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*Ontario Secondary School Teachers' Federation*

*District 10*

# Constitution and Bylaws



*Effective July 1, 2010*

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# CONSTITUTION

## Article 1 - Definitions

- 1.1 In this Constitution and Bylaws:
- 1.1.1 "OSSTF" shall mean the Ontario Secondary School Teachers' Federation.
- 1.1.2 "District" shall mean the District organization of District 10 OSSTF including all Bargaining Units.
- 1.1.3 "Bargaining Unit" shall mean the combined Occasional and Permanent Teacher Bargaining Units of District 10 OSSTF.
- 1.1.4 "Member" shall mean an Active Member of District 10 OSSTF either as an Occasional or Permanent Teacher.
- 1.1.5 "Constitution" shall mean a framework of fundamental principles by which the District is governed and includes the Bylaws.
- 1.1.6 "Bylaws" shall mean standing rules governing matters of internal regulation through which the Constitution is applied.
- 1.1.7 "Workplace" shall mean any location where a member is employed by the Lambton Kent District School Board.
- 1.1.8 "Branch" shall mean the organizational structure of a group of Members at one (1) specific work site or, as in the case of the Occasional Teachers, not at a specific work site, but all providing the same service. There shall be the following Branches:
- Alexander Mackenzie Secondary School (AMSS)
  - Blenheim District High School (BDHS)
  - Chatham-Kent Secondary School (CKSS)
  - John McGregor Secondary School (JMSS)
  - Lambton Central Collegiate & Vocational Institute (LCCVI)
  - Lambton-Kent Composite School (LKCS)
  - North Lambton Secondary School (NLSS)
  - Northern Collegiate Institute & Vocational School (NCIVS)
  - Ridgetown District High School (RDHS)
  - St. Clair Secondary School (SCSS)
  - Sarnia Collegiate Institute & Technical School (SCITS)
  - Tilbury District High School (TDHS)
  - Wallaceburg District Secondary School (WDSS)
  - Adult & Continuing Education Teachers (ACE)
  - Consultants (Board Offices)
  - Occasional Teachers (OT)
- 1.1.9 "Policy" shall mean a stand or position taken by OSSTF in accordance with its Bylaws on matters whose resolution is beyond the internal legislative power of OSSTF.
- 1.1.10 "OTF" shall mean the Ontario Teachers' Federation.
- 1.1.11 "Occasional Teacher" shall be as defined by the *Education Act*.
- 1.1.12 "Board" shall mean the Lambton Kent District School Board (LKDSB).
- 1.1.13 "AMPA" shall mean the Annual Meeting of the Provincial Assembly of OSSTF.
- 1.1.14 "AMDA" shall mean the Annual Meeting of the District Assembly of District 10 OSSTF.

## Article 2 - Repugnancy

- 2.1 Any part of this Constitution and Bylaws, or any amendment thereto, which is repugnant to the Provincial Constitution of OSSTF is hereby declared null and void.

### **Article 3 - Name**

3.1 This organization shall be known as District 10 OSSTF.

### **Article 4 - Objectives**

- 4.1 The objectives of District 10 OSSTF shall be to:
- 4.1.1 promote and advance the cause of education;
  - 4.1.2 promote a high standard of professional ethics;
  - 4.1.3 bargain collectively on behalf of its Members;
  - 4.1.4 provide contract maintenance and member protection;
  - 4.1.5 secure for Members more active participation in formulating educational policies and practices affecting areas of work;
  - 4.1.6 foster and promote the dignity of all persons regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, gender, sexual orientation, age, marital status, family status or disability.

### **Article 5 - Fees**

- 5.1 The fee for members shall be as prescribed in the Bylaws.
- 5.2 Provided that a three-quarters (3/4) vote of the AMDA approves of such action, a supplementary fee or a special assessment may be levied on the members.
- 5.3 Provided that a three-quarters (3/4) vote of the Branch Membership, present and voting at a Branch Meeting approve of such action, a fee or a special assessment may be levied on the Membership of the Branch.

### **Article 6 - District Organization**

- 6.1 There shall be a District Executive consisting of
- 6.1.1 Voting Members as follows:
    - 6.1.1.1 President;
    - 6.1.1.2 two (2) Vice-Presidents;
    - 6.1.1.3 Treasurer;
    - 6.1.1.4 Provincial Councillor;
    - 6.1.1.5 two (2) Executive Officers;
    - 6.1.1.6 Occasional Teachers' President.
  - 6.1.2 Non-voting Members as follows:
    - 6.1.2.1 Federation Officer(s).
  - 6.1.3 The Voting Members of the Executive, other than the Occasional Teachers' President, shall be elected at the AMDA in the manner prescribed by the Bylaws. The Occasional Teachers' President shall be elected in the manner prescribed in the Occasional Teachers' Branch Constitution.
  - 6.1.4 The District Executive shall be structured on a cabinet basis with portfolios as determined by the District Executive.

