

BYELAWS

BAHAMAS EDUCATORS COUNCELLORS AND ALLIED WORKERS UNION



The Byelaws provide specific guideline on the operations of the union. It yields to the constitution which contains general rules for the organization.

Articles:

1.0 The Annual General Meeting [A.G.M]

- 1.1 The A.G.M shall be held in accordance with the constitution.
- 1.2 The Secretary General shall prepare the agenda for the A.G.M.
- 1.3 The Executive Committee shall approve the agenda no later than thirty days before the A.G.M.
- 1.4 Executives must submit their reports to the Secretary General no later than 3 weeks before the A.G.M.
- 1.5 Each delegate shall receive a copy of the Executive reports and all other reports.
- 1.6 Delegates to A.G.M:
 - a. All Executives
 - b. All District Stewards
 - c. All Shop Stewards and Assistants
 - d. Schools with more than 50 members, 3 delegates in addition to the Shop Steward and Assistant.
 - e. Schools with less than 50 but more than 20 members, 2 delegates in addition to Shop Steward and Assistant.

- 1.7 Delegates must be democratically selected by the school where they work. The Shop Steward shall supervise the selection process.
- 1.8 The Union shall bear the cost of all official delegates to the A.G.M.
- 1.9 Observers can attend the AGM at their own cost. They can engage in debates but cannot vote. Observers must be members of the union.
- 1.10 Per Diem for all members travelling to an AGM shall be 25 dollars per day.
- 1.11 The AGM shall approve all expenditure above 200,000 dollars.
- 1.12 The AGM shall receive reports from external auditors.

2.0 Executive Committee

- 2.1 The Executive Committee shall meet at least once per month to:
 - (a) ensure that directives from the A.G.M. are implemented.
 - (b) receive and discuss progress reports from Executive Officers.
 - (c) assess the effectiveness of union programs and activities.
 - (d) make decisions on matters which require its attention.
 - (e) approve expenditure above the spending authority of officers but less than 200,000 dollars.
- 2.2 It is the duty of each Executive officer to:
 - (a) uphold the constitution of BECAWU.
 - (b) treat all matters discussed at Executive Meetings as strictly confidential.
 - (c) obey directives from the Executive Committee.
 - (d) assist the President in the effective management of the union.
 - (e) carry out assigned responsibilities effectively and in a cost effective manner.
 - (f) promote a positive image of BECAWU.
 - (g) respect the BECAWU code of ethics and be guided by it.
 - (h) protect and defend the rights of all union members.
 - (i) know all the national and regional affiliates of the union.
 - (j) know the laws and policies which impact education, teachers, Guidance Counsellors, Teacher's Aides and the union.
 - (k) Obey the Byelaws.

2.3 Duties of Executive Officers:

- (a) The President shall be accountable to the membership for the effective management of the entire union.
- (b) He/she shall supervise the planning function of the Executive Committee and shall monitor the implementation of all union programs and activities.
- (c) He/she shall advise the other Executives on matters affecting their areas of responsibility.
- (d) He/she shall be the chief spokesperson and official representative for the union.
- (e) The monetary limit on the Presidents spending authority shall be one thousand, five hundred dollars (\$1,500.00).
- (f) He/she shall delegate his/her authority to the Vice President in his/her absence.
- (g) The monetary limit on the Treasurer's authority shall be one thousand (\$1,000.00) dollars.
- (h) He/she shall be accountable for the efficient management of the Union's finances.
- (i) The Treasurer shall provide the Executive Committee with a monthly financial report.
- (j) He/she shall delegate his/her responsibilities to the Assistant Treasurer in his/her absence.
- (k) The monetary limit on the Secretary General's authority shall be one thousand dollars.
- (l) He/she shall receive and distribute all incoming correspondence to the National Secretariat.
- (m) He/she shall sign all correspondence leaving the National Secretariat which is not signed by the president.
- (n) He/she shall establish and maintain effective communications between the National Secretariat and the membership, and both national and international organizations with which the union is affiliated.
- (o) He/she shall be the Chief Public Relations Officer for the union.
- (p) He/she shall delegate his/her responsibilities to the Assistant Secretary General in his/her absence.
- (q) The President shall set the date for regular Executive Meetings. Seven days' notice must be given.
- (r) In the event the president is unable or unwilling to set the date, then

Vice President or Secretary General shall set the date.

