time during the meeting if warranted. Decision to move "in closed session" shall be by a simple majority vote.

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- c. The First Vice-President shall chair Closed Sessions of the Provincial Executive meetings.
- d. The staff report, table officers report, nominating committee and personnel committee report will be given during the closed portion of the meeting. Other items addressed during the closed portion of the meeting will be recommended by the Table Officers and ratified by the Executive.

**(iii) VOTING PROCEDURES**

Votes of the Provincial Executive may be taken as voice votes, show-of-hands votes, ballot votes and roll call votes. Roll call votes are taken upon the approval of 20% of the members of the Provincial Executive.

**(iv) PUBLICITY**

The schedule of regular meetings of the Provincial Executive will be published in *The Teacher*, distributed to Local Presidents and NSTU representatives.

**(v) MATERIALS**

Observers will be provided with a copy of the meeting agenda upon arrival at the meeting.

**(vi) OBSERVERS**

- a. The regular meetings of the Provincial Executive are declared open to any interested member of the Nova Scotia Teachers Union (active, associate, active reserve, regular reserve, retired, honorary) provided the appropriate fees have been paid and proof of membership can be provided, if requested.
- b. Individual observers are not required to provide advance notification of attendance at meetings of the Provincial Executive. Groups attending meetings shall provide advance notice of time and numbers to attend to ensure adequate space can be provided.
- c. Observers are required to sign a registry of attendance for each meeting attended.
- d. Observers are expected to behave in a manner that is not disruptive to the conduct of the meeting. Arrangements for presentations to the Executive can be made in advance of Executive meetings.

*Reference: Provincial Executive, July, 1996; Council, 1997; Updated July 2002, March 2007*

**(vii) INTER-MEETING DONATION REQUESTS**

As part of the NSTU annual Community Support budget, an amount of \$1,500 shall be available for donations to external organizations that, due to the timing of the request and the event, cannot be approved at a regular Provincial Executive meeting.

A donation may be provided in an amount not to exceed \$500 with the approval of the Table Officers. All donations allocated through this provision shall be documented in the Report of the Table Officers at the Provincial Executive meeting immediately following the donation.

*Reference: April 2012*

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**(viii) SPECIAL MEETINGS OF THE PROVINCIAL EXECUTIVE**

- a. A special meeting of the Provincial Executive shall take place on the decision of the President in consultation with the Executive Director. A special meeting called by the President may be conducted by electronic means.
- b. A special meeting of the Provincial Executive shall take place following the request to the President of two-thirds (2/3) of the Provincial Executive. The process shall be as follows:
  - i. One or more members of the Provincial Executive shall contact the President requesting a special meeting of the Provincial Executive.
  - ii. If the President is in agreement, the meeting will be held under the authority specified in a. above.
  - iii. If the President is not in agreement with the need for a special Provincial Executive meeting, the President will contact Provincial Executive members within 36 hours from when the President received the initial request.
  - iv. Each member will indicate through the Provincial Executive Listserv whether or not they are in favour of the special Provincial Executive meeting. Provincial Executive members must respond to the call for a vote on a special Provincial Executive meeting within 72 hours of the receipt of the initial request.
  - v. If a Provincial Executive member has not responded, NSTU Central Office will make a specific effort to contact the Provincial Executive member to ensure the initial request was received.
  - vi. If two-thirds of the Provincial Executive respond in the affirmative, the meeting shall take place.
- c. The format of the special meeting, whether by electronic means or in person, may be determined by a majority of the Provincial Executive.

*Reference: April 2012*

**(ix) VOTING BETWEEN PROVINCIAL EXECUTIVE MEETINGS**

No vote of the Provincial Executive shall be conducted unless it is a business item of a Provincial Executive Meeting.

*Reference: April 2012*

**(h) PROVINCIAL EXECUTIVE HONORARIUM**

Each Provincial Executive member shall be paid an honorarium of \$200 per month.

*Reference: March, 1988; November, 1992; November, 2001; April 1, 2005*

**(i) MEETING TIME FRAME**

- (i) Friday evening sessions of the Provincial Executive meetings shall cease at 9:00 p.m. unless majority consent is given to extend the session.

*Reference: Provincial Executive, June, 1984; March, 1985, Nov., 1993*

**(j) MINUTES**

- (i) Meetings of the Provincial Executive shall be recorded, in conjunction with minute taking, as a means of reference for the future. Recordings will be retained for a minimum of one year.
- (ii) On the Monday following an Executive Meeting, meeting highlights are posted on the NSTU website and emailed to the Provincial Executive, Local Presidents and RRC Chairs.

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- (iii) Draft minutes are emailed to the Provincial Executive in the week following an Executive meeting and to Local Presidents and RRC Chairs one week later. Final minutes are posted on the NSTU website once they have been officially adopted by the Executive.

*Reference: Provincial Executive, March, 1996; March, 2000; August 13, 2004, February 2012*

#### **(k) MOTIONS**

- (i) A document of adopted motions shall be forwarded to Local Presidents prior to Annual Council in any year.
- (ii) Motions designated policy shall be submitted as resolutions to Annual Council.

*Reference: Provincial Executive, November, 1994*

#### **(l) RELEASE TIME**

Any Provincial Executive member requiring release time in excess of twelve (12) days provided by Article 31.07 (a) of the Provincial Agreement and Article 37.01(e)(i) of the Community College Faculty and Professional Support agreements must seek prior approval from the President or Executive Director.

*Reference: Provincial Executive, September, 1998*

#### **(m) TRAINING**

- (i) Members elected to the Provincial Executive will be invited to attend an Executive Meeting (as observers) prior to assuming the position.
- (ii) A training program will be provided to new members of the Provincial Executive. New Provincial Executive members will be brought in one day early for orientation prior to their first Executive Meeting.
- (iii) New Executive members will be given the option to attend the first John Huntley Memorial Internship Program during the year.

*Reference: February, 1985; June 4, 5, 2004*

#### **(n) COMMUNICATION ALLOWANCE**

##### **OPTIONS FOR COMMUNICATION**

##### **OPTION 1:**

- A. The union will provide reimbursement (upon presentation of receipts) up to \$500.00 annually for costs associated with communication expenses. This includes, but is not limited to, the installation and maintenance of a separate telephone/internet line, the purchase of communications supplies/equipment, such as printers, long distance charges, internet charges, paper, toner, and inkjet cartridges (excluding any computer) or any other such expenses as approved by the Finance and Property Committee.
- B. The Union is not responsible for any costs incurred with personal cell phone usage; furthermore, the Union will not provide cell phones to any individual members, including members of the Provincial Executive. The provincial President is excluded from this limitation.

**OR**

##### **OPTION 2:**

- A. Alternatively, Provincial Executive members may elect to receive an annual taxable allowance of \$500.00 to cover all costs associated

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with communication expenses. This includes, but is not limited to, the installation and maintenance of a separate telephone/internet line, the purchase of communications supplies/equipment, such as printers, long distance charges, internet charges, paper, toner, and inkjet cartridges (excluding any computer) or any other such expenses.

- B. The communication allowance of \$500.00 shall be paid in full or, upon notification to the secretary-treasurer, two payments of \$250.00.

**(o) WEB ACCOUNT MAILING LISTS**

Upon request, designated NSTU web account mailing lists shall be established for NSTU Provincial Executive.

*Reference: Provincial Executive, Amended February 21, 2003; September 17-18, 2004; September 2010, February 2014, June 2014*

## 16. REGIONAL REPRESENTATIVE COUNCIL

**(a) DUTIES**

**I. DUTIES OF THE REGIONAL REPRESENTATIVE COUNCIL**

- [1] Ensure adherence to terms and conditions of employment as incorporated into regional and provincial agreements.
- [2] Determine an application and selection process for identifying committee members of the Regional Representative Council committees.
- [3] Administer the selection and appointment of committee members to Regional Representative Council committees, including but not limited to:
  - REWC
  - Negotiating Team
  - Grievance Committee
- [4] Receive reports from Regional Representative Council committees appointed by the Regional Representative Council.
- [5] Promote member rights and responsibilities.
- [6] Address such other duties as assigned by the Provincial Executive.
- [7] Appoint the Regional Negotiating Team from among the members of the REWC and such other persons as determined by the RRC.
- [8] Appoint the Chairperson of the Regional Negotiating Team from the members of the Regional Economic Welfare Committee.
- [9] Report to the Provincial Executive any member in violation of the Accountability Article.

**II. DUTIES OF THE REGIONAL REPRESENTATIVE COUNCIL CHAIRPERSON**

- [1] The Chairperson shall be the sole official spokesperson for the Regional Representative Council on Regional bargaining unit.
- [2] The Chairperson or Vice Chairperson shall preside at all meetings of the Regional Representative Council.
- [3] The Chairperson shall prepare agendas for all Regional Representative Council meetings.
- [4] The Chairperson shall call a special meeting in the event of an emergency.
- [5] The Chairperson shall cause to be presented to the Annual General Meetings of Locals:

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- a Regional Representative Council financial statement;
- a proposed Regional Representative Council budget for the upcoming year;
- a report of the Regional Representative Council activities for the year.

### III. DUTIES OF THE REGIONAL REPRESENTATIVE COUNCIL SECRETARY

- [1] The Secretary shall record and maintain copies of the minutes of all meetings of the Regional Representative Council.
- [2] The Secretary shall prepare copies of the minutes for distribution at Regional Representative Council meetings.
- [3] The Secretary shall maintain a record of the attendance at all meetings of the Regional Representative Council.
- [4] The Secretary shall maintain all official records of the Regional Representative Council including the Constitution and Operational Procedures and ensure that appropriate revisions are processed.
- [5] The Secretary shall obtain a current list of contact information for NSTU Representatives; Local Executives; Regional Representative Council committee members; Regional Representative Council members; and, membership lists of participating Locals.
- [6] The Secretary shall forward to the NSTU Central Office names, and contact information for members of the Regional Representative Council.
- [7] The Secretary may keep an Action Register for each Regional Representative Council meeting.

### IV. DUTIES OF THE REGIONAL REPRESENTATIVE COUNCIL TREASURER

- [1] The Regional Representative Council Treasurer shall administer all financial matters associated with the Regional Representative Council and report to the Regional Representative Council by means of a financial statement.
- [2] The Treasurer shall prepare a proposed budget for submission to Provincial Executive.
- [3] The Treasurer shall be responsible for an annual audit review as outlined by the NSTU Finance and Property Committee.

### V. DUTIES OF LOCAL PRESIDENT

- [1] The Local President shall be an active participant in activities of the Regional Representative Council.
- [2] The Local President shall make known the views of members of their Local.
- [3] The Local President shall report Regional Representative Council activities to Local meetings.
- [4] The Local President shall provide the Regional Representative Council Secretary with Local Membership Lists.

### VI. DUTIES OF PROVINCIAL EXECUTIVE MEMBER

- [1] The Provincial Executive Member shall keep the Regional Representative Council informed of Provincial Executive activities.
- [2] The Provincial Executive Members shall conduct the election of Regional Representative Council Chairperson.

### VII. DUTIES OF LOCAL FIRST VICE-PRESIDENT

- [1] The Local First Vice-President shall be an active participant in activities of the Regional Representative Council.
- [2] The Local First Vice-President shall communicate Local concerns to the Regional Representative Council.

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- [3] The Local First Vice-President shall direct member requests to the Regional Economic Welfare Council, Regional Representative Council or provincial authority.
- [4] The Local First Vice-President shall encourage new member involvement with Regional Representative Council activities.

### **VIII. DUTIES OF THE MEMBER(S)-AT-LARGE**

- [1] The Member(s)-At-Large shall communicate bargaining unit concerns to the Regional Representative Council.

### **IX. DUTIES OF THE REGIONAL ECONOMIC WELFARE COMMITTEE**

- [1] Seek input from the bargaining unit's membership for regional asking packages.
- [2] Prepare a regional asking package for presentation to the RRC.
- [3] Be responsible for the dissemination of information regarding regional negotiations and the ratification of regional tentative agreements.
- [4] Plan for and promote improved working conditions for members.

### **X. DUTIES OF THE CHAIRPERSON, REGIONAL ECONOMIC WELFARE COMMITTEE**

- [1] The Chairperson, Regional Economic Welfare Committee shall chair the committee responsible for the preparation of an Asking Package.
- [2] The Chairperson, Regional Economic Welfare Committee shall chair the committee responsible for negotiating the Collective Agreement between the NSTU and the School Board.
- [3] The Chairperson, Regional Economic Welfare Committee shall chair the Regional Grievance Committee.
- [4] The Chairperson, Regional Economic Welfare Committee shall present each Regional Asking Package to the Regional Representative Council for approval prior to the start of negotiations.
- [5] The Chairperson, Regional Economic Welfare Committee shall coordinate Local/Regional economic welfare training.

### **XI. DUTIES OF THE STAFF LIAISON OFFICER**

- [1] The Staff Liaison Officer shall act as a resource person to the Regional Representative Council and its standing committees.

#### **(b) MEETINGS**

- 1. The Regional Representative Council shall meet a minimum of seven (7) times per year at a location determined by the Chairperson.
- 2. A schedule of regular meetings of the Regional Representative Council shall be provided to the membership by September 30<sup>th</sup> in each year.
- 3. Emergency meetings of the Regional Representative Council shall be called as necessary by the Chairperson of the Regional Representative Council.
- 4. A quorum of the Regional Representative Council shall be fifty percent plus one (50% +1) of its membership provided that each Local is represented in the quorum.
- 5. Meetings of the Regional Representative Council shall be governed by Rules of Order adopted by the Nova Scotia Teachers Union.

#### **(c) COMMITTEES**

- 1. Members of participating Locals shall be eligible to serve on Regional Representative Council committees.

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2. Selection of committee members shall be made on an annual basis.
3. All committees of the Regional Representative Council shall have a Regional Representative Council member as liaison.
4. All committees of the Regional Representative Council shall report to the Regional Representative Council.

**(d) APPOINTMENTS/VACANCIES**

1. The Regional Representative Council shall elect from its membership, a Vice-Chairperson to represent the Chairperson as required.
2. Should a vacancy occur in the membership of the Regional Representative Council, the appropriate election procedure shall be carried out.
3. An NSTU staff officer shall be assigned to the Regional Representative Council by the Executive Director.

**(e) (i) FUNDING FOR REGIONAL REPRESENTATIVE COUNCILS**

1. Ten percent (10%) of the total NSTU Local Rebate will be withheld to be equally divided and distributed to the seven Regional Representative Councils to be used to assist in covering the expenses of the RRC.
2. The CSANE Local and the Community College Local are exempt.
3. A Regional Representative Council shall be permitted to appeal to the Provincial Executive for investigation and guidance during any given fiscal year.
4. The Regional Representative Council proposed budget for the upcoming fiscal year shall be submitted to the Provincial Executive for approval.
5. The fiscal year shall be from August 1<sup>st</sup> to July 31<sup>st</sup>.
6. The three signing officers, duly bonded, for the disbursement of Regional Representative Council funds shall be the following; Treasurer, Chairperson, and one other member of the Regional Representative Council.
7. Regional Representative Council members shall be reimbursed expenses at the provincial NSTU rate.
8. When attending Regional Representative Council meetings, members shall be eligible to claim family care costs in the amount approved by the NSTU Provincial Executive.
9. The financial records of the Regional Representative Council shall be subject to an annual review in accordance with guidelines provided by the Finance and Property Committee of the NSTU.

*Reference: May, 2002; September 17, 18, 2004, June 30, 2005; December 1, 2006; February 2007; March 2008*

**(ii) RRC FUNDING AND SURPLUS FUNDS**

If at July 31, the cash balance of an RRC exceeds an amount necessary to fund the activities of the RRC until the November rebate, then the excess monies shall be returned to the locals.

*Reference: June 2008*

**(f) ACCOUNTABILITY**

1. The Regional Representative Council shall provide the NSTU Provincial Executive and its member Locals with a Report of Activities on an annual basis in June of each year.
2. The Regional Representative Council shall provide the NSTU Provincial Executive and its member Locals with financial records in accordance with procedures outlined by the Finance and Property Committee.

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3. Individuals in an elected or appointed leadership role, NSTU employees and others acting on the organization's behalf have the obligation to avoid conflicts of interest; the perception of conflict of interest; and ensure that their activities and interests do not conflict with their responsibilities to the Nova Scotia Teachers Union.
4. Regional Representative Council members are expected to fully attend as well as actively participate in all meetings of the Regional Representative Council.
5. A member of the Regional Representative Council who is absent from two consecutive meetings of the Regional Representative Council without reasons satisfactory to the Regional Representative Council, shall have those absences reported to the affected Local by the Chairperson of the Regional Representative Council.
6. Regional Representative Council members are responsible to fairly represent Regional Representative Council decisions when speaking on issues addressed by the Regional Representative Council.

**(g) RULES OF ORDER**

The current edition of Robert's Rules of Order, Newly Revised governs the Nova Scotia Teachers Union in all parliamentary situations not provided for in legislation, By-Laws and Standing Orders.

**(h) AMENDMENTS TO CONSTITUTION**

Amendments to the Regional Representative Council Constitution require the approval of the NSTU Provincial Executive.

*Reference: Provincial Executive, February, 2007; May 2009, March 2011*

## 17. RESOLUTIONS PROCEDURES

**(i) AUTHORITY**

The NSTU Constitution – Standing Orders.

**(ii) OPERATIONAL PRINCIPLES**

- a. addresses NSTU policy issues
- b. facilitates Council proceedings to ensure effective debate
- c. encourages member participation
- d. demonstrates Provincial Executive leadership
- e. confirms collective voice of Council delegates

**(iii) DEFINITION, PURPOSE, ELIGIBILITY**

- a. An NSTU resolution is a proposal submitted to Annual Council which, when adopted, sets policy and directs action for the organization. A resolution that increases expenses in any current budget line or that causes a new budget line to be created shall be considered as a possible costed resolution by the Finance & Property Committee.
- b. The NSTU resolutions process provides a democratic structure which allows members to develop policies, procedures and practices of the organization.
- c. The Provincial Executive and NSTU Locals may submit resolutions to Annual Council directly. NSTU Committees, Regional Representative Councils (RRC's) and NSTU Professional Associations must submit resolutions to the Provincial Executive. The Provincial Executive determines whether or not submissions are forwarded to Annual Council.

*Reference: Provincial Executive, April, 2007*

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**(iv) RESOLUTION SUBMISSION****A. PROCEDURES**

- i. NSTU Locals, Committees, RRC's and Professional Associations are requested to use submission forms available from the NSTU central office, on the NSTU website ([www.nstu.ca](http://www.nstu.ca)), online submission form and/or electronic mail ([resolutions@nstu.ca](mailto:resolutions@nstu.ca)).
- ii. All resolutions submitted to the NSTU Resolutions Committee for consideration during Annual Council must adhere to the following requirements:
  - A. accompanied by a supporting brief;
  - B. dated and signed by the Local President and Local Resolutions Chairperson or Professional Association President;
  - C. forward to the NSTU Central Office by the 3<sup>rd</sup> Friday in January, draft minutes of the General Meeting of the Local or Professional Association at which Council resolutions were considered by the general membership.

*Reference: June 2007; June 2011, November 2013; July 2014*

**B. GUIDELINES**

- i. Issues that could be addressed by alternate means within the organization are not suitable content for resolutions.
- ii. A resolution that repeats existing policy shall not be submitted.
- iii. Two or more thoughts in a single resolution shall be avoided.
- iv. Resolutions should not specifically refer to NSTU programs or committees.
- v. The use of definitive words (ex - "shall" - use "seek to") in resolutions should be avoided.
- vi. Specific reference should be made to the NSTU Constitution when changes to NSTU By-Laws and Standing Orders are requested. (i.e. numerical notation)

*Reference: January 2013*

**C. BRIEFS**

- i. Resolutions submitted to the NSTU Resolutions Committee for consideration during Annual Council must be accompanied by supporting briefs. Only those resolutions supported by briefs will be forwarded to Council for consideration.
- ii. The requirement to submit a brief with a resolution is designed to reduce the need for "whereas" clauses. Only the "Be It Resolved That" portion of a resolution is addressed by Council. The full intent of the resolution must be explained in this portion of the submission.
- iii. Briefs must be clear and concise.

**D. THE RESOLUTIONS COMMITTEE**

- i. is charged with editing submissions. The Committee will consult with the submitting Local regarding editing changes.
- ii. has the authority to combine resolutions of similar intent provided that the substantial intent of any resolution remains unaltered.
- iii. shall inform a Local at least thirty (30) days prior to Council if a proposed resolution is ruled out of order. When legal advice has been requested, a written summary of such advice must be provided to the Local.
- iv. shall direct resolutions that reaffirm policy to the Provincial Executive for consideration.

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**E. RECOMMENDATIONS**

- i. Resolutions shall be studied prior to Annual Council by the appropriate NSTU Committees and the Provincial Executive.
- ii. The findings and recommendations, if any, from the study shall be available to delegates at Annual Council.

**(v) VOLUNTARY SCREENING PROCESS**

NSTU Locals wishing to receive an opinion regarding the appropriateness and accuracy of a resolution submission may contact the Chair of the Resolutions Committee to provide an analysis. This procedure is available to a Local prior to that Local's General Meeting to conduct the vote on submissions.

**(vi) DOCUMENTATION**

- a. The costing of a resolution is recorded with the actual resolution in the Resolutions Booklet.
- b. The Disposition of Resolutions from the previous Council will be included in the Council Workbook and will include the URL of an electronic compilation of memos and letters regarding adopted resolutions.
- c. All Reports generated by Council Resolutions are directed to the Provincial Executive as Information Items prior to Council.

*Reference: April 1, 2005; February 16-18, 2006, Res. 2012-29; January 2013*

**(vii) TIME LINES**

- a. Locals are requested to appoint the Local Resolution Committee Chairpersons by October 1<sup>st</sup> and submit names to Central Office.
- b. The deadline for resolution submission is the third Friday in December.
- c. Recommendations from Committees concerning Policy Review resolutions are considered by November 30<sup>th</sup>.
- d. Recommendations from Committees concerning resolutions are prepared in advance of Council.
- e. Provincial Executive addresses Professional Association, Regional Representative Council and Committee submissions along with recommendations by the fourth Friday in January.
- f. Resolutions are made available to the membership by April 1.

*Reference: January 2008; June 2011; July, 2014*

**(viii) READING OF COUNCIL RESOLUTIONS**

- a. Resolutions for consideration by Annual Council shall be identified by their respective numbers only and the text of resolutions shall not be read aloud in Council Chambers.
- b. The Local submitting a resolution shall be the initial speaker to that resolution.

*Reference: April 3, 2009, June 2011*

**(ix) ANNUAL COUNCIL NEW BUSINESS RESOLUTIONS**

- a. The NSTU Resolutions Committee coordinates the New Business Resolutions of Annual Council.
- b. It is the responsibility of the NSTU Resolutions Committee to make the determination whether or not a New Business Resolution will be advanced for consideration.
- c. New Business submissions require the Local President's signature of the sponsoring Local or the NSTU President's signature of a Provincial Executive submission.
- d. Eligibility requirement for a New Business submission shall be one of the following:

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- (i) Time – an issue arises after the official closing date for resolution submissions to Annual Council (third Friday in January).
- (ii) New Information – an issue has incurred new developments after the official closing date for resolution submission to Annual Council.
- e. Should a Local or the Provincial Executive disagree with the decision of the Resolutions Committee concerning a New Business submission, the affected Local or the Provincial Executive may appeal the decision through a ruling by Council.

**(x) COMMUNICATIONS**

- a. Information packages for Local Resolutions Committees are circulated to both NSTU Local Presidents and Resolutions Committee Chairpersons and Professional Associations Presidents at least ninety (90) days prior to the submission date deadline.
- b. Locals receive all resolutions submitted to Annual Council in the order they will be considered during Annual Council.
- c. Resolutions for consideration by Annual Council are circulated to members prior to Annual Council.

*Reference: June 2011*

*Reference: Provincial Executive, Oct., 1997; Feb., 1998; Oct., 2000; 2001-NB1; 2002-35, 36, Oct, 2002; June 2004; February 2005, February 2007; January 2010, April 29, 2010, June 2011; January 2013*

## 18. STAFFING

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**(A) APPOINTMENT OF EXECUTIVE DIRECTOR**

- (i) The services of a personnel search agency shall be considered when hiring an Executive Director.
- (ii) Under the direction of the Personnel Committee, the agency shall place advertisements in appropriate publications across Canada.
- (iii) Applications shall be directed to the personnel search agency and forwarded to the Personnel Committee upon the closure of the competition.
- (iv) The Personnel Committee shall develop a short list of five candidates within 14 days of the closure of the competition.
- (v) Candidates on the short list shall be requested to provide the Personnel Committee with a vision statement for the organization.
- (vi) The résumés and vision statements shall be circulated to the Provincial Executive prior to a meeting of the Provincial Executive to enable the Personnel Committee to review comments and input from members prior to conducting interviews.
- (vii) The Personnel Committee shall conduct interviews of candidates prior to the Provincial Executive meeting at which the appointment is considered.
- (viii) The Personnel Committee shall recommend the name of the successful candidate to the Provincial Executive for ratification.
- (ix) If the first candidate declines the offer of employment, the Personnel Committee shall offer the position to an alternate candidate.

*Reference: Provincial Executive July, 1995; September 21, 2001.*

**(B) APPOINTMENT OF PROFESSIONAL EXECUTIVE STAFF**

See Policy, Section I, Governance, Articles 7 and 8.

*Reference: Provincial Executive July, 1995; September 21, 2001, April, 2003*

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**(C) SECONDMENT TO STAFF****(i) CRITERIA:**

- a. The purpose of secondment is to supplement the work of the permanent staff of the Union; to increase the staff available to the Union when the demand exceeds the capacity of the permanent staff or to respond to a specific need of the organization.
- b. Individuals may be seconded to provide a service or program over a period of weeks; to serve as a resource person or liaison with a Union committee or group; or to initiate and/or implement a specific program, project or task on behalf of the Union.
- c. Only active members of the Nova Scotia Teachers Union may be seconded.
- d. Individuals will be seconded on recommendation of the Executive Director to the Provincial Executive. Recommendation shall include the estimated cost, duration of appointment, job description and credentials of the individual.
- e. In emergency situations, individuals may be seconded upon recommendation by the Executive Director to the President and Chairperson of the Personnel Committee. Such a secondment will be subject to ratification by the Provincial Executive.

*Reference: Provincial Executive, April, 1995*

**(ii) PROCESS:**

- a. Potential candidates for secondment shall be identified through periodic placement of an advertisement in *The Teacher*, through the NSTU Webmail, through the NSTU Website and by overnight Fax. The purpose in advertising is to solicit expressions of interest in performing a staff function in various aspects of Union work.
- b. Interested individuals shall be requested to complete an application form that is held for a period of one year. Seconded individuals shall be selected from the existing file.

*Reference: Provincial Executive, July, 1995, January 18, 2007*

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**SECTION II****CURRICULUM**

The NSTU currently has no operational procedures within the area of curriculum. Please refer to the Policy section of this Guidebook, Curriculum.

**SECTION III****ECONOMIC WELFARE & WORKING**

# CONDITIONS

## 19. BOYCOTTS & FINANCIAL SUPPORT

The Executive may provide financial support to other organizations or unions involved in a job action. A “job action” for the purposes of this policy will be defined as a legal strike or lockout that threatens either some principle of labour relations or the integrity of the collective bargaining process. This policy is subject to the following:

- (i) NSTU Executive staff must conduct a thorough investigation into the basis for the strike or lockout and present a report to the Executive outlining the pertinent details along with the implications of involvement for the Nova Scotia Teachers Union.
- (ii) In order for assistance to be given, the strike or lockout must be of a legal nature under the Provincial Labour Code unless extenuating circumstances exist at the time of the recommendation that would cause the Nova Scotia Teachers Union to become involved. Assistance given pursuant to this clause would only be considered in extreme situations.

Notwithstanding (i) and (ii), clauses (iii), (iv) and (v) will apply to non-affiliate unions or organizations.

- (iii) The strike, lockout or dispute must be of no less than 30 days duration at the time of the request.
- (iv) In the case of a union, or the local of a union, there must be a written request for assistance from the president of the union or local involved.
- (v) In the case of a coalition, there must be a written request for assistance from the president of the coalition or from the president of a member organization involved in the coalition.

*Reference: Provincial Executive, October, 1985; 2000*

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## 20. DISPUTE RESOLUTION

### (A) ARBITRATION PROCEDURE FEES

#### (i) INTEREST ARBITRATION

The maximum cost to each Local in a bargaining unit of an Interest Arbitration, full or partial, or any part thereof, shall not exceed \$5.00 per capita for the Locals concerned.

#### (ii) RIGHTS ARBITRATION

The maximum cost to each Local in a bargaining unit of a Rights Arbitration, full or partial, or any part thereof, shall not exceed \$5.00 per capita for the Locals concerned.

In the above cases, costs:

- a. shall be those associated with preparing and presenting a case;
- b. shall not include staff expenses or such others as the Union ordinarily incurs;
- c. may be appealed by a Local to the Provincial Executive for a reassessment.

*Reference: Provincial Executive, October 1983, January 15, 2004*

### (B) GRIEVANCE PROCEDURE — DOCUMENTATION AND FEES

Pursuant to Article 11/42 of the Collective Agreements, once a formal grievance has been initiated, the NSTU will provide written confirmation to

the Grievor(s) as each stage of the grievance procedure has been concluded and inform the Grievor(s) of the direction the NSTU plans to proceed.

**(i) GRIEVANCE COSTS**

- a. The maximum cost to each Local in a bargaining unit of a grievance procedure, full or partial, or any part thereof, shall not exceed \$5.00 per capita for the Locals concerned.
- b. The Provincial Executive will only bill the Community College Local for the prosecution of those grievances and/or rights arbitration arising from articles that would parallel articles in the Regional Agreements.
- c. Requests for legal opinions that affect all members of the bargaining unit:
  - i. must come from the bargaining unit
  - ii. will be charged back to each Local in the bargaining unit at a rate not to exceed \$1.00 per capita.
- d. Any requests for legal opinions from a Local may be charged back to that Local at a rate not to exceed \$1.00 per capita.