- 6.2 There shall be a District Council consisting of
  - 6.2.1 Voting Members as follows:
    - 6.2.1.1 District Councillors selected in accordance with the District Bylaws;
    - 6.2.1.2 the voting Members of the District Executive;
    - 6.2.1.3 in the case of a tie vote, then the Chairperson shall be deemed to be a voting Member.
  - 6.2.2 Non-voting Members as follows:
    - 6.2.2.1 Health & Safety Officer;
    - 6.2.2.2 Communications/Political Action Officer;
    - 6.2.2.3 Educational Services Officer;
    - 6.2.2.4 Human Rights Officer;
    - 6.2.2.5 Status of Women Officer;
    - 6.2.2.6 Federation Officer(s);
    - 6.2.2.7 District Council Chairperson;
    - 6.2.2.8 Committee Chairpersons.
  - 6.2.3 The District Council shall elect a Chairperson at the last meeting of the Council in each school year, who shall be considered Speaker of the Body. If the newly elected Chairperson is a Member of the incoming District Council, then the Chairperson's Branch shall select another Member as the District Councillor.
  - 6.2.4 A Vice-Chairperson shall be elected at the same meeting of the Council subsequent to the election of the Chairperson.
  - 6.2.5 In voting on all matters except those in Article 6.2.6, each District Councillor is entitled to cast one (1) vote.
  - 6.2.6 In voting on the following matters only, each District Councillor is entitled to cast one (1) vote for up to fifteen (15) full-time equivalent Members in the Branch and one (1) additional vote for each additional fifteen (15) full-time equivalent Members or major fraction thereof:
    - 6.2.6.1 policy matters;
    - 6.2.6.2 matters referred to District Council by the AMDA;
    - 6.2.6.3 election of new Officers to fill vacancies on the District Executive in accordance with the Bylaws;
    - 6.2.6.4 acting in the name of the District.
- 6.3 No new Branch having fewer than fifteen (15) Members can be created.
- 6.4 There shall be a Branch Executive consisting of a President, a Vice-President, a Secretary-Treasurer or Secretary and Treasurer.
- 6.5 The Branch Executive may also include additional Members as determined by the Branch.
- 6.6 A Branch shall have such Constitution and Bylaws as are approved by a general meeting of the Membership. The Branch Constitution and Bylaws shall not contravene the Constitution or Bylaws of the District or the Province.

## **Article 7 - Terms of Office**

- 7.1 The term of office of the Executive, which is elected at the AMDA, shall be two (2) years, commencing July 1 of the year of election.
- 7.2 The term of office for the Federation Officer(s) shall be three (3) years, commencing July 1 of the year of selection and subject to annual review and approval by the District Executive.

## **Article 8 - District Meetings**

- 8.1 The AMDA shall be held in April or May.
- 8.2 Representation at the AMDA shall consist of:
  - 8.2.1 Voting Members as follows:
    - 8.2.1.1 Branch representatives calculated on the basis of one (1) representative for each fifteen (15) full-time equivalent Members or major part thereof;
    - 8.2.1.2 Voting Members of the District Executive.
  - 8.2.2 Non-voting Members as follows:
    - 8.2.2.1 the Chairpersons of Standing Committees;
    - 8.2.2.2 the Chairperson of District Council;
    - 8.2.2.3 the Officers of the District;
    - 8.2.2.4 the Chairpersons of Special or Ad hoc Committees.
- 8.3 Other General Meetings may be called by the President.
- 8.4 The President shall call a General Meeting upon receiving a written request signed by at least twenty (20) Members who represent at least seven (7) Branches as defined in the District Constitution, within five (5) working days of receiving the request.
- 8.5 The time and place of General Meetings shall be determined by the Executive.

## **Article 9 - Bylaws**

- 9.1 The District may enact at the AMDA, any Bylaw not inconsistent with this Constitution or with the Provincial Constitution of OSSTF concerning:
  - 9.1.1 the management of its property, funds, and its own internal organization and administration;
  - 9.1.2 the establishment of special and standing committees;
  - 9.1.3 all other matters deemed necessary and convenient for the welfare of the Members, or the conduct of the business of the District.

## **Article 10 - Amendments**

- 10.1 Amendments to this Constitution may be made at the AMDA
  - 10.1.1 by a two-thirds (2/3) vote of the Delegates qualified to vote, present and voting, provided that:
    - 10.1.1.1 notice of the proposed amendment shall have been given in writing to the District President thirty (30) working days prior to the AMDA; and
    - 10.1.1.2 such notice shall have been forwarded to Branch Presidents fifteen (15) working days prior to the AMDA;
  - 10.1.2 by a nine-tenths (9/10) vote of the Delegates qualified to vote, present and voting, previous notice as in Article 10.1.1 not having been given.

# BYLAWS

## Bylaw 1 - Compliance

1.1 All Provincial Bylaws of OSSTF shall apply to this District.

## Bylaw 2 - Membership

2.1 Types of Membership and Terms of Membership are those prescribed in the *Provincial Handbook*.

## Bylaw 3 - Rights, Privileges and Duties of Members

3.1 The rights, privileges and duties of Members are those prescribed in the *Provincial Handbook*.

3.2 It shall be the duty of the Delegates to the AMDA to:

3.2.1 amend the Constitution, Bylaws and Policies;

3.2.2 approve the budget;

3.2.3 appoint an accountant to review the District's financial records;

3.2.4 elect the District Executive;

3.2.5 receive and act upon reports and communications from the Officers of the District and Committees;

3.2.6 levy fees in a manner prescribed through the Collective Agreement, or in any manner prescribed by the AMDA;

3.2.7 follow District procedures in all matters affecting Members.

## Bylaw 4 - Duties

4.1 It shall be the duty of the District Executive to:

4.1.1 administer the business of the District between the AMDAs;

4.1.2 establish interim policies and to amend existing policies in order to facilitate the business of the District, and to present those interim policies and amendments for ratification at the AMDA;

4.1.3 communicate regularly to Branch Members regarding the management of District business;

4.1.4 oversee and administer, through the President and the Federation Officer(s), the day-to-day operations of the District Office;

4.1.5 give final approval to the Collective Bargaining Brief;

4.1.6 prepare and oversee the ratification procedures of the Collective Agreement;

4.1.7 recommend to District Council the appointment of the Federation Officer(s) according to the Bylaws;

4.1.8 approve the contract of the OSSTF District 10 Administrative Assistant(s);

4.1.9 appoint an attending member of the Executive to be the designated Anti-Harassment Officer for each Executive meeting;

4.1.10 participate in Anti-Harassment procedures and investigations as required by the District 10 Anti-Harassment Policy;

4.1.11 assume the duties of the Chair where the position is vacant;

4.1.12 appoint five (5) members to the District Appeals Committee prior to September 30 of each year.

