

**O.S.S.T.F**  
**DISTRICT 14**  
**OCCASIONAL TEACHERS'**  
**CONSTITUTION**  
**2016-2017**

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# ARTICLES

## **ARTICLE 1: DEFINITIONS**

- A1.1 "AGM" shall mean the Annual General Meeting of the District 14 Occasional Teachers' Bargaining Unit.
- A1.2 "AMPA" shall mean the Annual Meeting of the Provincial Assembly of the OSSTF.
- A1.3 "Bylaws" shall mean standing rules made under the constitution which are enactments binding upon all members of the District.
- A1.4 "CBC" shall mean Collective Bargaining Committee.
- A1.5 "Constitution" shall mean a system of fundamental principles according to which OSSTF District 14 is governed.
- A1.6 "District" shall mean District 14 OSSTF.
- A1.7 "District Officer" shall be the District 14 Member who is serving as District Officer, as described in the District 14 Constitution.
- A1.8 "Employer" shall mean Kawartha Pine Ridge District School Board.
- A1.9 "Executive" shall mean the members of the OTBU Executive (as defined in Article 5).
- A1.10 "Federation" shall mean Ontario Secondary Schools Teachers' Federation.
- A1.11 "General Meeting" shall mean a meeting of members of the district called by the President.
- A1.12 "Member" shall mean an Active Member of OTBU, as defined in the OSSTF Provincial Constitution.
- A1.13 "Occasional Teacher" shall mean an active member of OSSTF who is listed on the Employer's Secondary Occasional Teachers' Roster.
- A1.14 "OSSTF" shall mean Ontario Secondary School Teachers' Federation.
- A1.15 "OTBU" shall mean Occasional Teachers' Bargaining Unit.

## **ARTICLE 2: OBJECTIVES OF THE BARGAINING UNIT**

- A2.1 The objectives of the OTBU shall be as follows, in accordance with Article 3 of the Constitution of OSSTF:
  - 2.1.1 First and foremost to protect its Members, both individually and collectively, in their profession, and to ensure that none of the civil, human and legal rights enjoyed by other Ontario residents shall be denied its members;
  - 2.1.2 To bargain collectively on behalf of its Active Members;
  - 2.1.3 To promote and advance the cause of public education;
  - 2.1.4 To promote a high standard of professional ethics and a high standard of professional competence;
  - 2.1.5 To secure for Members active participation in formulating policies and practices affecting education;
  - 2.1.6 To promote political action to ensure that legislation regulating educational structures and policies is in the best interests of members, public education, students and the community;
  - 2.1.7 To support and promote equal opportunity for members, employees, and students;

- 2.1.8 To foster and promote the dignity of all persons regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, socio-economic status, age, marital status, family status or disability;
- 2.1.9 To promote political action to ensure that legislation regulating labour structures and policies is in the best interest of Members.

### **ARTICLE 3: MEMBERSHIP**

- A3.1 The organization shall be known as the Ontario Secondary School Teacher's Federation (OSSTF), Occasional Teachers' Bargaining Unit of District 14, or the OTBU.
- A3.2 The OTBU shall consist of those members, as defined in accordance with the Constitution of the OSSTF and its bylaws who shall be active teaching members of OSSTF listed on the Occasional Teachers' Roster, under the jurisdiction of Kawartha Pine Ridge District School Board.
- A3.3 The Provincial OSSTF Constitution and Bylaws, and the District 14 Constitution and Bylaws shall take precedence over any part of this constitution.

### **ARTICLE 4: FUNCTIONS OF THE OTBU**

- A4.1 The Functions of the OTBU shall be as follows:
  - A4.1.1 To implement the bylaws, regulations and policies of the Federation;
  - A4.1.2 To obtain, and account for funds from the Federation, District or TBU in order to carry out the objects and functions of the OTBU;
  - A4.1.3 To give instruction to new Members of the Federation in their duties, obligations, rights and privileges and to communicate policies and procedures of the Federation to members;
  - A4.1.4 Communicate with OTBU, District 14 and Provincial Office in matters relating to the membership of the OTBU;
  - A4.1.5 To represent Members in matters with the Employer;
  - A4.1.6 To provide professional development opportunities to Members;
  - A4.1.7 To encourage leadership and provide leadership opportunities to Members;
  - A4.1.8 To co-ordinate and help in activities of the District;
  - A4.1.9 To represent Members in co-operation with other Affiliates of the Ontario Teachers' Federation in any matter of shared professional interest;
  - A4.1.10 To represent Members when communicating with the media or the public.