*Reference: Provincial Executive, November, 1980; September, 1999; January, 2004*

**(C) STRIKE PROCEDURES**

**(i) PROVINCE-WIDE**

**a. Warning Notice**

- i. In the event of a province-wide strike, a warning notice will be given to each Local President and member of the Provincial Executive.
- ii. The warning notice will consist of an email from NSTU support staff.
- iii. Upon receipt of a warning notice, the Local President must hold himself/herself available for telephone contact by the central office at all times. This involves leaving messages with members of family, babysitters, etc. indicating where the President may be reached.

**b. Strike Notice**

- i. The time of a province-wide strike will be set by the President and Executive of the NSTU.
- ii. The strike notice will be conveyed to the Presidents of Locals by the central office of the NSTU by telephone. The strike notice will consist of a statement of date and time, read by NSTU support staff.
- iii. The strike notice will be delivered in any way required by law to the Minister by the NSTU central office.
- iv. The strike notice will be delivered in any way required by law or courtesy to the chair of the school board by the President of the Local, or when two or more Locals are acting in concert by the Presidents' representative.

**c. The Role of Key Personnel**

**i. President and Executive staff**

- A. Upon issuing the warning notice the President of the NSTU and the Executive staff shall proceed to the central office of the NSTU and remain there or on call for the duration of the strike.

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- B. The President and Executive staff shall make the changes necessary to convert the central office to a Central Clearing House for a province-wide strike.

## ii. The Local President

Upon receipt of a strike notice, the Local President shall:

- A. immediately define the location of a temporary or permanent Local clearing house
- B. then use appropriate means to inform the Local Executive of the strike notice and the location of the Local clearing house
- C. then use appropriate means to inform the NSTU representatives of the strike notice and the location of the Local clearing house
- D. then deliver such notices as are appropriate to the chair of the local school board
- E. then proceed to establish and direct the operation of the Local clearing house
- F. and provide such leadership and decisions as circumstances require during the province-wide stoppage, including the maintenance of necessary communication with the central office clearing house.

## iii. The Local Executive

During a province-wide strike, the Local Executive shall provide support services to the Local President in the operation of the Local clearing house.

## iv. The NSTU representative

- A. During a province-wide strike, the NSTU representative shall:
  - I. receive the strike notice from the Local President or his/her representative
  - II. convey the strike notice directly to the members in the educational site for which he/she is responsible. In larger educational sites, some delegation of this task will be necessary. In this event, the NSTU representative should give to his/her delegates:
    - a) precise instructions relating to the members to be called by the delegate
    - b) what is to be said by the delegate
    - c) insist that the delegate call back to the NSTU representative indicating that all calls have been completed.
- B. The NSTU representative should then inform the Local clearing house that all members in his/her educational site have been contacted, convey personally to the principal of the educational site the strike notice and
  - I. remind the principal of his/her duties under the Act or NSTU policy
  - II. advise the principal to contact the Local clearing house in case of any doubt
  - III. offer to the principal the assistance of the NSTU representative in carrying out the closing of the educational site
    - a) a prerequisite for the smooth operation of this phase is for the NSTU representative to have in

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his/her possession a complete staff list, including addresses and telephone numbers.

- b) at the effective date and time of the strike, the NSTU representative shall personally check the educational site and determine that the strike is in fact effective.
- c) the NSTU representative should then inform the Local clearing house of the fact that the strike is effective and/or seek advice and assistance if difficulties exist.
- d) the NSTU representative shall direct picket lines if established by the Local Executive.

**v. The Regional Executive member or provincial officer**

- A. in the event of a province-wide strike, the member of the Provincial Executive shall:
  - I. make himself/herself available to the Local President(s) for advice and consultation
  - II. maintain a highly visible leadership role in the Local area(s)
  - III. be easily accessible to the central office clearing house for information be prepared at short notice to meet at the central office.

**vi. The chief administrative officer of the board**

In the event of a province-wide strike the chief administrative officer shall remain at his/her post.

**vii. The area supervisor**

In the event of a province-wide strike, the area supervisor shall receive reports from educational site principals that their duties are complete and report to the chief administrative officer. He/she shall then join the strike.

**viii. The educational site principal and vice principal**

In the event of a province-wide strike the educational site principal shall:

- A. provide for the safe dismissal of pupils
- B. provide for the security and maintenance of the building.
- C. report the completion of the above duties to his/her immediate superior
- D. join the strike.

**d. Organization**

In any strike, it is essential to establish a physical base of operations. This base will be called the central office clearing house or the Local clearing house.

The clearing house has but a few characteristics. It must be easy to access either physically or by telephone, it must be the centre for the reception and dissemination of information and it must be the decision-making centre.

**i. The Central Office clearing house**

- A. In the event of a province-wide strike, the Central Office clearing house will be the Dr. Tom Parker Building. The Central Office clearing house will be staffed by the President, the Executive staff and other support personnel.

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- B. The Central Office clearing house will be open and staffed from 8:00 AM to midnight throughout a province-wide strike, and appropriate staff will be assigned for duty at all times.
- C. Additional telephone lines will be added as necessary.
- D. Strike-related material will take priority over all other print jobs.
- E. The Central Office clearing house during a province-wide strike shall:
  - I. inform all Locals of the imminence of a strike. (the warning notice)
  - II. inform all Locals of the strike notice.
  - III. receive all information from Locals relating to the progress of the strike.
  - IV. maintain close liaison with each member of the Provincial Executive.
  - V. be solely responsible for public and press relations.
  - VI. advise Locals and make decisions when necessary.

## ii. The Local clearing house

- A. The location of the Local clearing house will be decided by the Local President(s) having due regard to Local conditions.  
Among the options are:
  - I. a room in a private home
  - II. a room or rooms in a convenient hotel or motel
  - III. rental of office space on a short term basis.
- B. The staffing of the Local clearing house must suit Local conditions.
- C. The Local President must assume overall control of the Local clearing House.
- D. The Local President must be assisted by the Local Executive and Provincial Executive members.
  - I. A duty roster should be established.
  - II. Access by telephone should be assured.
  - III. Printing facilities should be secured if possible, probably on a rental basis.
  - IV. Transportation should be organized by securing the services of members willing to drive cars. This is essential if communication with members is to be maintained through written material or personal visits.
- E. The Local clearing house shall coordinate the proper execution of duties outlined in Section c. in relation to:
  - I. the Local President
  - II. the Executive
  - III. the Provincial Executive member
  - IV. the NSTU representative.
- F. The Local clearing house shall maintain communication with the central office clearing house by reporting at least daily.
- G. The Local clearing house should involve the services of as many members as possible during a strike.
- H. The Local clearing house should maintain the closest possible contact with individual members during a strike.

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## e. Communication

The key to a successful strike is communication. This is especially true in the early hours of the action and continues to be true as the strike lengthens and efforts must be made to maintain morale.

**Conveying the strike notice:**

- A. It is imperative that the conveying of the strike notice proceed smoothly – the strike notice will be conveyed by central office to the Presidents of Locals.
- B. It is imperative that the Local President, with the Local Executive devise a telephone link with all NSTU representatives. This telephone link should have two characteristics:
  - i. It should be as simple as possible with each individual responsible for telephoning a pre-arranged list of NSTU representatives.
  - ii. It should provide for a “check-back” procedure whereby the individual must report that all telephone calls have been completed.
- C. The NSTU representative should follow a similar procedure when larger staffs are involved and delegation is required.
- D. Brevity in communication in time of strike is essential. Telephone lines into clearing houses are limited. The person on the other end is probably busy. Curt answers, devoid of normal courtesies should be accepted in good grace.
- E. During a prolonged province-wide strike, it is essential to maintain frequent communication with individual members. This will be the responsibility of the Local President and Local clearing house. Some techniques might include:
  - i. short written bulletins distributed to all members in the area
  - ii. telephone calls to as many members as possible from the Local clearing house each day.
  - iii. visits to members by leaders
  - iv. formation of a visiting committee
  - v. including as many members as possible in the conduct of the strike as visitors, drivers, telephonists, typists, artists, etc.
- F. The above procedures will accomplish two ends:
  - i. First, that the feeling of the membership can be constantly monitored.
  - ii. Second, a prolonged strike is a lonely place to be. A system of frequent personal contact, a high degree of involvement by as many members as possible can help relieve this feeling of loneliness, and keep up morale.
  - iii. During a province-wide strike, all press statements will be made by or cleared through the central office clearing house.

**f. Picketing**

Pickets are of two types:

**i. Informational pickets**

- A. May be mounted at any time and any place.
- B. The purpose of such a picket is to provide information to the public.
- C. The information may be provided by means of placards, printed handouts or discussion with members of the public.

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- D. It is essential that such pickets be conducted with dignity and intelligence.
- E. Personnel selected for such duty should have a high tolerance for abuse.
- F. It is normally wise to inform local authorities of the intention to stage informational pickets.
- G. It is very desirable to check with local authorities on local by-laws re pickets or demonstrations.
- H. Never leave a picket site untidy. Assign a crew to pick up abandoned signs, leaflets, etc.

## ii. Defensive pickets

- A. Defensive pickets – are mounted around the educational site in order to prevent the intrusion of personnel who will purport to carry on the functions of the striking members. Such persons may be unqualified individuals, perhaps concerned parents who might wish to utilize facilities of the educational site to provide education services. This would be illegal under the *Education Act*. Qualified substitute teachers might be used as strike breakers. Disaffected members might intrude in an effort to break the strike.
  - I. Any of the above categories must be discouraged from entering the educational site.
  - II. The discouragement should be only in the form of an oral request to respect the picket.
- B. A defensive picket should only be in respect of the educational site, never the bus garages or maintenance shops.
- C. The following persons should never be interfered with by pickets:
  - I. maintenance personnel
  - II. stenographic staff
  - III. the chief administrative officer
  - IV. other school board officials who normally enjoy the right of access eg. the secretary-treasurer, chairperson of the board or trustees, etc.
- D. There is no right to physically restrain an intruder.
- E. Defensive pickets are subject to limitation in their number by the courts.
- F. Defensive pickets should be conducted with dignity and decorum. A sincere “thank you” to those who honour a picket will win friends.
- G. Defensive pickets will be directed by the NSTU representative.
- H. The NSTU representative should organize a picket rotation system.
- I. The NSTU representative should provide the comfort of pickets coffee and a warm car can be a great morale booster.
- J. The NSTU representative or his/her delegate should be instantly available to resolve potential troublesome situations.

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## g. Remuneration

Remuneration for a member who allows his/her name to be placed on a picket line roster in a province-wide dispute shall follow these guidelines:

- i. Payments become effective on the first day of the strike.
- ii. Financial support of the membership in a withdrawal of services shall be determined by the Provincial Executive and the terms of such support shall be made known to the membership prior to a job action vote being taken.  
The Executive determined that members shall be paid a rate of \$50.00 per day, (excluding weekends) and \$15.00 per day for each dependent living in the members' household.
- iii. In the case of extreme hardship a member may apply for special compensation via the Local to the Provincial Executive.  
*Reference: April, 1975; October, 1982; March, 1990, November 29, 2002; October 15, 2009*

#### **h. Authorized Activities During a Strike**

- i. Section 34 of the *Teachers' Collective Bargaining Act* states that if a majority of teachers vote in favour of strike following certain bargaining procedures outlined elsewhere in the Act, a strike may be held.
- ii. It is the policy of the NSTU Executive that during a province-wide strike or rotating strike, no NSTU member shall engage in:
  - A. normal classroom duties
  - B. tutoring of pupils
  - C. instruction of adult education classes
  - D. extracurricular or co-curriculum school activities whether conducted within or without the school premises on a province-wide basis from the first day of a strike that is held on either a province-wide or rotating basis.  
(The intent of D. above is that all extracurricular activities will cease provincially and not recommence in any school in the province as long as there is a strike in any school in the province.)

*Reference: Provincial Executive, April, 1975*

#### **i. Legal Provisions During A Strike** (Strikes by Support Staff Personnel)

Consideration must be given to the following:

- i. Section 26 of the *Education Act – Teachers*, says in part:  
It is the duty of a teacher in a public school to
  - (k) take all reasonable steps necessary to create and maintain an orderly and safe learning environment;
  - (n) attend to the health, comfort and safety of the students;
  - (o) report immediately to the principal the existence of any infectious or contagious disease in the school or the existence of any unsanitary condition in the school buildings or surroundings, and perform such duties as are from time to time prescribed by or under the Health Act.
- ii. Section 38 (2) of the *Education Act – Principals*, says in part:  
It is the duty of a Principal to
  - (e) ensure that reasonable steps are taken to create and maintain a safe, orderly, positive and effective learning environment.
- iii. Section 39 (1) of the *Education Act – Superintendents*, says in part:

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A superintendent is accountable to the school board and has overall responsibility for:

- (a) the efficient operation of the school board office and the public schools in the school district or a school region;
- (2) It is the duty of a superintendent to
  - (g) maintain a safe, orderly and supportive learning environment in all schools in the school district or school region;
  - (l) operate and maintain buildings, equipment, supplies and student conveyance under the jurisdiction of the school board.

iv. Section 64 (1) of the *Education Act – General Responsibilities and Powers of School Boards* says in part:

64(1) A school board is accountable to the Minister and responsible for the control and management of the public schools within its jurisdiction in accordance with this Act and the Regulations

64(2) A school board shall, in accordance with the Act and Regulations;

- (f) promote its schools as safe, quality learning environments and as community resources;
- (ad) provide and pay for adequate equipment and furnishings for public schools and the maintenance and operation of equipment, furnishings and school buildings;
- (ae) manage, maintain, repair and keep safe all real and personal property owned, leased and used by the board.

v. It is also worthwhile noting Section 68 of the *Education Act* which says:

68(1) In carrying out its responsibilities and in exercising its authority under this Act, a school board shall comply with the policies of the Department of Education and the directive of the Minister issued in accordance with this Act.

68(2) Where, in the opinion of the Minister,

- (a) the health, safety or educational welfare of the students of a school are endangered or the resources of a school board are not being used in a responsible manner;
- (aa) a school board has failed to meet the standards referred to in subsection 64(6); or
- (b) the school board has failed to comply with a request of the Minister to take corrective action, the Minister may appoint a person who shall carry out such responsibilities and exercise such authority of the school board as the Minister determines and in such manner as the Minister determines and, to the extent the Minister determines, the school board ceases to have such responsibilities or authority.

The Ministerial Regulations under the *Education Act* in part state:

- (5) Where a school board is of the opinion that it is necessary for the health and safety of students in a school that a class or classes of students should be dismissed, the board may dismiss some or all of the classes in the school.
- (6) Where a class has been dismissed pursuant to subsection (5) after school has been in session for three hours or more on any

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day, that day shall be deemed to be a school day of the class for the purposes of the Act and these Regulations.

- (7) With the approval of the Minister, a school board may order that a school be closed on a school day.
  - (8) When a classroom has not been operated on a school day and the teacher cannot claim the day as a school day under the provisions of Section 11 of the *Governor in Council Education Act Regulations*, with the approval of the Regional Education Officer, school may be taught on any of the following days not regularly included in the school year:
    - (a) the school days of the spring vacation;
    - (b) not more than three Saturdays during a school year, but no classroom may be in operation for more than 195 days in a school year and no teacher may teach or claim credit for more than 195 days in a school year.
  - (9) Despite subsection (8), where the one hundred ninety-fifth school day in any school year falls on a Monday, a school board may declare that the one hundred ninety-fifth school day be observed on the Saturday immediately preceding the Monday.
- vi. Section 17(1) of the *Occupational Health and Safety Act* employees' precautions says in part:
- 17(1) Every employee, while at work, shall
- (a) take every reasonable precaution in the circumstances to protect the employee's own health and safety and that of other persons at or near the workplace;
  - (b) cooperate with the employer and with the employee's fellow employees to protect the employee's own health and safety and that of other persons at or near the workplace;
  - (d) consult and cooperate with the joint occupational health and safety committee, where such a committee has been established at the workplace, or the health and safety representative, where one has been selected at the workplace;
  - (e) cooperate with any person performing a duty or exercising a power conferred by this Act or the regulations; and
  - (f) comply with this Act and the regulations.

- vii. Section 17(2) of the *Occupational Health and Safety Act* employees' duties says:

- 17(2) Where an employee believes that any condition, device, equipment, machine, material or thing or any aspect of the workplace is or may be dangerous to the employee's health or safety or that of any other person at the workplace, the employee shall
- (a) immediately report it to a supervisor (educational site principal);
  - (b) where the matter is not remedied to the employee's satisfaction, report it to the joint occupational health and safety committee or the occupational health and safety representative.
  - (c) where the matter is not remedied to the employee's satisfaction after the employee reports in accordance with clauses (a) and (b), report it to the Occupational

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Health and Safety Division, Nova Scotia Department of Labour and Workforce Development.

viii. Section 13(1) of the *Occupational Health and Safety Act* employer's precautions, says in part:

- 13(1) Every employer shall take every precaution that is reasonable in the circumstances to
- (a) ensure the health and safety of persons at or near the workplace;
  - (c) provide such information, instruction, training, supervision and facilities as are necessary to the health and safety of the employees;
  - (f) conduct the employer's undertaking so that employees are not exposed to health or safety hazards as a result of the undertaking. (November 2008)

ix. Section 13(2) of the *Occupational Health and Safety Act* employer's duties, says in part:

- 13(2) Every employer shall
- (a) consult and cooperate with the joint occupational health and safety committee, where such a committee has been established at the workplace, or the health and safety representative, where one has been selected at the workplace;
  - (b) cooperate with any person performing a duty imposed or exercising a power conferred by this Act or the regulations;
  - (d) comply with this Act and the regulations and ensure that employees at the workplace comply with the Act and the regulations.

x. Section 31 of the *Occupational Health and Safety Act* functions of the joint occupational health and safety committees:

- 31(1) It is the function of the committee to involve employers and employees together in occupational health and safety in the workplace and, without restricting the generality of the foregoing, includes
- (a) the co-operative identification of hazards to health and safety and effective systems to respond to the hazards;
  - (b) the co-operative auditing of compliance with health and safety requirements in the workplace;
  - (c) receipt, investigation and prompt disposition of matters and complaints with respect to workplace health and safety;
  - (d) participation in inspections, inquiries and investigations concerning the occupational health and safety of the employees.

xi. Section 35 of the *Occupational Health and Safety Act* duty of employer to provide certain information:

- 35(1) An employer shall notify the committee or representative, if any, of the existence of reports of
- (a) workplace occupational health and safety inspections; and
  - (b) workplace occupational health and safety monitoring or tests, undertaken at the workplace by, or at the request of, an occupational health and safety officer or the employer and, on request, the employer shall make the reports available to the committee or the representative.

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- 35(2) An employer shall make available to an employee at a workplace, on request, reports of
- (a) workplace occupational health and safety inspections; and
  - (b) workplace occupational health and safety monitoring or tests, undertaken at the workplace by, or at the request of an occupational health and safety officer or the employer.

xii. **Section 45 of the *Occupational Health and Safety Act prohibition of discriminatory action***

- 45(2) No employer shall take, or threaten to take, discriminatory action against an employee because the employee has acted in compliance with this Act or the regulations or an order or direction made thereunder or has sought the enforcement of the Act or the regulations, or without limiting the generality of the foregoing, because
- (a) of the participation of the employee in, or association with, a joint occupational health and safety committee or the employee has sought the establishment of a committee or performed functions as a committee member;
  - (b) of the association of the employee with an occupational health and safety representative or the employee has sought the selection of a representative or performed functions as a representative;
  - (d) the employee has sought access to information to which the employee is entitled by this Act or the regulations;
  - (f) the employee has given information to the joint occupational health and safety committee, a representative, an occupational health and safety officer or other person concerned with the administration of this Act or the regulations with respect to the health and safety of the employees at the workplace.

S 55 (1) An officer may give an order orally or in writing to a person for the carrying out of any matter or thing regulated, controlled or required by this Act or the regulations, and may require that the order be carried out within such time as the officer specifies.

- (4) Where an officer makes an order pursuant to subsection (1) and finds that the matter or thing referred to therein is a source of danger or a hazard to the health or safety of a person at the workplace, the officer may order that
- (a) any place, device, equipment, machine, material or thing not be used until the order is complied with;
  - (b) work at the workplace or any part of the workplace stop until the order to stop work is withdrawn or cancelled by an officer.

*Reference: January, 1986; September, 1999; November 2008*

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## j. Student Travel During Member Strike

The accompaniment of students by members on student travel programs is considered to be an activity that will not be done by members during the time of a strike. When members associate themselves with student travel programs, they should be assured that alternative arrangements can be made so that during a strike, either

- i. persons other than members can accompany these students on the trip, or
- ii. the trip can be cancelled without any loss of money by the students.

**k. Strikes by Non-NSTU Personnel — Guidelines for NSTU Members**

**i. Contracts and Teaching**

- A. Members of the Nova Scotia Teachers Union have individual contracts that must be honoured.
- B. Members of the Nova Scotia Teachers Union have a negotiated agreement currently in force. A failure to work under this contract may be classed as an illegal strike by the Labour Relations Board under the *Teachers' Collective Bargaining Act*. An illegal strike may attract penalties. The existence of peaceful picket lines and the respect many members have for them is not a defense to conviction under the *Teachers' Collective Bargaining Act*.
- C. It follows from sections 1 and 2 above that it is the duty of members to teach during time of strike by support personnel.
- D. It is the position of the NSTU that teaching includes direct instruction to students, specific preparation for instruction, general preparation for instruction, evaluation of instruction and professional development.

**ii. Student Absenteeism**

- A. Since absenteeism may be high during a strike of bus services, the NSTU expects members to adjust teaching services to prevailing conditions during and after a strike.
- B. Should absenteeism cause reorganization of classes or closure of sections or departments, members not engaging in direct instruction should engage in non-instructional teaching duties.

**iii. Health and Safety**

- A. It is the duty of the regional boards to ensure that educational sites are safe and healthy environments for pupils.
- B. It is the firm contention of the NSTU that there is a duty of the regional boards to maintain safe and healthy conditions of work for members.
- C. Members will report unsafe and/or unhealthy conditions to their Principal and if required the Joint Occupational Health and Safety Committee. If after consultation with the Principal and JOHS Committee the unhealthy/unsafe conditions are not remedied, the Department of Labour and Workforce Development should be contacted. Staff at Central Office are available to discuss with members whether contact with the Department of Labour and

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- D. Only the regional board/ the Minister of Education/the Department of Labour and Workforce Development may close an educational site because of health or safety concerns.
- E. Should the regional board, the Minister, or the Department of Labour and Workforce Development close part of an educational site operation for health or safety reasons, members not required for direct instruction duties should request a safe and healthy area in which to carry out their non-instructional teaching duties.

#### iv. Protracted Closures

- A. Should a regional board or the Minister close an educational site or workplace pursuant to the Letter of Understanding (3) School Closure of the Teachers' Provincial Agreement, the chairperson of the RRC should consult with the superintendent or designate to determine that the requirements of said Letter of Understanding will be met.
- B. Should an educational site be closed by order of an authority for a protracted period and should extraordinary meetings of members be called by the Regional School Board, members will attend.

#### v. NSTU Communications

For matters of advice or with educational site staffs during educational site closures, the NSTU will utilize its NSTU representative communication network. Local Presidents will be asked to check the effectiveness of this network prior to any apprehended difficulty and advise the RRC Chairpersons.

#### vi. Extracurricular Activities

Members should maintain inter-educational site and extracurricular activities such as sporting events, debating meets and music festivals. Because a strike by CUPE members will affect various educational sites very differently, the NSTU central office will provide all possible assistance in matters of difficulty.

*Reference: January, 1986; November 2008*

## 21. LEGAL PROTECTION

### (A) GRIEVANCES

In the case of a grievance under the Provincial or Regional Agreement, requests for legal assistance are handled as follows:

- (i) The member or in the case of a Regional Agreement the Regional Grievance Committee, consults with the assigned Staff Officer, after which the Staff Officer determines whether the NSTU will carry the grievance forward to arbitration.
- (ii) If the member or Regional Grievance Committee does not agree with the Staff Officer's decision, an appeal of the decision may be made in writing to the Executive Director by using Form A within fourteen (14) calendar days of receiving the Staff Officer's decision. The decision of

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the Executive Director on whether the NSTU will carry the grievance is final.

- (iii) When the NSTU determines that the grievance will be referred to arbitration, the NSTU, after consultation with the member and/or the Regional Grievance Committee, makes all decisions relating to the carriage of the grievance, including, but not limited to, instructing counsel and making strategic decisions including withdrawing or settling the grievance prior to or during arbitration.

#### (B) SUSPENSIONS, TERMINATIONS AND DISCHARGES

- (1) In the case of an appeal of a suspension, termination or discharge from employment pursuant to Section 36 of the *Education Act*, requests for legal assistance are handled as follows:
  - (i) The teacher makes an application to the Appeals Committee constituted under Operational Procedure 4(i) through the Executive Director using Form B;
  - (ii) The Appeals Committee inquires into the circumstances of the suspension, termination or discharge in accordance with Operational Procedure 4(i)(b);
  - (iii) The Appeals Committee determines whether legal services will be provided by the NSTU.
  - (iv) There is no appeal from the Appeals Committee's decision, unless the teacher can demonstrate that the Appeals Committee failed to follow its appropriate procedures in arriving at its decision. In such a case, the teacher may appeal the Appeals Committee's decision in writing to the Provincial Executive by using Form C. The decision of the Provincial Executive is final.
  - (v) If the NSTU provides legal services for a teacher's Section 36 appeal, the NSTU, after consultation with the teacher, makes all decisions relating to the carriage of the appeal, including, but not limited to, instructing legal counsel and making strategic decisions relating to the appeal process and hearing. If the teacher fails to aid and co-operate with the NSTU or fails to reasonably follow the advice and direction of the NSTU and its appointed legal counsel, the NSTU may restrict or withdraw legal services.
- (2) Notwithstanding 21 (A)(ii), if a member employed by the Nova Scotia Community College ("NSCC") is suspended or terminated from employment and the member does not agree with the Executive Director's decision regarding the NSTU's carriage of the grievance, the member may appeal within fourteen (14) calendar days of receipt of the Executive Director's decision in writing to the Provincial Executive by using Form D. The decision of the Provincial Executive on whether to assume carriage of the grievance is final. All other provisions of 21 (A) apply to the provision of legal services in this instance.

#### (C) CRIMINAL MATTERS

In the case of a criminal charge arising from the member's employment, requests for legal assistance are handled as follows:

- (i) The member consults with a Staff Officer, after which the Staff Officer determines if legal services will be provided by the NSTU.
- (ii) If the member does not agree with the Staff Officer's decision, the member may appeal the Staff Officer's decision in writing to the Executive Director within ten (10) calendar days of receiving the Staff Officer's decision by using Form E. The decision of the Executive Director on whether to provide legal services is final.

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(iii) If the NSTU determines to provide legal services, the NSTU has the right to be kept informed of developments and strategy and to be consulted by legal counsel. The provision of legal services may be withdrawn by the NSTU if the member fails to aid and co-operate with NSTU and its appointed legal counsel and/or fails to reasonably follow the advice and direction or follow the reasonable advice of the NSTU and its appointed legal counsel. As well, the NSTU may place monetary and other reasonable restrictions on the provision of legal services.

(D) NSTU will not be responsible for any bills for legal services that have not been authorized by the Staff Officer, Executive Director or Executive in advance.

*(The Forms referenced here are available from the NSTU Member Services Department)*

*Reference: 98-51; February, 1999; December 2009*

## 22. NEGOTIATIONS

### (i) STAGGER EXPIRY DATES OF CONTRACTS

In future rounds of negotiations, the NSTU should take every opportunity to stagger expiry dates of Community College, Public School, Regional and staff agreements to avoid the problems associated with the complicated process.

*Reference: September 20, 2002*

### (ii) SCHEDULING DATES

The dates for the Provincial Asking Package for the Teachers' Provincial Agreement and Community College Agreements and negotiations for the Teachers' Provincial Agreement and the Community College Agreements be mutually agreed upon with the NSTU President prior to being scheduled.

*Reference: March 2014*

### (A) PROCEDURES FOR PROVINCIAL NEGOTIATIONS

#### (i) THE PROVINCIAL ECONOMIC WELFARE COMMITTEE

- a. The Provincial Economic Welfare Committee shall be appointed by the Provincial Executive.
- b. The Provincial Economic Welfare Committee shall be twelve (12) in number as follows:
  - i. the NSTU President (ex officio member);
  - ii. three (3) Provincial Executive members, including the First Vice-President of the NSTU, who shall serve as Chair of the Committee;
  - iii. an administrator, as recommended to the Nominating Committee by the Teachers With Administrative Responsibilities Committee; plus
  - iv. eight (8) other members, selected by the Nominating Committee, using the following criteria:
    - A. regional representation,
    - B. experience in Union activities,
    - C. curriculum/grade level/diversity of assignment representation,
    - D. representatives of both male and female members.

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- E. Strong consideration shall be given in order that all regions, including CSANE, be represented on the Provincial Economic Welfare Committee.
- c. The Provincial Economic Welfare Committee shall report directly to the Provincial Executive.
- d. The Provincial Economic Welfare Committee shall act upon request, in an advisory capacity to the Provincial Negotiating Team.
- e. Committee members shall hold office from the date of appointment until an agreement has been concluded and signed unless removed by the Provincial Executive for cause.
- f. Staff members shall act as advisors to the Committee.
- g. Background material for the Committee shall be prepared by the staff, and by contract when deemed necessary.
- h. Should a replacement of a Provincial Economic Welfare Committee member be necessary, the Table Officers shall appoint, in consultation with the Chair of the Nominating Committee, a replacement with ratification of the appointment by the Provincial Executive at the next meeting of the Provincial Executive.

*Amendments: January 20-22, 2005; February 24-26, 2005, January 2012*

**(ii) THE MEMBERSHIP INPUT IN ASKING PACKAGE**

- a. Membership input will be by means of:
  - i. direct proposal from a member
  - ii. proposal from a Local
  - iii. proposal from Professional Associations
  - iv. proposal from the Provincial Executive
  - v. proposal from educational site staffs
  - vi. proposals from Standing Committees of the NSTU
  - vii. proposals from ad hoc committees of the NSTU (as appropriate)
  - viii. proposals from Regional Economic Welfare Committees
  - ix. proposals from Regional Representative Councils
- b. Economic Welfare resolutions adopted by Annual Council shall receive greater consideration when presented to the Provincial Economic Welfare Committee.
- c. All proposals shall be in writing or by online submission giving a clear explanation of intent and reasons for the proposal being made.
- d. Proposals shall be submitted to the Provincial Economic Welfare Committee.
- e. Any items submitted to the Provincial Economic Welfare Committee that are regional in nature will be forwarded to the REWC Chair of the submitting region and will be maintained at Central Office for the next round of regional bargaining. *(December 2014)*
- f. A direct link to the online submission form regarding negotiations shall be available on the NSTU home page. *(June 2014)*

*Reference: March 25, 26, 2004; January 2010; June 2011, Res. 2012-69; June 2014, December 2014*

**(iii) THE ASKING PACKAGE**

- a. The Provincial Economic Welfare Committee shall prepare the Asking Package.
- b. The Asking Package shall be forwarded to the Provincial Executive for consideration and final approval.
- c. The Asking Package is to be presented to the membership in a conceptual format rather than specific contract language.