4.2 It shall be the duty of the District Council to:

4.2.1 promote within the District the aims and objectives of OSSTF;

4.2.2 keep the Members informed of its activities and the activities of all its committees;

4.2.3 carry out any instructions of the Delegates of the AMDA;

- 4.2.4 review the following year's budget;
- 4.2.5 establish any Ad Hoc committees necessary for the conduct of the business of the District;
- 4.2.6 oversee all its committees and to deal with all committee reports and submissions;
- 4.2.7 specify the duties of the chairpersons of non-standing committees;
- 4.2.8 appoint at the last Council meeting of the school year annually a Chair and Vice-Chair for the following year's meetings;
- 4.2.9 elect Members to fill vacancies on the District Executive;
- 4.2.10 appoint a Federation Officer(s) according to the Bylaws;
- 4.2.11 determine the Council Representatives on District Committees;
- 4.2.12 elect the AMPA Delegates and Alternates;
- 4.2.13 appoint an attending Member of the Council to be the designated Anti-Harassment Officer for each Council meeting.
- 4.2.14 The Branch may designate a representative for the Branch President and shall communicate the name of the designate to the District Office or Chair of Council at least one (1) week before the Council meeting except in an emergency.
- 4.2.15 District Council shall meet at least five (5) times each year.
  
- 4.3 It shall be the duty of the Membership:
  - 4.3.1 to co-operate with the Federation to promote the welfare of the profession;
  - 4.3.2 to furnish another Member with a written statement of any adverse report at the earliest opportunity but no later than three (3) working days after making the report;
  - 4.3.3 to ratify the Collective Agreement, or amendments to the Collective Agreement, subject to an acceptance by a majority vote of the Members qualified to vote, present and voting;
  - 4.3.4 to elect Delegates to the AMDA.
  - 4.3.5 An individual Member shall not negotiate independently of District 10 OSSTF any adjustments to items specified in the Collective Agreement.
  
- 4.4 The President shall:
  - 4.4.1 be the official representative of the District;
  - 4.4.2 call all meetings of the Executive, Council, AMDA, and General Membership;
  - 4.4.3 prepare the agenda for and chair Executive Meetings;
  - 4.4.4 prepare the agenda for District Council, the AMDA and General Meetings;
  - 4.4.5 appoint at his/her discretion the Chairperson of the AMDA and other General Meetings;
  - 4.4.6 report to each meeting of the Executive, Council and the Membership;
  - 4.4.7 call the AMDA in April or May;
  - 4.4.8 be an ex-officio Member of all official bodies, committees, associations and councils;
  - 4.4.9 assign duties, not covered elsewhere, to any or all Members of the Executive;
  - 4.4.10 ensure that all correspondence is properly received, answered and filed;
  - 4.4.11 be a Member of the Collective Bargaining Table Team as specified in the Bylaws;
  - 4.4.12 attend meetings of Provincial Council when the Provincial Councillor is unable to attend;
  - 4.4.13 be a Member of the Joint Health and Safety Committee or appoint a designate;
  - 4.4.14 assist in administration of the LTDI plan;
  - 4.4.15 assist in distribution of pension and benefits information;
  - 4.4.16 be a Delegate to the AMPA;
  - 4.4.17 coordinate District 10 OSSTF Representation on Labour Councils;
  - 4.4.18 attend Sector Council of Presidents Meetings;
  - 4.4.19 be responsible for all duties prescribed in the Provincial Handbook;

- 4.4.20 provide written reports to District Executive, Council and the Membership;
- 4.4.21 participate in Anti-Harassment procedures and investigations as required by the District 10 Anti-Harassment Policy.
  
- 4.5 The First Vice-President shall:
  - 4.5.1 assume the duties of the President in his/her absence or at his/her request;
  - 4.5.2 attend Executive and Council meetings;
  - 4.5.3 carry out duties assigned by the President and/or Executive.
  
- 4.6 The Second Vice-President shall:
  - 4.6.1 assume the duties of the First Vice-President in his/her absence;
  - 4.6.2 attend Executive and Council meetings;
  - 4.6.3 carry out duties as assigned by the President and/or Executive.
  
- 4.7 The Treasurer shall:
  - 4.7.1 attend Executive and Council meetings;
  - 4.7.2 provide written reports to Executive and Council;
  - 4.7.3 keep an account of all monies received and disbursed;
  - 4.7.4 arrange to have deposited all monies in a chartered bank or trust company in the name of the District;
  - 4.7.5 pay all authorized accounts in accordance with the Bylaws of the District;
  - 4.7.6 assist in the preparation of a budget for the next year and present it to the Membership at the AMDA;
  - 4.7.7 approve and forward all applications for Provincial funding;
  - 4.7.8 perform any other duty as specified for the Treasurer in the OSSTF Provincial Handbook;
  - 4.7.9 maintain the books according to generally accepted accounting principles;
  - 4.7.10 chair the meetings of the Finance Committee.
  
- 4.8 The Provincial Councillor shall:
  - 4.8.1 attend all Provincial Council meetings;
  - 4.8.2 attend Executive and Council meetings;
  - 4.8.3 be responsible for all duties prescribed in the Provincial Handbook;
  - 4.8.4 provide written reports to District Executive, Council and the Membership;
  - 4.8.5 be the delegation leader to the AMPA;
  - 4.8.6 provide written notice of a call for nominations for Members wishing to attend the AMPA. Such notice shall be posted for at least two (2) weeks prior to the January District Council Meeting.
  