## **ARTICLE 5: BARGAINING UNIT ORGANIZATION**

- A5.1 There shall be an Executive consisting of the following voting Members:
- A5.1.1 President or Co-Presidents (hereafter referred to as President),
  - A5.1.2 Vice-President,
  - A5.1.3 Secretary,
  - A5.1.4 Treasurer,
  - A5.1.5 Collective Bargaining Committee (CBC) Chair.
  - A5.1.6 Minimum of three (3) Maximum of four (4) Member Representatives
- A5.2 The Members of the Executive shall be elected at the AGM, and no one person may hold more than one position on the Executive at any one time.
- A5.3 Two people may stand as Co-Presidents.
- A5.4 In an event that two people put their names forward as Co-Presidents they must indicate the following:
- A5.4.1 One of the Co-Presidents will be the official President in situations where this is required, such as the requirements of the Provincial and District Constitutions. Remuneration and honoraria shall be portioned as per work done for the OTBU;
  - A5.4.2 The other person shall be described as Co-President, except when acting with the approval of the President and in place of the President. At that time, the other person shall be known as the President;
  - A5.4.3 Notwithstanding A5.2, the other person mentioned above as Co-President may also assume the role of Vice-President if the office remains unfilled.
- A5.5 Any vacancies occurring on the Executive during the term of office shall be filled according to the following:
- A5.5.1 Should a vacancy occur for the position of President, the Vice-President will assume the role of President for the duration of the vacancy.
  - A5.5.2 Should a vacancy occur for the position of Vice-President, the Executive shall appoint one of its members to carry out their duties.
  - A5.5.3 Should a vacancy occur for the position of Secretary, Treasurer, or Collective Bargaining Committee Chair, the Executive shall fill the position by appointment, with preference given to current members of the Executive.
  - A5.5.4 Should a vacancy occur for the position of Member Representative, the Executive shall fill the position by appointment.
- A5.6 The Executive may elect or appoint representatives to each of the following committees:
- A5.6.1 Education Services,
  - A5.6.2 Health and Safety,
  - A5.6.3 Political Action/Excellence in Education,
  - A5.6.4 Communication,
  - A5.6.5 Equity and Diversity,

- A5.6.6 Collective Bargaining,
- A5.6.7 Any other committees within the District,

A5.7 Positions on Committees shall be advertised to the Membership. Interested Members can submit their names for selection by vote of the Executive.

A5.8 When a vacancy occurs for the position of a Committee Representative, the Executive shall appoint a Member to fill the position for the rest of the school year.

## **ARTICLE 6: AMENDMENTS**

A6.1 Amendments to the Constitution, By-laws, and Policies may be made:

A6.1.1 At the AGM;

A6.1.2 By a majority vote of the Members qualified to vote, present, and voting, provided that the proposed amendment(s) has been given to the OTBU President no fewer than twenty (20) teaching days before the AGM, and provided that it has been communicated to the Membership of the Bargaining Unit fifteen (15) school days prior to the AGM;

A6.1.3 By a two-third ( $\frac{2}{3}$ ) majority vote of the Members qualified to vote, present, and voting, if the requirement outlined in A6.1.2 has not been met.

## **BY-LAWS**

### **BY-LAW 1: FEDERATION / FISCAL YEAR**

B1.1 The Federation fiscal and membership year shall be from July 1 to the following June 30.

### **BY-LAW 2: DUTIES OF MEMBERS**

B2.1 The duties of Members are those prescribed in the Provincial OSSTF Constitution and By-Laws, specifically By-Law 2: Membership.

