

**Association canadienne des enseignantes et des  
enseignants retraités**



**Canadian Association of Retired Teachers**

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**ARTICLES**

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# ARTICLES

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## DEFINITIONS

In this document,

<b>Act</b>	"act" shall mean the Canada Corporations Act
<b>Board Member or Director</b>	"board member or director" shall mean a person named or elected by a member organization as the official spokesperson of that organization for a term of office on ACER-CART's Board
<b>By-laws</b>	"by-laws" shall mean the standing rules governing the membership of ACER-CART as determined in the by-laws approved by the Minister of Industry Canada
<b>Constitution</b>	"constitution" shall mean the basic structure and system of fundamental principles according to which ACER-CART is governed
<b>Executive Committee</b>	"executive committee" shall mean the elected officers of ACER-CART
<b>Member</b>	"member" shall mean one of the provincial or territorial associations of retired teachers recognized as members of ACER-CART
<b>Observer</b>	"observer" shall mean a person named or elected by a member as a non-voting alternate spokesperson at an Annual General Meeting (AGM) of ACER-CART
<b>Officer</b>	"officer" shall mean a director or observer elected at the Annual General Meeting (AGM) for a term of office on ACER-CART's Executive
<b>Policy</b>	"policy" shall mean the fundamental beliefs that must guide the actions of ACER-CART with respect to its role, philosophy and objectives
<b>Procedures</b>	"procedures" shall mean details that are necessary to carry out the provisions of the policies
<b>Regional Representative</b>	"regional representative" shall mean a person elected at the Annual General Meeting (AGM) to represent a geographic area within Canada

## **ARTICLE 1 – OFFICIAL LANGUAGES**

- 1.01 The official languages of ACER-CART shall be English and French.
- 1.02 Every member may participate in ACER-CART's activities and request services from ACER-CART in the official language of its choice.
- 1.03 Translation costs should be considered in the preparation of the following documents in both official languages:
  - a) notices of meetings of the Board or the Annual General Meeting,
  - b) agendas of meetings of the Board or the Annual General Meeting,
  - c) minutes of meetings of the Board or the Annual General Meeting,
  - d) ACER-CART By-Laws , Articles, Policies and Procedures; and
  - e) Official ACER-CART position papers and reports.

## **ARTICLE 2 – OBJECTIVES**

The objectives of ACER-CART are to:

- 2.01 facilitate and promote liaison and mutual assistance among its member organizations;
- 2.02 promote the interests of its member organizations;
- 2.03 develop strategies for joint action on matters of common concern to member organizations;
- 2.04 cooperate with other organizations on matters of common concern; and
- 2.05 promote and support public education.

## **ARTICLE 3 – AGENDA AND PARLIAMENTARY AUTHORITY**

- 3.01 The agenda of all meetings of ACER-CART shall be the responsibility of the President, in consultation with the Executive.
- 3.02 All meetings of the Board and its constituent parts shall be governed by Bourinot's Rules of Order.

## **ARTICLE 4 – MEMBER ORGANIZATIONS**

The members of ACER-CART shall be those provincial and territorial members of retired teachers recognized by the Board, namely, the:

- a) Alberta Retired Teachers Association (ARTA);
- b) Association des retraitées et retraités de l'enseignement du Québec (AREQ);
- c) British Columbia Retired Teachers' Association (BCRTA);
- d) New Brunswick Society of Retired Teachers (NBSRT);
- e) Prince Edward Island Retired Teachers Association (PEIRTA);
- f) Quebec Association of Retired Teachers (QART);
- g) Quebec Provincial Association of Retired School Educators (QPARSE);
- h) Retired Teachers' Association of Newfoundland and Labrador (RTANL);
- i) Retired Teachers' Association of Manitoba (RTAM);
- j) Retired Teachers Organization of the Nova Scotia Teachers Union (RTO-NSTU);
- k) The Retired Teachers of Ontario/Enseignantes et enseignants retraités de l'Ontario (RTO/ERO);
- l) Société des enseignantes et enseignants retraités francophones du Nouveau-Brunswick (SERFNB);
- m) Superannuated Teachers of Saskatchewan (STS); and
- n) Yukon Retired Teachers' Alumni (YRTA).

## **ARTICLE 5 – ROLES AND RESPONSIBILITIES OF MEMBERS**

The roles and responsibilities of the member organizations are to:

- a) support the objectives of ACER-CART;
- b) commit to actively participate in the activities of ACER-CART;
- c) support the decisions adopted by the Board and the AGM; and

d) participate in the governance of ACER-CART.