- (s) Executive Member shall manage the properties of the union where feasible. In the event the property is on an island where there is no Executive Member the President shall appoint a property manager or hire an external property manager.
- (t) Area Vice Presidents shall represent the views of the members in their Districts. They shall where possible settle any grievance that cannot be resolved by the work site representative(s).
- (u) Area Vice Presidents shall report to the president and seek assistance for grievances that cannot be resolved at the district level.

3.0 Districts

3.1 The membership of the union shall be divided into four districts:

New Providence District, Grand Bahama District, Northern Bahamas District and Southern Bahamas District.

- (a) The Grand Bahama District shall consist of the following islands: Grand Bahama , Bimini, Grand Cay, Water Cay.
- (b) Northern Bahamas District shall consist of the following islands: Abaco, Eleuthera, Andros, Berry Islands.
- (c) Southern Bahamas shall consist of the following islands: Acklins, Crooked Island, Long Cay, Cat Island, Exuma, Inagua, Long Island, Mayaguana, Ragged Island, San Salvador and Rum Cay.
- (d) In the instance where a school is built on an island that previously had no school, that island will become a part of the same District as the nearest inhabited island.
- (e) The Area Vice President may appoint a District Treasurer and Secretary with the consent of the District Council.
- (f) The District Council shall be composed of the Area Vice President, District Stewards, Senior Shop Stewards, Shop Stewards, Assistant Shop Stewards, District Treasurer and District Secretary.
- (g) The District Council shall assist the Area Vice President in effectively managing his/her District.
- (h) The District Council in New Providence may open a District Account the signatories to the account shall be the Area Vice President, the Secretary and Treasurer. The Area Vice President shall be the Primary signatory on all District Accounts.

- (i) Multi-Island Districts may use District Council members to act as signatories to accounts on islands where the Area Vice President does not live, however, a District Steward must be a signatory in such cases.
 - (j) The District Treasurer or any member acting in such capacity must provide the Treasurer with quarterly financial reports and shall provide the Treasurer with bank statements when requested.
 - (k) The District Secretary shall record the minutes of District Council Meetings, District Membership Meetings and assist the Council in planning memorable events.
 - (l) Districts can be sub-divided under District Stewards. No District shall have more than four (4) District Stewards.
- 3.2 District Steward shall :
- (a) identify the needs of his/her District.
 - (b) liaise with the Area Vice President to develop strategies to meet those needs.
 - (c) assist in the planning of District activities.
 - (d) maintain effective communication with his/her District.
 - (e) assist with the settling of grievances and disputes.
 - (f) assist with the planning of elections and with working the polls.
 - (g) consult and get approval from the President/Area Vice President or Executive Committee to engage the press and to organize Industrial Action.
 - (h) consult with the Area Vice President/President on serious and emergency matters.
- 3.3 The Area Vice-President shall be responsible for the effective functioning of the District and shall give reports on District activities at Executive Committee meetings and at the AGM.
- 3.4 Where feasible the Executive Committee shall facilitate the operation of a District Office. The District office shall assist the Area Vice President with the execution of his/her duties and any other officer residing on that island.
- 3.5 Openings for employment in the District Office shall be advertised in a newspaper and/or the Department of Labour.
- 3.6 The Secretary General and Area Vice President shall make recommendation to the Executive Committee for hiring.