B2.2 It shall be the duty of the membership at the AGM to:

B2.2.1 Consider amendments to the Constitution, By-Laws, and Policies;

B2.2.2 Elect Executive Members as outlined in Article A5.1;

B2.2.3 Receive and act upon reports and communications from the Provincial OSSTF, District President, OTBU President, District Officer, and Committees.

### **BY-LAW 3: DUTIES OF EXECUTIVE**

#### **B3.1 The Executive shall:**

- B3.1.1 Administer the business of the OTBU between AGMs;
- B3.1.2 Establish interim policies and amend existing policies in order to facilitate the business of the OTBU and to present those interim policies and amendments to the membership for ratification at the AGM;
- B3.1.4 Prepare, in conjunction with the Treasurer, a projected budget for presentation at the AGM and report on the previous year's finances;
- B3.1.5 Elect Delegates and Alternates to AMPA at the November OTBU Executive Meeting;
- B3.1.6 Receive grievances and appeals;
- B3.1.7 Maintain confidentiality.

### **BY-LAW 4: DUTIES OF EXECUTIVE MEMBERS**

#### **B4.1 The President shall:**

- B4.1.1 Be the presiding officer and official representative of the OTBU;
- B4.1.2 Call the regularly scheduled Executive meetings and prepare the agendas;
- B4.1.3 Report the number of release days used for union work to the Executive, at the regular Executive meetings;
- B4.1.4 Call Executive meetings, an AGM, and General Meetings as required;
- B4.1.5 Be a representative at AMPA or on advice of Executive, designate a Member of the OTBU as a representative;
- B4.1.6 Notify the membership of the election for delegates and alternates to AMPA no later than the October Executive Meeting;
- B4.1.7 Liaise with the President /Vice-President of the District;
- B4.1.8 Communicate regularly to Members regarding the management of OTBU business;
- B4.1.9 Advertise to the Membership, for submissions of interest to sit on Committees as described in Article 5.6;
- B4.1.10 Communicate proposed amendments to the constitution on time fifteen (15) school days prior to the AGM;
- B4.1.11 Submit a report each year to the AGM;
- B4.1.12 Ensure financial order;
- B4.1.13 Communicate proposed amendments to the constitution on time fifteen (15) school days prior to the AGM;
- B4.1.14 Represent OTBU regarding issues with the Employer;
- B4.1.15 Represent the Bargaining Unit at Provincial Executive meetings;
- B4.1.16 Receive and distribute correspondence on behalf of the Bargaining Unit;
- B4.1.17 Present the terms of settlement of a Collective Agreement to the Membership for information and ratification;
- B4.1.18 Attend Executive meetings and the AGM;
- B4.1.10 Be responsible for receiving, answering, and/or filing of correspondence.

**B4.2 The Vice-President shall:**

- B4.2.1 Perform duties as may be designated by the President;
- B4.2.2 Attend Executive meetings and the AGM;
- B4.2.3 Chair meetings;
- B4.2.4 Call and chair the Constitution Committee at least once a year, no later than 30 days before the AGM;
- B4.2.5 Present proposed amendments brought forward from the Constitution Committee to the Executive at the April Executive Meeting;
- B4.2.6 Assume the role of Acting President should the position of President become vacant.

**B4.3 The Secretary shall:**

- B4.3.1 Attend Executive meetings and the AGM;
- B4.3.2 Record minutes for all Executive meetings, and the AGM;
- B4.3.3 Record and distribute the confidential minutes through the President to Executive Members;
- B4.3.4 Create, maintain, and distribute as necessary an Action Items List resulting from decisions taken at Executive meetings.

**B4.4 The Treasurer shall:**

- B4.4.1 Be responsible for looking after the finances of the OTBU;
- B4.4.2 Be in regular communication with the District Treasurer;
- B4.4.3 Attend Executive meetings and the AGM;
- B4.4.4 Report a budget status at the September, November, and February Executive Meetings;
- B4.4.5 Report the budget at the AGM;
- B4.4.6 Keep records of all financial transactions.