- 4.9 The Executive Officers shall:
  - 4.9.1 attend Executive and Council meetings;
  - 4.9.2 assume all duties as determined by the Executive.
  
- 4.10 The Federation Officer(s) shall:
  - 4.10.1 be a non-voting Member(s) of the Executive;
  - 4.10.2 perform such duties as assigned by the President, acting on behalf of the Executive;
  - 4.10.3 be the Chief Negotiating Officer for the District;
  - 4.10.4 be the Chief Grievance Officer for the District;
  - 4.10.5 be the plan administrator for the Long-Term Disability Plan(s);
  - 4.10.6 be a non-voting Member of the Collective Bargaining Committee and assist in bargaining all Collective Agreements;

- 4.10.7 be responsible for conveying information and changes related to Pension and Benefits to the Membership;
- 4.10.8 hold one (1) open meeting on pension and retirement issues each year;
- 4.10.9 serve as a District representative on the Benefits Committee;
- 4.10.10 serve on the Secondary Staffing Committee;
- 4.10.11 attend Executive and Council meetings;
- 4.10.12 attend other District Committee meetings at the request of the President;
- 4.10.13 attend OSSTF Regional and Provincial Negotiation Meetings as requested by the President;
- 4.10.14 report to the District Executive and Council on request;
- 4.10.15 assist the Collective Bargaining Committee in conducting surveys, establishing negotiating priorities and in preparing negotiating briefs;
- 4.10.16 conduct the ratification process for a Collective Agreement in accordance with the procedures established in Bylaw 18 and the wishes of the District Executive.
- 4.10.17 If more than one (1) person is appointed as Federation Officer, the duties shall be divided and assigned by the District President in an equitable manner.
  
- 4.11 The Health and Safety Officer shall:
  - 4.11.1 be the worker nominee selected by the workers on the Joint Health and Safety Committee-Secondary for the position of Designated Certified Worker and perform the duties of this position as prescribed in the JHSC-S Terms of Reference;
  - 4.11.2 report to the District Council, to the AMDA, and to the District Executive through the District President, proceedings of the JHSC-S, and on general matters of health and safety related to Members;
  - 4.11.3 be qualified as an OSSTF Health and Safety Representative or become so qualified;
  - 4.11.4 distribute health and safety information to work site Health and Safety Representatives;
  - 4.11.5 be a Member of the District Health and Safety Committee;
  - 4.11.6 assist in the training of work site Health and Safety Representatives;
  - 4.11.7 attend OSSTF Branch, District, Regional and Provincial health and safety forums.
  
- 4.12 The District Educational Services Officer shall:
  - 4.12.1 maintain liaison with the Provincial Educational Services Committee;
  - 4.12.2 assist Standing Committees, Council and the Executive in the matter of Educational Services as the need arises in the course of their work;
  - 4.12.3 report to the District Council, to the AMDA, and to the District Executive through the District President on the activities of the Educational Services Committee;
  - 4.12.4 identify the professional, curricular and educational issues and concerns of OSSTF Members and make recommendations to the Executive and Council for policy, action or research;
  - 4.12.5 provide advice and prepare discussion and position papers on educational issues including curriculum for consideration by the Executive and Council;
  - 4.12.6 promote, encourage and support classroom-related research and effective models of professional development at the local level;
  - 4.12.7 promote, generate and co-ordinate the growth of activities of teachers and education workers through workshops, speakers and current educational services initiatives;
  - 4.12.8 consult with and make submission to the regional Advisory Co-ordinator of the Provincial Educational Services Committee;
  - 4.12.9 identify, promote and access funding for professional growth activities for OSSTF Members;
  - 4.12.10 circulate to Members, as appropriate, articles of interest and other materials forwarded to him/her from the Provincial Educational Services Committee.

- 4.13 The Communications/Political Action Officer shall:
  - 4.13.1 be responsible for all publications of District 10;
  - 4.13.2 maintain liaison with the Provincial Communication Office;
  - 4.13.3 assist Standing Committees, Council and the Executive in the matter of communications as the need arises in the course of their work;
  - 4.13.4 attend OSSTF Regional and Provincial Political Action meetings at the request of the President;
  - 4.13.5 develop a political action strategy to be presented to the District Executive and approved by District Council;
  - 4.13.6 participate and assist in Labour sponsored events at the request of the President;
  - 4.13.7 distribute information relevant to educational issues to District Council;
  - 4.13.8 report to the District Council, to the AMDA, and to the District Executive through the District President on the activities of the Communications/Political Action Committee.
  
- 4.14 The Human Rights Officer shall:
  - 4.14.1 establish and maintain an effective communications network between the District Office and the Provincial Office with respect to Human Rights issues;
  - 4.14.2 report to the District Council, to the AMDA, and to the District Executive through the District President on issues pertaining to Human Rights.
  
- 4.15 The Status of Women Officer shall:
  - 4.15.1 establish and maintain an effective communications network between the District Office and the Provincial Office with respect to women's rights issues;
  - 4.15.2 report to the District Council, to the AMDA, and to the District Executive through the District President on issues pertaining to women's rights issues.
  
- 4.16 It shall be the duty of the Branch to:
  - 4.16.1 elect or appoint a Branch Executive according to the District Constitution;
  - 4.16.2 elect or appoint representatives to Committees according to the Bylaws;
  - 4.16.3 elect or appoint one (1) Delegate for each fifteen (15) Members or major part thereof to the AMDA.
  
- 4.17 The Branch President shall:
  - 4.17.1 be the Branch representative to District Council;
  - 4.17.2 report to District Council any item of concern to the Branch;
  - 4.17.3 be the head of the Branch's delegation to the AMDA;
  - 4.17.4 submit to the District Office at least thirty (30) working days prior to the AMDA the names of the Branch's delegates to the AMDA;
  - 4.17.5 appoint an attending Member of the Branch to be the designated Anti-Harassment Officer for each Branch meeting.
  