*Reference: March 25, 26, 2004*

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### (iv) INFORMING THE MEMBERSHIP REGARDING THE ASKING PACKAGE

- a. A summary of the Asking Package shall be sent or presented to NSTU representatives and Local Presidents at a time to be determined by the Provincial Executive pending the development of a negotiation strategy.

### (v) THE PROVINCIAL NEGOTIATING TEAM

- a. The Provincial Negotiating Team shall be appointed by the Provincial Executive.
- b. Appointees to the Provincial Negotiating Team shall be as follows:
  - i. The President and the Executive Director;
  - ii. Two (2) members from the Economic Welfare Committee who are not Executive members;
  - iii. Staff from Member Services Department;
  - iv. The Chairperson of the Economic Welfare Committee, who shall be the First Vice-President of the Union.
- c. The Chairperson shall be the President of the NSTU, and spokesperson on topics shall be determined by the Chairperson in consultation with the Negotiating Team.
- d. The Provincial Negotiating Team shall report directly to the Provincial Executive.
- e. If agreement is reached at the negotiating table, the Negotiating Team will report this to the Provincial Executive accompanied by a recommendation to accept or reject.
- f. The Provincial Negotiating Team may consult the Provincial Economic Welfare Committee at any time it is deemed advisable.

### (vi) INFORMING THE MEMBERSHIP DURING NEGOTIATIONS

- a. During negotiations, confidential bulletins shall be sent to NSTU representatives, Local Presidents and Provincial Executive members.
- b. NSTU representatives shall be responsible for calling meetings of staff members for the purpose of informing them of the contents of the bulletin.

### (vii) TENTATIVE AGREEMENT

- a. No release shall be made concerning the Tentative Agreement prior to the holding of the Provincial Executive Meeting.
- b. As soon as possible following the submission of a recommendation on a Tentative Agreement by the Negotiating Team, the Provincial Executive shall meet.
- c. The Provincial Executive will present the Tentative Agreement to the membership accompanied by a written recommendation to accept or to reject.
- d. Provincial Executive members shall not divulge any information respecting the Tentative Agreement until such time as the Tentative Agreement has been presented at the first regional meeting.

*Reference April 2012*

### (viii) INFORMING THE MEMBERSHIP OF THE TENTATIVE AGREEMENT

- a. Every reasonable effort shall be made to present a summary of the Tentative Agreement to NSTU representatives, Local officers, and any other interested member either on the day the Provincial Executive considers the Tentative Agreement or on the days immediately following consideration by the Provincial Executive.

- b. At the request of a Provincial Executive member, a second presentation by staff to Local members will be held to address questions and concerns that arise after members have had an opportunity to study the agreement and prior to the ratification vote.
- c. There will be an interval of at least seven (7) calendar days between the presentation of the Tentative Agreement to the last Local and the day of the provincial ratification vote.
- d. Notwithstanding (c), in the event that a tentative agreement is achieved during the period in which Public School members are on strike, the Provincial Executive authorize the NSTU President to set the ratification vote date.
- e. Notwithstanding (c), in the event that a tentative agreement is achieved during the period in which Public School members have a strike date pending, the Provincial Executive authorize the NSTU President to set the ratification vote date.
- f. The format of provincial tentative agreements shall be of a quality and clarity that makes it easy to read and be understood by the members. Details such as format and size of type must be considered.

*Reference: Amended June 1, 2006; December 2009*

**(ix) ARBITRATION VOTE, RATIFICATION VOTE, STRIKE VOTE PROCEDURES**

- a. An arbitration, ratification, or strike vote shall be conducted using electronic voting.
- b. Prior to an arbitration vote, a ratification vote or a strike vote, regional meetings shall be held for the purposes of information and clarification.
- c. The Provincial Executive shall appoint a Provincial Returning Officer for the province and a Regional Electoral Officer for each geographic region. These individuals shall be responsible for the conduct of the vote.
- d. Pursuant to Article 31.02 (iv) of the *Teachers' Provincial Agreement*, the Regional Electoral Officer may request to be released from teaching duties on voting day if deemed necessary to carry out assigned duties.
- e. In the event that an NSTU representative has not been selected for an educational site, cannot act, or refuses to act in voting procedures, an alternate shall be appointed by the Regional Electoral Officer.
- f. The Regional Electoral Officer(s) shall act as overseer(s) for each vote to be taken.

**(x) DISTRIBUTION OF VOTING CARDS**

- a. Voting cards and nominal lists will be distributed by the NSTU Central Office to NSTU Representatives.
- b. Additional voting cards will be available from the Regional Electoral Officer.
- c. A list of voting keys issued shall be maintained at Central Office.
- d. Members will receive an email to his/her NSTU webmail address from Central Office reminding them that it is voting day and to see his/her NSTU representative to receive a voting card.
- e. NSTU Representatives shall confirm receipt of voting cards by email to the Regional Electoral Officer.

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**(xi) ELIGIBILITY TO VOTE**

- a. All NSTU members employed by way of permanent, term and probationary contracts with the school board and members on sabbatical leave, and deferred salary leave or active reserve members are eligible to vote.
- b. Substitute teachers employed on the day designated as voting day shall be eligible to vote.

**(xii) ADVANCE ISSUE OF VOTING CARDS**

- a. Voting cards shall be available to the NSTU Representative for distribution the day before the vote to be issued to an NSTU member(s) who certifies that he/she is unable to receive a voting card on voting day because he/she will be away from the regular worksite during the voting period.
- b. The NSTU Representative shall have the member sign the nominal list and provide the member with a voting card and instructions on how to vote during the voting period.

**(xiii) VOTING DAY**

- a. On any vote conducted under the *Teachers' Collective Bargaining Act*, the voting day shall be determined by the President of the Nova Scotia Teachers Union in accordance with NSTU policy.
- b. The voting day shall be from 6:00 a.m. - 8:00 p.m..
- c. NSTU representative(s) are encouraged to make arrangements to have a dedicated computer available to staff to use for the voting period and that the computer automatically display the NSTU website where members can vote.
- d. NSTU representative(s), after a voter has been identified, provide a voter with a voting card which contains a private voting key under the silver scratch box. Voters will sign next to their name on the nominal list confirming that they have received a voting card.
- e. NSTU representative(s) are to instruct voters to go to the NSTU website ([www.nstu.ca](http://www.nstu.ca)), select the icon for the vote and follow the instructions for voting.
- f. NSTU representative(s) are to mail the original signed nominal list as well as all unused voting cards to the NSTU Central Office in a postage paid envelope at the end of the day.
- g. Regional Electoral Officers with the assistance of an electoral committee, if necessary, shall:
  - i. confirm that all NSTU representative(s) have received voting cards;
  - ii. call all educational sites on voting day to make sure voting is proceeding as scheduled;
  - iii. call all educational sites to ensure that signed nominal lists are forwarded to Central Office.

**(xiv) VERIFICATION AND COUNTING**

- a. Voting keys will be validated and counted electronically.

**(xv) ANNOUNCEMENT OF VOTE RESULTS**

- a. The Provincial Returning Officer shall, as soon as the results are known, announce within the NSTU to the Provincial Executive, RRC Chairs and Local Presidents the results.
- b. The Local Presidents and Provincial Executive are to forward this information to the general membership through NSTU representatives.

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- c. The NSTU shall, upon completion of (a) above, issue a media release announcing the outcome of the vote but not containing the vote count.
- d. The results of the vote shall be published in the issue of *The Teacher* subsequent to the vote.

*Reference: January, 1979; 1982; 1983; 1985; 1989; 1997; 1999; March 25-26, 2004; July, 2010*

## **(B) PROCEDURES FOR COMMUNITY COLLEGE NEGOTIATIONS**

### **(i) THE COMMUNITY COLLEGE ECONOMIC WELFARE COMMITTEE**

- a. The Economic Welfare Committee shall be appointed by the Provincial Executive.
- b. The Economic Welfare Committee shall consist of up to nine (9) members determined by the following:
  - i. four (4) Community College members;
  - ii. a Community College NSTU Provincial Executive member who shall be chair of the Committee;
  - iii. the President of the Community College Local;
  - iv. the Vice Presidents Economic Welfare of the Professional Support and Faculty Bargaining Units;
  - v. a minimum of two (2) members shall be from the Faculty and Professional Support Bargaining Units;
  - vi. the President of the NSTU;
  - vii. staff members
- c. The Community College Local Council shall forward to the Provincial Executive the names of members selected by the Council from the list of Community College members who apply for the Community College Economic Welfare Committee.
- d. The Community College Economic Welfare Committee shall be selected using the following criteria:
  - i. regional representation;
  - ii. experience in Union activities; and
  - iii. representation by gender.
- e. The Community College Economic Welfare Committee shall report directly to the Provincial Executive.
- f. The Community College Economic Welfare Committee shall act upon request, in an advisory capacity to the Community College Negotiating Team.
- g. Committee members shall hold office from the date of appointment until an agreement has been concluded and signed.
- h. Staff members identified in b.vii. shall act as advisors to the Committee.
- i. Background material for the Committee shall be prepared by the staff, and by contract when deemed necessary.

*Reference: December 2010; June 2011*

### **(ii) THE MEMBERSHIP INPUT IN ASKING PACKAGE**

- a. Membership input will be by means of:
  - i. direct proposals from members in the bargaining units;
  - ii. proposals from the Community College Economic Welfare Committee;
  - iii. proposals from the Provincial Executive;
  - iv. proposals from Community College campus staffs;
  - v. resolutions referred by Council; and
  - vi. proposals from staff.

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- b. All proposals shall be in writing or by online submission giving a clear explanation of intent and reasons for the proposal being made.
- c. Proposals shall be submitted to the Community College Economic Welfare Committee.
- d. A direct link to the online submission forms regarding negotiations shall be available on the NSTU home page.

*Reference: March 25, 26, 2004; June 2011; June 2014*

**(iii) THE ASKING PACKAGE**

- a. The Community College Economic Welfare Committee shall prepare the Asking Package.
- b. The Asking Package shall be forwarded to the Provincial Executive for consideration and final approval.
- c. The Asking Package is to be presented to the membership in a conceptual format rather than specific contract language.

*Reference: March 25, 26, 2004*

**(iv) INFORMING THE MEMBERSHIP REGARDING THE ASKING PACKAGE**

- a. A summary of the Asking Package shall be presented to NSTU Community College Local Council either on the day of the initial negotiating meeting, or as soon as possible following the initial meeting.
- b. NSTU Community College campus representative(s) are responsible for distributing and presenting the summary of the Asking Package at staff meetings called for that purpose.

**(v) THE COMMUNITY COLLEGE NEGOTIATING TEAM**

- a. The Community College Negotiating Team shall be appointed by the Provincial Executive.
- b. Appointees to the Community College Negotiating Team shall be as follows:
  - i. The NSTU President and Executive Director;
  - ii. The Chairperson of the Community College Economic Welfare Committee, who shall be a Community College Provincial Executive member;
  - iii. The Vice Presidents of the Community College Economic Welfare Committee of the Faculty and Professional Support Bargaining Units;
  - iv. Three (3) other members from the Community College Economic Welfare Committee, excluding the Community College Provincial Executive member;
  - v. The Community College Negotiating Team shall include a minimum of two (2) members from each bargaining unit, and
  - vi. Staff members
- c. The Chairperson shall be the President of the NSTU, and spokesperson(s) on topics shall be determined by the Chairperson in consultation with the Community College Negotiating Team.
- d. The Community College Negotiating Team shall report directly to the Provincial Executive.
- e. If agreement is reached at the negotiating table, the Negotiating Team will report this to the Provincial Executive accompanied by a recommendation to accept or reject.
- f. The Community College Negotiating Team may consult the Community College Economic Welfare Committee at any time it is deemed advisable.

*Reference: Provincial Executive, May 5, 2000; June 2011*

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**(vi) INFORMING THE MEMBERSHIP DURING NEGOTIATIONS**

- a. During negotiations, confidential bulletins shall be sent to NSTU Community College campus representative(s), and Provincial Executive members.
- b. NSTU Community College campus representative(s) in the Community College shall be responsible for calling meetings of staff members for the purpose of informing them of the contents of the bulletin.

**(vii) TENTATIVE AGREEMENT**

- a. No release shall be made concerning the Tentative Agreement prior to the holding of the Provincial Executive meeting.
- b. As soon as possible following the submission of a recommendation on a Tentative Agreement by the Negotiating Team, the Provincial Executive shall meet.
- c. The Provincial Executive will present the tentative agreement to Community College members accompanied by a written recommendation to accept or to reject.
- d. Provincial Executive members shall not divulge any information respecting the Tentative Agreement until such time as the Tentative Agreement has been presented to Community College members.

*Reference: April 2012*

**(viii) INFORMING THE MEMBERSHIP OF THE TENTATIVE AGREEMENT****Faculty Bargaining Unit and Professional Support Bargaining Unit**

- a. Every reasonable effort shall be made to present a summary of the Faculty Tentative Agreement and the Professional Support Tentative Agreement to the Faculty Bargaining Unit and Professional Support Bargaining Unit members, respectively, at meetings either on the day the Provincial Executive considers the Tentative Agreement(s) or on the days immediately following consideration by the Provincial Executive.
- b. At the request of campus representatives, a second presentation by staff to members will be held to address questions and concerns that arise after members have had an opportunity to study the agreement and prior to ratification vote.
- c. There shall be an interval of at least seven (7) calendar days between the first presentation to the Community College members and the day of the ratification vote.
- d. Notwithstanding (c), in the event that a tentative agreement is achieved during the period in which Faculty and Professional Support Bargaining Units are on strike, the Provincial Executive authorize the NSTU President to set the ratification vote date.
- e. Notwithstanding (c), in the event that a tentative agreement is achieved during the period in which Faculty and Professional Support Bargaining Units have a strike date pending, the Provincial Executive authorize the NSTU President to set the ratification vote date.

*Reference, October 15 & 19, 2009*

**(ix) ARBITRATION VOTE, RATIFICATION VOTE, STRIKE VOTE PROCEDURES**

- a. An arbitration, ratification vote or strike vote shall be conducted using electronic voting.
- b. Prior to an arbitration vote, a ratification vote or a strike vote, the NSTU representative(s) shall hold meetings of members of the

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Faculty Bargaining Unit and Professional Support Bargaining Unit for the purposes of information and clarification.

- c. The Provincial Executive shall appoint a Provincial Returning Officer and a Community College Electoral Officer who shall be a Community College Provincial Executive Member. These individuals will be responsible for the conduct of the vote.
- d. Pursuant to Article 37 of the Faculty and Professional Support Agreement, the Community College Electoral Officer may request to be released from assigned duties on voting day if deemed necessary to carry out assigned duties.
- e. In the event that an NSTU representative(s) has not been selected for an educational site, cannot act, or refuses to act in accordance with voting procedures, an alternate shall be appointed by the Community College Electoral Officer.
- f. A Community College Electoral Officer shall act as overseer for the vote to be taken in each Community College educational site.
- g. A Campus Electoral Officer shall be appointed for each Campus.

*Reference June 2011*

**(x) DISTRIBUTION OF VOTING CARDS**

- a. Voting cards and nominal lists will be distributed by the NSTU Central Office to NSTU representative(s).
- b. Additional voting cards will be available from the Campus Electoral Officer.
- c. A list of voting keys issued shall be maintained at Central Office.
- d. Members will receive an email to his/her NSTU web mail address from Central Office reminding them that it is voting day and to see his/her NSTU representative to receive a voting card.
- e. NSTU representative(s) shall confirm receipt of voting cards by email to the Campus Electoral Officer who shall confirm receipt of voting cards by email to the Community College Electoral Officer.

**(xi) ELIGIBILITY FOR VOTING**

- a. Community College members regularly employed on regular, probationary or term contract shall be eligible to vote.
- b. Community College members who are on Educational Leave or Deferred Salary Leave are eligible to vote.
- c. Auxiliary members employed on the day designated as voting day shall be eligible to vote.

**(xii) ADVANCE ISSUE OF VOTING CARDS**

- a. Voting cards shall be available to the NSTU representative(s) for distribution the day before the vote to be issued to an NSTU member(s) who certifies that he/she is unable to receive a voting card on voting day because he/she will be away from the regular educational site during the voting period.
- b. The NSTU representative(s) shall have the member sign the nominal list and provide the member with a voting card and instructions on how to vote during the voting period.

**(xiii) VOTING DAY**

- a. On any vote conducted under the *Trade Union Act*, the voting day shall be determined by the President of the Nova Scotia Teachers Union in accordance with NSTU Policy.
- b. The voting day shall be from 6:00 a.m. - 8:00 p.m.
- c. NSTU representative(s) are encouraged to make arrangements to have a dedicated computer available to staff to use for the voting

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period and that the computer automatically display the NSTU website where members can vote.

- d. NSTU representative(s), after a voter has been identified, provide a voter with a voting card which contains a private voting key under the silver scratch box. Voters will sign next to their name on the nominal list confirming that they have received a voting card.
- e. NSTU representative(s) are to instruct voters to go to the NSTU website ([www.nstu.ca](http://www.nstu.ca)), select the icon for the vote and follow the instructions for voting.
- f. NSTU representative(s) are to give the original signed nominal list as well as all unused voting cards to the Campus Electoral Officer.
- g. The Campus Electoral Officer shall:
  - i. confirm to the Community College Electoral Officer that all NSTU representative(s) have received voting cards;
  - ii. make sure voting is proceeding as scheduled;
  - iii. mail the signed nominal lists as well as all unused voting cards to Central Office in a postage paid envelope at the end of the day.

#### **(xiv) VERIFICATION AND COUNTING**

- a. Voting keys will be validated and counted electronically.

#### **(xv) ANNOUNCEMENT OF VOTE RESULTS**

- a. The Provincial Returning Officer shall, as soon as the results are known, announce within the NSTU to the Provincial Executive, RRC Chairs and Local Presidents the results.
- b. The Local Presidents and Provincial Executive are to forward this information to the general membership through NSTU representatives.
- c. The NSTU shall, upon completion of (a) above, issue a media release announcing the outcome of the vote but not containing the vote count.
- d. The results of the vote shall be published in the issue of *The Teacher* subsequent to the vote.

*Reference: Provincial Executive: Jan., 1988; Oct., 1989; Nov., 1996, June, 2000, November 21, 2002; August 17, 2010; June 2011*

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### **(C) SINGLE-TIER BARGAINING**

#### **(i) PROCESS REQUIRED:**

- a. A committee will be formed comprising of:
  - one representative from each region chosen by the Regional Representative Council (not including the Provincial Executive member);
  - two Provincial Executive members and
  - the First Vice-President as Chair.

These members will prepare the articles from Categories 1 and 2 that will be required for bargaining. The committee will be named the *Provincial Single-Tier Committee*. The Committee will prepare articles from Category 1 that will require bargaining with the Minister. The Committee will also prepare articles from Category 2 that will be given to the Provincial Economic Welfare Committee for inclusion in the Provincial Asking Package.

All recommendations from the Committee are subject to approval by the Provincial Executive.

- b. A *Provincial Bargaining Committee* will be formed comprising of:
- President as Chair,
  - Executive Director,
  - two (2) members from staff,
  - two (2) representatives from the Provincial Single-Tier Committee, and
  - the First Vice-President.

The mandate of the committee will be to bargain the articles with the Minister as prepared by the Provincial Single-Tier Committee from Category 1, and prepare a package of items that require ratification.

**(ii) RATIFICATION PROCESS**

The package of articles mutually agreed to by the Provincial Bargaining Committee and the Minister shall become part of the tentative agreement put before the members in a Provincial Ratification Vote.

*Reference: Provincial Executive, February, 2001*

**(D) GUIDELINES FOR REGIONAL NEGOTIATIONS**

- (i) A Regional Representative Council shall appoint a Regional Economic Welfare Committee.
- (ii) A Regional Economic Welfare Committee shall contact Central Office prior to developing an Asking Package.
- (iii) The staff officer assigned meets with the Regional Economic Welfare Committee to lend assistance in drawing up an Asking Package.
- (iv) Regional Economic Welfare Committees are guided by the provisions of the *Teachers' Collective Bargaining Act* and regional guidelines to determine items to be included for submission. Further input to the content of the asking package may come from the following sources:
  - a. previous asking packages;
  - b. Regional Representative Council;
  - c. executive staff;
  - d. recommendations and direction from the Provincial Executive
  - e. recommendations and direction from Council Resolutions
  - f. submissions from individual members
  - g. recommendations that may result from the review of Rights Arbitrations
  - h. recommendations that might result from the review of other Regional Agreements
- (v) The staff liaison officer, in consultation with the Regional Economic Welfare Committee, draws up the final draft of the Asking Package.
- (vi) Before commencing negotiations, the Economic Welfare Committee shall refer its proposed Asking Package to the Regional Representative Council for approval.
- (vii) The Negotiating Committee appointed by the Regional Representative Council informs the staff liaison officer that it wishes to open negotiations or where necessary, the staff liaison officer prompts the Negotiating Committee to do the same.
- (viii) Only the appointed/elected members of a negotiating committee, or those requested by the Union, shall meet with the Board to negotiate.
- (ix) The staff liaison officer acts as advisor to the Negotiating Committee between its meetings with the school board and/or carries out the negotiations with the Board on behalf of the members.

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- (x) a. When an item in Regional negotiations is being considered as a “trade-off” and that action may have province-wide effects, the staff liaison officer shall advise the Chair of the Regional Representative Council and the Chairperson of the Regional Negotiating Committee of the perceived difficulty. If the Chair of the Regional Representative Council and the Chair of the Regional Negotiating Committee decide to proceed with the “trade-off”, they shall notify the staff liaison officer of the decision. The staff liaison officer presents the matter to the Provincial Executive. No tentative agreement shall be arrived at prior to the presentation of the matter to the Provincial Executive.
- b. If the Provincial Executive concludes that the proposed “trade-off” is contrary to the interest of the Union, it will direct that the “trade-off” not be made by the Regional Representative Council.
- (xi) When a tentative agreement is reached, the staff liaison officer may assist in having the agreement ratified by supplying a summary of the tentative agreement for the members or by attending a meeting of members in the bargaining unit and presenting and/or explaining the terms of the tentative agreement to the membership of the bargaining unit.
- (xii) Between the tentative agreement and ratification of a contract, an appropriate period of time should be allowed for the dissemination of information among the membership of the Region. To ratify a contract, an electronic vote of the entire membership of the Region shall be held to vote for acceptance or rejection of the proposed settlement.
- (xiii) Upon ratification, the staff liaison officer draws up the legal copies of the agreement for signing.
- (xiv) Copies of the agreement are printed in Central Office and distributed through the Member Services department to the appropriate personnel.
- (xv) In the event of an impasse, the decision to seek the services of a Conciliation Officer and/or bring the matter to arbitration rests with Central Office in consultation with the Negotiating Committee.
- (xvi) No member of the bargaining unit shall be a member of the Board’s negotiating process unless it is an explicit condition of employment and/or an explicit part of the member’s job description.

*Reference: January, 1984; 1985, 1986, 1997; Replaced April, 2002; July, 2010*

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### (E) VOTING INSTRUCTIONS – TENTATIVE AGREEMENTS

- (i) Negotiating teams are instructed to avoid any situation that would result in a summer vote.
- (ii) Media blackouts on contract negotiations shall be maintained by all NSTU Local and provincial representatives until all Locals have had the opportunity to be briefed by NSTU staff.

*Reference: Provincial Executive, February, 1999; July 2010*

## 23. MEMBER EVALUATION

### (A) RESPONSIBILITY

- (i) Each school region should be responsible for policies for the evaluation of its entire staff.
- (ii) The Department of Education has the responsibility of ensuring that adequate personnel are appropriately trained to implement evaluation policies.

**(B) BELIEFS**

- (i) Evaluation is only reliable if it takes into consideration factors such as classroom facilities, instructional materials, program support services, and professional assistance.
- (ii) The goals of an evaluation process should be:
  - a. To develop and maintain the best possible learning environment for the student
  - b. To provide recognition and reinforcement for effective teaching
  - c. To ensure a high level of teaching performance by promoting professional growth.
  - d. To provide one basis for planning relevant in-service programs.
  - e. To provide one basis for recommending improvement in instructional materials, support services, facilities, pupil-teacher ratio.
- (iii) An evaluation program should be cooperatively planned, carried out within the collegial model and itself evaluated.
- (iv) The purpose of any evaluation program must be clearly stated in writing and understood by both the evaluators and those who are to be evaluated.
- (v) Evaluators must be provided time and training to carry out the evaluation program.
- (vi) The main emphasis and resources of an evaluation program should be devoted to formative evaluation.

**(C) PROCEDURES**

- (i)
  - a. Formative evaluation should be cooperatively planned by all those involved in the evaluation process.
  - b. All the participants in the evaluation process must be aware of all the procedures and criteria to be used in the process.
  - c. Formative evaluation procedures should contain the following:
    - i. pre-observation conference;
    - ii. observation of the teaching/learning situation;
    - iii. post-observation conference;
    - iv. reporting.
- (ii) The pre-observation conference should:
  - a. determine the date and time of the observation visit;
  - b. establish lesson strategies and procedures to be observed;
  - c. establish agreement on the philosophical basis for the evaluation and the criteria to be used;
  - d. assure that there is an adequate match between the member's qualifications, the assignment, experience and appropriate match between content selected, member behaviour and student behaviour;
  - e. provide the member with opportunity to give background data on the class, the facilities, materials and other teaching/learning conditions.
- (iii) The observation process should:
  - a. be at least one instructional period in length;
  - b. assure that observable data are recorded on such things as activities of the members including but not limited by verbal and non-verbal inter-action, lesson preparation and presentation, work with individuals and groups;
  - c. assure that observable data are recorded on activities of the pupils;
  - d. assure that observable data are recorded on classroom management and organization.
- (iv) The purpose of the post-observation process is:

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- a. to review and analyze the information gathered during the observation;
  - b. determine collectively to what degree objectives agreed upon in the pre-conference have been met;
  - c. formulate recommendations for professional growth; .
  - d. determine ways of implementing recommendations and arrange for any assistance required such as in-service, expert consultation, additional or revised materials;
  - e. decide upon a follow up visit or procedures.
- (v) Reporting:
- a. A written report should be prepared within two (2) school days of the observation visit.
  - b. The report should be signed by the member concerned and adequate space should be provided on the report for comments by the member;
  - c. The signature of the member signifies only that the member has read the report.

#### (D) SUMMATIVE EVALUATION

Summative evaluation is a process which provides data to assist in making employment decisions such as retraining, transfer or termination.

- (i) As the purpose of summative evaluation is to assist in making an employment decision about an individual member, the only members who should undergo a summative evaluation are those who are being considered for retraining, transfer, termination, etc. This means a very small number of members will require a summative evaluation in any one year.
- (ii) Summative evaluation of a member should not be carried out by the same person who carries out formative evaluations.
- (iii) The summative evaluation of a member should be carried out by personnel who are not attached to the staff of the educational site in which the member works.
- (iv) The ultimate responsibility in the summative evaluation process rests with the superintendent acting on behalf of the board.
- (v) Reports generated by a formative evaluation process may not be used during a summative evaluation process.
- (vi) Before any administrative decision is made following a summative evaluation, all parties involved in the evaluation shall act according with the Supervisory Practices Guidelines.

#### (E) INDIVIDUAL COMPETENCE

If problems of individual competence in the professional staff begin to appear, positive steps should be taken immediately to rectify the situation.

- (i) When problems first appear, the member and the administrator concerned should make every effort to define causes and plan remedies.
- (ii) All assistance both within and outside of the system, including the NSTU, should be made available to the individual.
- (iii) A reasonable length of time should be allowed the individual to remedy the difficulties.
- (iv) If problems persist, the possibility of transfer should be considered by the concerned parties. It may be that the member is best suited to another subject, or level or a different educational site.

#### (F) POSSIBILITY OF TERMINATION

If the possibility of termination of contract or discharge arises, it should be considered frankly by all parties.

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- (i) When it appears that despite the sincere efforts of all concerned, a problem of such magnitude exists that termination or discharge must be considered, the executive staff responsible should prepare a written review of matters in complaint for the information of concerned parties. All written statements should be frank and honest.
- (ii) Written notice should be given, that because of the matters in complaint, termination or discharge is being contemplated.
- (iii) A reasonable length of time should be accorded the individual to rectify the matters in complaint.
- (iv) All remedial services should continue to be made available to the individual.
- (v) While care must be taken to avoid harassment of the individual, nothing in professional practice nor in law should be considered to prevent the counselling of an individual to terminate a contract by mutual agreement.

#### **(G) DOCUMENTED JUDGMENTS**

- (i) Documented judgments are a necessary part of evaluation and should be freely accessible to the parties concerned.
- (ii) The evaluation instrument will probably continue to be the document commonly found in personnel files.
- (iii) When any evaluation instrument is completed, its contents should be discussed by the parties concerned.
- (iv) Provisions should be made for any dissenting opinions to be attached to the instrument and filed with it.
- (v) When signatures are required, a clear statement defining the intent of the signatures should be contained in the document.
- (vi) From time to time, other documents may be recorded and filed. Documents placed in personal files should be made available to the parties concerned.

#### **(H) SECTION 34**

When provisions of Section 34 of the *Education Act* are being invoked, care should be taken to protect the rights accorded under Subsection (5) (a).

- (i) Notice required in Subsection (5)(a) of the *Education Act* should be sufficiently detailed to allow an individual reasonable time to prepare defense to the matters in complaint.
- (ii) The notice referred to in Subsection (5)(a) of the *Education Act* should be delivered in sufficient time to allow contact with and briefing of counsel.