## **ARTICLE 6 – EXECUTIVE DIRECTOR**

The Executive Director shall be:

- a) appointed by the Board;
- b) a non-voting member of the Board; and
- c) an advisor to the Board and Executive.

## **ARTICLE 7 – ANNUAL GENERAL MEETING (AGM) AND MEETINGS OF THE BOARD**

7.01 The Board will hold at least one meeting per fiscal year.

7.02 The Annual General Meetings, hereafter called the AGM, shall be held on the first Friday of June and the following Saturday.

7.03 A copy of the minutes of the Board shall be available to members of the Executive and Board.

7.04 The AGM is the supreme authority of ACER-CART.

7.05 At the AGM, the Directors may also:

- a) receive a report prepared by the Executive Director, of the activities since the previous meeting of the Board, of the Executive Committee and Standing Committees and of ad hoc Committees;
- b) receive reports of the Executive;
- c) receive the financial statements and the report of the auditors;
- d) appoint auditors to audit the accounts and annual financial statements for report at the next AGM;
- e) appoint the signing officers of ACER-CART;
- f) approve the budget for each fiscal year and authorize expenditures on behalf of ACER-CART;
- g) approve changes to the By-Laws, Articles and Policies;
- h) adopt policies and procedures;

i) establish fees to be paid by members;

7.06 The position of a Director shall be automatically vacated if said Director loses the confidence of the member organization.

7.07 Officers shall serve without remuneration. No Officer shall directly or indirectly receive any profit from his/her position as such, provided that an Officer may be paid reasonable expenses incurred by him/her in the performance of his/her duties.

7.08 A retiring Officer shall remain in office until the dissolution or adjournment of the meeting at which his/her retirement is accepted and his/her member organization names a replacement.

## **ARTICLE 8 – EXECUTIVE COMMITTEE**

8.01 The Executive Committee shall be composed as follows:

a) the President;

b) the Immediate Past President (or replacement);

c) Regional Representatives:

- i. Atlantic (Newfoundland and Labrador, Prince Edward Island, New Brunswick and Nova Scotia),
- ii. Ontario,
- iii. Quebec, and
- iv. West (Manitoba, Saskatchewan, Alberta, British Columbia and Yukon)

d) The Executive Director who acts as advisor without voting rights.

8.02 The Executive shall:

a) carry out the activities of ACER-CART;

b) perform the duties assigned by the AGM and the Board and to follow up on the decisions made by the AGM and the Board;

c) keep the Board informed of the Executive Committee's activities and decisions;

d) consult the Board on questions of general interest;

e) coordinate the activities of Standing Committees;

f) administer and monitor the budget as approved by the AGM;

- g) review the financial statements and prepare background information on all aspects of the budget, before their presentation to the Board;
- h) require a financial statement from each Committee Chair whose committee is receiving or spending money on behalf of ACER-CART;
- i) liaise with organizations with similar objectives and interests;
- j) appoint the chairs of Standing Committees and the representatives to outside organizations;
- k) ratify the appointment of committee members recommended by the Chairs of committees;
- l) approve any notice of withdrawal or resignation of an Officer as Chair of a Standing Committee and any request to remove an Officer as Chair of a Standing Committee; and
- m) replace members appointed to a Standing Committee at the request of the Chair of that Committee.

## **ARTICLE 9 – COMMITTEES**

9.01 The Board or AGM may:

- a) establish Standing Committees and/or ad hoc Committees;
- b) ratify their Terms of Reference;
- c) require a financial statement from each committee chair whose committee is receiving or spending money on behalf of ACER-CART.

9.02 The Executive may:

- a) establish ad hoc Committees;
- b) appoint their chairs; and
- c) ratify their Terms of Reference.

9.03 Committees shall:

- a) receive and act on proposals and referrals from the AGM, the Board and/or the Executive Committee;
- b) operate within the budget approved by the Board or the AGM;

- c) report to the Board, AGM and the Executive Committee with recommendations;
- d) prepare, if necessary, a budget request for the following fiscal year and present it to the Executive Committee; and
- e) present an annual Committee Report with a statement of expenses to the Executive Committee, the Board and the AGM.

9.04 The Standing Committees of ACER-CART are:

- a) Communications;
- b) Health Services and Insurance;
- c) Legislation;
- d) Nominations and Elections; and
- e) Pension and Retirement Income.