- 4.18 It shall be the duty of each designated Anti-Harassment Officer to:
  - 4.18.1 be the designated Officer in accordance with the District 10 Anti-Harassment Policy and act as required by the Resolution and Complaint Procedure;
  - 4.18.2 investigate complaints of harassment with a view to resolving the problem informally;
  - 4.18.3 remove the respondent of the complaint temporarily from the meeting if circumstances warrant;
  - 4.18.4 report all complaints of harassment to the District President.

## **Bylaw 5 - Committee Procedures and Duties**

- 5.1 It shall be the duty of the Committee Chairperson or designate to:
  - 5.1.1 call the meetings of the Committee;
  - 5.1.2 ensure that the Committee functions in accordance with instructions of Council or the AMDA;
  - 5.1.3 make written reports to District Executive, District Council and the AMDA;
  - 5.1.4 forward for approval any recommendation to publish findings, to implement suggested policies, or to embark upon courses of action recommended by a District Committee to the AMDA, the District Council, or the District Executive as appropriate;
  - 5.1.5 ensure that whenever motions are to be considered by the District Executive, District Council or AMDA, they are presented in an on time, written report;
  - 5.1.6 approve any Committee expenses;
  - 5.1.7 submit a proposed budget for the following year to the District Treasurer on or before February 1;
  - 5.1.8 appoint an attending Member of the Committee to be the designated Anti-Harassment Officer.
  - 5.1.9 Each Committee, except for those cases prescribed by the Constitution and Bylaws, shall elect its own Chairperson and Vice-Chairperson at its initial meeting.
  
- 5.2 The Collective Bargaining Committee shall be constituted as follows:
  - 5.2.1 Voting Members:
    - 5.2.1.1 one (1) representative from each Branch.
  - 5.2.2 Non-Voting Members:
    - 5.2.2.1 Federation Officer;
    - 5.2.2.2 District President.
  - 5.2.3 the Federation Officer shall be the Chairperson of the Committee.
  - 5.2.4 The Committee shall survey the Membership for both statistical information and suggestions for the District's proposal to the Board for the next Collective Agreement.
  - 5.2.5 The Committee shall be responsible for appointing a Collective Bargaining Table Team to be responsible for all formal negotiations on behalf of the Members.
  - 5.2.6 The Collective Bargaining Table Team shall consist of no more than five (5) Members, two (2) of whom shall be the Federation Officer and the District President.
  - 5.2.7 The Collective Bargaining Table Team, subject to the provisions of the relevant legislation, has full authority and responsibility to negotiate a Collective Agreement for its Members.
  - 5.2.8 Where an offer or other agreement between an employer and the District is submitted to the Membership for ratification, all Members of the District to be covered by the Agreement shall have a right to vote on such matters, regardless of their employment status in the following year.
  - 5.2.9 The Collective Bargaining Table Team Chairperson and the President shall sign the Collective Agreement with the Board subject to prior ratification by the Membership.
  - 5.2.10 Members of OSSTF shall not serve as Members of, or observers to, any management negotiation team of an employing school board.
  
- 5.3 The Educational Services Committee shall be constituted as follows:
  - 5.3.1 one (1) representative from each Branch;
  - 5.3.2 District Educational Services Officer who shall serve as the Chairperson of the Committee;
  - 5.3.3 one (1) Executive Member as a non-voting liaison.
  - 5.3.4 The Educational Services Committee duties shall include:
    - organizing and providing professional development opportunities for the Membership;
    - providing written reports to the District Executive, District Council and to the AMDA.

- 5.4 The Communications/Political Action Committee shall be constituted as follows:
  - 5.4.1 one (1) representative from each Branch;
  - 5.4.2 District Communications/Political Action Officer who shall serve as the Chairperson of the Committee;
  - 5.4.3 one (1) Executive Member as a non-voting liaison.
  - 5.4.4 The Communications/Political Action Committee duties shall include:
    - 5.4.4.1 advising District Executive, District Council and Membership at large on the relationship between OSSTF and governments at all levels;
    - 5.4.4.2 advising the District Executive, District Council and Membership at large on matters relating to establishing and maintaining liaison with local OTF affiliates;
    - 5.4.4.3 organizing actions in conjunction with other interest groups in order to deal with areas of mutual concern, subject to the prior approval of District Executive;
    - 5.4.4.4 providing advice, assistance and training programs to Members who are seeking to influence the educational policies of political parties and governments;
    - 5.4.4.5 providing advice and assistance to the District Executive in the establishment of a lobbying presence at the conventions and meetings of political parties;
    - 5.4.4.6 providing advice and assistance to the District Executive in relation to lobbying governments and political parties on matters of concern to the Federation;
    - 5.4.4.7 providing written reports to the District Executive, District Council and to the AMDA.
  
- 5.5 The Health and Safety Committee shall be constituted as follows:
  - 5.5.1 the District Health and Safety Officer who shall serve as the Chairperson of the Committee;
  - 5.5.2 the Health and Safety Representative from each work site;
  - 5.5.3 one (1) Executive Member as a non-voting liaison.
  - 5.5.4 The Health and Safety Committee duties shall include:
    - 5.5.4.1 performing the duties of Work Site Health and Safety Representatives as prescribed in the JHSC-S Terms of Reference;
    - 5.5.4.2 reviewing annually the JHSC-S Terms of Reference, the Board's Health and Safety Policy, the Board's Health and Safety Implementation Plan;
    - 5.5.4.3 recommending annually to the Designated Certified Worker a procedure for assessing the Board's WHMIS Education and Training Program and assist in its implementation;
    - 5.5.4.4 discussing health and safety concerns of the Membership and recommend resolutions to the worker Members of the JHSC-S;
    - 5.5.4.5 providing written reports to the District Executive, District Council and to the AMDA.
  