4.0 Trustees

- 4.1 The Union's assets shall be vested in the Trustees
- 4.2 The Trustees shall protect the union's assets from abuse and misuse.
- 4.3 The Treasurer will provide the Trustees with financial records and reports within 5 days of being requested.
- 4.4 Trustees shall produce quarterly reports for the Executive Committee and a report for the AGM.
- 4.5 Trustees shall comprise the Internal Audit Committee and shall Select the external auditors.
- 4.6 Trustees shall be elected triennially.
- 4.7 A Trustee can be removed from office by the AGM for ill health, mental incapacity, fraud or permanently re-locating outside of the country.
- 4.8 Trustees removed from office by the AGM for reasons in 4.7 shall not be eligible to contest an election to replace them.
- 4.9 In instances where the removal of a Trustee occurs at the AGM before Elections the Executive Committee shall appoint a replacement to serve until elections.

5.0 Finances

- 5.1 (a) The Treasurer shall develop a set of standardized accounting and financial policies and procedures to effectively manage and control Union Funds.
 - (b) Such standardized policies and procedures must be approved by the Executive Committee.
 - (c) The Accounting and Financial policies and procedures shall address the following:
 - (i) Income
 - (ii) Disbursements
 - (iii) Purchases
 - (iv) Bank deposits
 - (v) Posting of entries
 - (vi) Financial statements
 - (vii) Budgeting
 - (viii) Travel expense reports

- (ix) Bank reconciliations
- (x) Personal/general accounts
- (xi) Petty cash
- (xii) Trial balances
- (xiii) Financial reports for special events, programmes, and projects.
- (xiv) Credit and collections
- (xvi) Loans
- (xvii) Audited financial statements

5.2 The Executive Committee shall authorize the Treasurer to establish a bank account for the general operation of the Union, and bank accounts for special funds and projects.

5.3 The signatories to the union's account and financial instruments shall be The Treasurer and any two of the following: President, Vice President, Secretary General.

5.4 The Treasurer shall ensure that when he/she travels or is absent from the union for extended periods the business of the union can continue.

5.5 Loans above two hundred thousand (200,000) dollars must be approved by the A.G.M.

5.6 Expenditure above two hundred thousand (200,000) dollars must be approved by the A.G.M.

5.7 All income and expenditure transactions must be receipted. Receipts shall be submitted to the Treasurer.

5.8 The Treasurer shall provide the Secretary General with petty Cash for minor office expenses. Petty Cash shall not be distributed in amounts exceeding one hundred (100) dollars per request. The Secretary General shall submit a monthly Petty Cash report to the President.

5.9 The Executive Committee shall approve the closure of all union bank accounts.

5.10 (a) Each invoice for goods and services purchased on behalf of the Union requires a corresponding Purchase order with the appropriate authorization.

(b) Invoices for which there are no proper purchase orders shall become the responsibility of the person making the purchase.

5.11 Treasurer shall ensure that all rents and other payments due to the Union are collected and deposited in a timely fashion.

5.12 (a) The Treasurer shall ensure that agreements with creditors for payment is honoured and that the union's bills are paid.

(b) He/she shall make payments on or before the date they become due to avoid late payment charges.

- 5.13 (a) The Executive Committee shall authorize the Treasurer to establish accounts with creditors.
(b) Creditors must be informed of the Union's purchasing policy in writing before an account can be activated.
- 5.14 (a) The Executive Committee shall authorize the Treasurer to take out adequate insurance coverage on all Union properties and automobiles.
(b) The Treasurer shall ensure that insurance premiums are paid in a timely manner.

6.0 Contracts

- 6.1 The Executive Committee shall approve contracts for full-time officers.
- 6.2 Executive contracts shall not exceed the term of an executive in office
- 6.3 Executive Committee shall use the salaries of upper management in the Ministry of Education as a benchmark for the president's salary.
- 6.4 In addition to salary the Executive Committee shall decide what other benefits shall be included in an Executive Contract. Benefits can include vehicle, gas allowance, entertainment allowance, insurance coverage or any other benefit deemed appropriate by the Executive Committee
- 6.5 The Executive Committee shall address disciplinary actions and their impact on salary and benefits in Executive Contracts.
- 6.6 The President's salary shall be used as the benchmark for the salary of other full-time officers. Other officers' salary cannot be five thousand (5000) dollars per annum less than the President, however, the president's salary shall be three (3000) dollars more per annum than any other officer.
- 6.7 Contracts for work for the union which exceeds fifteen hundred (1500) dollars must have 3 bids.
- 6.8 Bids must be submitted to the Secretary General.
- 6.9 The Executive Committee can select or reject any bid. The Executive Committee shall approve all contracts.