#### **(I) ROLE OF THE NSTU**

The role of the NSTU both locally and provincially is to assist the parties in reconciling differences and when necessary, to ensure that the spirit and intent of Section 34 is carried out.

- (i) The NSTU, prior to the hearing under Subsection (5) of Section 34, shall cause an investigation to be made into the circumstances and render assistance to the parties if requested.
- (ii) The NSTU shall represent, or cause to be represented, the member at the Board hearing under Subsection (5).
- (iii) In the event of a suspension, discharge or termination of a contract, the member may request assistance from the NSTU in the matter of an appeal to the Board of Appeal under Section 36.
- (iv) The NSTU shall annually appoint a committee of five persons to consider such requests and approve what assistance, if any, is to be granted in respect of an appeal to a board under Section 36.

*Reference: Council 1984; Provincial Executive, April, 1994*

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## SECTION IV

## GOVERNMENT

The NSTU currently has no operational procedures within the area of government. Please refer to the Policy section of this Guidebook, Government.

## SECTION V

## PROFESSIONAL DEVELOPMENT

## 24. AWARDS &amp; FELLOWSHIPS

**(A) EDUCATIONAL RESEARCH AWARD**

The NSTU Educational Research Award is designed to support, encourage and recognize NSTU members who engage in reflective professional inquiry at the classroom, educational site, regional or provincial levels.

- (i) Up to seven awards of no more than \$475. (\$3,500. in total) may be given per year.
- (ii) The Awards shall be given based upon an application to the Professional Development Committee which includes an executive summary of the completed research project.
- (iii) Any educational research that focuses on reflective practices at the individual, classroom, educational site, regional or provincial level is eligible.
- (iv) The Awards be given once per year at an NSTU ceremony.

*Reference: February 22, 23, 2002*

**(B) TRAVEL FELLOWSHIP (JOHNSON INC.)**

For members engaged in educational travel, a total of \$2,000. is available from Johnson Inc. for participation in seminars, workshops or conferences, but not for university courses or certification study.

Eligible travel periods include summer months for members and times of year when Community College members take their contractual vacation days, but not during those times generally referred to as Christmas break or March break.

Application must be received at NSTU Central Office by 4:00 p.m. on the first Wednesday in April. Successful applications will be determined by a draw from all eligible applications received.

*Reference: Provincial Executive, Amendment February 2009*

**(C) NSTU FULL-TIME STUDY GRANTS**

An annual fund of \$10,000 has been established to provide support to members wishing to follow a full time program of studies for the purpose of Professional Development. The NSTU will award up to five grants of \$2,000 each year. Applications are available on the NSTU web site, from local presidents and from NSTU central office.

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*Reference: March 31, 2006*

#### **(D) OUT-OF-PROVINCE CONFERENCE GRANTS**

An annual fund of \$9,000 has been established for Out-of-Province Conference grants to provide support to members wishing to attend conferences for the purpose of Professional Development. In order to assist the greatest number of members no grant shall exceed \$475. Applications are available on the NSTU website, from local presidents and from NSTU central office.

*Reference: March 31, 2006*

### **25. “EACH ONE REACH ONE” CAMPAIGN**

The NSTU will implement the “Each One Reach One” campaign at the Local level.

*Reference: Provincial Executive, November 23, 2000*

### **26. IN-SERVICE EDUCATION**

In planning in-service education, the following factors are to be considered:

- (a) the requirement to adapt programs to the needs of members;
- (b) some type of needs assessments should be used to determine needs and interests;
- (c) members should have opportunity to influence both the planning and determination of methods of implementation of in-service programs;
- (d) specific objectives for in-service programs should be defined;
- (e) services of consultants and other resource persons should be used in in-service programs;
- (f) members should not be expected to spend excessive out-of-school time for in-services programs;
- (g) records of in-service activities should be kept;
- (h) in-service programs should be evaluated in terms of the set objectives;
- (i) in-service programs should deal with child growth and development, program and material development, and methodology.
- (j) support, both moral and financial, shall be given to school boards to encourage, and assist in, the establishment of regional teachers’ centres for the continuing professional growth of members.

*Reference: Provincial Executive, April, 1977*

### **27. JOHN HUNTLEY MEMORIAL INTERNSHIP PROGRAM**

- (a) The process whereby applicants are selected for the John Huntley Memorial Internship Program are as follows:
  - (i) the names of the candidates will be removed from the application forms,
  - (ii) gender of the applicant will be noted,
  - (iii) consideration will be given to regional representation,
  - (iv) the internship will not be viewed as a precursor to employment opportunities with the NSTU, and
  - (v) the primary purpose of the internship program will be the determining factor in the selection process.
- (b) The purpose is to provide insight into the working of the NSTU, not to train interested members of the Union.
- (c) The Program will be a two-day internship to be held up to four (4) times per year, with a maximum of six (6) members per session.,

*Reference: October, November, 2000; April 1, 2005; Amended January 20, 2006; July 2009*

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## 28. PROFESSIONAL DEVELOPMENT SUPPORT SERVICES

### (A) LOCAL SUPPORT PROGRAMS

- (i) The NSTU provides a support program for Local Professional Development Committees that includes an annual provincially-sponsored PD Conference (alternating to three regional conferences and a VP-PD session in some years), a consultation service, and the provision of resource materials.
- (ii) The NSTU encourages Locals to ensure that all members of the Local Professional Development Committee participate in the annual provincially-sponsored PD Conference.
- (iii) The NSTU budgets sufficient funds to enable provincial sponsorship of the PD Conference with Locals.

### (B) TERM OF OFFICE

The NSTU encourages Locals to appoint members to the Local Professional Development Committee for a minimum of two years and use a “staggered term” appointment system.

### (C) NETWORK AND COMMUNICATION

- (i) The NSTU encourages the installation of an appropriate system in an appropriate location in each Local so that it can be used by the Local Professional Development Committee for the purposes of networking with other Local Professional Development Committees.
- (ii) The NSTU facilitates networking among Local Vice-Presidents of Professional Development by scheduling meetings during the NSTU Leadership Institute when possible and during the PD Conference.
- (iii) The NSTU facilitates communication between Local Vice-Presidents of Professional Development by producing and distributing the “PD Notes” newsletter up to four times per year. This newsletter provides Local Vice Presidents of PD and the Provincial PD Committee contact information and updates on professional development issues.

### (D) ANNUAL LEADERSHIP SKILLS DEVELOPMENT INSTITUTE

The annual Leadership Institute was changed to a 3-year curriculum-based Leadership Skills Development Institute.

*Reference: Provincial Executive, September 1988, September 1990, Amended April, 2003; April 1, 2005; March, 2011*

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## SECTION VI

## GENERAL

## 29. AWARDS

*Note: Standing Order 14 of the NSTU Constitution confers authority to the Provincial Executive to grant Life Membership Awards, Special Awards and Local Service Awards. Article I (7) of the NSTU By-laws creates a category of membership called an Honourary Member and confers authority to the Annual Council to grant this membership.*

**(A) HONOURARY MEMBERSHIP AWARD**

1. Purpose: To confer membership status on an individual [with the rights set out in By-law 10(f)] who might otherwise have no membership eligibility and who is a person that the Union wants to bestow an honour upon in recognition of a significant contribution to education, the profession or the NSTU.
2. Criteria:
  - (a) Any person who has given meritorious service to education, the profession, or the NSTU.
  - (b) The service must have been dedicated, long-standing service that benefited the members of the NSTU and, therefore, the teaching profession and public education.
3. Nominations & Selection:
  - (a) Nominations are made by the Table Officers to the Provincial Executive of the Union. Upon approval of the Provincial Executive, the President of the Union shall move a motion, seconded by the First Vice-President, that the Annual Council confer the award upon the nominee.
4. Presentation of Award:  
The Honourary Membership Award, which consists of an appropriate certificate, is given at the opening session of the Annual Council and published in an edition of *The Teacher*.

**(B) LIFE MEMBERSHIP AWARD**

1. Purpose: To recognize from time to time the outstanding contributions of members. The Life Membership Award is the highest honour that the Provincial Executive can confer upon a member.
2. Criteria:
  - (a) Member must be retiring from the profession, after having displayed consistently high qualities of leadership, performance and service to education, the teaching profession or the NSTU.
  - (b) Member must have given of him/herself to the Union and the profession by having served in progressively more challenging positions at the Local or Regional level and at the Provincial level. Candidates must have given a minimum of twenty (20) years of active service to the Union and the profession.
  - (c) Member must be a leader who is recognized by his/her peers as a person whose dedication to education and unionism is both outstanding and meritorious.
3. Applications:
  - (a) Candidates can be nominated by any member of the NSTU Provincial Executive by completing the appropriate application form and submitting the form to the President of the NSTU by no later than the last business day of the week before the March Executive Meeting.
  - (b) Application forms must be completed in detail including the names of three (3) references who can be contacted by the selection committee if needed.
4. Selection Process:

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- (a) The Provincial Executive shall annually from among its members appoint three (3) persons and at least one (1) alternate who will serve as the Awards Selection Committee. Should any member of this Committee be a person who has submitted an application on behalf of another member, or be a member from a Local for whom a candidate has been nominated, he/she shall declare a conflict of interest and refrain from participating in the selection process.
  - (b) Ordinarily one (1) Life Membership Award would be given in any year. There is no obligation to give an award each year.
  - (c) The Awards Selection Committee may contact the nominated candidate(s) and/or the references to obtain additional information.
  - (d) If there are multiple nominations received by the Awards Selection Committee, the Committee shall rank the candidates and make its recommendation to the Provincial Executive by no later than the April meeting of the Provincial Executive.
5. Presentation of the Award:
- (a) The Life Membership Award which consists of a certificate, a pin, and paid life membership in the RTO shall be presented to the nominee by the NSTU President at the Annual Council.
  - (b) *The Teacher* shall publish the name of the member, a picture, and a short biography in an edition of *The Teacher* following Annual Council.

### (C) SPECIAL AWARD

1. Purpose: To recognize a particular outstanding service to education, the teaching profession or the NSTU and to bring public recognition to the contributions of members to education, the community or the organization.
2. Criteria:
  - (a) Member must be an exemplary educator and representative of the profession and have made a significant contribution to education or the NSTU.
  - (b) The member may have initiated a particular project or was the leader of a group that completed a particular project that was significant in scope and impact.
  - (c) The contribution to education, the profession or the Union may be either cumulative or specific in nature and is recognized as having provided leadership or inspirational conduct that has had a positive impact on others.
  - (d) Only awarded to an active member of the Union.
3. Applications:
  - (a) Candidates can be nominated by any member of the NSTU Provincial Executive by completing the appropriate application form and submitting the form to the President of the NSTU by no later than the last business day of the week before the March Executive Meeting.
  - (b) Application forms must be completed in detail including the names of three (3) references who can be contacted by the selection committee if needed.
4. Selection Process:

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- (a) The selection committee shall be the Awards Selection Committee as described under Section 4(a) of the Life Membership Award procedures.
  - (b) The Special Award is given only occasionally and only when a candidate meets all the criteria described in Section 2 above.
  - (c) The Awards Selection Committee may contact the nominated candidate(s) and/or the references to obtain additional information.
  - (d) If there are multiple nominations received by the Awards Selection Committee, the Committee shall rank the candidates and make its recommendation to the Provincial Executive by no later than the April meeting of the Provincial Executive.
5. Presentation of the Award:
- (a) The Special Award which consists of a certificate and a gift shall be presented to the nominee by the NSTU President at the Annual Council.
  - (b) *The Teacher* shall publish the name of the member, a picture and a description of why the award was given along with a short biography of the person in an edition of *The Teacher* following Annual Council. The same or similar information shall be given to the media for release as a news story.
- Reference: Provincial Executive, January 2008*

#### **(D) LOCAL SERVICE AWARD**

- 1. Purpose:  
To recognize the outstanding contribution of members who provided leadership and service at the Local level of the NSTU.
- 2. Criteria:
  - (a) Member(s) has served for multiple terms on the Local Executive and/or Local Council, or
  - (b) Member is viewed by his/her peers as having given meritorious service which has helped to advance the objectives of the NSTU, or
  - (c) Can be awarded for a particular outstanding service to the Local, to education or to the teaching profession, and
  - (d) Recipient must be an active member or newly retired (i.e. within two years following retirement).
- 3. Applications:
  - (a) Candidates must be recommended by the Executive of the Local.
  - (b) The Local President must write a letter to the NSTU President seeking the approval of the Provincial Executive. The letter must outline why the member is deserving of this Local Service Award. The letter must be accompanied by a biographical description indicating the number of years of service in the teaching profession and with the Local, and any specific Local, Regional or Provincial involvement with the NSTU. The biographical description should be approximately 125 words in length (must not exceed 150 words) and will be used for publication purposes.
  - (c) Application letters with biographies (one per member) must be received by no later than one week prior to either the March or April meeting of the Provincial Executive. Applications may be forwarded earlier than the dates noted above.
- 4. Selection Process:

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- (a) Local Service Awards are granted solely at the discretion of the NSTU Provincial Executive.
  - (b) The Provincial Executive member representing the Local(s) from which the names have been submitted will be responsible for notifying the President of the Local of the outcome of the decision of the Provincial Executive. [Note: Some Locals like to keep the Award a surprise, if possible, until the time the Award is to be received at Annual Council.] All notification to the individual is the sole responsibility of the Local Executive.
5. Presentation of the Award:
- (a) The Local Service Award consists of a certificate and special pin which are given to recipients at NSTU Annual Council by the NSTU President on behalf of the Provincial Executive.
  - (b) The biographies of the recipients will be provided to Council delegates. .
  - (c) All costs associated with the attendance at Annual Council of the recipients (accommodations, travel, etc.) are the responsibility of the Local unless the candidate is also a Council delegate.

*Reference: September 2008, January 2013*

#### **(E) PUBLIC EDUCATION ADVOCACY AWARD**

1. Purpose:  
To promote the concept that public education is an investment in Nova Scotia's future and to recognize non-teachers who have made major contributions to public education. The purpose is also to focus public attention on public education and to strengthen relationships between public education and other sectors as well as between members and educational partners.
2. Criteria:
  - (a) Individuals or groups who are not active members of the NSTU; and
  - (b) Who have made major contributions to public education at the provincial, national or international levels.
3. Applications:
  - (a) Candidate(s) can be nominated by any member of the NSTU Provincial Executive by completing the appropriate application form and submitting the form to the President of the NSTU by no later than the last business day of the week before the March Executive Meeting.
  - (b) Application forms must be completed in detail including the names of three (3) references who can be contacted by the selection committee if needed.
4. Selection Process:
  - (a) The selection committee shall be the Awards Selection Committee as described under Section 4(a) of the Life Membership Award procedures.
  - (b) The Public Education Advocacy Award can be given annually but only when a candidate(s) meet(s) all the criteria described in Section 2 above.

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- (c) The Awards Selection Committee may contact the nominated candidate(s) and/or the references to obtain additional information.
  - (d) If there are multiple nominations received by the Awards Selection Committee, the Committee shall rank the candidates and make its recommendation to the Provincial Executive by no later than the April meeting of the Provincial Executive.
5. Presentation of the Award:
- (a) The Public Education Advocacy Award which consists of a certificate and a gift shall be presented to the nominee(s) by the NSTU President at the Annual Council.
  - (b) *The Teacher* shall publish the name of the nominee(s), a picture and a description of why the award was given along with a short biography of the person(s) in an edition of *The Teacher* following Annual Council. The same or similar information shall be given to the media for release as a news story.
  - (c) The expenses of attendance of the recipient(s) and guest(s) shall be borne by the NSTU.

*Reference: Provincial Executive: February 2008, April 2008*

#### **(F) RETIRED MEMBER RECOGNITION AWARD**

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1. Purpose:  
To recognize the contribution made to education and society by a retired member who has made a significant voluntary commitment to advance the cause of education either at home or abroad.
2. Criteria:
  - (a) Must be a retired member of the Nova Scotia Teachers Union.
  - (b) Following retirement, shall have given long service in a voluntary capacity with an organization related to promoting and advancing the cause of education either in Canada or developing nations.
  - (c) Recipient must have demonstrated leadership or inspirational conduct that has had a positive impact on others.
3. Applications:
  - (a) Candidates(s) can be nominated by any member of the NSTU Provincial Executive by completing the appropriate application form and submitting the form to the President of the NSTU by no later than the last business day of the week before the March Executive Meeting.
  - (b) Application forms must be completed in detail including the names of three (3) references who can be contacted by the selection committee if needed.
4. Selection Process:
  - (a) The selection committee shall be the Awards Selection Committee as described under Section 4(a) of the Life Membership Award procedures.
  - (b) The Retired Member Recognition Award can be given annually but only when a candidate(s) meet(s) all the criteria described in Section 2 above.
  - (c) The Awards Selection Committee may contact the nominated candidate(s) and/or references to obtain additional information.

- (d) If there are multiple nominations received by the Awards Selection Committee, the Committee shall rank the candidates and make its recommendation to the Provincial Executive no later than the April meeting of the Provincial Executive.

5. Presentation of the Award:

- (a) The Retired Member Recognition Award which consists of a certificate and a gift shall be presented to the nominee(s) by the NSTU President at the Annual Council.
- (b) *The Teacher* shall publish the names of the nominee(s), a picture and a description of why the award was given along with a short biography of the person(s) in an edition of *The Teacher* following Annual Council. The same or similar information shall be given to the media for release as a news story.

*Reference: March 5, 2010*

**(G) LIEUTENANT GOVERNOR'S TEACHING AWARD**

The NSTU has instituted, with the partnership of the office of the Lieutenant Governor of Nova Scotia, a Lieutenant Governor Award for Teaching Excellence. The purpose of the Award is to honour the teaching profession through the recognition of an individual who exemplifies excellence in Nova Scotia teaching. The NSTU is responsible to develop and fund the criteria, selection process and Award process.

*Reference: Provincial Executive, October 14, 2004*

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**30. BENEVOLENT FUND**

- (a) The Benevolent Fund provides financial assistance for a member and family where there is little or no protection through pension, sick leave, credit union, medical service benefits, insurance, banks, etc.
- (b) \$6,000 is maintained in annual grants; merit and amount of assistance is determined by the Provincial Executive (Table Officers) (maximum \$1,000.)
- (c) Requests should be in writing to the Executive Director, Nova Scotia Teachers Union, 3106 Joseph Howe Drive, Halifax, B3L 4L7.

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**31. COMPUTER EQUIPMENT GUIDELINES**

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The purchase of computers can be expensed at the time of purchase; it does not have to be set up as a depreciable asset.

**General**

All purchase records including receipts, serial numbers, software licenses, registration and any guidebooks should be maintained by the Treasurer.

All software used on the computer should be licensed. Updated virus protection software should be installed and the computer scanned regularly.

The Treasurer should maintain an inventory record of maintenance checks and which position on the executive (including the person's name) the computer has been delegated. The computer should be examined annually as being in sound working order.

Following its useful life the computer must have all data, files and records removed. Useful life is defined as the period of time in which the equipment could be used resourcefully unless deemed obsolete by improved technology or wear and tear. The hard drive should be "scrubbed" using a product or service to totally remove all data and if possible have an expert verify that the computer

has been 'cleaned'. The Treasurer should retain the document that certifies that the scrubbing has taken place or, alternatively, that the hard drive has been physically removed and destroyed. Verification must be provided to the executive that the hard drive has been physically destroyed.

Any disposal sale should be for the current fair market value. The computer may be donated to charity or educational site based initiatives needing old computers. A receipt for transfer of ownership should be maintained.

*Reference: Provincial Executive February 2007, January 2008*

## 32. EDUCATIONAL SITE FACILITIES — PHYSICAL PLANT CLOSING & OPENING

The NSTU recognizes that the closing of one educational site facility and the opening of a newer replacement facility necessitates cooperation between all employees of the board. Members of the NSTU as well as other employees may be required to perform duties not normally considered as part of the terms and conditions of employment. While tolerance and understanding are expected and encouraged, the Union recommends the following principles and procedures:

### (A) GENERAL

- (i) There is no requirement in the *Education Act* or regulations which mandates that members assume responsibility for closing a facility or for opening a new facility;
- (ii) In closing and/or opening any facilities, work regularly and commonly performed by non-NSTU bargaining units or non-unionized employees shall not be performed by any NSTU member;
- (iii) Members should participate in limited ways and areas to assist with the closing of a facility or the opening of a new facility.

### (B) STUDENTS

- (i) Students should not be in attendance during the final days of closing a facility or in the first few days of opening a facility;
- (ii) Students should not be encouraged to participate in either packing, moving, or unpacking of materials during a facility move.

### (C) MEMBERS

- (i) Members shall be responsible for packing, and labelling personal effects;
- (ii) Members in specialized areas should be available to supervise packing of sensitive materials (i.e. science laboratory) if required;
- (iii) Members shall only engage in personal packing and hazardous/sensitive material supervision during regular school hours (i.e. excluding nights and weekends);
- (iv) Unless specifically directed members shall not label goods to be moved.

### (D) BOARD

- (i) The movement of all materials should be the responsibility of the board;
- (ii) The board should supply packing containers to all staff for personal effects;
- (iii) The board should allot appropriate time within the school year to close a facility;

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- (iv) The board should allot appropriate time within the school year to open a new facility;
- (v) The board should supply up to five (5) days in-service during the school year to allow staff to prepare for the opening of a new facility.

#### (E) CONTRACTS

- (i) Any use of members to facilitate the closing or opening of a facility must comply in all respects with either the *Teachers' Provincial Agreement* or the appropriate regional agreement;
- (ii) Advance reporting credit may be used as provided in the appropriate collective agreement;
- (iii) The school year during which members may help to facilitate any moves is that period of time consisting of 195 days and as prescribed annually by the Minister of Education.

*Reference: December, 1979*

### 33. LABOUR LIAISON

- (a) The Nova Scotia Teachers Union sends an official delegate as an observer to the annual meeting of the Nova Scotia Federation of Labour Convention.
- (b) Highlights of contacts between the NSTU and public sector unions shall be reported to Annual Council.

*Reference: Provincial Executive, 1992, 1993, 1998*

### 34. MEMBER ENGAGEMENT DAY

- (a) The NSTU Member Engagement Day shall be celebrated on World Teacher's Day. Should World Teacher's Day fall on a weekend, the Friday preceding it shall be Member Engagement Day.
- (b) The Central Office of the NSTU shall be responsible for the following and associated costs:
  - (i) Selecting a yearly theme for Member Engagement Day;
  - (ii) Promoting Member Engagement Day using posters, email, NSTU website, and social media;
  - (iii) Providing Locals with suggested activities;
  - (iv) Providing Locals with promotional materials/branded items that highlight Member Engagement Day.
- (c) The NSTU Locals shall be responsible for the following and associated costs:
  - (i) Choosing the activities that will be implemented at the Local level to celebrate Member Engagement Day;
  - (ii) Distributing the promotional/branded NSTU materials provided by Central Office;
  - (iii) Providing feedback to Central Office on events/activities held on Member Engagement Day.
- (d) Locals are encouraged to incorporate Member Engagement Day as part of their Welcome Back/New Member events typically held early in the school year.

*Reference: April 2014*

### 35. MLA MAIL PROGRAM

The NSTU adopts the "MLA Mail" program as a long-term NSTU program designed to provide reliable two-way communications between the Nova Scotia Teachers Union, its Locals and all provincial Members of the Legislative Assembly.

*Reference: Provincial Executive, October 1999*

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## 36. NSTU AND PRIVACY — PIPEDA

- (a) In an effort to respond to the privacy concerns of Canadians, the federal government enacted the *Personal Information Protection and Electronic Documents Act (PIPEDA)*. The NSTU has adopted appropriate principles in accordance with the model code for the protection of personal information as set out in the national standard.
- (b) The ten principles of privacy protection to be followed by the NSTU are:
  - (i) **ACCOUNTABILITY**  
The NSTU is responsible for member's personal information that is under the control of the NSTU and will designate an individual or individuals to be accountable for compliance with the ten PIPEDA principles.
  - (ii) **IDENTIFYING PURPOSES**  
The NSTU uses member's private information only for the legitimate purposes of the organization and its members.
  - (iii) **CONSENT**  
Generally, the NSTU shall seek consent to use and disclose personal information at the time it collects the information. However, the NSTU may seek consent to use and disclose personal information after it has been collected but before it is used or disclosed for a new purpose.
  - (iv) **LIMITING COLLECTION**  
Collection of personal information shall be limited to that which is necessary for the purposes identified in Principle 2 above. Information shall be collected by fair and lawful means.
  - (v) **LIMITING USE, DISCLOSURE AND RETENTION**  
The NSTU will not use, disclose or retain personal information for purposes other than those for which it is collected, except with the consent of the member or as required by law. Personal information shall be retained only for as long as necessary to fulfill those purposes.
  - (vi) **ACCURACY**  
Personal information shall be as complete, accurate, and as up to date as is necessary for the purposes for which it was collected.
  - (vii) **SAFEGUARDS**  
Personal information shall be protected by security safeguards appropriate to the sensitivity of the information.
  - (viii) **OPENNESS**  
The NSTU will make specific information about its policies and practices, relating to the management of personal information readily available to a member.
  - (ix) **INDIVIDUAL ACCESS**  
Upon request a member shall be informed of the existence and use of his/her personal information and shall be given access to all such personal information, exclusive of such information that contains references to other individuals, information that cannot be disclosed for legal or security purposes and information that is subject to

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solicitor client or litigation privilege. The member may request to have information amended as appropriate.

(x) **CHALLENGING COMPLIANCE**

A member shall be able to address a challenge concerning compliance with the above principles to the designated individual or individuals responsible and accountable for NSTU's compliance with PIPEDA.

*Reference: March 25, 26, 2004*

## 37. PUBLICATIONS

- (a) *The Teacher* is published up to 8 times a year, September to June. Subscription fee is included in the membership fee; all other subscriptions are \$22.00 per year. The number of copies of *The Teacher* sent to each educational site is based on approximately 30 % of NSTU members at that site.

*Reference: February 24-26, 2005, Amended June, 2010, February 2012, Council budget 2012, Council Budget 2013.*

- (b) *AVISO*, the magazine for Nova Scotia's teaching profession, is produced online three times per year (fall, winter and spring).

*Reference: March 31, 2006; Council Budget 2013*

- (c) Active reserve members and regular reserve members shall be mailed copies of all NSTU publications which are distributed to regular members.

- (d) All NSTU publications are available to members on the NSTU website.

*Reference: (based on Resolution 2006-4)*

## 38. RESEARCH (EXTERNAL) GUIDELINES AND PROCEDURES

Prior to approval of an external research contract, agreement shall be reached between the NSTU and the external researcher or agency covering the following aspects of the research.

- (a) Any research commissioned by the NSTU is the property of the NSTU in its entirety.
- (b) The NSTU shall assume ownership of all data collected on its behalf. Data shall be delivered to the NSTU in the original hard-copy form, if applicable, or as electronic raw data, upon request by the NSTU. If data were initially collected through hard-copy formats, any transformation of those data into electronic form shall be supplied, if so requested, to the NSTU. Any electronic manipulation of data collected shall be provided to the NSTU, if requested.
- (c) With prior approval, the researcher or research agency may retain a copy of data collected for follow-up research. Such follow-up research shall be undertaken only with the approval of the NSTU.
- (d) Agreement shall be reached with respect to proposed timelines. It is recognized that unforeseen factors can disrupt schedules.
- (e) NSTU staff shall be involved in ongoing consultation throughout the research process.
- (f) All questionnaires, interview or focus group questions, and other communication shall receive NSTU approval prior to being sent or administered to NSTU members. Such approval shall take into consideration:
- (i) The time commitment required of NSTU members
  - (ii) The confidentiality of members' responses
  - (iii) The appropriateness of the language used in the investigative instrument

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- (iv) Relevant ethical issues
- (v) The appropriateness of the suggested methodology
- (vi) Other considerations that may be germane to the research and context
- (g) Any recommendations for action arising from the research shall be contained in a document separate from the research itself.
- (h) The NSTU retains complete authority over the disposition, distribution and dissemination of any report or recommendations arising from the research.
- (i) The NSTU has the right to contact its members on any issue approved by the Provincial Executive. Furthermore, the NSTU may authorize any other agency to contact members on its behalf. Therefore, approval to contact members for research approved or sponsored by the NSTU rests with the NSTU. Subsequent participation by an NSTU member in any approved research is at the discretion of the individual NSTU member.
- (j) Any subsequent academic or scholarly publication of material based upon the study or data collected on behalf of the study shall acknowledge the NSTU contribution to the study.
- (k) These provisions between the NSTU and the researcher or research agency may be reviewed and adjusted should new information, directions or circumstances arise.

*Reference: Provincial Executive June 6, 2003*

## 39. SERVICES TO FRANCOPHONE MEMBERS

- (a) That the French language be recognized and utilized where possible:
  - (i) The President's message and the Executive Director's message in *The Teacher* shall appear in French and English.
  - (ii) Where feasible, the NSTU will endeavor to use French text in posters and pamphlets generally distributed to educational sites.
  - (iii) Written French language correspondence to the central office of the NSTU receives a reply in French where time and context permits.
  - (iv) All official correspondence from the central office of the NSTU to the CSANE Local is in French where time and context permits.
- (b) The NSTU sponsors and finances a francophone member with delegate status to the annual meeting of Association canadienne d'éducation de langue française (ACELF).
- (c) The NSTU has established a Standing Committee of seven francophone members, the Comité de programmation acadienne.
- (d) A portion of the regular cycle of advertorials be placed in French and English in the *Chronicle Herald* featuring CSANE programs and achievements.
- (e) \$3,500 is budgeted to help defray the costs associated with French-language professional development activities such as CONTACT and minority language conferences.
- (f) The Curriculum Committee be expanded to include one member from CSANE.

*Reference: Provincial Executive, April, 1986; 1994; 1995, 2002; January & February, 2005; June 2, 3, 2005*

## 40. SEXUAL HARASSMENT

### Procedures for dealing with sexual harassment complaints

- (a) The NSTU believes that all harassing incidents should be handled at the personal level, if at all possible before the incident(s) escalate into a situation requiring further involvement at the administrative, RCMP, Union, or Commission on Human Rights level.
  - (i) Make the objection or unease known to the offending person in a clear manner and request that it stop.