- 5.6 The Secondary Staffing Committee shall be constituted as defined in the Collective Agreement.
  
- 5.7 The AMPA Delegation shall be constituted as follows:
  - 5.7.1 Provincial Councillor as the Chairperson;
  - 5.7.2 District President;
  - 5.7.3 Occasional Teacher Branch President or designate;
  - 5.7.4 Delegation Members and Alternates elected at the January meeting of District Council.
  - 5.7.5 The AMPA Delegation shall be responsible to represent the Members of the District.
  
- 5.8 The Finance Committee shall be constituted as follows:
  - 5.8.1 one (1) Member of the Executive;
  - 5.8.2 District Treasurer;
  - 5.8.3 District President.

- 5.8.4 The Finance Committee duties shall include:
- 5.8.4.1 preparation of the annual budget;
- 5.8.4.2 dealing with any matters referred to it by District Executive, District Council, and the AMDA.

#### **Bylaw 6 - Fees**

- 6.1 The fee for all members shall be 0.12% of gross salary to be deducted from each pay period.
- 6.2 Fees shall be collected in accordance with the terms of the Collective Agreement.

#### **Bylaw 7 - Branch Rebates**

- 7.1 No Branch Rebate shall be less than \$100.00, subject to the following:
- 7.1.1 Rebates shall be determined on a per capita (full-time equivalent) basis with the provision that no rebate shall be distributed until a copy of proposed expenditures for the current year is received by the District Treasurer.

#### **Bylaw 8 - Payment of Committee Expenses**

- 8.1 No cheque will be issued for expenses arising from any Committee unless:
- 8.1.1 the expense voucher is signed by an Executive Member;
- 8.1.2 the expense is approved by the Committee Chair;
- 8.1.3 the expense voucher is submitted to the District Treasurer.

#### **Bylaw 9 - Signing Authority**

- 9.1 The signature of at least two (2) of the following is necessary on all cheques issued in the name of the District: the Treasurer, President, a voting member of the District Executive.

#### **Bylaw 10 - Conference Attendance Responsibility**

- 10.1 All Members attending conferences at the expense of the District shall submit a written report to the District Council.

#### **Bylaw 11 - Elections**

- 11.1 Offices
- 11.1.1 Election to District Executive shall take place at the Annual Meeting of the District Assembly in even numbered years.
- 11.2 Vacancies
- 11.2.1 Vacancies which occur in the elected positions on the District Executive between the start of the term of office of the Executive and the subsequent elections at the District Assembly shall be filled as follows:
- 11.2.1.1 In the Presidency - by the Vice-President who received the higher number of votes at the District Assembly. In the event that the Vice-Presidents were acclaimed or received the same number of votes, the vacancy shall be filled at the next meeting of District Council by an election in which the only candidates shall be the acclaimed or tied Vice-Presidents.

- 11.2.1.2 In the Vice-Presidency - by the Executive Officer who received the highest number of votes at the District Assembly. In the event that the Executive Officers were acclaimed or received the same number of votes, the vacancy shall be filled at the next meeting of District Council by an election in which the only candidates shall be the acclaimed or tied Executive Officers.
- 11.2.1.3 In the position of Executive Officer, Provincial Councillor or Treasurer - by an election at the District Council in accordance with Bylaw 11.2.3.
- 11.2.2 Vacancies which occur in the elected positions on the District Executive between the elections at the District Assembly and the end of the term of the incumbent Executive shall be filled immediately as follows:
  - 11.2.2.1 In the Presidency - by the President-elect should he/she not be the incumbent President. If the President-elect is the incumbent President, the Vice-President-elect who received the higher number of votes at the District Assembly will assume the Presidency. In the event that the Vice-Presidents-elect were acclaimed or received an equal number of votes, the vacancy shall be filled at the next meeting of the District Council by an election in which the only candidates shall be the Vice-Presidents-elect.
  - 11.2.2.2 In the Vice-Presidency - by the Vice-President-elect who is not an incumbent should there be only one. If both Vice-Presidents-elect are not incumbents, the Vice-President-elect who received the higher number of votes at the District Assembly shall fill the vacancy. In the event that the non-incumbent Vice-Presidents-elect were acclaimed or received the same number of votes, the Vice-Presidents-elect shall draw lots to determine who shall fill the vacancy. In the event that both Vice-Presidents-elect were incumbents, the vacancy shall be filled by the Executive Officer-elect who received the highest number of votes at the District Assembly. In the event that the Executive Officers-elect were acclaimed or received the same number of votes, the vacancy shall be filled at the next meeting of the District Council by an election in which the only candidates shall be the acclaimed or tied Executive Officers-elect.
  - 11.2.2.3 In the position of Executive Officer - by the Executive Officer-elect who is not an incumbent should there be only one. If more than one of the Executive Officers-elect are not incumbents, the Executive Officer-elect who received the highest number of votes at the District Assembly shall fill the vacancy. In the event that the non-incumbent Executive Officers-elect were acclaimed or were tied for the highest number of votes, the tied or acclaimed Executive Officers-elect shall draw lots to determine who shall fill the vacancy. Should all the Executive Officers-elect be incumbents, an election shall be held at District Council in accordance with Bylaw 11.2.3 to fill the vacancy.
  - 11.2.2.4 In the position of Treasurer - by the Treasurer-elect should he/she not be the incumbent. In the event that the Treasurer was re-elected, an election shall be held at District Council in accordance with Bylaw 11.2.3 to fill the vacancy.
- 11.2.3 Elections to Fill Vacancies
  - 11.2.3.1 The highest or higher number of votes shall be interpreted to mean the candidate receiving the most votes on the ballot on which a candidate is first declared elected.
  - 11.2.3.2 Elections at the District Council shall be by weighted vote in accordance with Article 6.2.6.
  - 11.2.3.3 A candidate who receives a majority of the votes cast on any ballot shall be declared elected. Should no candidate receive a majority on the first ballot, the candidate receiving the fewest number of votes and any candidate receiving fewer than 6 votes shall be dropped from succeeding ballots until a majority is reached. In the event of the two lowest candidates receiving the same number of votes, with more than three candidates on the ballot, both the tied candidates shall be dropped.