**B4.5 The Collective Bargaining Committee Chair shall:**

- B4.5.1 Represent the CBC at Executive meetings;
- B4.5.2 Participate in negotiations with the Employer;
- B4.5.3 Assume the role of Chief Negotiator if so appointed by the President;
- B4.5.4 Attend Regional CBC meetings;
- B4.5.5 Attend Executive meetings and the AGM;
- B4.5.6 Call and chair CBC Committee Meetings.

**B4.6 Member Representatives shall:**

- B4.6.1 Perform duties as requested by the President;
- B4.6.2 Attend Executive Meetings, and the AGM.



## **BY-LAW 5: MEETINGS**

### **B5.1 Mileage**

B5.1.1 Representatives attending committee meetings shall be paid mileage at the District rate.

### **B5.2 Executive Meetings**

B5.2.1 The Executive shall meet monthly, excluding March, July, and August.

B5.2.2 The Executive shall meet at the call of the President or on request of two Members of the Executive.

B5.2.3 The meetings will run no longer than two (2) hours unless extended by an Executive motion.

B5.2.4 All Members of the Executive shall receive copies of minutes of each meeting through the President.

B5.2.5 Members of the Executive attending an Executive meeting shall be paid mileage to and from the meeting.

### **B5.3 Annual General Meeting**

B5.3.1 An AGM of all Members shall be held at the call of the President within twenty-one (21) days of written notice being posted.

B5.3.2 Resolutions to the AGM shall be available to the Membership no later than fifteen (15) school days prior to the AGM.

B5.3.3 The Members shall elect the Executive.

### **B5.4 General Meetings**

B5.4.1 A meeting of all Members shall be held at the call of the President.

B5.4.2 A meeting of all Members shall be called if requested by ten (10) Members. Such request shall be in written form and signed by each of the requesting Members.

B5.4.3 The meeting shall be within twenty-one (21) days of the request being received.

## **BY-LAW 6: PROCEDURE AT MEETINGS**

B6.1 The meeting shall be conducted in accordance with the rules of order adopted by AMPA and as amended by the Provincial Council or Provincial Executive.

B6.2 Election of representatives to District committees may take place at the AGM.

B6.3 Quorum of the Executive shall consist of the President, or Vice President and two (2) other Members of the Executive.

B6.4 A quorum of all other OTBU meetings shall consist of those Members qualified to vote, present, and voting.

## **BY-LAW 7: ELECTIONS**

### **B7.1 Election of the Executive**

B7.1.1 Election to the offices of the Executive shall take place at the AGM.

B.7.1.2 Speeches will be limited as follows:

B7.1.2.1 President: 5 minutes each,

B7.1.2.2 Vice-President, Treasurer, Secretary, CBC Chair: 3 minutes each,

B7.1.2.3 Member Representatives: 2 minutes each

B.7.1.3 Following the speeches for any given position on the Executive, a question period will be limited as follows:

B.7.1.3.1 Questions to Candidates: 30 seconds,

B.7.1.3.2 Each candidate may respond: 1 minute,

B.7.1.3.3 The question period for any given position on Executive will be limited to ten (10) minutes total.

B7.1.3.3 Members at Large: 2 minutes each.

B7.1.4 Written nominations for the positions of President and Vice-President positions shall be submitted to the District Officer at least ten (10) teaching days prior to the AGM.

B7.1.4.1 In the event that no one has declared their intention to run for either of the above positions within the specified time frame, names may be advanced verbally at the meeting.

B7.1.4.1 Notwithstanding B7.1.4, any defeated candidate is entitled to run for each of the remaining candidate positions.

B7.1.5 Balloting for Executive positions shall be carried out by the District Officer or Designate.

B7.1.6 Persons elected require a majority of ballots to win. If there is no majority, the person with the fewest votes must withdraw and a further ballot must be held. This shall continue until a candidate reaches a majority.