## **ARTICLE 10 – STANDING COMMITTEE TERMS OF REFERENCE**

### **10.1 COMMUNICATIONS COMMITTEE**

The Communications Committee shall:

- a) maintain the ACER-CART website;
- b) produce at least one newsletter a year for use on the website and by member organizations; and
- c) encourage and facilitate communication among member organizations.

### **10.2 HEALTH SERVICES AND INSURANCE COMMITTEE**

The Health Services and Insurance Committee shall:

- a) provide the member organizations with information and advice regarding health and insurance plans;
- b) study the health care and insurance plans of the member organizations; and

- c) prepare for the Executive proposals and position papers related to health and insurance plans with appropriate recommendations.

### **10.3 LEGISLATION COMMITTEE**

The Legislation Committee shall:

- a) make recommendations to the Executive Committee for changes to the By-Laws, Articles, Policies and Procedures;
- b) become familiar with legislation which may have an impact on the teaching profession and the status of retired teachers; and
- c) present resolutions to the Executive Committee.

### **10.4 NOMINATIONS AND ELECTIONS COMMITTEE**

The Nominations and Elections Committee shall:

- a) receive and solicit nominations for offices on the Executive;
- b) seek members for the Nominations and Elections Committee; and
- c) assume responsibility for the elections.

### **10.5 PENSION AND RETIREMENT INCOME COMMITTEE**

The Pension and Retirement Income Committee shall:

- a) respond to requests regarding matters pertaining to pension concerns;
- b) make recommendations to the Executive on matters pertaining to pension concerns;
- c) receive concerns and recommendations from member organizations;
- d) prepare for the Executive, proposals and position papers related to pension and retirement concerns with appropriate recommendations.

## **ARTICLE 11 – ELECTIONS**

### **11.01 – ELECTION GUIDELINES**

- a) The Officers shall be elected annually, by secret ballot, at the Annual General Meeting (AGM).
- b) If at the time of balloting for a particular office, there is a sole nominee for that office, that person shall be declared elected.
- c) If at the time of balloting for multiple representation, the number of nominees is equal to or fewer than the number of positions available, those nominees shall be declared elected.
- d) The following persons are eligible for election as Officers:
  - i. the representatives named or elected by the members as Directors or observers; and
  - ii. the Officers present or who have indicated in writing, their intention to stand for a particular office.
- e) Each Officer shall hold office until the adjournment of the next AGM.
- f) In the event an Officer is unable or unwilling to complete his/her term, the remaining Officers may appoint another Officer, or replacement from nominees received from members of that Region, to complete the balance of that term.
- g) Every effort will be made to ensure that the Executive has representatives from member organizations of both official languages.

### **11.02 – NOMINATING PROCEDURES**

- a) At least three months prior to the AGM, the Chair of the Nominations and Elections Committee invites members to submit the name(s) of candidates for offices on the Executive.
- b) Nominations for offices on the Executive are prepared on the nominating form and presented to the Chair of the Nominations and Elections Committee no later than one month before the AGM.
- c) At the request of the presiding officer of the AGM, the Chair of the Nominations and Elections Committee shall present a report on the nominations received.

- d) The Chair of the Nominations and Elections Committee asks for nominations from the floor.

### **11.03 – ELECTION PROCEDURES**

- a) The order in which elections are held is as follows:
  - i. office of President;
  - ii. offices of Regional Representatives; and
  - iii. office of Vice-President.
- b) The Chair of the Nominating and Elections Committee will allow each candidate three (3) minutes to address the assembly.
- c) A candidate must obtain a majority of the valid votes cast to be declared elected.
- d) If a majority vote is not reached, the name of the candidate with the least number of votes and of all candidates with less than three (3) votes will be removed from the ballot before proceeding to the next round of voting.
- e) A candidate, unsuccessful in his/her election to the office of President, may elect to let his/her name stand for the office of Regional Representative.
- f) Members of the Nominating and Elections Committee shall collect and count ballots and then report to the presiding officer of the AGM.
- g) Each candidate shall be allowed to name a scrutineer to observe the counting of ballots.
- h) Ballots cast at the AGM will be destroyed at the conclusion of elections unless there is a motion to the contrary.

### **ARTICLE 12 – FINANCES**

- 12.01 ACER-CART finances all its activities from:
  - a. fees received from the member organizations;
  - b. money given by sponsors approved by the Board;
  - c. acquired gifts, legacies, settlements, bequests, endowments and donations of any kind (By-law 7, 7.15 Section o); and
  - d. grants obtained for projects approved by the Board.