- 11.2.3.4 Where external applications for the position of Executive Officer, Treasurer, or Provincial Councillor are necessary, the District President shall immediately issue a notice of vacancy to every Branch. Interested Members shall be allowed a two-week period to forward applications to the District Office. The election to fill the vacancy shall occur at the first regularly scheduled District Council meeting following the conclusion of the application period.
- 11.3 Nominations
- 11.3.1 Nominations for the offices of President, Vice-President, Executive Officer, Treasurer, and Provincial Councillor may be submitted in writing:
- 11.3.1.1 to the District Office not later than thirty (30) working days prior to the Annual Meeting of District Assembly; or
- 11.3.1.2 at the Annual Meeting of the District Assembly signed by ten members of the District Assembly representing at least five Branches.
- 11.3.2 A defeated candidate for President shall automatically be considered a candidate for Vice-President;
- 11.3.3 A defeated candidate for Vice-President shall automatically be considered a candidate for Executive Officer;
- 11.3.4 A defeated candidate for Treasurer shall automatically be considered a candidate for Executive Officer.
- 11.3.5 Nominees shall have the opportunity to address the District Assembly briefly.
- 11.3.6 An opportunity for nomination by Delegates from the floor of the Assembly, in accordance with Bylaw 11.3.1.2, shall be provided before the nominations are declared closed by the Chairperson.
- 11.4 Campaigns
- 11.4.1 Campaigns for election of the District Executive shall be conducted in accordance with Regulations approved by the District Council or the Annual Meeting of the District Assembly.
- 11.5 Balloting
- 11.5.1 Election shall be by ballot.
- 11.5.2 Election of the President, the Treasurer, the Vice-Presidents, the Executive Officers and the Provincial Councillor shall be by majority vote of those qualified to vote, present and voting.
- 11.5.3 In any election, where after a particular ballot a further ballot may be necessary, the following shall be dropped from succeeding ballots:
- 11.5.3.1 In all cases, the candidate receiving the lowest number of votes;
- 11.5.3.2 Any other candidates receiving fewer than 6 votes, in order from lowest vote total to highest, unless further deletions would result in there remaining only the same number of candidates as there are positions available;
- 11.5.3.3 The remaining candidate with the lowest number of votes, provided that only one candidate, satisfying both Bylaw 11.5.3.1 and Bylaw 11.5.3.2, has been dropped, and provided that, in a ballot for a multiple position, no candidate has been declared elected, and further provided that this would not result in the election of the remaining candidate(s);
- 11.5.3.4 In the event of a tie for the lowest number of votes, both candidates with the lowest number of votes shall be dropped, unless this would result in the election of the remaining candidate(s). In this case both candidates will remain on the ballot;
- 11.5.3.5 In the event of a tie for the last elected position, a further ballot will be held between these two candidates. If a tie occurs a second time, the candidates will draw lots to determine which candidate stays on the ballot or is elected.
- 11.5.4 In the election for a single position, failing a majority for any candidate, candidates shall be dropped from the ballot according to Bylaw 11.5.3, and a further ballot shall be held.

- 11.5.5 In the election of the two Vice-Presidents, or the two Executive Officers, each qualified voter may vote for one or two candidates.
- 11.5.5.1 If no candidate receives a majority of the votes, Bylaw 11.5.3 will apply to reduce the number of candidates, and a further ballot will be held, if necessary.
- 11.5.5.2 If one candidate receives a majority of the votes he/she shall be declared elected, Bylaw 11.5.3 will apply to reduce the number of candidates, and a further ballot will be held, if necessary, among the remaining candidates for the remaining position, according to Bylaw 11.5.2 and Bylaw 11.5.4.
- 11.5.5.3 If two candidates receive a majority of the votes, they shall be declared elected.
- 11.5.5.4 If three candidates receive a majority of the votes:
  - 11.5.5.4.1 if these were the only candidates, those with the two highest vote totals shall be declared elected; otherwise,
  - 11.5.5.4.2 a further ballot shall be held on which the names of only those three candidates appear.

#### **Bylaw 12 - Terms of Office**

- 12.1 Terms of office, except where otherwise specified, shall be for a period of two (2) years, commencing July 1, and ending June 30 of the second year.
- 12.2 The term of office for the District Health and Safety Officer shall be for a period of three (3) years, commencing July 1, and ending June 30 of the third year.
- 12.3 Vacancies, except where otherwise specified, shall be filled through elections by District Council.
- 12.4 An Officer may be removed from office for just cause by the body which elected or appointed that person to that office.

#### **Bylaw 13 - Appointment Procedure for Officers of the District**

- 13.1 A call for applications for Federation Officer(s), District Communications/Political Action Officer, District Health and Safety Officer, and District Educational Services Officer shall be posted for a minimum of two (2) weeks.
- 13.2 Unless otherwise specified, the deadline for applications shall be the last teaching Friday in April.
- 13.3 The District Executive shall screen all applications for the District 10 OSSTF Officers and make recommendations to District Council.
- 13.4 The District Council shall approve the appointments by June 30.