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- (ii) Document the offence(s) by maintaining a record of the dates, times, and description of the harassing incident(s).
- (iii) Ask colleagues if they have been harassed by the same individual. A group complaint is often more effective in stemming harassing behaviour.
- (iv) Avoid being alone with the harasser in the harasser's work area or office.
- (v) Write a brief objective letter describing the incident, outlining how you felt about it, requesting that the behaviour stop and giving notice that further action will be taken should the behaviour continue. Enclose a copy of the *Human Rights Act*, Section 12 underlining the relevant sub-section(s). Should your educational site or school board have a policy on sexual harassment include this document as well. Retain a copy of your letter on file.
- (vi) If the harassment continues do not hesitate to seek the assistance of your principal who is obligated to take all reasonable steps to investigate and resolve the situation. If the offending person is the principal then proceed to the next level of authority.
- (vii) If the situation is not resolved then lodge a complaint through your superintendent who is responsible for the acts of the employees of the board under the policy guidelines of the Nova Scotia Human Rights Commission.
- (viii) Any serious sexual assault such as rape or attempted rape should be reported directly to the RCMP.
- (b) Should these strategies not prove effective, two further options are available:
  - (ix) Confidential direction through the Nova Scotia Teachers Union.
  - (x) Legal recourse through the Nova Scotia Human Rights Commission.

*Reference: Provincial Executive April, 1991*

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## 41. TECHNOLOGY USE AT NSTU MEETINGS & CONFERENCES

- (a) The use of information and communication technology at and during meetings and conferences must be solely to facilitate the business of the meeting. All other use of such technology is disruptive and therefore is deemed inappropriate and is not permitted.
- (b) Connection to the Internet by attendees during active sessions of NSTU meetings and conferences shall not be permitted within meeting chambers other than for group presentation, discussion purposes, information recording, pertinent information gathering or to directly access meeting documents.
- (c) The use of laptop computer equipment within the meeting chambers and during the time when the meeting is in session must be in conjunction with and support of the business of the meeting.
- (d) While in meeting chambers all cellular phones, personal digital assistants (PDA), Blackberry devices and all similar communication devices must be set to silent mode and meeting attendees must remove themselves from chambers before responding to incoming calls.
- (e) Meeting attendees must remove themselves from the meeting chambers while reading and responding to text-messaging and email.

*Reference: Provincial Executive, January 20-22, 2005; September 2008*

## 42. WEB ACCOUNT MAILING LISTS

Upon request, designated NSTU web account mailing lists shall be established for NSTU Leaders, such as Provincial Executive, Local Presidents and Executive, RRC Chairs and Professional Association Presidents and Executive.

*Reference: February 2012*

## 43. WEBMAIL PROCEDURES

### Preamble

It is the policy of the NSTU that all members use the NSTU webmail system for all electronic communications concerning Union related matters.

### Protocol

1. Members wishing to communicate with NSTU Central Office shall do so using the NSTU webmail system, a non-employer email address, or telephone.
2. Members wishing to communicate with other members on Union related matters shall use the NSTU webmail system, a non-employer email address, or telephone.
3. Any member who contacts the NSTU office using the employer's webmail system will receive a reply advising them that the NSTU will not communicate using the employer's webmail and providing instructions to call the NSTU or email using an NSTU account or a non-employer email address. Members will be advised if they do not have an NSTU webmail account how they may obtain one.
4. When members communicate with NSTU leaders using the employer's email system, NSTU leaders are to respond advising them to use the NSTU email or a non-employer email address or communicate by phone or other means.

*Reference: Provincial Executive, September 2012 (established further to 2012-12)*

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# COUNCIL GOVERNANCE



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### Introductory Statement

The purpose of this document is to provide NSTU members with a comprehensive summary of official By-Laws, Standing Orders, Policies and Operational Procedures concerning Council.

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### *Name*

Council is defined as the Council of the Union as established in the By-Laws of the Union. (TPA)

## Article II

### *Mandate*

- [1] The Council shall be the supreme governing body of the Union.  
*(By-Laws, Art. III 1.a)*
- [2] The Council may make by-laws not inconsistent with the Teaching Profession Act (TPA) dealing with or providing for
  - (a) the management of the Union and its property;
  - (b) the constitution of the Union and of locals, including the basis of representation of locals on the Council;
  - (c) the officers, executive and committees of the Union and their respective powers and duties;
  - (d) the government, discipline and control of members;
  - (e) all other matters necessary or useful to carry out the objects and to exercise the powers of the Union.

## Article III

### *Delegation*

- [1]
  - (a) The Council of the NSTU shall be composed of the Provincial Executive and members of Local Unions elected by Locals to be members of the Council, on the basis of one representative for a membership of from twenty-five to fifty active members, and one representative for every additional fifty members of the Local or major fraction thereof. Notwithstanding the number of voting delegates permitted herein, each Local shall be entitled to at least three voting delegates at Council.  
*By-Laws, Art. III 1.(b)*
  - (b) Elected Chairpersons of the Regional Representative Council shall be voting delegates at Annual Council. *By-Laws, Art. III 1.(c)*
  - (c) Elected Regional Economic Welfare Committee Chairpersons shall be voting delegates if they do not hold Local Office. *By-Laws, Art. III 1.(d)*
  - (d) Each Professional Association shall be entitled to one delegate with voting status at the Annual Council. *By-Laws, Art. III 1.(e)*
- [2]
  - (a) A Local may elect alternate delegates who may attend the Council meetings at the expense of the Local or at their own expense, the number of which shall be based on a sliding scale 3 to 10 inclusive = 1 Alternate; 11 to 21 = 2 Alternates; 22 to 31 = 3 Alternates; 32 to 41 = 4 Alternates; and 42 + = 5 alternates, to a maximum of five (5) alternates per Local. Notwithstanding the number of alternate delegates permitted, each Local shall be entitled to at least one alternate delegate at Council.



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- (b) Alternate delegates may address the Council with the permission of the chair but they may not move or second resolutions or vote on any resolution. Permission to speak shall not be unreasonably withheld. *By-Laws, Art. III 2.(c) (i)*
- (c) In the unavoidable absence of a delegate, the Council may permit an alternate delegate from the Local to act as a delegate in his/her place. *By-Laws, Art. III 2.(c) (ii)*
- (d) Alternate delegates will be permitted to be seated with the voting delegates of their Local. *By-Laws, Art. III 2.(c) (ii)*
- (e) A Local may sponsor one (1) observer to Council. Expenses incurred are the sole responsibility of the Local. Permission to send additional observers at the Local's expense may be requested through the Provincial Executive. The observer selected must not have attended a previous Annual Council. *By-Laws, Art. III 2.(c) (iii)*
- (f) Where possible, each Local send at least one new member to Annual Council each year. *Oper. Procedure 1 (o)*
- [3] The Chairperson or designate of a NSTU Provincial Executive Standing Committee is eligible to attend Council as a non-voting delegate. *Oper. Procedure 1 (l)*
- [4] A non-voting delegate wishing to address Council shall request permission to speak at Council. This request shall not be unreasonably withheld by the Council Chairperson. *By-Laws, Art. III 1 (f)*
- [5] When a meeting of Council, other than the Annual Meeting of the Council is called, delegates shall be restricted to the voting delegates who attended the Annual Council immediately prior to the special meeting of the Council. A voting delegate unable to attend this special meeting of Council shall be represented by a designate chosen by the Local, Regional Representative Council, or Professional Association Executive. *NSTU Parliamentary Procedure*

## Article IV

### Meetings

- [1] There shall be an Annual Meeting of the Council held at such time and place as the Provincial Executive may determine. *By-Laws, Article III - 2.(b)*
- [2] The President with the consent of the Provincial Executive, may call other meetings of the Council for such time and at such place as determined by the President and shall call other meetings of the Council when requested in writing by a majority of the Locals. *By-Laws, Article III - 2. (a)*
- [3] A majority of voting delegates of the Council shall constitute a quorum. *By-Laws, Art. III 2 (a)*
- [4] Members of the Council entitled to form a quorum and vote are: *By-Laws, Art. III 2 (d)*
- (a) members of the Provincial Executive;
- (b) duly elected voting delegates or alternates replacing delegates.
- [5] The current edition of Robert's Rules of Order, Newly Revised governs the Nova Scotia Teachers Union in all parliamentary situations not provided for in legislation, By-Laws and Standing Orders. *By-Laws, Art. III 2 (h)*
- [6] At Annual Council, the Provincial Executive, other than the Table Officers (President, Secretary-Treasurer, two Vice-Presidents, and Past President) are excused from sitting at the head table. The Executive Director will also sit at the head table during Annual Council. *Oper. Procedures 1. (d)*



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- [7] On an annual basis, the Provincial Executive shall appoint an Independent Chairperson for the Council. *Standing Order 4 (a)*
- (a) The individual appointed shall meet the following criteria.
- (i) Be an individual with demonstrated knowledge of parliamentary procedure.
- (ii) Be an individual who is not currently holding elected office in the NSTU.
- (iii) Be an individual who is not currently seeking elected office in the NSTU.
- (iv) Be an individual with no conflict of interest according to NSTU policy.
- (v) Be an individual who adheres to the principles outlined in the NSTU Code of Ethics.
- (b) In the event that the Independent Chairperson is unable to chair the meeting, the President will assume the duties of the Chairperson.
- [8] The Executive Director in consultation with the NSTU President shall annually appoint a Council Parliamentarian. *Oper. Procedures 1. (m)*
- [9] The Executive Director shall be responsible for the recording of the minutes of the Council meetings. The minutes of every meeting of the Council, upon approval, shall be signed by the Secretary-Treasurer and by the President, or in their absence by the chair of the meeting at which they are approved. The minutes shall be kept by the Executive Director as the official record of Council proceedings. *Standing Order 4 (b) & (c)*
- [10] An electronic copy of the Council Proceedings can be found on the NSTU website. *Oper. Procedures 1. (d)*
- [11] An electronic copy of the Annual Council Workbook will be created to complement the paper copy, and made available to delegates. *Oper. Procedure 1. (e)*
- [12] Standing Orders shall be changed by a majority vote of Council provided notice has been given thirty (30) days prior or by a two-thirds vote at Council, notice having been given at a preceding session of Council. *Standing Order 4 (j)*
- [13] All recommendations of the Provincial Executive and its committees that are to be presented to the Council for action, including resolutions regarding membership fees, shall be sent to Locals at least thirty (30) days prior to the Council. *Standing Order 4 (d)*
- [14] The NSTU Report of Activities shall be in the hands of delegates at least fourteen days prior to the Annual Meeting of the Council. *Standing Order 4 (e)*
- [15] The Treasurer's Report, including the proposed budget, shall be presented to the Council no later than the first business session of Council. *Standing Order 4 (f)*
- [16] All resolutions that are identified by the Finance and Property Committee to have an effect on the proposed operating budget shall be dealt with prior to the presentation of the budget. *Standing Order 4 (g)*
- [17] The reports presented by committees to Annual Council shall be received and reviewed at a session prior to the consideration of resolutions arising from them. *Standing Order 4 (i)*

## Article V

### Code of Conduct

- [1] Delegates to Council shall observe a standard of conduct in all activities of Council, including business and social functions that inspires the respect of



colleagues and reflects positively on the NSTU and the teaching profession in the community.

*Oper. Procedures 1 (f)*

- [2] Council Chambers shall be designated a scent-sensitive environment.

*Oper. Procedures 1 (b)*

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### Committees

- [1] Committees of Council

- (a) Steering Committee

*Standing Order 6 (a)*

- (i) Before each Council meeting the Provincial Executive shall appoint from the elected delegates a Steering Committee.
- (ii) The Steering Committee shall monitor the progress of Council and make recommendations to Council concerning the appropriateness of time in relation to the business agenda.

- (b) Annual Council Elections Committee

*Standing Order 6 (b)*

- (i) Prior to the first session of Council, the Provincial Executive shall appoint from among Council delegates, a Committee of four persons to be called the Annual Council Elections Committee.
- (ii) The Annual Council Elections Committee shall:
  - a. receive nominations for each vacancy on the following;
    - i. the office of First Vice-President,
    - ii. the Nova Scotia Teachers' Pension Appeals Committee,
    - iii. the delegation to the Canadian Teachers' Federation, and state the number of years each candidate will serve, if elected,
    - iv. the Professional Committee,
    - v. the Discipline Committee,
    - vi. the Resolutions Committee;
  - b. obtain the consent of each candidate nominated;
  - c. submit each name to the Council on an official form containing a statement of the nominee's professional activities, teaching position, experience and qualifications, provided this information is given to the Annual Council Elections Committee at least one hour prior to the time scheduled for commencement of the session in which the election is to be conducted;
  - d. nominations for Council, other than for First Vice-President, close with the report of the Annual Council Elections Committee and the call for further nominations from the floor by the Chairperson of Council at the session in which the election is to be conducted;
  - e. ensure that nominations for First Vice-President close in the opening session of Council with the report of the Annual Council Elections Committee and the call for further nominations from the floor by the Chairperson of Council.
- (iii) Ensure that any member of Council who is entitled to vote may nominate from the floor any eligible person to any office.



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- (iv) Ensure that any member elected to any committee of the Council except the Pension Appeals Committee shall be ineligible to serve consecutive terms of office on that same committee.
- (v) The committee shall draw up a standard report form to be issued to all candidates for the office of First Vice-President, which includes a list of contributions and on which non-monetary items are assessed at a dollar value;
- (vi) The committee shall monitor Council election guidelines and report any suspected violations to the Chair of Council for consideration and possible action. The Chair or Council, after consultation with the Committee, shall attempt to resolve any concerns in an informal manner. If he/she is unable to resolve the matter informally, the Chair of Council shall make a ruling and may announce the ruling at the next session of Council;
- (vii) The committee shall submit a report with recommendations concerning the conduct of any Council Election to the Provincial Executive within ninety (90) days from the conclusion of Annual Council.

#### (c) Resolutions Committee *Standing Order 6 (c)*

- (i) The Resolutions Committee shall consist of five members. Each Council shall select from the floor two members to the Resolutions Committee. All members elected shall serve a two (2) year term. The Provincial Executive shall elect one of its members to serve as Chairperson of the Resolutions Committee for a one (1) year term.
- (ii) Members of the Resolutions Committee who are not delegates or alternate delegates to Council are empowered to move and second resolutions presented through the Resolutions Committee at Council; they are not permitted to vote.
- (iii) The Resolutions Committee shall:
  - a. prepare a document of resolutions submitted by NSTU Locals and the Provincial Executive that is circulated to all members prior to deliberations on Council floor;
  - b. Ensure that resolutions are available to members and to delegates to Annual Council in both official languages;
  - c. designate each resolution by topic (Governance, Curriculum, Economic Welfare and Working Conditions, Government, Professional Development, General); by category (Policy, Action); by intent (Amend, Rescind, New); and by eligibility (2/3s Vote,);
  - d. Economic Welfare resolutions shall be debated at Annual Council in Closed Session. Resolutions categorized as Economic Welfare and Working Conditions which relate to Provincial and/or Community College Negotiations and which are adopted at Annual Council shall be automatically referred to staff for consideration by the Provincial Economic Welfare Committee or the Community College Economic Welfare Committee. *Standing Order 5 (c)*
  - e. Ensure that resolutions affecting the organization's budget are costed by the NSTU Finance and Property Committee and make such costing information available at the time of discussion. *Standing Order 6 (c) iii*



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- f. consult the sponsoring Local to clarify the costing specifics of any resolution classified as a costed resolution.
- g. direct submissions from Locals that reaffirm current policy to the Provincial Executive for action;
- h. direct submissions from Locals that are current Operational Procedures to the Provincial Executive for action;
- i. combine resolutions of similar intent without altering the substantial intent of any resolution;
- j. consult with Local(s) on rewording of a submission;
- k. inform and report to the Local at least thirty(30) days prior to Council if a proposed resolution is out of order;
- l. when legal advice has been requested, provide a written summary of such advice on request to the Local;
- m. determine the eligibility of submissions received during Council proceedings for consideration under New Business;
- n.
  - i. assign adopted resolutions to the appropriate Union committee for action;
  - ii. coordinate compilation of Reports — the Disposition Report, that includes the URL of an electronic compilation of memos and letters regarding adopted resolutions, and Reports to Council; and,
  - iii. manage the Policy Review.

[d] Professional Committee *TPA 11 & By-Laws Art. VI 2.*

Pursuant to the Teaching Profession Act, Section 11(1), there shall be a committee of the Council to be called the Professional Committee.

- (a) The Professional Committee shall consist of six members elected by the Council.
- (b) Members of the Professional Committee shall be elected for a term of three years, with two members of the committee retiring each year.
- (c) No member of the Professional Committee shall be at the same time a member of the Executive or a Committee of the Executive.
- (d) The Professional Committee shall meet at least once a year for professional development opportunities.

[e] Discipline Committee *TPA 10 1(d). & By-Laws, Article VI 3;*

Pursuant to the Teaching Profession Act, Section 10(1) (d), there shall be a committee of the Council to be called the Discipline Committee.

- (a) The Discipline Committee shall consist of five (5) members selected by the delegates voting at a Council, and no member shall be at the same time a member of the Executive or a Committee of the Executive.
- (b) The Discipline Committee may adjudicate conduct of Union members which is inimical to the interests of the Union.
- (c) A complaint against the conduct of a member of the type referred to in Section (b), may be made by the Executive of a Local, a Local, or by the Provincial Executive of the Union.
- (d) A member whose conduct is a matter of complaint by the parties referred to in Section (c), shall be notified by the Discipline Committee of a charge at least thirty (30) days prior to the date on which the charge is to be heard.



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- (e) The Committee, after fairly hearing the charge, and finding it sustainable, may:
  - (i) suspend the member from the benefits and privileges of membership;
  - (ii) expel the member from the Union;
  - (iii) reprimand the member.
- (f) The members of the Committee shall be elected for terms of three (3) years.
- (g) The Discipline Committee shall meet at least once a year for professional development opportunities.

## Article VII

### *General Campaign Guidelines*

#### [1] General Campaign Guidelines – Active and Passive Campaigning

*Standing Order 9.*

With respect to all elections, the following definitions shall apply.

- (a) Active campaigning shall be considered any display or action that involves the presentation of partisan information in a manner that is difficult for a group of delegates to avoid. Examples of such active campaigning include the display of campaign posters, the shouting of campaign slogans, shouting out in support of a candidate other than during the normal address to delegates, distributing materials throughout Council chambers including the placing of campaign materials anywhere within Council chambers prior to, during or following a Council session, and demonstrations in support of a given candidate.
  - (b) Passive campaigning shall be considered any display or action that is observable only by people in the immediate vicinity of the campaign material and involves no explicit action to promote or advance those materials at the time at which the material is seen or heard. Examples of such passive campaigning include the use of writing materials containing references to a candidate, the wearing of campaign clothing, buttons or ornaments, and the presence of a single copy of a candidate's campaign literature at the delegate's seat and table spot.
  - (c) A candidate or representative of the candidate is permitted to place up to one (1) item per delegate per session at the tables in Council chambers prior to the start of the session. This would replace campaign material distribution at other times. A candidate would still be permitted to greet delegates as they enter Council chambers.
- [2] In the event that campaigning for any other NSTU election takes place during Council, the guidelines for the Council Committee election campaigns applicable to the conduct of the campaign during Council shall apply.
- [3] Active campaigning for election to a position not related to the structure of the Nova Scotia Teachers Union in any venue associated with Council is prohibited.



# Article VIII

## Committee Campaign Guidelines

Standing Order 8

- [1] Active campaigning within the Council Chambers is prohibited. Passive campaign activity within the Council Chambers is permitted.
- [2] Locals are prohibited from directly making any monetary or non-monetary contribution to any candidate's campaign. Such contributions do not include expenditure of funds designated for the Local (e.g. Local meeting room at Annual Council).
- [3] Campaign spending by or on behalf of each candidate may not exceed \$100. Such expenses are the sole responsibility of the candidate.
- [4] All candidates must submit an approved financial statement report form to the Annual Council Elections Committee within sixty (60) days from the conclusion of Annual Council. This statement is to include a list of all contributions with non-monetary items being assessed at dollar value, and an itemized list of expenditures.
- [5] The Annual Council Elections Committee shall refer the financial statements of candidates to the Provincial Executive for review. These financial statements will be published in *The Teacher*.
- [6] Publicity:  
Each candidate is permitted to insert in an issue of *The Teacher* prior to Council:
  - (a) One head and shoulder photograph of himself/herself.
  - (b) Biography of personal, educational and career achievements, of no more than 150 words.
  - (c) A personally prepared platform of objectives, no more than 300 words in length.
- [7] Items in [6] must be sent to *The Teacher* fifteen (15) working days before publication and these will appear in alphabetical order.
- [8] Paid advertisements in any medium (press, radio, TV, *The Teacher*) are prohibited.
- [9] The number of campaign posters and/or banners on display in the hotel at Annual Council may not exceed a total of twenty-five (25) for each candidate. When Annual Council is held at a facility where Local delegates are divided between two facilities, the number of posters will be increased to thirty-five (35). A campaign poster shall include any poster, banner or sign posted by or for a member running for an elected position that makes a reference to the candidate and/or the position being sought.
- [10] Upon request, each candidate shall be given a list of the room numbers at the main facility used by NSTU delegates, alternates, official observers and guests once delegates have been accommodated. Distribution of campaign materials to rooms shall be limited to those rooms so identified. Such identification shall not allow the name of the occupant of the room to be determined.

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## Article IX

### *Vice-Presidential Campaign Guidelines*

#### Council Governance

*Standing Order 7*

- |                                                         |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------------------------------------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Provincial Executive Governance                         | [1] | Active campaigning within the Council Chambers other than the normal address to delegates is prohibited. Passive campaign activity within Council Chambers is permitted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| NSTU Local Constitution Model                           | [2] | Locals are prohibited from directly making any monetary or non-monetary contribution to any candidate's campaign. Such contributions do not include expenditure of funds designated for the Local (e.g. Local meeting room at Annual Council).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| NSTU Regional Representative Council Constitution Model | [3] | Campaign spending, excluding travel, by or on behalf of each candidate may not exceed \$1,500.00. Such expenses are the sole responsibility of the candidate. All promotional items including prizes sponsored by the candidate shall be included in the determination of the amount spent and shall be supported by receipts or assessed at fair market value                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Professional Association Model Constitution             | [4] | All candidates must submit an approved financial statement report form to the Annual Council Elections Committee within sixty (60) days from the conclusion of Annual Council. This statement is to include a list of all contributions with non-monetary items being assessed at dollar value, and an itemized list of expenditures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| NSTU Parliamentary Procedure                            | [5] | The Annual Council Elections Committee shall refer the financial statements of candidates to the Provincial Executive for review.<br>These financial statements will be published in <i>The Teacher</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                         | [6] | Publicity:<br>Each candidate is permitted to insert in an issue of <i>The Teacher</i> prior to Council: <ul style="list-style-type: none"> <li>(a) one head and shoulder photograph of himself/herself;</li> <li>(b) biography of personal, educational, and career achievements, of no more than 150 words;</li> <li>(c) a personally prepared platform of objectives, no more than 600 words in length.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                         | [7] | Items in [6] must be sent to <i>The Teacher</i> fifteen (15) working days before publication and these will appear in alphabetical order. <ul style="list-style-type: none"> <li>(a) Each candidate will be given a second opportunity to publish a statement subject to the provisions of paragraph [6], which statement shall not be more than 750 words in length.</li> <li>(b) Paid advertisements in any medium (press, radio, TV, <i>The Teacher</i>) are prohibited.</li> <li>(c) The number of campaign posters and/or banners on display in the hotel at Annual Council may not exceed a total of twenty-five (25) for each candidate. When Annual Council is held at a facility where Local delegates are divided between two facilities, the number of posters will be increased to thirty-five (35). A campaign poster shall include any poster, banner or sign posted by or for a member running for an elected position that makes a reference to the candidate and/or the position being sought.</li> <li>(d) Upon request, each candidate shall be given a list of the room numbers at the main facility used by NSTU delegates, alternates, official observers and guests once delegates have been accommodated. Distribution of campaign materials to rooms shall be limited to those rooms so identified. Such identification shall not allow the name of the occupant of the room to be determined.</li> </ul> |



# Article X

## Resolutions

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#### Council Governance

- [1] Resolutions submitted for consideration by Council shall be accompanied by supporting briefs at the time of submission and be presented to the membership in the same order as they are to be deliberated during Council proceedings. *Standing Order 5 (a)* Provincial Executive Governance
- [2] All decisions of the Resolutions Committee shall be subject to a ruling of Council. *Standing Order 6 (m)* NSTU Local Constitution Model
- [3] Ensure that resolutions are available to members and to delegates to Annual Council in both official languages. *Standing Order 6 (c) (iii) b.* NSTU Regional
- [4] Definition Purpose and Eligibility *Op. Procedure 17 (iii)* Representative Council Constitution Model
  - (a) An NSTU resolution is a proposal submitted to Annual Council which, when adopted, sets policy and directs action for the organization.
  - (b) The NSTU resolutions process provides a democratic structure which allows members to develop policies, procedures and practices of the organization.
  - (c) The Provincial Executive and NSTU Locals may submit resolutions to Annual Council directly. NSTU Committees, Regional Representative Councils (RRC's) and NSTU Professional Associations must submit resolutions to the Provincial Executive. The Provincial Executive determines whether or not submissions are forwarded to Annual Council.
  - (d) A resolution that increases expenses in any current budget line or that causes a new budget line to be created shall be considered as a possible costed resolution by the Finance and Property Committee.
- [5] Resolution Submissions *Op. Procedure 17 (iv) (a)* NSTU Parliamentary Procedure
  - (a) Procedures
    - i. NSTU Locals, Committees, Regional Representative Councils and Professional Associations are requested to use submission forms available from the NSTU central office, on the NSTU website ([www.nstu.ca](http://www.nstu.ca)), online submission form, and/or electronic mail ([resolutions@nstu.ca](mailto:resolutions@nstu.ca)).
    - ii. All resolutions submitted to the NSTU Resolutions Committee for consideration during Annual Council must adhere to the following requirements:
      - A. accompanied by a supporting brief;
      - B. dated and signed by the Local President and Local Resolutions Chairperson, Regional Representative Chairperson or Professional Association President;
      - C. forward to the NSTU Central Office by the 3<sup>rd</sup> Friday in January, draft minutes of the General Meeting of the Local or Professional Association at which Council resolutions were considered by the general membership
  - (b) Guidelines *Op. Procedure 17 (iv) (b)*
    - i. Issues that could be addressed by alternate means within the organization are not suitable content for resolutions.
    - ii. A resolution that repeats existing policy shall not be submitted.
    - iii. Two or more thoughts in a single resolution shall be avoided.
    - iv. Resolutions should not specifically refer to NSTU programs or committees.
    - v. The use of definitive words (ex – “shall” – use “seek to”) in resolutions should be avoided.



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- vi. Specific reference should be made to the NSTU Constitution when changes to NSTU By-Laws are requested. (i.e. numerical notation)
- (c) Briefs *Standing Order 5 (a) Op. Procedure 17 (iv) (c)*
  - i. Resolutions submitted to the NSTU Resolutions Committee for consideration during Annual Council must be accompanied by supporting briefs. Only those resolutions supported by briefs will be forwarded to Council for consideration.
  - ii. The requirement to submit a brief with a resolution is designed to reduce the need for “whereas” clauses. Only the “Be It Resolved That” portion of a resolution is addressed by Council. The full intent of the resolution must be explained in this portion of the submission.
  - iii. Briefs must be clear and concise.
- (d). Resolutions Committee *Standing Order (c) (h) (i) (j) Oper. Procedures. 17. (iv) d.*
  - i. is charged with editing submissions. The Committee will consult with the submitting Local regarding editing changes.
  - ii. has the authority to combine resolutions of similar intent provided that the substantial intent of any resolution remains unaltered.
  - iii. shall inform a Local at least thirty (30) days prior to Council if a proposed resolution is ruled out of order. When legal advice has been requested, a written summary of such advice must be provided to the Local.
  - iv. shall direct resolutions that reaffirm policy to the Provincial Executive for consideration.
- (e). Recommendations *Standing Order 5. (b) Oper. Procedures. 17. (iv) e.*
  - i. Resolutions shall be studied prior to Annual Council by the appropriate NSTU Committees and the Provincial Executive.
  - ii. The findings and recommendations, if any, from the study shall be available to delegates at Annual Council.
- [6] Voluntary Screening Process *Oper. Procedures. 17 (v)*

NSTU Locals wishing to receive an opinion regarding the appropriateness and accuracy of a resolution submission may contact the Chair of the Resolutions Committee to provide an analysis. This procedure is available to a Local prior to that Local’s General Meeting to conduct the vote on submissions.
- [7] Documentation *Oper. Procedures. 17 (vi)*
  - (a) The costing of a resolution is recorded with the actual resolution in the Resolutions Booklet. The Finance & Property Committee will determine what constitutes a costed resolution.
  - (b) The Disposition of Resolutions from the previous Council will be included in the Council Workbook, (to include the URL of an electronic compilation of memos and letters regarding adopted resolutions).
  - (c) All Reports generated by Council Resolutions are directed to the Provincial Executive as Information Items prior to Council.
- [8] Time Lines *Oper. Procedures. 17 (vii)*
  - (a) Locals are requested to appoint the Local Resolution Committee Chairpersons by October 1<sup>st</sup> and submit names to Central Office.
  - (b) Resolution submission deadline is the third Friday in December.
  - (c) Recommendations from Committees concerning Policy Review resolutions are considered by November 30<sup>th</sup>.
  - (d) Recommendations from Committees concerning resolutions are prepared in advance of Council
  - (e) Provincial Executive addresses Professional Association, Regional Representative Council and Committee submissions along with recommendations by the fourth Friday in January;



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- (f) Resolutions are made available to the membership by April 1;  
 [9] Reading of Council Resolutions *Oper. Procedure 17 (viii)(a) & (b)*  
 (a) Resolutions for consideration by Council shall be identified by their respective numbers only and the text of resolutions shall not be read aloud in Council Chambers.  
 (b) The Local submitting a resolution shall be the initial speaker to that resolution.
- [10] All resolutions submitted for consideration by Council shall be studied beforehand by the appropriate committee and/or the Provincial Executive. The findings and recommendations, if any, from such study shall be available to delegates at Council. *Standing Order 5 (b)*
- [11] A resolution adopted at Annual Council becomes effective immediately upon adoption unless the resolution itself specifies a particular time frame or unless the resolution affects the NSTU budget. *Standing Order 5 (d)*
- [12] (a) A Local submitting a resolution classified by the Resolutions Committee as an NSTU Operational Procedure shall have that submission returned to the Local for redirection to the Provincial Executive for action. *Standing Order 5 (e) (i)(ii)*  
 (b) Should the Local not agree with the decision of the Provincial Executive concerning the issue, the affected Local is able to resubmit that same resolution to the next Annual Council. The brief accompanying the resolutions shall contain information concerning the Operational Procedure status of the submission as well as the decision of the Provincial Executive concerning the issue.
- [13] All resolutions to Council shall be designated policy or action. Resolutions designated policy are recorded in NSTU policy documents and are subject to the six-year cycle review. *Standing Order 5 (f)*
- [14] Resolutions designated action are removed from NSTU documents when action has been taken. *Standing Order 5 (g)*
- [15] A full report of the action taken on each resolution passed by Council shall be presented at the following Council in the Disposition of Resolutions Report. *Standing Order 5 (h)*
- [16] Council New Business Resolutions *Oper. Proced. 17. Resolutions (ix)*  
 (a) The NSTU Resolutions Committee coordinates the New Business Resolutions of Council.  
 (b) It is the responsibility of the NSTU Resolutions Committee to make the determination whether or not a New Business Resolution will be advanced for consideration.  
 (c) New Business submissions require the Local President's signature of the sponsoring Local or the NSTU President's signature of a Provincial Executive submission.  
 (d). Eligibility requirement for a New Business submission shall be one of the following:  
 (i) Time – an issue arises after the official closing date for resolution submissions to Annual Council (3<sup>rd</sup> Friday in January)  
 (ii) New Information – an issue has incurred new developments after the official closing date for resolution submission to Annual Council.  
 (e). Should a Local or the Provincial Executive disagree with the decision of the Resolutions Committee concerning a New Business submission, the affected Local or the Provincial Executive may appeal the decision through a ruling by Council.