- 12.02 Members shall pay an annual fee as established by the Annual General Meeting based on the member organization's total membership as of September 30 of each year. A motion to change the fee, at an AGM, will require a 2/3 majority vote of the members.
- 12.03 ACER-CART shall be responsible for the payment of expenses of persons acting for or on behalf of ACER-CART in accordance with Article 13.01.
- 12.04 The fiscal year of ACER-CART shall commence on August 1 and shall terminate at the close of business on July 31 each year.
- 12.05 All operating funds shall be deposited in the name of ACER-CART in a financial institution approved by the Executive.
- 12.06 Cheques and other documents shall be signed on behalf of ACER-CART in accordance with the provisions of the By-Laws, Articles, Policies and Procedures.
- 12.07 The signing officers of ACER-CART shall be any two of the following:  
a. the President;  
b. the Executive Director;  
c. an Accounts Manager appointed by the Board.
- 12.08 With the exception of expenses related to meals and kilometrage, a request of reimbursement by ACER-CART of expenses incurred by members on official ACER-CART business must be supported by a receipt.
- 12.09 Expenses may be claimed by Officers on official ACER-CART business. Expenses related to attendance at meetings of members and at meetings of the Board or AGM can only be claimed by Officers of the Executive and ACER-CART members who have received the mandate to act as an official representative of ACER-CART to another organization.

### **ARTICLE 13 – TRAVEL EXPENSES**

- 13.01 Members of the Executive shall consider the most economical mode of travel and may claim reimbursement in accordance with the ACER-CART policy for:
- a) economy class while traveling by train, air or bus;  
b) taxi, limousine or car rental expenses;  
c) travel while using their personal automobile at an established rate per kilometer plus parking fees;

- d) single occupancy rate for accommodation; and
- e) meals.

13.02 Individuals must complete the expense reimbursement form and submit the form along with all receipts within thirty (30) days of the activity for which reimbursement of expenses is claimed.

## **ARTICLE 14 – DUTIES OF OFFICERS AND THE EXECUTIVE DIRECTOR**

### **14.01 THE PRESIDENT**

In addition to the duties outlined in By-Law 9, Section 9.01, the President shall:

- a) prepare an agenda for meetings of the members, the Board, the AGM and the Executive, except for extraordinary meetings;
- b) serve as an ex officio member of every Committee;
- c) call meetings of the Executive Committee, Board, and the AGM;
- d) present periodic reports to the Board of the Executive Committee's activities and decisions;
- e) be responsible for all official correspondence of ACER-CART;
- f) carry out any specific duties assigned by the Board or the AGM;
- g) fulfill all other duties normally performed by a President.

### **14.02 THE VICE-PRESIDENT**

In addition to the duties outlined in By-Law 9, Section 9.02, the Vice-President shall act in an advisory capacity to the President.

### **14.03 THE IMMEDIATE PAST PRESIDENT**

The Immediate Past President shall:

- a) act in an advisory capacity to the President;
- b) perform such duties and exercise such powers as may be delegated by the President, the Board or the AGM; and

- c) chair the Nominating and Elections Committee.

#### 14.04 **THE REGIONAL REPRESENTATIVE**

In addition to the duties outlined in By-Law 9, Section 9.03, the Regional Representative shall:

- a) act in an advisory capacity to the President;
- b) coordinate the activities of the members of his/her Standing Committee; and
- c) report to the Executive Committee and to the AGM on the activities of his/her Standing Committee.

#### 14.05 **THE EXECUTIVE DIRECTOR**

In addition to the duties outlined in By-Law 9, Section 9.04, the Executive Director shall:

- a) act in an advisory capacity to the Board, the AGM, the Executive Committee and the President;
- b) perform such duties and exercise such powers as may be delegated by the Board, the AGM, the Executive Committee or the President;
- c) advise and assist in preparing the financial statements;
- d) administer and disburse the funds of ACER-CART as directed by the Board or the AGM;
- e) present to the President, the Executive Committee, the AGM and the Board at the regular meeting of the Board or AGM, (or whenever they may require it), an accounting of all transactions and a statement of the financial position of ACER-CART; and
- f) be a signing officer in accordance with Article 12 – Finances, Section 12.07.

## **ARTICLE 15 – AMENDMENTS TO THE ARTICLES**

- 15.01 Motions to amend the by-laws must be circulated to the members up to sixty (60) days prior to the day of the vote and be approved by a two-thirds (2/3) majority of eligible voting members attending the AGM.
- 15.02 Motions to amend the by-laws which do not comply with the minimum notice specified in 11.04 above, may be approved by a majority of eligible voting members attending the AGM and require no less than a ninety percent (90%) majority.