7.0 Travel

- 7.1 All travel on behalf of the union shall be arranged by the Secretary General
- 7.2 Officers traveling on behalf of the union shall receive a per diem of 50 dollars per day. Other members per diem shall be 30 dollars per day when travelling on behalf of the union.
- 7.3 The head of a travelling delegation shall receive an incidental amount of cash determined by the Secretary General and Treasurer.
- 7.4 Unused Incidental cash must be returned to the Treasurer upon return and a financial report accompanied by receipt for expenditure.
- 7.5 The head of delegation must submit to the Secretary General a report on the trip within five days of his/her return.
- 7.6 The President shall propose which members are to travel on behalf of the Union to the Executive Committee. The Executive Committee shall approve or amend the president's proposal.
- 7.7 Executives travelling to Executive Meetings shall be entitled to accommodation and transportation.
- 7.8 Executives may have to share vehicles and rooms depending on financial feasibility.
- 7.9 The Union shall bear the cost of round-trip tickets and shall reimburse any Executive for tickets purchased.

8.0 Elections

- 8.1 All officers of the Executive Committee shall be elected triennially and shall serve for a period of three (3) years.
- 8.2 When national/district union elections, a bye-election or a referendum are due, the Secretary General shall:
 - (a) Notify the membership of:
 - (i) The date of the election, by-election, referendum.
 - (ii) The deadline for nominations
 - (iii) The location of polling stations.
 - (b) Notify the Registrar of the date of the election, by-election, referendum, and make arrangements with the Labour Department to facilitate taking the poll.
 - (c) Make nomination forms available to the membership at least two (2) months in advance.
 - (d) Receive nomination forms, verify that they are proper, and inform

each candidate about the status of his/her nomination in writing at least three (3) weeks after the deadline for nominations.

- (e) Provide the membership with the list of candidates as soon as possible after the deadline for nominations.
- (f) Prepare the membership register which should be subdivided by district and island.
- (g) Prepare an adequate number of ballots for each position/amendment.
- (h) Supply each polling station with copies of the membership register and an adequate number of ballots.
- (i) Supply each candidate with a copy the membership register.
- (j) Comply with the Labour Department and the Police on the safety, protection and distribution of ballots.
- (k) Request police protection to enhance the orderly conduct of polls if it is deemed necessary.
- (l) Receive unofficial/official results.
- (m) Publish official results in the media within 7 days of receiving them.

8.3 (a) The deadline for nominations in national/district union elections shall be March 31st.

(b) The deadline for nominations in a bye-election shall be no later than thirty (30) days before the date of the bye-election.

8.4 (a) The Labour Department shall oversee all national/district union elections, by-elections and referendum as long as required by law.

(b) Protests shall be referred to the Labour Department.

8.5 (a) The Executive Committee shall set the date for by-elections.

(b) A by-election must be held no later than six (6) months after the Executive position becomes vacant.

(c) The Secretary General shall ensure that the membership receives at least three (3) months' notice of a by-election.

8.6 When national/district union elections, a by-election or referendum are called the District Steward shall:

(a) Notify the Superintendent, Principal, Shop Stewards and members of the date time and venue for the poll.

(b) Liaise with the Labour Officer/Family Island Commissioner to facilitate orderly voting on election/referendum day.

(c) Inspect the ballot box, when asked to do so by the person in charge of conducting the polls.

(e) Be present when the ballots are being counted after the poll closes.

(f) Communicate unofficial results to the Secretary General as soon as they are known.