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Article XI  
Voting Procedures

TPA, 10 (2), page 3

- [1] Every By-Law shall be passed by a vote of at least two-thirds (2/3) of the members of the *Council* present at a meeting thereof, notice of the intention to propose such by-law at such meeting having been given in writing by notice mailed postage prepaid at least thirty days (30) before such meeting to each member of the Union at the member's last recorded address.
- [2] Every Executive recommendation to the Annual Council requires a two-thirds (2/3) vote of the Executive members present and voting at an Executive meeting. Standing Order 13.

Article XII  
Vacancy/Removal From Office

- [1] In the absence of the President, the First Vice-President shall perform the duty of the President. If he/she is also absent, the meeting shall be chaired by the Second Vice-President. *By-Law Art. V - 3. (c)*
- [2] The Council may remove the President from office during his/her term by a vote of at least two-thirds of the members of the Council personally present and voting, provided that notice of intention to move such motion has been previously given at least thirty(30) days before such Council meeting. *By-Laws, Art. III, 2. (g) (i)*
- [3] (a) When the office of President becomes vacant in the event of removal, resignation, illness, death or other inability to act within the first 15 months of the term, the First Vice-President shall assume the office of President until a by-election is held. *By-Laws, Art. III, 2. (g)(iii)*  
(b) If the First Vice-President is unable or unwilling to assume the office of the President within the first 15 months the Chief Returning Officer shall request the Provincial Executive to appoint a member of the Provincial Executive as Acting President until a by-election is held. *By-Laws, Art. III, 2. (g)(iv)*  
(c) If the vacancy occurs after the first 15 months of the term the first Vice-President shall assume the office of President for the remainder of the term. *By-Laws, Art. III, 2. (g)(v)*  
(d) If the First Vice-President is unable or unwilling to assume the office of the President after the first 15 months the Chief Returning Officer shall request the Provincial Executive to appoint a member of the Provincial Executive as Acting President until the term is complete. *By-Laws, Art. III, 2. (g)(vi)*
- [4] The Chief Returning Officer shall call a by-election for the office of President within 30 days if the vacancy occurs within the first 15 months of the term. *By-Laws, Art. III, 2. (g)(vii)*

Article XIII  
Finances

- [1] (a) As one option, the Finance & Property Committee shall provide to each Annual Council delegate, in advance of Council, a balanced budget. This



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- balanced budget should not involve either a transfer of funds from the Reserve Fund or an increase in membership fees. *Section II - Policy, 1 (a)*
- (b) When a deficit budget is presented to Annual Council, the Provincial Executive shall provide options to cut expenditures so as to produce a balanced budget, rather than only providing the option to increase fees. *Section II - Policy, 1 (b)*
- [2] In the final business session of Council the budget shall be presented for discussion and questions to the Committee of the Whole meeting to amend and/or accept the budget. *Standing O. 4. (h)*
- [3] (a) The NSTU shall set up a Reserve Fund which shall be administered by the Provincial Executive subject to ratification by Council and shall be maintained by amounts voted annually by Council. *By-Laws, Art. VIII - 2.(a)(b)(c)(d)*
- (b) Council may also approve use of an amount from the Reserve Fund for operational purposes. Council shall review any such amount annually. Following such reviews, Council may vary the amount. Council's authority to establish and/or vary the amount from the Reserve Fund shall be exercised by a majority vote of the whole Council.
- (c) The Reserve Fund may be used:
- (i) when the NSTU incurs reasonable costs in prosecuting a legal strike;
  - (ii) as a source for loans within the NSTU for purposes of expansion or development;
  - (iii) for expenditures or loans in cases of emergency.
- (d) The amount of the Reserve Fund to be used to balance the operating budget shall not exceed \$350,000 per year.
- (e) The fund designated as the Reserve Fund in the annual budget as approved by Council shall be invested by the Executive in accordance with the principles of safety, marketability and return. *Standing Order 17.*
- [4]. Fiscal Year  
The fiscal year of the Nova Scotia Teachers Union shall be August 1<sup>st</sup> to July 31<sup>st</sup>.  
*By-Law, Art. VIII (4).*

## Article XIV

### *Elections*

- [1] The First Vice-President shall be elected by the Council at the Annual Meeting.
- (a) The First Vice-President shall hold office for a period of two years or until his/her successor has been elected and shall be eligible for re-election for a further period of two years. *By-Law, Article V. Officers 2.b. ii*
- (b) The term of office for First Vice-President shall be two (2) years at the conclusion of Annual Council. *By-Law, Article V. Officers 2.b. ii*
- (c) The election of the First Vice-President shall be determined by a majority vote of the delegates voting at Council. *By-Law, Article V. Officers 2.b. i Standing O. 6 (b) (v)*
- (d) No First Vice-President shall serve for more than two consecutive terms. *By-Law, Article V 2. (iii)*
- [2] In all other elections held during Council, the successful candidate requires a plurality of the ballots cast. *Stand. Orders 6 (b) (v)*
- [3] Election to the following Council committees shall occur during Council Stand. *Orders. 6 (b)(ii)*



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Discipline Committee  
Professional Committee  
Resolutions Committee  
Pension Appeals (every 2 years)  
CTF Delegate

- [4] Delegates to the Canadian Teachers' Federation Annual General Meeting shall be the President, or another CTF Director as chosen by the Provincial Executive from the members of the Provincial Executive, the Executive Director as a member of the CTF Board, and a number of other delegates defined by the Canadian Teachers' Federation who shall be elected by the Council. The First Vice-President or, in the absence of the First Vice-President the Second Vice-President, shall attend as an alternate. *Standing Order 18.*
- [5] The appointment to the Nova Scotia Teachers' Pension Appeals Committee shall be elected at Council for a period of two (2) years to coincide with the Teachers' Pension Act. *Standing. O. 6 (b)(ii); Oper. Procedure 5 (c)*

## Article XV

### *Awards*

An Honourary Member is a person upon whom the honour has been conferred by a resolution of Council. Honourary Membership entitles that individual to the following privileges *By-Law, Art. I 7*

- (i) The right to attend Council as an observer.
- (ii) The right to receive NSTU publications through web access on the NSTU website.
- (iii) The right to access the NSTU website.
- (iv) The right to an NSTU web mail account.

## Article XVI

### *Protocol*

- Oper. Procedures 1. (i)(k)*
- [1] A range of options shall be considered when determining social events during Council.
- [2] The national anthem shall recognize both official languages.



# PROVINCIAL EXECUTIVE GOVERNANCE



## CONTENTS

### Introductory Statement

The purpose of this document is to provide NSTU members with a comprehensive summary of official By-Laws, Standing Orders, Policies and Operational Procedures concerning Council.

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- |       |                            |
|-------|----------------------------|
| I.    | Name                       |
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Article I  
Name

The body shall be called the Executive of the Council of the Nova Scotia Teachers Union (hereinafter called the Provincial Executive). *TPA 2.*

Article II  
Mandate

- The mandate of the Provincial Executive shall be:
- [1] To promote and advance the teaching profession and the cause of public education in the public schools and Community College system in Nova Scotia. *Mission Statement*
  - [2] To function in the name of Annual Council between sessions of Annual Council. *By-Law, Art. IV, 3. Duties*

Article III  
Membership

- [1] A member of the Provincial Executive shall be an active member of the NSTU. *By-Law, Art. IV, 2 (b).*
- [2] The Provincial Executive shall be comprised of the following members *By-Laws, Art. IV. 1 & Standing Order 10. Composition*
  - President
  - First Vice-President
  - \* Second Vice-President
  - \* Secretary-Treasurer
  - Immediate Past President
  - Annapolis-Hants West – Kings 2 members
  - Antigonish-Guysborough 1 member
  - Cape Breton District 2 members
  - Colchester-East Hants 1 member
  - Community College 2 members
  - Conseil syndical acadien de la Nouvelle-Écosse 1 member
  - Cumberland 1 member
  - Dartmouth 1 member
  - Digby-Yarmouth 1 member
  - Halifax City 2 members
  - Halifax County 2 members
  - Inverness-Richmond 1 member
  - Lunenburg County 1 member
  - Northside-Victoria 1 member
  - Pictou 1 member
  - Shelburne-Queens 1 member

\* The Second Vice-President and Secretary-Treasurer shall be elected by the Provincial Executive from the Regional, Community College, and CSANE members of the Provincial Executive. *By-Laws, Art. V. 2 (c) (i)*

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[3] Table Officers of the Provincial Executive include the following:

*By-Laws, Art. V. 1.*

- President
- First Vice-President
- Second Vice-President
- Secretary Treasurer
- Immediate Past President

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## Article IV

### ***Roles and Responsibilities***

[1] Group Provincial Executive Roles and Responsibilities.

- (a) The Provincial Executive shall direct and supervise the business, property and affairs of the NSTU between Annual Council meetings.  
*By-Laws, Art. IV - 3 (c)*
- (b) The Provincial Executive shall forward all decisions deemed NSTU policy to the upcoming Annual Council as resolutions. *By-Laws, Art. IV - 3(c)*
- (c) The Provincial Executive shall appoint and dismiss an Executive Director and other paid employees of the Union as it may deem necessary as well as determine their duties, remuneration and terms of employment including bonding.  
*By-Laws, Art. IV - 3(a)*
- (d) The Provincial Executive shall provide suitable offices and equipment for carrying out the work of the NSTU. *By-Laws, Art. IV - 3(b)*
- (e) The Provincial Executive shall determine the location and date for provincially-based workshops and special Annual Council meetings.  
*By-Laws, Art. IV - 3(d)*
- (f) The Provincial Executive shall issue press releases concerning Annual Council. *By-Laws, Art. IV - 3(e)*
- (g) The Provincial Executive shall provide assistance with organizing Locals and Regional Representative Councils and Professional Associations.  
*By-Laws, Art. IV - 3(f)*
- (h) The Provincial Executive following regulations outlined in the NSTU Guidebook shall ratify constitutions of Locals, Regional Representative Councils and Professional Associations. *By-Laws, Art. IV - 3(g)*
- (i) The Provincial Executive shall determine the boundaries of Locals.  
*By-Laws, Art. IV - 3(h)*
- (j) The Provincial Executive shall ensure that when provincial issues require the need for regional consultations, Atlantic Provinces Special Education Authority, Community College and Conseil syndical acadien de la Nouvelle-Écosse representatives be notified of such consultations and be requested to attend meetings held in their geographical regions to address provincial issues. *Oper. Procedures 15(d) (a)(b)*
- (k) The Provincial Executive shall publish a magazine and/or other official publications. *By-Laws, Art. IV - 3(i)*
- (l) The Provincial Executive causes the books and accounts of the NSTU to undergo an audit review by a chartered accountant and causes the report of the auditor to be submitted to Annual Council. *By-Laws, Art. IV - 3(j)*

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## APPENDIX B

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- (m) The Provincial Executive has the power to convene and conduct an emergency meeting of a Local, Regional Representative Council, or a meeting of the NSTU members in a given area. *By-Laws, Art. IV - 3(k)*
- (n) The Provincial Executive shall conduct information sessions across the province as deemed necessary. *Oper. Procedures 15 (c)(vi)*
- (o) The Provincial Executive is empowered to exercise on behalf of the Union, as the Executive deems advisable from time to time, the powers of the Union under the Teachers' Pension Act and report thereon to the Council at the next following meeting of the Council. *By-Laws, Art. IV - 3(l)*
- (p) The Provincial Executive shall receive a recommendation of either acceptance or rejection on a tentative agreement from a Negotiating Committee. *Policy 46 (d)*
- (q) The Provincial Executive shall provide a recommendation regarding the acceptance or rejection of a tentative agreement to the membership when conducting a ratification vote. *Policy 46 (e)*
- (r) The Provincial Executive shall review all resolutions prior to Annual Council. *Oper. Procedures 17 (iv)(E)(i)*
- (s) The Provincial Executive shall ensure that the Constitution of the Nova Scotia Teachers Union is made available to each member of the organization. *Stand. Order 20*
- (t) The Provincial Executive shall grant such legal assistance as the Provincial Executive in its sole discretion may determine when legal action is taken or threatened against a member in matters arising out of professional duties or status; or if, in the opinion of the Provincial Executive, legal action should be taken by a member in matters arising out of their professional duties or status. *By-Laws, Art. VIII - 1*
- (u) The Provincial Executive shall appoint NSTU Representatives to the Pension Plan Inc. Board of Directors – Trustees. *Oper. Procedures 5 (e)*
- (v) The Provincial Executive shall appoint committees of the NSTU as authorized to do so by Council and such other committees as it deems necessary. *By-Laws, Art. IV 7*  
All such committees shall report to the Provincial Executive.

### [2] Individual Provincial Executive Member Roles and Responsibilities

*Oper. Procedures 15 (d)*

- (a) The Provincial Executive member has the responsibility to present provincial NSTU issues to the Local(s). *OP 15 (d)(i)*
- (b) The Provincial Executive member has the responsibility to present regional issues to the Provincial Executive. *OP 15 (d)(ii)*
- (c) The Provincial Executive member has the responsibility to attend Local Executive, Local Council, Local General, Regional Representative Council and Provincial Executive meetings. *OP 15 (d)(iii)*
- (d) The Provincial Executive member has the responsibility to promote the programs and services of the NSTU. *OP 15 (d)(iv)*
- (e) The Provincial Executive member has the responsibility to attend annual Provincial Executive Planning Meeting and may attend NSTU Leadership Conference. *OP 15 (d)(v)*
- (f) The Provincial Executive member has the responsibility to attend tentative agreement presentations. *OP 15 (d)(vi)*
- (g) The Provincial Executive member has the responsibility to attend Annual Council. *OP 15 (d)(vii)*

- (h) Provincial Executive members shall be eligible to serve or chair standing committees as appointed by the Provincial Executive. *OP 15 (d)(viii)*
- (i) Provincial Executive members shall be eligible to serve on ad hoc Committees, Task Forces and Annual Council Committees as assigned by the Provincial Executive members. *OP 15 (d)(ix)*
- (j) Provincial Executive members shall serve as Provincial Executive members of designated Regional Representative Councils. *OP 15 (d)(x)*
- (k) Community College Members shall serve as members of the Community College Local Executive. *OP 15 (d)(xi)*
- (l) A Community College Member shall chair the Community College Local Economic Welfare Committee. If a Community College Member is unable to serve, a member designate as appointed by the Provincial Executive shall chair the Community College Economic Welfare Committee. *OP 15 (d)(xii)*
- (m) A Community College Member shall serve as a member of the Community College Negotiating Team. If a Community College Member is unable to serve, a member designate as appointed by the Provincial Executive shall serve as a member of the Community College Negotiating Team. *OP 15 (d)(xiii)*
- (n) A Community College Member shall serve as a member of the NSTU Member Services Committee. If a Community College Member is unable to serve, a member designate as appointed by the Provincial Executive shall serve as a member of the NSTU Member Services Committee. *OP 15 (d)(xiv)*
- (o) The Conseil syndical acadien de la Nouvelle-Écosse Member shall serve as a member of the CSANE Local Executive. *OP 15 (d)(xv)*
- (p) The Conseil syndical acadien de la Nouvelle-Écosse Member shall serve as a member of the CSANE Local's Economic Welfare Committee. *OP 15 (d)(xvi)*
- (q) Provincial Executive members shall engage in such duties as assigned by the Provincial Executive. *OP 15 (d)(xvii)*

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### Table Officers

#### [1] President

- (a) The President is the official spokesperson for the NSTU and its Negotiating Team unless another person has been specifically delegated with this authority. *By-Laws, Art. VII*
- (b) The President shall have general oversight of all meetings of the Annual Council and of the Provincial Executive and of the affairs of these bodies. *By-Laws, Art. V-3 (a)*
- (c) The President shall be an official signatory to the minutes of meetings of the Provincial Executive. *Standing Order 12*
- (d) The President shall be an ex officio member of all committees. *By-Laws, Art. V-3 (a)(ii)*
- (e) The President of the NSTU shall convene a minimum of two conferences per year of NSTU Local Presidents and Regional Representative Council Chairpersons. *By-Laws, Art. V-3 (b)*
- (f) The President shall serve as Chairperson of the P-12 Negotiating Team and the Community College Negotiating Team. *Oper. Procedures 22. (a)(v) & (b)(v)*

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- (g) The President shall be a delegate to the Annual General Meeting of the Canadian Teachers' Federation. *Standing Order 18*
- (h) The President shall be a member of the Nova Scotia Teachers' Pension Board. *OP 4(d)*
- (i) The President shall perform such other duties as delegated by the Annual Council or the Provincial Executive. *By-Laws, Art. V 3 (a) (iii)*

#### [2] First Vice-President

- (a) The First Vice-President shall chair the Member Services Committee. *O.P. 4.(vii) b.*
- (b) The First Vice-President shall chair the Provincial Economic Welfare Committee. *O.P.22*
- (c) The First Vice-President shall be a member of the P-12 Negotiating Team. *O.P.22*
- (d) In the absence of the President, the First Vice-President shall perform the duties of the President. *By-Laws, Art. V 2. (3)*
- (e) The First Vice President shall chair Closed Sessions of Provincial Executive meetings. *O.P. 15 (g)(ii) (c)*
- (f) The First Vice-President shall be a delegate to the Annual General Meeting of the Canadian Teachers' Federation. *Standing Order 18;*
- (g) In the event that the NSTU President is serving as a CTF Vice-President, NSTU representation to the CTF Board of Directors in the place of the NSTU President, shall be the 1<sup>st</sup> Vice President, or if unable to attend, the 2<sup>nd</sup> Vice President. *OP 15.(e)(x)*

#### [3] Second Vice-President

- (a) The Second Vice-President shall chair the Personnel Committee. *O.P. 4. (ix) (b)*
- (b) The Second Vice-President shall chair a Provincial Executive meeting when the President and First Vice-President are absent from the meeting. *By-Laws, Art. V 3.*

#### [4] Secretary-Treasurer

- (a) The Secretary-Treasurer shall chair the Finance and Property Committee. *OP 4.(v)(b)*
- (b) The Secretary-Treasurer shall be responsible for providing audited Financial Statements to Annual Council. *By-Laws, Art. IV 3. (j)*
- (c) The Secretary-Treasurer shall be an official signatory to the minutes of meetings of the Provincial Executive. *Standing Order 12 (b)*
- (d) The Secretary-Treasurer shall provide a proposed Operating Budget to Annual Council. *Standing Order 4 (f)*
- (e) The Secretary-Treasurer's Report, including the proposed operating budget, shall be presented to Annual Council in the first business session of Annual Council. *S.O. 4 (f)*

#### [5] Immediate Past President

- (a) The Immediate Past President or designate shall serve as a member of the Teachers' Pension Board. *Op. Procedure 4 (d)*
- (b) The NSTU Past President shall act in an advisory capacity to the NSTU President and shall perform such duties and exercise such powers as may be delegated to them from time to time by the NSTU President and/or the Provincial Executive. *Op. Procedure 15 (e)(xiii)*

- [6] Table Officers-Group Responsibilities *Op. Procedures 15 (e)*
- (i) Provide recommendations to the Provincial Executive on matters that arise between Provincial Executive meetings.
  - (ii) Facilitate the business of the NSTU.
  - (iii) Review agendas for Provincial Executive meetings.
  - (iv) Recommend items for Closed Sessions for Provincial Executive meetings.
  - (v) Prepare recommendations for a schedule of Provincial Executive meetings.
  - (vi) Approve Benevolent Fund requests.
  - (vii) Process general funding requests and make recommendations to the Provincial Executive.
  - (viii) Prepare Provincial Executive planning agenda.
  - (ix) Report on Canadian Teachers' Federation activities.
  - (x) Report on CAPTO activities.
  - (xi) Such other duties as requested by the Provincial Executive.

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## Article VI *Meetings*

- [1] There shall be a minimum of six regular meetings of the Provincial Executive each year. *By-Law, Art. IV 4.*
- [2] The quorum for a Provincial Executive meeting shall be fifty percent plus one (50% +1) of its membership. *By-Law Article IV 1.*
- [3] The Executive Director shall be responsible for recording the minutes of Provincial Executive meetings. *Standing Order 12 (a)*
- [4] The official minutes of Provincial Executive meetings, shall be signed by the Secretary-Treasurer and by the President, or in their absence, by the Chairperson of the meeting at which they are approved. The approved minutes shall be kept by the Executive Director as the official record of the Provincial Executive proceedings and posted on the NSTU website. *Standing Order 12 (b)*
- [5] Regular NSTU Provincial Executive meetings are considered open for attendance by any NSTU member, except those portions of the meeting dealing with matters recommended by the Table Officers and confirmed by two-thirds (2/3) majority of the Provincial Executive. *Policy 15, PE Meetings*

## Article VII *Committees*

- [1] Committees of the NSTU are advisory bodies of the Provincial Executive and are responsible to the Provincial Executive for their programs. *Policy 13 (c)*
- [2] Standing Committees of the NSTU are divided into Administrative, Program and Statutory Committees. *Oper. Procedures 4 (a)*

### Administrative Committees

- Personnel
- Nominating
- Finance & Property
- Governance and Policy

### Program Committees

- Comité de programmation acadienne
- Curriculum
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- Pension
- Professional Development
- Public Affairs/Public Relations
- Substitute Teachers
- Teachers With Administrative Responsibilities

### Statutory Committees

- Appeals

- [3] A Nominating Committee of five (5) Provincial Executive members shall be appointed by the Provincial Executive to prepare a slate of names of members to serve on various committees of the NSTU. *Oper. Procedures 13 (d)*
- [4] The Provincial Executive shall appoint such committees as it deems necessary to carry out the programs of the NSTU. *Standing Order 15 (a)*
- [5] The Provincial Executive shall establish Terms of Reference for committees appointed by the Provincial Executive and shall circulate this information to the membership. *S.O. 15 (b)*
- [6] All committees appointed by the Provincial Executive shall serve from August 1<sup>st</sup> to July 31<sup>st</sup> unless otherwise directed by the Provincial Executive. *Standing Order 15 (c)*
- [7] Appointment to a Provincial Executive Standing Committee shall be for a two (2) year term. In extraordinary circumstances an extension of one year is permissible. The exception would be the Insurance Trustees are appointed for five (5) years. The Pension Committee members are appointed for three (3) years, and the Comité de programmation acadienne members are appointed for three (3) years. *O.P. 3 (iv) a.*
- [8] Voting privileges on NSTU committees shall be confined to members of the NSTU; other committee members act only in advisory or consultative capacities. *Standing Order 15 (d)*
- [9] The Provincial Executive shall designate the chairpersons of all Provincial Executive standing and ad hoc committees as required. *Policy 13 (d); Oper. Procedures 3 (iv)*

## Article VIII

### *Elections/Appointments*

- [1] The election of NSTU President shall be conducted by electronic voting of the entire membership. *By-Laws, Art. V 2 (a)(i)*
- [2] The term of office of the President shall begin August 1<sup>st</sup> and end July 31<sup>st</sup>. *2. (a)(ii)*
- [3] The President shall hold office for a period of two years or until his/her successor has been elected and shall be eligible for re-election for a further period of two years. *2 (a)(iii)*
- [4] No President shall serve for more than two consecutive terms. *2 (a)(iv)*
- [5] The election of NSTU First Vice-President shall be conducted during Annual Council and be determined by majority vote. *By-Law, Art. V 2 (b) (i)*
- [6] The First Vice-President shall hold office for a period of two years or until his/her successor has been elected and shall be eligible for re-election for a further period of two years. *By-Law, Art. V 2(b)(ii)*
- [7] The term of office for First Vice-President shall be two (2) years beginning at the conclusion of Annual Council. *By-Law, Art. V. 2. b) iii)*

- [8] No First Vice-President shall serve for more than two consecutive terms.  
*By-Law, Art. V 2 b) iv)*
- [9] The election of the NSTU Second Vice-President and NSTU Secretary-Treasurer shall be conducted annually by a majority vote of the Provincial Executive.  
*By-Laws, Art. V 2.c) ii)*
- [10] The Second Vice-President and Secretary-Treasurer shall take office upon their election.  
*By-Law, Article V 2 (d)*
- [11] The election of Provincial Executive Members shall be conducted in the Locals prior to Annual Council.  
*By-Law, Art. IV 6 (c)*
- [12] The term of office for Provincial Executive members elected on a regional basis shall be two (2) years starting August 1<sup>st</sup> and ending July 31<sup>st</sup>.  
*By-Law, Art. IV 5 (a)*
- [13] Regional Provincial Executive members are limited to serve a maximum of two (2) consecutive terms.
- [14] No regional members shall serve for more than two consecutive terms. A regional member may be re-elected following a term in which he/she is absent from the Executive.  
*By-Law, Art. IV 6 (b)*
- [15] The Immediate Past President shall hold office for a one (1) year period following the completion of the term as President beginning August 1<sup>st</sup> and ending July 31<sup>st</sup>.  
*By-Law, Art. IV 1.*
- [16] A Provincial Executive member who becomes ill and is unable to attend regular meetings of the Provincial Executive shall be represented immediately by an alternate selected by the Local(s) involved, and the alternate member shall have all rights and privileges of the duly elected Provincial Executive member during the time of incapacity.  
*By-Law, Art. IV 2(g)*
- [17] The office of any member of the Provincial Executive who is absent from two consecutive meetings of the Provincial Executive without reasons satisfactory to the Provincial Executive, shall be declared vacant by the Provincial Executive.  
*By-Law, Art. IV 2(d)*
- [18] The Provincial Executive will select a sitting Executive member to represent an area when there is a temporary vacancy.  
*Op. Procedure 15 (f)*
- [19] Any member of the Provincial Executive may resign their office by notice in writing to the President of the NSTU.  
*By-Law, Art. IV 2(e)*
- [20] When the office of First Vice-President becomes vacant in the event of removal, resignation, illness, death or other inability to act, the position shall be filled by the Provincial Executive from among its members by majority vote, subject to ratification at the next Council.  
*By-Law, Art. IV 2(c)*
- [21] A vacancy in the office of Second Vice-President or Secretary-Treasurer shall be filled by majority vote of the Provincial Executive.  
*By-Law, Art. IV 2(f)*
- [22] Service by a Provincial Executive member as a result of a by-election shall not be applied to the term of office when that same member is elected through a regular election.  
*By-Law, Art. IV 6 (d)*
- [23] A Provincial Executive member shall not hold elected office at the Local or Regional level.
- i. Notwithstanding [23] above, a member of a Local Executive, the chair of a Regional Representative Council or the Chair of a Regional Economic Welfare Committee who is elected as a member of the Provincial Executive may complete his or her term of office at the Local or Regional level up to the end of July of the year in which the member was elected to the Provincial Executive.  
*By-Law, Art. IV 2(a)*
- [24] A Provincial Executive member shall resign from all provincial committees, Sheonorol Board and Sheonorol Committees upon election to Provincial Executive office.  
*O.P. 15(c) (viii)*

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Article IX  
Voting Procedures

- [1] Votes of the Provincial Executive are taken as voice votes, show-of-hands votes, ballot votes and roll call votes. Roll call votes are taken upon the approval of 20% of the members of the Provincial Executive. *Oper. Procedures 15 (f) (iii)*
- [2] Every Provincial Executive recommendation to the Annual Council requires a two-thirds (2/3) vote of the Provincial Executive members present and voting at an Executive meeting. *Standing Order 13.*

Article X  
Awards

- The Provincial Executive recognizes the following awards. *Standing Order 14 (a)(b)(c)(d)*
- [1] Life Membership Award shall be:
    - (a) a suitable certificate; a pin and paid membership in the Retired Teachers Organization
    - (b) awarded to members retiring from the profession;
    - (c) awarded for displaying consistently high qualities of leadership, performance and service to education, the teaching profession or to the Nova Scotia Teachers Union;
    - (d) awarded at the sole discretion of the Provincial Executive.
  - [2] Special Award shall be:
    - (a) a certificate and gift;
    - (b) awarded to active members;
    - (c) awarded only for a particular outstanding service to education, the teaching profession, or the Nova Scotia Teachers Union;
    - (d) awarded at the sole discretion of the Provincial Executive.
  - [3] Local Service Award shall be:
    - (a) a certificate and special pin;
    - (b) awarded for displaying at the Local level a consistent and continuing involvement in Local leadership, professional development or long term service to education or the teaching profession;
    - (c) awarded for a particular outstanding service to the Local, to education or to the teaching profession;
    - (d) awarded to active members and newly retired members (i.e. within two years following retirement;
    - (e) awarded by the Provincial Executive only on the recommendation of a Local Executive.