#### **Bylaw 14 - Special Rules**

- 14.1 The District Council may enact special rules for the beneficial operation of the District.

### **Bylaw 15 - Quorum**

- 15.1 A quorum for District Council shall be a majority of the voting Council Members.
- 15.2 A quorum for the AMDA shall be a majority of the voting Delegates present and voting.
- 15.3 A quorum for the Executive shall be a majority of the voting Members.
- 15.4 A quorum for any Committee shall be a majority of the Committee Membership.

### **Bylaw 16 - Release Time**

- 16.1 The District President and Federation Officer(s) may be released to a maximum of 1.0 FTE for the District President and 1.0 FTE for the Federation Officer(s).
- 16.2 Additional release time for Executive Members and Officers shall be determined by the Collective Agreement and/or Constitution.

### **Bylaw 17 - Notice of Meetings**

- 17.1 The President shall provide to the Branch Presidents notice of the AMDA at least sixty (60) days before the meeting is to occur.
- 17.2 The President shall endeavour to provide at least three (3) working days notice to the Membership of other General Meetings.

### **Bylaw 18 - Collective Bargaining Ratification**

- 18.1 There shall be a general meeting or meetings for the purpose of informing the members that a tentative agreement has been reached.
- 18.2 All members shall have a copy of the changes to the Collective Agreement at least 48 hours in advance of the General Meeting(s).
- 18.3 Ratification shall be by secret ballot in each workplace or designated voting stations following procedures published to each member at least 48 hours in advance of the vote.

### **Bylaw 19 - Grievances**

- 19.1 The Chief Grievance Officer shall:
  - 19.1.1 report to the District Executive on matters related to grievances;
  - 19.1.2 consult with a Member who has a potential grievance;
  - 19.1.3 maintain a confidential file of all alleged grievances.

- 19.2 Grievance Procedures
- 19.2.1 An alleged grievance may be communicated by any Member to the workplace representative, who shall contact the Grievance Officer within twenty four (24) hours.
- 19.2.2 A grievance is defined as a complaint concerning the interpretation, the administration, or an alleged violation of the Collective Agreement.
- 19.2.3 The Grievance Officer shall ascertain the facts of the case, consult with the provincial office as necessary, and prepare the grievance letter(s).
- 19.2.4 Any decisions about taking a grievance beyond Step One will be made by the Grievance Officer in consultation with the District President and communicated forthwith to the Member(s) concerned.
  
- 19.3 Grievance Appeals
- 19.3.1 The District Executive shall function as the Grievance Appeals Committee. Any Executive Member with a conflict of interest shall recuse him/herself from the appeals hearing.
- 19.3.2 A Member may appeal a decision of the Grievance Officer in writing within seven (7) days of receiving the Officer's decision.
- 19.3.3 The appeal hearing shall be held in camera during the next regularly scheduled meeting of the District Executive or sooner if timelines require.
  
- 19.4 All grievances will be taken forward in accordance with the provisions of the relevant Articles in the Collective Agreement.

#### **Bylaw 20 - Amendments**

- 20.1 Amendments to the Bylaws may be made at the AMDA:
  - 20.1.1 by a majority vote of the Delegates qualified to vote, present and voting, provided that:
    - 20.1.1.1 notice of the proposed amendment shall have been given in writing to the District President thirty (30) working days prior to the AMDA; and
    - 20.1.1.2 such notice shall have been forwarded to Branch Presidents fifteen (15) working days prior to the AMDA;
  - 20.1.2 by a three quarters (3/4) vote of the Delegates qualified to vote, present and voting, previous notice as in Bylaw 20.1.1 not having been given.

#### **Bylaw 21 - Compensation for Time Release**

- 21.1 The compensation for Federation time release personnel be as follows:
  - 21.1.1 The District President shall receive an allowance equal to 10% of maximum category 4 in addition to his/her regular compensation.
  - 21.1.2 The Federation Officer(s) shall receive an allowance equal to 5% of maximum category 4 in addition to his/her regular compensation.

#### **Bylaw 22 - Anti-Harassment and Anti-Bullying Policy**

- 22.1 The District shall have an Anti-Harassment and Anti-Bullying Policy and Procedure to be followed at all OSSTF workplaces and functions.
- 22.2 The Anti-Bullying and Anti-Harassment Policy and Procedure and any amendments to it shall be approved by the District Council.

## **Bylaw 23 - Anti-Harassment and Anti-Bullying Appeals Procedure**

- 23.1 Members of the District affected by a decision resulting from a complaint under the District's Anti-Harassment and Anti-Bullying Procedure may appeal this decision using the following procedure:
  - 23.1.1 Within five days of the decision, the affected member (herein called the Appellant) shall submit a request in writing to the District President or designate for an Appeal Hearing.
  - 23.1.2 Within two days of receiving the request, the District President or designate shall appoint three members of the District Appeals Committee to consider the appeal. The Appeal Committee shall consist of one (1) member of Executive, one (1) member of Council and one (1) member-at-large.
  - 23.1.3 Within three days, the District Appeal Committee shall meet to consider the appeal.
    - 23.1.3.1 The District Appeal Committee shall review the complaint, the investigation process and findings, and the decision.
    - 23.1.3.2 Following the review, the Committee shall either confirm or modify the decision.
    - 23.1.3.3 The decision of the District Appeal Committee shall be consistent with the District Anti-Harassment and Anti-Bullying Policy and Procedures.
  - 23.1.4 The District Appeal Committee shall report the decision on the Appeal to the District President or designate within five (5) days after meeting at which the Appeal is considered.
  - 23.1.5 Within two days of receiving the decision of the District Appeal Committee, the District President or designate shall communicate the decision to the Appellant in writing.
  - 23.1.6 The decision of the District Appeal Committee shall be considered final and not subject to any appeal.