8.7 When national/district union election, by-elections or referendum are called the shop Steward shall:

(a) Communicate essential information on the election/referendum to members at his/her school in a timely fashion.

(b) Ensure that the Principal is aware of the date and time of the election/referendum.

(c) Consult with the principal to establish a roster which allows all members at the school to vote during school hours.

8.8 When national/district union elections or bye-elections are called, candidates:

(a) shall not handle ballots.

(b) may not campaign or distribute campaign literature within 100 feet of the place where the poll is being conducted.

(c) may appoint representatives to scrutinize the proceedings to ensure that their interest is protected (Only one representative per candidate shall be allowed inside a polling station at any point during the voting)

(d) shall not enter the polling station during the hours of voting except to cast his/her ballot.

8.9 In the event an Executive loses a vote of No Confidence Vote at the A.G.M., the Secretary General shall :

a. organize an election within 90 days but no less than 60 days after the A.G.M.

b. inform the membership of the vacancy on the Executive Committee.

c. provide all forms necessary for candidates.

d. recuse herself/himself from organizing the election if he/she loses the No Confidence Vote. Allow the Assistant Secretary to organize the election in such a case.

8.10 In the case where the Secretary General and Assistant Secretary both lose a vote of No Confidence the Trustees shall organize the election to fill the vacant positions on the Executive Committee.

8.11 An officer who has a successful Vote of No Confidence passed against him/her shall demit office the last day of the A.G.M.

a. Officers on contract shall remain in office until elections are completed and a winner declared.

8.12 The results of all elections shall be communicated to the employer in

writing.

9.0 Shop Steward

- 9.1 Shop Stewards and Assistant shops steward shall be elected by the members at their work site.
- 9.2 Work sites with ten or more members can elect a shop steward, those with less than 10 but more than 5 can have a staff representative.
- 9.3 Work sites that have 20 or more members may elect an Assistant Shop Steward.
- 9.4 Shop Stewards and Assistants shall serve for 3 years.
- 9.5 Duties of Shop Stewards shall be:
- a. settle grievances at the worksite.
 - b. establish a professional working relationship with management.
 - c. provide information from the union to the members at their worksite.
 - d. represent members at District Council Meetings and at A.G.M.
 - e. be the spokesperson for their worksite.
 - f. recruit members for the union.
 - g. participate in union activities.
 - h. supervise Industrial Action at the work site for the union.
 - i. know the constitution , bye-laws, Industrial Agreement and policies impacting members at the work site.
 - j. The Assistant Shop Steward shall assist the Shop Steward in carrying out his/her duties.

10. Membership

- 10.1 Membership shall be open to all workers in the Education Industry, whom the Executive Committee shall deem fit and proper persons. This includes but not limited to Teachers, Guidance Counsellors, School librarians, Lecturers and Teachers Aides.
- 10.2 The joining fee for Becawu shall be 1 (one) dollar.
- 10.3 Members that are not teachers or Guidance Counsellors may be assigned an Executive by the president to look after their special interest.
- 10.4 Membership dues shall be fifty two (50) dollars per month.
- 10.5 The Secretary General shall keep a register of members and adjust it periodically.
- 10.6 Each member has the right to:

- (a) Vote in Union elections.
- (b) Offer as a candidate in Union elections for any position for which they are qualified.
- (c) Demand accountability from Shop Stewards, District Stewards and Executive Officers.
- (d) Vote on amendments to the Constitution of the Union.
- (e) Be considered in the selection of delegates to the A.G.M.
- (f) Attend the A.G.M. as an observer.
- (g) Peruse the records of the Union.
- (h) Offer suggestions to the Union leadership for improving the operation of the Union.
- (i) Participate in Union activities.
- (j) Training that is appropriate for members.
- (k) Serve on union Committees.
- (l) Appeal Executive Committee decisions on punishment
- (m) Petition the Annual General Meeting.
- (n) Propose amendments to the Constitution of B.E.C.A.W.U.
- (o) Put resolutions at union meetings or the A.G.M.
- (p) Speak at Union Meetings.
- (q) Receive membership benefits.
- (r) Proper representation by the Union.