Article XI  
Finances

- [1] The money budgeted for legal cases may be used at the discretion of the Provincial Executive if a Union member in good standing is involved in legal difficulties arising from the proper pursuit of professional duties. *Policy #2*

- [2] Each Provincial Executive member shall be paid an honorarium of \$200. per month. *Operational Procedures 15 (g)*
- [3] Provincial Executive member expenses incurred in the performance of duties shall be reimbursed according to guidelines administered by the Finance and Property Committee. *Operational Procedures 15 (m)*

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## Article XII *Accountability*

- [1] Individuals in an elected or appointed leadership role, NSTU employees and others acting on the organization's behalf, have the obligation to avoid conflicts of interest; the perception of conflict of interest; and ensure that their activities and interests do not conflict with their responsibilities to the Nova Scotia Teachers Union. *Policy #4; O.P. 15 (b) (i)*
- [2] The Provincial Executive shall ensure that Annual Council delegates are in receipt of the Report of Activities fourteen (14) days prior to Annual Council. *Standing Order 4 (e)*
- [3] Aggregate member data may be released to news media only with the prior approval of the Provincial Executive. *Policy #11*
- [4] Provincial Executive members are expected to fully attend as well as actively participate in all meetings of the Provincial Executive. *Oper. Procedure 15 (b)(ii)*
- [5] Provincial Executive members are responsible to fairly represent Provincial Executive decisions when speaking on issues addressed by the Provincial Executive. *O.P. 15 (b) (iii)*

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# LOCAL CONSTITUTION MODEL



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The purpose of this document is to provide NSTU members with a comprehensive summary of official NSTU By-Laws, Standing Orders, Policies and Operational Procedures concerning NSTU Locals.

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## Article I

### *Name/Definition*

- [1] A Local shall be a committee of the NSTU for purposes within the area of such Local, and when acting as such shall be under the control of the Council, subject to the said Act and these By-Laws. *By-Laws, Art. II - 5 (a)*
- [2] This committee shall be called the \_\_\_\_ Local of the Nova Scotia Teachers Union, henceforth referred to as the “Local”. *By-Law, Art. II - 1*

## Article II

### *Mandate*

The mandate of the \_\_\_\_ Local shall be to advance and promote the teaching profession and the cause of education in Nova Scotia. *Mission Statement*

## Article III

### *Membership*

- [1] A member of the \_\_\_\_ Local shall be an active or active reserve member of the Nova Scotia Teachers Union in a designated public educational site within the jurisdiction of the Regional School Board and the geographical boundaries of \_\_\_\_\_ or educational worksites as approved by the Provincial Executive. *TPA & By-Laws I & II*
- [2] Every NSTU member shall belong to a Local and no member shall belong to more than one Local. *By-Law, Art. II, 1 (b)*
- [3] A membership registry shall be conducted on an annual basis in the month of September. Amendments to the registry are permitted monthly up to the first Monday in December to determine Council representation and up to the first Monday in March for Local rebate purposes. This registry shall be the official record of membership and shall be used for such purposes as Annual Council representation and Local rebates. *By-Law, Art. II 3(a)*

## Article IV

### *Roles and Responsibilities*

- [1] Roles and Responsibilities shall be categorized as follows: *Oper. Procedures 10. (b) 1.*
- (a) Local Executive – planning and implementation of the policies and directives of the Provincial Executive.
  - (b) Local Council – information sharing, problem solving and decision making.
  - (c) General Membership – information gathering and information sharing.



- [2] A member shall have the right to vote on all motions at general Local meetings.  
*Oper. Procedures 10. (b) 2.*

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## Article V

### Local Executive

*(Revision of this Local Executive Structure requires the approval of the Provincial Executive).*

- [1] The \_\_\_\_ Local Executive shall include the following from the active NSTU membership of the Local. *By-Law, Article II 5(a)*
- (a) President
  - (b) Immediate Past President
  - (c) First Vice-President
  - (d) Vice-President – Communications (Public Relations, Public Affairs)
  - (e) Vice-President – Professional Development
  - (f) Secretary
  - (g) Treasurer
  - (h) Provincial Executive Member(s)
- [2] The \_\_\_\_\_ Local Executive may include Member(s)-at-Large.  
*Oper. Procedures 10 (d) 2.*
- [3] The \_\_\_\_ Local Executive shall meet a minimum of six (6) times per year at a location determined by the Local President. *Oper. Procedures 10 (d) 3.*
- [4] Table Officers shall be the President, First-Vice President, Secretary, Treasurer and designated Vice-President(s) selected by the \_\_\_\_ Local Executive at its first meeting following the Annual General Meeting. *Oper. Procedures 10 (d) 4.*
- [5] The President and First Vice-President shall serve as members of the Regional Representative Council. *Oper. Procedures 10 (d) 5.*
- [6] All members of the Local Executive shall have voting privileges.  
*Oper. Procedures 10 (d)(g)*
- [7] A quorum of the \_\_\_\_ Local Executive shall be fifty percent plus one (50%+1) of Local Executive members. *Oper. Procedures 10 (d) 6.*

## Article VI

### Local Council

- [1] The \_\_\_\_ Local Council shall include: *Oper. Procedures 10 (e)*
- (a) Local Executive Members
  - (b) NSTU Representatives
- [2] The \_\_\_\_ Local Council shall meet a minimum of five (5) times per year.
- [3] A quorum of the \_\_\_\_ Local Council shall be fifty percent plus one (50%+1) of the Local Council members.

## Article VII

### *NSTU Representative*

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- [1] A NSTU representative is an active member of the NSTU assigned to an educational site within the geographical or educational site boundaries of the Local. *Oper. Procedures 10 (c)*

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- [2] All Nova Scotia Teachers Union members shall be counted in the formula. Each educational site shall be represented by a minimum of one NSTU representative. Educational sites with fewer than twenty-five (25) members shall be represented by one (1) NSTU representative. Educational sites with twenty-six (26) to fifty (50) members may be represented by two (2) NSTU representatives. Educational sites with more than fifty (50) members may be represented by a maximum of three (3) NSTU representatives. *Oper. Procedures 10 (c) 2.*

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- [3] Alternative representatives may be named in numbers equal to the educational site representative allocation. *Oper. Procedures 10 (c) 2.*

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- [4] A representative shall be a member of the Local Council. *Oper. Procedures 10 (c) 4.*
- [5] Under exceptional circumstances, a Local General Meeting may approve additional NSTU representatives at an individual educational site. *Oper. Procedures 10 (c) 3.*

## Article VIII

### *Committees*

*(Revision of this Local Executive Structure requires the approval of the Provincial Executive).* *Oper. Procedures 10 (h) a, b, c, d, e, f, g, h, i, j.*

- [1] The Local Executive shall establish the following Standing Committees.
- (a) Finance
  - (b) Nominating
  - (c) Communications (Public Relations/Public Affairs)
  - (d) Professional Development
- [2] The Local Executive may establish the following Standing Committees.
- (a) Economic Welfare
  - (b) Resolutions
  - (c) Social
  - (d) Substitute Teacher
  - (e) Equity
  - (f) New Teacher
- [3] The Local Executive shall appoint members to each Standing Committee on an annual basis.
- [4] The Local Executive may appoint ad hoc committees as circumstances dictate.
- [5] The Local Executive shall appoint members to other committees as required.



- [6] The Local Executive shall appoint members to assignments as requested by the NSTU Provincial Executive through staff.
- [7] The Local Executive shall appoint additional members to the Regional Representative Council.
- [8] All Standing Committees of the Local shall be chaired by a Local Executive member.
- [9] The Immediate Past President or designate shall chair the Resolutions Committee and the Nominating Committee.
- [10] The Local Treasurer shall chair the Finance Committee.

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## Article IX *Meetings*

*Oper. Procedures 10 (i) a, b, c, d.*

- [1] Annual General Meeting
  - (a) There shall be an Annual General Meeting of the Local held in May or June for:
    - (i) receipt of annual reports;
    - (ii) presentation of a financial statement;
    - (iii) presentation of a proposed budget for the upcoming year; and,
    - (iv) election of officers for the upcoming year.
- [2] General Meetings
  - (a) Including the Annual General Meeting, general meetings shall take place at least three (3) times per year during the periods:
    - Fall
    - Winter
    - Spring
  - (b) The times and locations of these meetings shall be posted within all educational sites by the NSTU representative prior to September 30<sup>th</sup> in each school year.
  - (c) The quorum for a general meeting shall be the number of active and active reserve members equivalent to fifty percent plus one (50% +1) of the \_\_\_\_\_ Local Council membership.
- [3] Special Meetings
  - (a) In the event of an emergency or other need, a special meeting shall be called by the Table Officers and/or the Provincial Executive.
  - (b) A special general meeting to address a specified issue shall be called by the Local Table Officers upon the written request of five percent (5%) of the members of the Local. Five (5) working days notice of such a meeting shall be given to the general membership.



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- (c) A special meeting shall consider only the business specified in the notice calling such a meeting.

- [4] Local Council Meetings  
(a) Meetings of the \_\_\_\_ Local Council shall be called by the \_\_\_\_ Local Executive.

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## Article X *Elections/Voting Privileges*

- [1] Active and active reserve NSTU members of the Local have the right to vote in any Local election. *By-Law, Art 1, 10; Oper. Procedures 10 (g)(1)*
- [2] Active and active reserve NSTU members of the \_\_\_\_ Local are eligible to serve as Annual Council delegates. *By-Law, Art 1, 10; Oper. Procedures 10 (g)(2)*
- [3] Active NSTU members of the Local are eligible to be elected as \_\_\_\_ Local Executive members. *By-Law, Art 1, 10; Oper. Procedures 10 (g)(3)*
- [4] Active NSTU members of the \_\_\_\_ Local are eligible to serve as NSTU Representatives. *By-Law, Art 1, 10; Oper. Procedures 10 (g)(4)*
- [5] The \_\_\_\_ Local Executive shall be elected by secret ballot. *Oper. Procedures 10 (g) (5)*
- [6] The term of office for all \_\_\_\_ Local Executive members except the Immediate Past President shall be two (2) years – starting August 1<sup>st</sup> and ending July 31<sup>st</sup>. *Op. Proc10 (g) (6)*
- [7] The term of office for the Immediate Past President shall be one (1) year – starting August 1<sup>st</sup> and ending July 31<sup>st</sup>. *Oper. Procedures 10 (g) (7)*
- [8] Any \_\_\_\_ Local Executive position may be held by the same person for a maximum of two (2) consecutive terms. *Oper. Procedures 10 (g) (8)*
- [9] Should any \_\_\_\_ Local Executive position except Past President remain vacant following elections at the Annual General Meeting, the Nominating Committee shall conduct a by-election at the next General Meeting of the Local. *Oper. Procedures 10 (g) (9)*
- [10] In the event that the \_\_\_\_ Local President cannot fulfill duties or complete a term of office, the First Vice-President shall assume the duties of the \_\_\_\_ Local President in the interim. The Nominating Committee shall seek nominations for the position at the next General Meeting of the Local and conduct an election at that meeting. The term of office for this position shall be until the completion of the vacated term of office. *Oper. Procedures 10 (g) (10)*
- [11] In the event that a \_\_\_\_ Local Executive member other than the Local President cannot complete a term of office, the position shall be filled through a by-election administered by the Nominating Committee. The Nominating Committee shall seek nominations for the position at the next General Meeting of the Local and an election conducted at that meeting. The term of office



for this position shall be until the completion of the vacated term of office.

*Oper. Procedures 10 (g) (11)*

## APPENDIX C

- [12] The term of office for NSTU representative shall be one (1) year, August 1<sup>st</sup> through July 31<sup>st</sup>. *Oper. Procedures 10 (g) (12)*

Council Governance

Provincial Executive  
Governance

- [13] The NSTU representative(s) and alternate representative(s) shall be elected by the individual educational site members no later than September 15<sup>th</sup>. *Oper. Procedures 10 (g) (13)*

**NSTU Local  
Constitution Model**

- [14] If the NSTU representative or alternate representative is unable to complete the term of office, the site shall elect another representative or alternate for the duration of the vacated term of office. *Oper. Procedures 10 (g) (14)*

NSTU Regional  
Representative Council  
Constitution Model

- [15] Delegate selection to Annual Council shall be based according to the procedures outlined in the \_\_\_ Local's Operational Procedures. *Oper. Procedures 10 (g) (15)*

Professional  
Association Model  
Constitution

## Article XI *Finances*

NSTU Parliamentary  
Procedure

- [1] The fiscal year shall be from August 1<sup>st</sup> to July 31<sup>st</sup>. *Oper. Procedures 10 (j) (1.)*

- [2] Based on NSTU Membership Fees, a Local Rebate shall be determined by the Annual Council of the Nova Scotia Teachers Union. *Oper. Procedures 10 (j) (2.)*

- [3] A minimum of three signing officers shall be bonded for the disbursement of \_\_\_ Local funds and other banking purposes. *Oper. Procedures 10 (j) (3.)*

- [4] The signing officers shall be selected from the \_\_\_ Local Table Officers. *Oper. Procedures 10 (j) (4)*

- [5] The \_\_\_ Local Executive may make expenditures up to 5% of the Local's budget to a maximum of \$3,000 without prior approval of the general membership. *Oper. Procedures 10 (j) (5)*

- [6] \_\_\_ Local Executive members may receive honoraria as determined by motion at the Annual General Meeting. *Oper. Procedures 10 (j) (6)*

- [7] When Local Council and Committee members are required to attend meetings, they shall be reimbursed at the provincial rate. *Oper. Procedures 10 (j) (7)*

- [8] When attending \_\_\_ Local meetings, NSTU Representatives, NSTU Local Committee Members and NSTU Local Executive Members shall be eligible to claim family care costs in the amount approved by the NSTU Provincial Executive. *Oper. Procedures 10 (j) (8)*

- [9] A minimum of ten percent of the Local's budget shall be designated for NSTU representative training. *Oper. Procedures 10 (j) (9.)*

- [10] The financial records of the Local shall be subjected to an annual review in accordance with guidelines provided by the Finance and Property Committee of the NSTU. *Oper. Procedures 10 (j) (10)*



Council Governance

The following guidelines shall apply to Local Reserve Funds and Financial Assets of the Locals:

Provincial Executive  
Governance

- (a) While Locals of the NSTU are not required to have a Reserve Fund, from time to time Locals may have revenue greater than expenditures and therefore, have surplus funds that are in excess of cash flow needs that shall be transferred to a Local Reserve Fund.

NSTU Local  
Constitution Model

- (b) The monies shall be invested to maximize return while minimizing risk of loss keeping in mind the cash flow needs of the Local.

NSTU Regional  
Representative Council  
Constitution Model

- (c) The Fund may be used:
- i. when the Local incurs expenditures in the Operating Budget greater than the revenue received in a fiscal year (funds needed to balance the Budget);
  - ii. when the Local incurs reasonable costs in prosecuting a legal strike; or
  - iii. when the Local requires additional revenue in cases of emergency.

Professional  
Association Model  
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## Article XII

### *Accountability*

*Oper. Procedures 10 (m) 1, 2, 3*

- [1] Individuals in an elected or appointed leadership role, NSTU employees and others acting on the organization's behalf have the obligation to avoid conflicts of interest; the perception of conflict of interest; and, ensure that their activities and interests do not conflict with their responsibilities to the Nova Scotia Teachers Union.
- [2] \_\_\_ Local Executive and Local Council members are expected to fully attend as well as actively participate in all meetings of the Local.
- [3] \_\_\_ Local Executive members are responsible to fairly represent Local Executive decisions when speaking on issues addressed by the Local Executive.

## Article XIII

### *Removal from Local Executive*

*Oper. Procedures 10 (n) 1, 2, 3, 4, 5, 6*

- [1] A member of the Local Executive may be removed from office for any of the following reasons:
- (a) continued gross or willful neglect of the duties of the office;
  - (b) failure or refusal to disclose necessary information on matters of organization business;
  - (c) unauthorized expenditures, signing of cheques, or misuse of organization funds;
  - (d) unwarranted attacks on a president or refusal to cooperate with the president;

- (e) misrepresentation of the organization and its officers to outside persons; and
  - (f) conviction for a felony.
- [2] Examples of invalid grounds for removal are:
- (a) poor performance as an officer due to lack of ability;
  - (b) negligence that is not gross or willful;
  - (c) a tendency to create friction and disagreement; and
  - (d) mere unsuitability to hold office.
- [3] Commencing Proceedings:
- (a) A notice of motion to remove an Executive member may be moved by a member at a Local General Meeting. The threshold of acceptance for this vote will be 50% plus one of those members in attendance who vote.
  - (b) A notice of motion to remove an Executive member may be conducted by the Local Executive. The threshold of acceptance for this vote will be 50% plus one of the Local Executive.
- [4] Notice of Motion  
Members of the Local must be given 30 days notice of a Special General Meeting to remove a member of the Local Executive.
- [5] Removal Procedure  
The affected member must be given:
- (a) adequate notice of the motion (30 days);
  - (b) a fair hearing (the opportunity to speak to the motion at the meeting called for the purpose of removal) scheduled as the single agenda item of a Special General Meeting of the Local;
  - (c) the right to consult counsel at the member's cost (during 30 day notice of motion time frame);
  - (d) a reasonable opportunity to present a defense (the opportunity to speak to the motion at the meeting called for the removal to be debated); and,
  - (e) notice that failure by the member to attend the meeting will not delay the proceedings.
- [6] The Vote
- (a) The vote will be conducted by secret ballot at a Special General Meeting of the Local.
  - (b) Only active and active reserve members of the Local in attendance at the meeting are eligible to vote.
  - (c) The affected member may request an observer to view the counting of ballots.
  - (d) The threshold of acceptance for the vote will be 50% plus one of the eligible members attending the meeting who cast a ballot. Spoiled ballots will not be counted.
  - (e) The result will be binding as of the release of the vote result.

Article XIV  
*Rules of Order*

*Oper. Procedures 10 (o)*

The current edition of Robert’s Rules of Order, Newly Revised governs the Nova Scotia Teachers Union in all parliamentary situations not provided for in legislation, By-Laws and Standing Orders.

Article XV  
*Operational Procedures*

*Oper. Procedures 10 (p)*

- [1] Operational Procedures shall be established by a Local to address:
  - (a) the duties and responsibilities of the Local Executive;
  - (b) the duties and responsibilities of committees;
  - (c) the duties and responsibilities of NSTU representatives;
  - (d) other areas deemed necessary by the Local Executive.
  
- [2] A Local’s Operational Procedures shall be adopted, amended, or rescinded by a majority of the votes cast by members present at a Local Council, a Special Meeting or General Meeting provided that written notice of motion to adopt, amend, or rescind has been sent to all NSTU representatives or alternate representatives not less than ten (10) days prior to the meeting.

Article XVI  
*Amendments*

*Oper. Procedures 10 (q) 1, 2, 3*

- [1] A Local’s Constitution may be amended by a two-thirds (2/3) majority of votes cast by the members present at a General Meeting or Special Meeting convened for that purpose.
  
- [2] Notice of proposed amendment(s) shall be given to members ten (10) working days prior to the meeting.
  
- [3] Amendments to a Local’s Constitution require ratification by the NSTU Provincial Executive at a scheduled meeting following approval by the Local’s general membership.

# REGIONAL REPRESENTATIVE COUNCIL CONSTITUTION MODEL



## CONTENTS

### Introductory Statement

The purpose of this document is to provide NSTU members with a comprehensive summary of official NSTU By-Laws, Standing Orders, Policies and Operational Procedures concerning Regional Representative Councils.

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III	Membership
IV	Roles and Responsibilities
V	Duties
VI	Meetings
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# NSTU REGIONAL REPRESENTATIVE COUNCIL CONSTITUTION

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## Article I

### *Name*

The committee shall be called the \_\_\_\_ Regional Representative Council of the Nova Scotia Teachers Union. *By-Law, Article IX 3 (a)*

## Article II

### *Mandate*

- [1] The \_\_\_\_ Regional Representative Council within the geographic boundaries of the school board shall address bargaining unit issues for NSTU members employed with that school board. *By-Law, Article IX 2 (a)*
- [2] To follow the policies of the Council of the Union and the directives of the Provincial Executive of the Union. *By-Law, Article IX 2 (b)*

## Article III

### *Membership*

Membership of the Regional Representative Council shall include:  
*By-Law, Article IX 3 (c)*

#### Local Representation

Local membership shall be determined with equal representation by participating Locals and shall include:

- Local Presidents
- Local First Vice-Presidents
- Additional Local Member(s)

From the Local Representation, the RRC shall select a Secretary and/or Treasurer and the Chair of the REWC.

#### Regional Representation

- Chairperson
- Provincial Executive Member(s)

## Article IV

### *Roles and Responsibilities*

- [1] The Regional Representative Council shall carry out the responsibilities as set out in the Teachers Provincial Agreement and Regional Collective Agreement between the employing school board and the NSTU. *By-Law, Article IX 9.*

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- [2] The \_\_\_\_ Regional Representative Council shall have the right to submit resolutions to Annual Council by way of the Provincial Executive.  
*By-Law, Article IX 10.*
- [3] The \_\_\_\_ Regional Representative Council shall be accountable to the NSTU Provincial Executive.  
*By-Law, Article IX 3(a).*

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## Article V *Duties*

### I. Duties of the Regional Representative Council

*Operational Procedures 16 (a) (1)*

- [1] Ensure adherence to terms and conditions of employment as incorporated into regional and provincial agreements.
- [2] Determine an application and selection process for identifying committee members of the Regional Representative Council committees.
- [3] Administer the selection and appointment of committee members to Regional Representative Council committees, including but not limited to:
  - REWC
  - Negotiating Team
  - Grievance Committee
- [4] Receive reports from Regional Representative Council committees appointed by the Regional Representative Council.
- [5] Promote member rights and responsibilities.
- [6] Address such other duties as assigned by the Provincial Executive.
- [7] Appoint the Regional Negotiating Team from among the members of the REWC and such other persons as determined by the RRC.
- [8] Appoint the Chairperson of the Regional Negotiating Team from the members of the Regional Economic Welfare Committee.
- [9] Report to the Provincial Executive any member in violation of the Accountability Article.

### II. Duties of the Regional Representative Council Chairperson

- [1] The Chairperson shall be the sole official spokesperson for the Regional Representative Council on Regional bargaining unit.
- [2] The Chairperson or Vice Chairperson shall preside at all meetings of the Regional Representative Council.
- [3] The Chairperson shall prepare agendas for all Regional Representative Council meetings.
- [4] The Chairperson shall call a special meeting in the event of an emergency.
- [5] The Chairperson shall cause to be presented to the Annual General Meetings of Locals:
  - a Regional Representative Council financial statement;
  - a proposed Regional Representative Council budget for the upcoming year;
  - a report of the Regional Representative Council activities for the year.

### III. Duties of the Regional Representative Council Secretary

- [1] The Secretary shall record and maintain copies of the minutes of all meetings of the Regional Representative Council.

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- [2] The Secretary shall prepare copies of the minutes for distribution at Regional Representative Council meetings.
- [3] The Secretary shall maintain a record of the attendance at all meetings of the Regional Representative Council.
- [4] The Secretary shall maintain all official records of the Regional Representative Council including the Constitution and Operational Procedures and ensure that appropriate revisions are processed.
- [5] The Secretary shall obtain a current list of contact information for NSTU Representatives; Local Executives; Regional Representative Council committee members; Regional Representative Council members; and, membership lists of participating Locals.
- [6] The Secretary shall forward to the NSTU Central Office names, and contact information for members of the Regional Representative Council.
- [7] The Secretary may keep an Action Register for each Regional Representative Council meeting.

### IV. Duties of the Regional Representative Council Treasurer

- [1] The Regional Representative Council Treasurer shall administer all financial matters associated with the Regional Representative Council and report to the Regional Representative Council by means of a financial statement.
- [2] The Treasurer shall prepare a proposed budget for submission to Provincial Executive.
- [3] The Treasurer shall be responsible for an annual audit review as outlined by the NSTU Finance and Property Committee.

### V. Duties of Local President

- [1] The Local President shall be an active participant in activities of the Regional Representative Council.
- [2] The Local President shall make known the views of members of their Local.
- [3] The Local President shall report Regional Representative Council activities to Local meetings.
- [4] The Local President shall provide the Regional Representative Council Secretary with Local Membership Lists.

### VI. Duties of Provincial Executive Member

- [1] The Provincial Executive Member shall keep the Regional Representative Council informed of Provincial Executive activities.
- [2] The Provincial Executive Members shall conduct the election of Regional Representative Council Chairperson.

### VII. Duties of Local First Vice-President

- [1] The Local First Vice-President shall be an active participant in activities of the Regional Representative Council.
- [2] The Local First Vice-President shall communicate Local concerns to the Regional Representative Council.
- [3] The Local First Vice-President shall direct member requests to the Regional Economic Welfare Council, Regional Representative Council or provincial authority.
- [4] The Local First Vice-President shall encourage new member involvement with Regional Representative Council activities.

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## VIII. Duties of the Member(s)-At-Large

- [1] The Member(s)-At-Large shall communicate bargaining unit concerns to the Regional Representative Council.

## IX. Duties of the Regional Economic Welfare Committee

Duties of the REWC shall include:

- [1] Seek input from the bargaining unit's membership for regional asking packages.
- [2] Prepare a regional asking package for presentation to the RRC.
- [3] Be responsible for the dissemination of information regarding regional negotiations and the ratification of regional tentative agreements.
- [4] Plan for and promote improved working conditions for members.

## X. Duties of the Chairperson, Regional Economic Welfare Committee

- [1] The Chairperson, Regional Economic Welfare Committee shall chair the committee responsible for the preparation of an Asking Package.
- [2] The Chairperson, Regional Economic Welfare Committee shall chair the committee responsible for negotiating the Collective Agreement between the NSTU and the School Board.
- [3] The Chairperson, Regional Economic Welfare Committee shall chair the Regional Grievance Committee.
- [4] The Chairperson, Regional Economic Welfare Committee shall present each Regional Asking Package to the Regional Representative Council for approval prior to the start of negotiations.
- [5] The Chairperson, Regional Economic Welfare Committee shall coordinate Local/Regional economic welfare training.

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## Article VI

### *Meetings*

*Oper. Procedures 16 (b)*

- [1] The \_\_\_\_ Regional Representative Council shall meet a minimum of seven (7) times per year at a location determined by the Chairperson.
- [2] A schedule of regular meetings of the \_\_\_\_ Regional Representative Council shall be provided to the membership by September 30<sup>th</sup> in each year.
- [3] Emergency meetings of the \_\_\_\_ Regional Representative Council shall be called as necessary by the Chairperson of the \_\_\_\_ Regional Representative Council.
- [4] A quorum of the \_\_\_\_ Regional Representative Council shall be fifty percent plus one (50% +1) of its membership provided that each Local is represented in the quorum.
- [5] Meetings of the \_\_\_\_ Regional Representative Council shall be governed by Rules of Order adopted by the Nova Scotia Teachers Union.

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## Article VII

### *Committees*

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- [1] The \_\_\_\_\_ Regional Representative Council shall establish a Standing Committee called the Regional Economic Welfare Committee with membership consisting of Local First Vice-President from each Local and other members as determined by the \_\_\_\_\_ Regional Representative Council to a maximum of ten (10) members.
- [2] Membership on the Regional Economic Welfare Committee shall be established annually *By-Law, Article IX 5(b)*
- [3] The Chairperson of the \_\_\_\_\_ Regional Economic Welfare Committee shall be elected by secret ballot by the members of the \_\_\_\_\_ Regional Economic Welfare Committee on an annual basis. The election of the Chairperson shall be the first item of business at that meeting. The election shall be conducted by the Chairperson of the \_\_\_\_\_ Regional Representative Council. *By-Law, Article IX 5(c)*
- [4] The \_\_\_\_\_ Regional Representative Council shall appoint committees as stipulated in Regional and Provincial collective agreements and establish other committees as required. *Operational Procedure 16 (c)*
- [5] Members of participating Locals shall be eligible to serve on \_\_\_\_\_ Regional Representative Council committees.
- [6] Selection of committee members shall be made on an annual basis.
- [7] All committees of the Regional Representative Council shall have a Regional Representative Council member as liaison.
- [8] All committees of the \_\_\_\_\_ Regional Representative Council shall report to the Regional Representative Council.