## **B7.2 Election of OTBU AMPA Attendees**

- B7.2.1 The AMPA Delegate position(s) allotted to District 14 OTBU shall be offered in the following order:
- B7.2.1.1 President;
  - B7.2.1.2 Chief Negotiator and Vice President;
  - B7.2.1.3 Executive Members, and Collective Bargaining Committee members;
    - B7.2.1.3.1 If more than one in B7.1.3 expresses an interest in the position, the Executive will vote in a secret ballot to select the AMPA Delegate.
  - B7.2.1.4 Other committee members
    - B7.2.1.4.1 If more than one in B7.2.1.4 expresses an interest in the position, the Executive will vote by secret ballot to select the AMPA Delegate.
- B7.3.2 The AMPA Alternate(s) positions allotted to District 14 OTBU shall be offered in the following order:
- B7.3.2.1 Chief Negotiator, Executive Members, Collective Bargaining Committee members;
    - B7.3.2.1.1 If more than one in B7.3.2.1 expresses an interest in the position, the Executive will vote by secret ballot to select the AMPA Alternate(s).
  - B7.3.2.2 Other Committee Members
    - B7.3.2.2.1 If more than one in B7.3.2.2 expresses an interest in the position, the Executive will vote by secret ballot to select the AMPA Delegate.
- B7.3.3 If there are vacancies after this process has been followed, the OTBU membership shall be informed at least one week before the November Executive meeting, and invited to apply for them.
- B7.3.4 The Executive will fill any vacancies by secret ballot at the November Executive Meeting
- B7.3.4.1 The positions will be filled according to greater number of votes received; Delegate(s) first, then Alternate(s). Ties will be broken by lot.
- B7.3.5 In any secret ballot describe above, the names of all candidates will be retained by the President, along with the number of votes received.
- B7.3.6 In the event that an elected AMPA Delegate is unable to attend AMPA, the position will be filled by the Alternate(s) selected, using the hierarchy described in B7.3.2.
- B7.3.7 In the event that an elected AMPA Alternate is unable to attend AMPA, or a vacancy is created by the situation described in B7.3.6, the unsuccessful candidate with the highest vote count from B7.3.4.1 shall fill the vacancy. Ties will be broken by lot.

## **BY-LAW 8      TERMS OF OFFICE**

- B8.1 Except where otherwise specified, terms of office shall be for a period of one year, commencing July 1<sup>st</sup> and ending June 30<sup>th</sup>.
- B8.2 The Executive shall be elected for a two-year term at the Annual General Meeting, such election to take place in every odd-numbered year
  - B8.2.1 Notwithstanding B8.2.2, if a position on Executive should become vacant in the first year of office, that position will be filled by election at the following AGM, and the terms of office of the new Executive member will be for one year.

## **BY-LAW 9:      EXPENSES**

- B9.1 Release time taken by the President not paid for by the Employer, Provincial OSSTF, or any other non-OTBU entity, shall be paid by the Employer (as per the Collective Agreement), and reimbursed by the OTBU at the President's current grid rate.
- B9.2 Because of the extensive responsibilities of the office, the OTBU President shall receive an allowance of up to two percent (2%) of Category IV maximum of the current Collective Agreement of the TBU upon the vote of the Executive on or before June 30<sup>th</sup>.
- B9.3 Members released by the President to conduct union business shall be paid at their current rate of pay.

## **BY-LAW 10:    MEMBER LEVIES**

- B10.1 Provincial dues and levies shall be deducted from each pay, as prescribed in the By-Laws of OSSTF.
- B10.2 A District Levy shall be deducted from each pay, as prescribed in the By-Laws of OSSTF District 14.
- B10.3 A Bargaining Unit Levy will be deducted in the amount of 0.6% from each pay.
- B10.4 The method of payment of all levies shall be as prescribed in the Collective Agreement.

## **BY-LAW 11:    GRIEVANCES**

- B10.1 An alleged grievance may be presented by any Member to the President or District Officer.
- B10.2 The President (or District Officer) shall review the details of the alleged grievance. If the President or District Officer decides not to go forward and the member is not satisfied with the decision, the Member may undertake an appeal with Provincial Office