10.7 Membership Benefits shall include but not limited to the following:

- (a) A Contributory Pension Plan. Ten dollars (10) from the member dues per month, shall be the Union's contribution to the Pension Plan for the member.
- (b) Assistance in the event of a disaster e.g. fire, hurricane.
- (c) Assistance where feasible with Professional Development, Conferences, Seminars and Workshops.
- (d) Opportunities to attend national and international education Conferences.
- (e) Financial assistance to attend professional development activities.
- (f) Small loans
- (g) Representation and Negotiation with the employer.

10.8 The Executive Committee shall create policies to address the administration of benefits. The Secretary General shall communicate these policies to the membership in writing.

11.0 Committees

- 11.1 The President and Area Vice Presidents can appoint ad hoc committees to assist with union activities. These committees shall disband after the completion of the task.
- 11.2 The President shall appoint the following committees:
- a. Negotiation Committee
 - b. Bargaining Committee
 - c. Fundraising Committee
 - e. Awards and Recognition Committee
- 11.2.1 The A.G.M. Committee shall be appointed by the Secretary General.
- 11.3 The Ethics Committee shall be elected at the A.G.M. Members interested in serving must be nominated by two delegates.
- 11.4 Members of the Ethics Committee shall serve for three (3) years.
- 11.5 Executives, District Stewards, Shop Stewards and Assistant Shop Stewards shall not be eligible to serve on the Ethics Committee.
- 11.6 A member of the Ethics Committee who nominates for a position on the Executive Committee shall resign the day nomination closes.
- 11.7 In cases like 11.6 the Area Vice President shall replace the resigned member with a member from the District where he/resides.
- 11.8 The Ethics Committee shall receive complaints of unethical conduct and behavior.
- 11.9 Complaints shall be submitted to the Secretary General in writing by the complainant. The Secretary General shall submit the complaint to the Chair of the Ethics Committee.
- 11.10 Once a complaint is received The Ethics Committee shall:
- a. conduct an investigation within seven (7) days of receiving a complaint.
 - b. render a decision within ten (10) days of receiving a complaint.
 - c. submit a decision in writing to the Secretary General who shall deliver the decision to both parties to the complaint.
- 11.11 The Ethics Committee can issue the following decisions for members found guilty of ethical misconduct:
- a. Require a letter of apology
 - b. Issue a letter of reprimand
 - c. Recommend that the Executive Committee issue a harsher punishment.
- 11.12 The Ethics Committee shall write a report for the A.G.M on the

Conduct of Elections and the conduct of candidates in an election year.

12.0 Training and Development

- 12.1 The President, Vice President and Area Vice Presidents shall ensure that Executives, District Stewards, Shop Stewards and members receive appropriate training.
- 12.2 The President shall consider the development of the union as a part of strategic planning.
- 12.3 The President and Secretary General shall consult with National umbrella unions, the Caribbean Union of Teachers, Education International and other organizations in their effort to facilitate training and development.
- 12.4 When a member (including Executives, District Stewards and Shop Stewards) must travel for training/ educational purposes he/she is entitled to:
 - a) Round trip airfare
 - b) Hotel accommodations
 - c) Per diem inclusive of the day of travel
 - (d) An allowance for ground transportation which shall be determined by the Executive Committee.

13.0 Amendment

- 13.1 Amendments to the constitution must first be approved by the A.G.M.
- 13.2 Amendments approved by the A.G.M. shall go to referendum no later than 90 days after the last day of the A.G.M.
- 13.3 The Byelaws can be amended at the AGM.
- 13.4 Proposed amendments to the Constitution and Byelaws shall be submitted to the Secretary General no later than 4 weeks before the A.G.M.

14.0 Stipends, Allowances, Honoraria

- 14.1 Stipends, allowances and Honoraria shall be determined by the Executive Committee.
- 14.2 Determinations related to Stipends, allowances, and honoraria are subject to approval by the A.G.M.