## Article VIII

### *Elections/Voting Privileges*

- [1] All members of the Regional Representative Council shall have voting privileges. *By-Law, Article IX 3(d)*
- [2] The Chairperson of the \_\_\_\_\_ Regional Representative Council shall be elected by secret ballot from and by the members of the \_\_\_\_\_ Regional Representative Council. The election of the Chairperson shall be the first item of business at the June Meeting. The election shall be conducted by a Provincial Executive member. *By-Law, Article IX 4(a)*
- [3] The Chairperson of the \_\_\_\_\_ Regional Representative Council shall serve a two (2) year term of office commencing August 1<sup>st</sup>. *By-Law, Article IX 4(b)*
- [4] The Chairperson \_\_\_\_\_ Regional Representative Council shall serve a maximum of two (2) consecutive terms. *By-Law, Article IX 4(c)*
- [5] The Secretary and/or Treasurer of the \_\_\_\_\_ Regional Representative Council shall be appointed by the \_\_\_\_\_ Regional Representative Council following a selection process outlined in the Operational Procedures of the \_\_\_\_\_ Regional Representative Council. *By-Law, Article IX 4(d)*
- [6] The Provincial Executive Member(s) shall be a member of the \_\_\_\_\_ Regional Representative Council for their term of office. *By-Law, Article IX 4(e)*
- [7] The \_\_\_\_\_ Regional Representative Council shall elect from its membership, a Vice-Chairperson to represent the Chairperson as required. *Op. Procedures, 16 (d) 1.*

- [8] Should a vacancy occur in the membership of the \_\_\_\_\_ Regional Representative Council, the appropriate election procedure shall be carried out. *Op. Procedures, 16 (d) 2.*
- [9] An NSTU staff officer shall be assigned to the \_\_\_\_\_ Regional Representative Council by the Executive Director. *Op. Procedures, 16 (d) 3.*

## Article IX

### *Finances*

- [1] The fiscal year shall be from August 1<sup>st</sup> to July 31<sup>st</sup>. *By-Law, Article VIII 3. Op. Proc. 16(e)5.*
- [2] The three signing officers, duly bonded, for the disbursement of \_\_\_\_\_ Regional Representative Council funds shall be the following; Treasurer, Chairperson, and one other member of the \_\_\_\_\_ Regional Representative Council. *Op. Procedures 16. (e)(i) 6.*
- [3] The \_\_\_\_\_ Regional Representative Council proposed budget for the upcoming fiscal year shall be submitted to the Provincial Executive for approval. *Op. Procedures 16. (3)(i)4.*
- [4] \_\_\_\_\_ Regional Representative Council members shall be reimbursed expenses at the provincial NSTU rate. *Op. Procedures 16. (3)(i)7.*
- [5] When attending \_\_\_\_\_ Regional Representative Council meetings, members shall be eligible to claim family care costs in the amount approved by the NSTU Provincial Executive. *Op. Procedures 16. (3)(i)8.*
- [6] The \_\_\_\_\_ Regional Representative Council shall be permitted to appeal to the Provincial Executive for investigation and guidance during any given fiscal year. *Op. Proc. 16. (e)(i) 3.*
- [7] The financial records of the \_\_\_\_\_ Regional Representative Council shall be subject to an annual review in accordance with guidelines provided by the Finance and Property Committee of the NSTU. *Op. Procedures 16. (e)(i) 9.*
- [8] Funding  
If at July 31, the cash balance of an Regional Representative Council exceeds an amount necessary to fund the activities of the Regional Representative Council until the November rebate, then the excess monies shall be returned to the Locals. *Op. Procedures 16. (e) (ii)*

## Article X

### *Accountability*

- [1] The \_\_\_\_\_ Regional Representative Council shall provide the NSTU Provincial Executive and its member Locals with a Report of Activities on an annual basis in June of each year. *Op. Procedures 16. (f) 1.*
- [2] The \_\_\_\_\_ Regional Representative Council shall provide the NSTU Provincial Executive and its member Locals with financial records in accordance with procedures outlined by the Finance and Property Committee. *Op. Procedures 16. (f) 2.*
- [3] Individuals in an elected or appointed leadership role, NSTU employees and others acting on the organization's behalf have the obligation to avoid conflicts of interest; the perception of conflict of interest; and ensure that their activities and interests do not conflict with their responsibilities to the Nova Scotia Teachers Union. *Op. Proc. 16. (f) 3.*

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- [4] \_\_\_\_\_ Regional Representative Council members are expected to fully attend as well as actively participate in all meetings of the \_\_\_\_\_ Regional Representative Council. *Oper. Proc. 16. (f) 4.*
- [5] A member of the \_\_\_\_\_ Regional Representative Council who is absent from two consecutive meetings of the \_\_\_\_\_ Regional Representative Council without reasons satisfactory to the \_\_\_\_\_ Regional Representative Council, shall have those absences reported to the affected Local by the Chairperson of \_\_\_\_\_ Regional Representative Council. *Oper. Procedures 16. (f) 5*
- [6] \_\_\_\_\_ Regional Representative Council members are responsible to fairly represent \_\_\_\_\_ Regional Representative Council decisions when speaking on issues addressed by the \_\_\_\_\_ Regional Representative Council. *Oper. Procedures 16. (f) 6.*

## Article XI *Rules of Order*

The current edition of Robert's Rules of Order, Newly Revised governs the Nova Scotia Teachers Union in all parliamentary situations not provided for in legislation, By-Laws and Standing Orders. *Oper. Procedures 16. (g)*

## Article XII *Amendments*

Amendments to the \_\_\_\_\_ Regional Representative Council Constitution requires the approval of the NSTU Provincial Executive. *Oper. Procedures 16. (h)*

# PROFESSIONAL ASSOCIATION MODEL CONSTITUTION



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### Introductory Statement

The purpose of this document is to provide NSTU members with a comprehensive summary of official NSTU By-Laws, Standing Orders, Policies and Operational Procedures concerning Professional Associations.

#### ARTICLE TOPIC/TITLE

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- IV Distribution of Powers
- V Professional Association Executive
- VI Professional Association Committees
- VII Professional Association Meetings
- VIII Elections/Voting Privileges
- IX Finances
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## Article I

### *Name*

The Professional Association shall be called the \_\_\_\_ Association of the Nova Scotia Teachers Union.

## Article II

### *Purpose*

The mandate of the (Name of NSTU Professional Association) shall be: *Policy, 12. (b)*

- [1] To improve professional practice by increasing member knowledge and understanding.
- [2] To disseminate ideas, trends and new developments.
- [3] To provide information to the NSTU Professional Associations Coordination Committee and the NSTU Curriculum Committee.
- [4] To advise the Provincial Executive on matters affecting NSTU Professional Associations.

## Article III

### *Membership*

- [1] ***Regular Membership*** *Policy 12. (c)*

Regular Membership in the (Name of NSTU Professional Association) is restricted to all active, active reserve, regular reserve and associate members of the Nova Scotia Teachers Union.

An active reserve member is not eligible to hold elected office; however, an active reserve member is eligible to vote and serve on committees. *By-Law, I, 10*

- [2] ***Student Intern Membership***

Student Intern Membership in the (Name of NSTU Professional Association) is available to full-time university students enrolled in education programs. A student intern member is not eligible to vote or hold elected office; however, a student intern member is eligible to serve on committees.

- [3] ***Subscriber Member***

Subscriber Membership is available to an institution or a person who is not a regular or student intern member. A subscriber member is not eligible to vote, hold elected office or serve on committees.

## Article IV

### *Distribution of Powers*

- [1] The general membership shall retain all powers of the (Name of NSTU Professional Association) except those delegated in the Constitution to the Professional Association Executive.
- [2] Any member of the (Name of NSTU Professional Association) shall have the right to address all meetings of the Professional Association.
- [3] A regular member shall have the right to vote on all motions at general meetings of the Professional Association.

## Article V

### *Professional Association Executive*

- [1] The Professional Association Executive shall include but not be limited to the following members:
  - President
  - Immediate Past President
  - Vice President
  - Secretary
  - Treasurer
- [2] The Professional Association Executive shall meet a minimum of three (3) times per year at a location determined by the President.
- [3] A quorum of the Professional Association Executive shall be fifty percent plus one (50%+1) of Professional Association Executive members.

## Article VI

### *Professional Association Committees*

- [1] The Professional Association Executive shall establish the following committees:
  - Communications
  - Conference
  - Finance
  - Nominating
- [2] The Professional Association Executive shall appoint members to each committee on an annual basis.
- [3] The Professional Association Executive may appoint ad hoc committees as circumstances dictate.
- [4] The Professional Association Executive shall appoint members to other committees as required.
- [5] The Professional Association President shall chair the Communications Committee.

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### Provincial Executive Governance

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### NSTU Regional Representative Council Constitution Model

### Professional Association Model Constitution

### NSTU Parliamentary Procedure

[6] The Professional Association Treasurer shall chair the Finance Committee.

[7] The Professional Association Vice-President or designate shall chair the Conference Committee.

[8] The Professional Association Immediate Past President or designate shall chair the Nominating Committee.

## Article VII

### *Professional Association Meetings*

[1] Professional Association Annual Meeting

(a) There shall be an Annual Meeting of the (Name of NSTU Professional Association) for:

- i) receipt of annual reports;
- ii) presentation of a financial statement;
- iii) presentation of a proposed budget for the upcoming year;
- iv) election of officers for the upcoming year.
- v) consideration of NSTU Annual Council resolutions.

(b) The quorum for a general meeting shall be 5% of the regular membership excluding the members of the Professional Association Executive.

[2] Professional Association Executive Meetings

(a) Professional Association Executive meetings shall take place a minimum of three (3) times per year during the periods:

Fall  
Winter  
Spring

(b) The quorum for an Professional Association Executive Meeting shall be fifty percent plus one of the Professional Association Executive.

[3] Professional Association Special Meetings

(a) In the event of an emergency or other need, a special meeting shall be called by the Professional Association Executive.

(b) A special general meeting shall be called by the Executive upon the written request of five percent (5%) of the regular membership. Five (5) working days notice of such a meeting shall be given to the general membership.

(c) A special meeting shall consider only the business specified in the notice calling such a meeting.

## VIII

### *Elections/Voting Privileges*

[1] Only regular members of the (Name of NSTU Professional Association) have the right to vote.

[2] Only active NSTU members of the (Name of NSTU Professional Association) have the right to hold office.

[3]	Only regular members and student intern members of the <u>(Name of NSTU Professional Association)</u> have a right to serve on committees.	APPENDIX E
[4]	The Professional Association Executive shall be elected by secret ballot.	Council Governance
[5]	The term of office for Professional Association Executive members shall be two (2) years from Annual General Meeting to Annual General Meeting.	Provincial Executive Governance
[6]	Any <u>(Name of NSTU Professional Association)</u> Executive position shall be held by the same person for a maximum of two consecutive terms.	NSTU Local Constitution Model
[7]	Should any Professional Association Executive position except Professional Association Immediate Past President remain vacant following elections at the Annual General Meeting, the Nominating Committee shall conduct a by-election using a mail-in vote procedure.	NSTU Regional Representative Council Constitution Model
[8]	In the event that the Professional Association President cannot complete a term of office, the Professional Association Vice President shall assume the duties of the Professional Association President in the interim. The Nominating Committee shall seek nominations for the position and conduct an election using the mail-in vote procedure. The term of office for this position shall be until the completion of the vacated term of office.	Professional Association Model Constitution NSTU Parliamentary Procedure
[9]	In the event that a Professional Association Executive member other than the Professional Association President cannot complete a term of office, the position shall be filled through a by-election administered by the Nominating Committee. The term of office for this position shall be until the completion of the vacated term of office.	

## Article IX

### *Finances*

- [1] The fiscal year shall be from August 1<sup>st</sup> to July 31<sup>st</sup>.
- [2] Membership fees shall be determined by the Provincial Executive of the Nova Scotia Teachers Union.
- [3] The signing officers shall be the NSTU Signing Officers.
- [4] The official authorization for expenditures shall be made by any two (2) of the following: the Professional Association Treasurer, Professional Association President or one other member of the Professional Association Executive.  
*Oper. Procedure 14. c) (iv)*
- [5] The Professional Association Executive shall make expenditures up to \$2,000. without prior approval of the regular membership.
- [6] Members shall be reimbursed expenses at the provincial NSTU rate.
- [7] The financial records of the (Name of NSTU Professional Association) shall be subjected to an annual review in accordance with guidelines provided by the Finance and Property Committee of the NSTU.  
*Standing Order 3.*

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- [8] All operational expenses (including substitute teacher costs) incurred by the (Name of NSTU Professional Association) are the sole responsibility of the (Name of NSTU Professional Association) and are not the responsibility of the Nova Scotia Teachers Union.
- [9] Professional Associations may qualify for their executive meeting expenses to be paid for if, at the end of their previous fiscal year, their financial net assets are less than \$13,350. Meeting expenses will be paid for three (3) executive meetings for a maximum of eight (8) executive members. NSTU expense guidelines will be followed for reimbursement. Any expenses that appear unreasonable will be subject to the approval of the Finance and Property Committee. *Oper. Procedure 14 (c)(ii)*
- [10] Professional Associations whose Financial Net Assets are less than \$13,350. in the previous year shall have costs for three (3) executive meetings paid for by the Nova Scotia Teachers Union. *Oper. Procedure 14 (c)(iii)*
- [11] There will be no purchase of capital equipment over \$1,000.00 without prior approval of the NSTU Finance and Property Committee. *Oper. Procedure 14. c (iv)*
- [12] Professional Associations may provide gifts to presenters, special guests and conference organizers. Limited random draws of names of conference delegates for prizes of a modest value may take place. Alternatively, a draw for a single item of a value not to exceed \$200.00 shall be allowed. Professional Associations shall not purchase gifts, prizes or door prizes for each delegate or attendee. This restriction does not apply to gifts that have been donated to the Professional Association by an unrelated party. *Oper. Proc. 14 (c)(v)*

## Article X

### *Rules of Order*

Rules of Order shall be the same as those procedures adopted by the Nova Scotia Teachers Union.

## Article XI

### *Accountability*

- [1] Individuals in an elected or appointed leadership role, NSTU employees and others acting on the Professional Association's behalf have the obligation to avoid conflicts of interest; the perception of conflict of interest; and, ensure that their activities and interests do not conflict with their responsibilities to the Nova Scotia Teachers Union.
- [2] Professional Association Executive members are expected to attend as well as actively participate in all meetings of the (Name of NSTU Professional Association).
- [3] Professional Association Executive members are responsible to fairly represent Executive decisions when speaking on issues addressed by the Professional Association Executive.

## Article XII

### *NSTU Annual Council*

- [1] Each Professional Association shall be entitled to one delegate with voting status at the Annual Council.

*By-Law, Article III, 1. (e)*

## Article XIII

### *Communications*

- [1] Any representation that the (Name of NSTU Professional Association) wishes to make to any organization, person, Government Department, Department of Education, school board and any other agency external to the NSTU shall be conducted through the office of the NSTU President by way of the staff liaison officer responsible for NSTU Professional Associations.

*Policy, 12 (d)*

## Article XIV

### *Amendments*

- [1] This Constitution may be amended by a two-thirds majority of votes cast by the members present at a General Meeting or Special Meeting convened for that purpose.
- [2] Notice of proposed amendment(s) shall be given to members ten (10) working days prior to the meeting.
- [3] Amendments to this Constitution shall be ratified by the NSTU Provincial Executive at a scheduled meeting following approval by the Professional Association's general membership.

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### I. *For Annual Council*

#### A. Parliamentary Authority

The current edition of Robert's Rules of Order, Newly Revised governs the Nova Scotia Teachers Union in all parliamentary situations not provided for in legislation, By-Laws and Standing Orders.

#### B. Council Chairperson

On an annual basis, the Provincial Executive shall appoint an Independent Chairperson for the Council.

[1] The individual appointed shall meet the following criteria.

- a. Be an individual with demonstrated knowledge of parliamentary procedure.
- b. Be an individual who is not currently holding elected office in the NSTU.
- c. Be an individual who is not currently seeking elected office in the NSTU.
- d. Be an individual with no conflict of interest according to NSTU policy.
- e. Be an individual who adheres to the principles outlined in the NSTU Code of Ethics.

[2] In the event that the Independent Chairperson is unable to chair the meeting, the President will assume the duties of the Chairperson.

#### C. Council Parliamentarian

The Executive Director in consultation with the NSTU President shall annually appoint a Council Parliamentarian.

#### D. Quorum for Council

[1] A majority of members of the Council shall constitute a quorum.

[2] Members of the Council entitled to form a quorum and vote are:

- members of the Provincial Executive;
- Duly elected voting delegates or alternates replacing delegates.

#### E. Speaker Status

[1] Alternate delegates may address the Council with the permission of the chair but they may not move or second resolutions or vote on any resolution. Permission to speak shall not be unreasonably withheld. In the unavoidable absence of a delegate, the Council may permit an alternate delegate from the Local to act as a delegate in his/her place.

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	<p>[2] A non-voting delegate wishing to address Council shall request permission to speak. This request shall not be unreasonably withheld by the Council Chairperson.</p>	<p><b>APPENDIX F</b></p> <p>Council Governance</p>
F.	Notice of Motion Requirements	Provincial Executive Governance
	<p>[1] Council shall not pass any motion involving a major change in policy or recommending a change in the Act unless notice of the intention to deal with the same and a copy of every proposed amendment, variation or repeal shall have first been printed in an issue of the NSTU newsletter mailed to all schools at least thirty (30) days before such Council meeting. This clause does not apply to motions amending By-Laws, notice of which must be given to members pursuant to Section 10(2) of the Act.</p>	<p>NSTU Local Constitution Model</p> <p>NSTU Regional Representative Council Constitution Model</p>
	<p>[2] All recommendations of the Executive of the NSTU and its Committees which are to be presented to Annual Council for action, including resolutions to fix membership fees, shall be sent to the Locals at least thirty (30) days prior to the meeting of Council.</p>	<p>Professional Association Model Constitution</p>
	<p>[3] The NSTU Report of Activities shall be in the hands of the delegates at least fourteen days prior to the Annual Meeting of Council.</p>	<p><b>NSTU Parliamentary Procedure</b></p>
	<p>[4] The reports presented by committees to Annual Council shall be received and reviewed at a session prior to the consideration of resolutions arising from them.</p>	
G.	Vote Requirements for Council	
	<p>[1] Resolutions in the Council recommending changes in the basis of membership in the NSTU, the duties and powers of the Executive and its officers must be approved by a two-thirds majority vote of the members present at such meeting.</p>	
	<p>[2] Standing Orders may be changed by a majority vote of Council provided notice has been given thirty (30) days previously or by a two-thirds vote of Council, notice having been given at a preceding session of Council.</p>	
H.	Budget Requirements	
	<p>[1] The Treasurer's Report, including the proposed budget, shall be presented to the Council no later than the first business session of Council.</p>	
	<p>[2] All resolutions that are identified by the Finance and Property Committee to have an effect on the proposed operating budget shall be dealt with prior to the presentation of the budget.</p>	
	<p>[3] In the final business session of Council the budget shall be presented for discussion and questions to the Committee of the Whole meeting to amend and/or accept the budget.</p>	

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### I. Recording of Council Minutes

- [1] The Executive Director shall be responsible for the recording of the minutes of the Council meetings.
- [2] The minutes of every meeting of the Council, or the minutes as corrected, when approved, shall be signed by the Secretary-Treasurer and by the President, or in his/her absence by the chair of the meeting at which they are approved, and these shall be kept by the Executive Director of the NSTU as the official record of Council proceedings.

### II. *For Provincial Executive*

- [1] A majority of the Provincial Executive members (50%+1) shall constitute a quorum.
- [2] Votes of the Provincial Executive are taken as voice notes, show-of-hands votes, ballot votes and roll call votes. Roll call votes are taken upon the approval of 20% of the members of the Provincial Executive.
- [3] Every Provincial Executive recommendation to the Annual Council requires a two-thirds (2/3) vote of the Provincial Executive members present and voting at an Executive meeting.

### III. *Specific NSTU Rules of Order*

#### [1] Voting Procedures

##### (i) Definition

- General Consent (Unanimous Consent)  
A vote in which no member indicates opposition to a motion or candidate.
- Voice Vote  
A vote taken by calling for “in favour” and “opposed” and judged by the volume of voice response.
- Show of Hands Vote  
A vote in which members show their vote by raising their hands.
- Roll Call Vote  
A vote that places on public record the vote of each member.
- Ballot Vote  
A vote cast in such a way that a member’s identity remains secret.

##### [ii] Purpose

- General Consent  
Used for routine and non-controversial questions.
- Voice Vote  
Used for motions requiring a majority vote.
- Show of Hands Vote  
Used in small assemblies as an alternative to the Standing Vote.
- Roll Call Vote  
Used when the assembly wishes to place on record the vote of each member.

	Used when members vote as representatives of others.	
	<ul style="list-style-type: none"> <li>Ballot Vote</li> </ul>	
	Used when secrecy of vote is desirable.	
	Used in elections and important proposals.	Council Governance
[iii]	Administration	Provincial Executive Governance
	General Consent (Unanimous Consent)	
	<ul style="list-style-type: none"> <li>The Chairperson must always ask if there is any objection.</li> </ul>	NSTU Local Constitution Model
	Voice Vote	
	<ul style="list-style-type: none"> <li>The Chairperson calls for members to identify their positions by “in favour” and “opposed.”</li> </ul>	NSTU Regional Representative Council Constitution Model
	Show of Hands Vote	
	<ul style="list-style-type: none"> <li>The Chairperson calls for the raising of hands – “in favour,” “opposed.”</li> </ul>	
	Roll Call Vote	Professional Association Model Constitution
	<ul style="list-style-type: none"> <li>A procedural motion to request a roll call vote is made by a member before the vote on the main motion is taken.</li> <li>The procedural motion, which is debatable, must receive the support of one-fifth(20%) of those present at the meeting.</li> <li>Upon approval, the roll is called by the meeting’s secretary in alphabetical order with the Chairperson’s name being called last.</li> <li>In roll call voting, a record of how each member voted, as well as the result of the vote, should be entered in full in the minutes. The roll call vote record is attached to the meeting’s minutes.</li> </ul>	NSTU Parliamentary Procedure
[2]	Main Motion Procedure	
	(i) Definition	
	A motion is a formal proposal by two members given to the assembly for consideration, discussion and voting.	
	(ii) Purpose	
	When ten or more members are present in a meeting, a formal motion is used to address each business item on the agenda.	
	(iii) Administration	
	1. The member addresses the chair – <i>“Madame Chair, I wish to make a motion.”</i>	
	2. The chair recognizes the member by stating the person’s name or title.	
	3. The member states the motion- <i>“I move that...”</i>	
	4. The chair calls for a seconder- <i>“Is there a seconder for the motion.”</i>	
	5. Another member seconds the motion. (If there is no seconder, the motion is not considered).	
	6. The chair repeats the motion- <i>“It has been moved and seconded that...”</i>	
	The motion now belongs to the assembly.	

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- The motion can now be debated, amended, superseded, adopted, negated and/or withdrawn.
7. The mover speaks first on the motion.
  8. The chair calls on speakers in reasonable rotation.
  9. Speakers begin their comments-  
*"I speak for/against the motion."*
  10. A member seeking information on the topic requests such by stating-  
*"Madame Chair – Point of Information."*
  11. The *List of Speakers* is followed until three members have consecutively spoken for or against the motion. At this point the Chair seeks a speaker with an opposing view-  
*"Is there a speaker for/against the motion?"*
  12. To conclude debate, the Chair asks-  
*"Are there further speakers"*  
or  
*"Are you ready for the question?"*
  13. Seeing none, the Chair calls upon the mover to close debate.
  14. The Chair calls for the decision by reading the motion.
  15. The Chair takes the vote.
  16. The Chair reports the results of the vote to the assembly.

In summary, the sequence for addressing a main motion is as follows:

1. Motion is placed.
2. Discussion ensues.
3. Chair calls for the question.
4. Chair repeats motion.
5. Vote is conducted

### [3] Amending a Motion Procedure

#### (i) Definition

- **Unrestricted Amendment**  
An unrestricted amendment is a subsidiary motion that modifies a main motion by providing alternate wording.
- **Restricted Amendment**  
A restricted amendment is a subsidiary motion that affects the motions of limiting debate, of postponing (tabling), of recessing, and of referring to committee.
- **Friendly Amendment**  
A friendly amendment is a subsidiary motion that the mover feels will be acceptable to the maker of the main motion. If the maker of the original motion is in agreement with the amendment, the presiding officer states that the motion is amended by general consent.

#### (ii) Purpose

To modify a main motion that is being considered by the assembly so that it will express more satisfactorily the will of the members.

#### (iii) Administration

- When an amendment is moved, the main motion is displaced and the amendment becomes the active business.

After the amendment has been decided, debate resumes on the main motion.

- Discussion is limited to the amendment until it is disposed of.
- There is no restriction as to the number of successive amendments that can be moved to modify a main motion; however, only one amendment is addressed at a time.
- Voting sequence is first: on the amendment; next on further amendments; and, finally: on the amended or original main motion.

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#### [4] Closed Session Procedure

##### (i) Definition

A Closed Session is that portion of an official meeting in which participants discuss and reach tentative decisions on sensitive and confidential matters without the restrictions of formal rules of order.

##### (ii) Purpose

To address agenda items concerning the following:

- Personnel (Salaries, Evaluation)
- Legal
- Disciplinary Actions
- Staff Report
- Sensitive and/or Confidential Matters

To allow for more comprehensive debate on these issues (i.e. Member Speaks Once Only Rule is relaxed when no additional speakers have been identified)

##### (iii) Administration/Execution

1. In Open Session following the motion to adopt the meeting's agenda, the Chairperson moves a motion to go into Closed Session to address identified agenda item(s). (This is a privileged motion that is neither debatable nor amendable. It requires a majority vote.)
2. In Closed Session, the Vice-Chairperson conducts the meeting.
3. In Closed Session members may speak on more than one occasion and the chairperson can make several interventions to deal with questions and misunderstandings as they arise in the debate. No formal motions are considered but straw votes can be taken to determine decisions for consideration as main motions in Open Session.
4. In Closed Session, the Second Vice-President keeps a Speakers List and records decisions reached.
5. When the business of the Closed Session is completed, the Vice Chairperson moves a motion to Rise and Report. (This is a privileged motion that is neither debatable nor amendable. It requires a majority vote.)
6. In Open Session, the Chairperson calls upon the Vice Chairperson to report the discussion topics and status of issues addressed in Closed Session.
7. In Open Session, decisions reached in the Closed Session are moved as main motions by the Second Vice-President.

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### [5] Division of the Assembly Procedure

#### (i) Definition

Division of the Assembly is a demand that an indecisive vote be verified by a counted vote.

#### (ii) Purpose

To verify a vote result.

#### (iii) Administration

1. The member addresses the Chair – “I call for division” or “Division.”
2. The Chair responds – “Division has been called for. The vote will be retaken as a counted vote.”
3. The meeting secretary or scrutineers count the vote and report results to the Chairperson.
4. The Chairperson announces the vote results.

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**Note: A member is not required to vote in the same way on a division as he or she voted on the initial vote.**

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# NOVA SCOTIA TEACHERS UNION

# CODE OF ETHICS

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- (a) The member should adhere to a contract until the contract has been terminated by mutual consent, or the contract has otherwise been legally terminated. A verbal agreement is a contract.
- (b) The member should not accept a salary below that which he/she would receive according to the scale negotiated between the NSTU and the employer.
- (c) The teacher should not accept a salary above that which he/she would receive according to the scale negotiated between the NSTU and the employer, without notifying the NSTU.

## V. MEMBER AND PROFESSIONAL ORGANIZATION

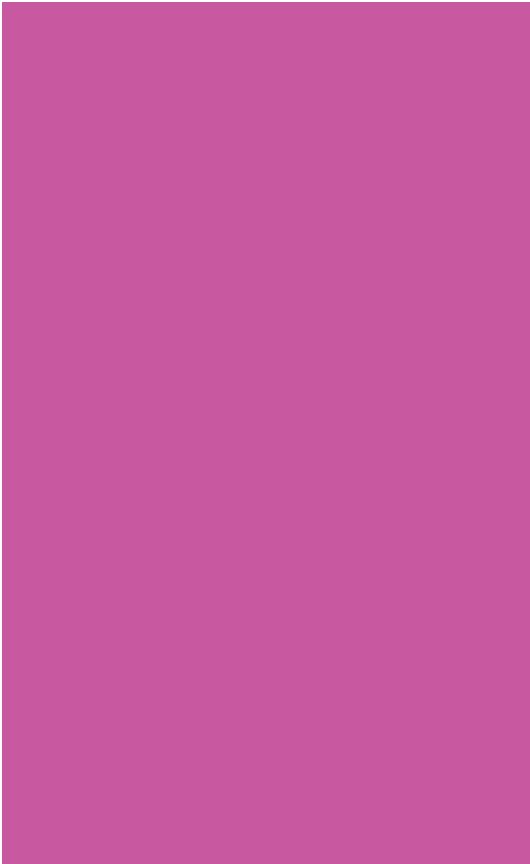
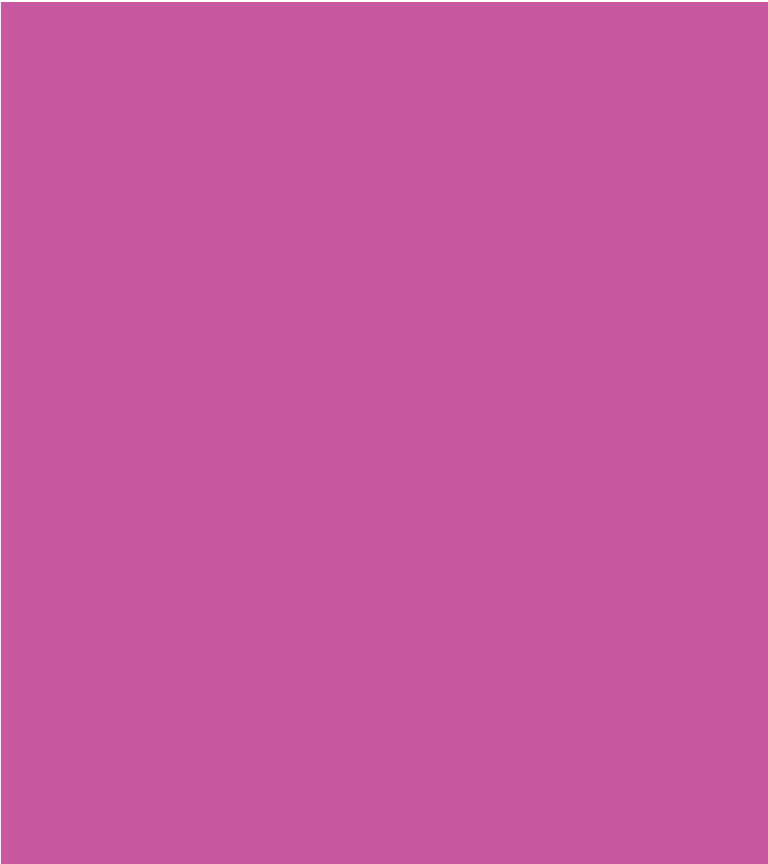
- (a) The member should be a member of and participate in the Nova Scotia Teachers Union.
- (b) The member who in his/her professional capacity is a member of a committee, board, or authority dealing with matters affecting the educational program of Nova Scotia as a whole should be elected, appointed, or approved by the Nova Scotia Teachers Union.
- (c) The member, or group of members, should not take any individual action in matters which should be dealt with by his/her Local or by the NSTU.
- (d) The Local should not take any individual action in matters where the assistance of the NSTU has been sought, or in matters requiring the authorization of the NSTU.

## VI. MEMBER AND PROFESSION

- (a) The member should maintain his/her efficiency by professional development, or study, by travel or by other means which will keep him/her abreast of the trends in education and the world in which we live.
- (b) The member should engage in no gainful employment, outside of his/her contract, where the employment affects adversely his/her professional status, or impairs his/her standing with students, associates, and the community.
- (c) The member should not accept remuneration for tutoring his/her pupils except under unusual circumstances and with the approval of his/her supervisor or principal.

## VII. MEMBER AND COMMUNITY

- (a) The member should so conduct himself/herself in his/her private life that no dishonour may befall him/her or through him/her, his/her profession.



In the event of any discrepancy between this document and the original, the original shall prevail.

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