

OSSTF District 29
Hastings-Prince Edward

CONSTITUTION
and
BYLAWS

as approved at the Inaugural Annual Meeting
April 1998

and amended at the District Annual Meeting
through to May, 2010

**OSSTF District 29
Constitution and Bylaws
CONSTITUTION**

Article 1 NAME

Article 1.1 The name of the District shall be “The Ontario Secondary School Teachers’ Federation, District 29”, or “OSSTF, District 29”.

Article 2 OBJECTS

Article 2.1 The objects of OSSTF District 29 shall be:

Article 2.2 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;

Article 2.3 to maintain for all Active Members of OSSTF District 29 equal collective bargaining rights including the right to strike;

Article 2.4 to bargain collectively on behalf of its Active Members;

Article 2.5 to promote and advance the cause of public education;

Article 2.6 to promote a high standard of professional ethics and a high standard of professional competence;

Article 2.7 to secure for all members active participation in formulating policies and practices affecting education;

Article 2.8 to work toward control of our professional destiny;

Article 2.9 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;

Article 2.10 to support and promote equal opportunity for members, employees and students;

Article 2.11 to foster and promote the dignity of all persons regardless of race, religion or cultural origin;

Article 2.12 to protect its members on employment issues;

Article 2.13 to assist in promoting the goals of OSSTF, particularly within the boundaries of the District.

Article 3 MEMBERSHIP

Article 3.1 The membership of the District shall be all employees of the Hastings and Prince Edward District School Board on behalf of whom the employer pays dues directly to OSSTF.

Article 4 BARGAINING UNIT

Article 4.1 OSSTF District 29 shall consist of a single Bargaining Unit. The District Executive shall constitute the Bargaining Unit’s Executive for the purposes of this Constitution and Bylaws.

Article 5 LOCAL LEVY

Article 5.1 Local dues shall be determined by resolution at the District Annual Meeting.

Article 6 **DISTRICT EXECUTIVE**

Article 6.1 The Executive of the District shall be:

Article 6.1.1 The President, who shall also be the Provincial Councillor,

Article 6.1.2 the Vice-President,

Article 6.1.3 the Secretary-Treasurer;

Article 6.1.4 three Executive Officers;

Article 6.1.5 the Chief Negotiator of the bargaining unit and

Article 6.1.6 the immediate Past President.

Article 6.2 Notwithstanding 6.1.6, if the incumbent President is re-elected, the District Council may declare the office of Past President vacant.

Article 6.3 If the office of Past President is declared vacant, the District Council will conduct an election for a replacement Executive member.

Article 6.4 The District Executive may also include additional non-voting members as determined by the membership of the District.

Article 6.5 The members of the District Executive shall be elected or appointed in the manner described in the Bylaws.

Article 7 **District Council**

Article 7.1 There shall be a District Council consisting of:

Article 7.1.1 voting members:

Article 7.1.1.1 the members of the District Executive;

Article 7.1.1.2 the Branch Presidents;

Article 7.1.1.3 the Chairpersons of the District Standing Committees, and

Article 7.1.1.4 the workplace representative from the Board Office.

Article 7.1.2 non-voting members:

Article 7.1.2.1 the Pension and Retirement Benefits Officer;

Article 7.1.2.2 the Health and Safety Officer;

Article 7.1.2.3 the Human Rights/Status of Women Officer

Article 7.1.2.4 the Educational Services Officer

Article 7.1.2.5 the District Officer.

Article 7.1.3 The members of the District Council shall be elected or appointed in the manner described in the Bylaws.

Article 8 **WORKPLACE REPRESENTATION**

Article 8.1 There shall be the following Branches;

Article 8.1.1 Bayside Secondary School

Article 8.1.2 Centennial Secondary School

Article 8.1.3 Centre Hastings Secondary School

Article 8.1.4 Moira Secondary School

Article 8.1.5 North Hastings High School

- Article 8.1.6 Occasional Teachers
- Article 8.1.7 Prince Edward Collegiate Institute
- Article 8.1.8 Quinte Secondary School
- Article 8.1.9 Trenton High School
- Article 8.2 In each Branch there shall be a Branch Executive, including a Branch President as determined by the constitution or bylaws.
- Article 8.3 Each Secondary School Branch Executive must have at least the following positions;
 - Article 8.3.1 a President;
 - Article 8.3.2 a Vice-President;
 - Article 8.3.3 a Collective Bargaining Committee representative.
 - Article 8.3.4 a Staffing representative
 - Article 8.3.5 3 Staff Advisory Committee representatives
 - Article 8.3.6 an Educational Services Representative
 - 8.3.7 A Health and Safety Representative
- 8.4 The Occasional Teacher Branch must have at least the following positions:
 - 8.4.1 A District Councillor
 - 8.4.2 A Vice-President
 - 8.4.3 A Collective Bargaining Committee Representative
 - 8.4.4 An Educational Services Representative
- 8.5 Each Branch Executive may add the following positions;
 - 8.5.1 a Secretary-Treasurer
 - 8.5.2 a second CBC representative
 - 8.5.3 a minimum of one representative for each of the following committees;
 - 8.5.3.1 Communications/Excellence in Education
 - 8.5.3.2 Political Action
 - 8.5.3.3 Pension and Benefits
 - 8.5.3.4 a Human Rights Representative
 - 8.5.3.5 a Status of Women Representative
- 8.6 Where the Members of the Branch are in more than one workplace, each workplace shall have an OSSTF Representative designated for the purposes of communication and the sharing of information
- 8.7 Members working at the Board Office shall be assigned by the District Executive to a Branch
- 8.8 The District President shall be the President of the Occasional Teachers' Branch
 - 8.8.1 The Occasional Teachers' Branch executive be elected at an Occasional Teachers' Branch Meeting to be held no later than September 30th in an election year.

- 8.8.2 The secondary school branch shall provide the workplace representation for occasional teachers while they are employed at their worksite

Article 9 **BYLAWS**

- Article 9.1 The District, at its District Annual Meeting, may adopt or rescind Bylaws not inconsistent with the Constitution and Bylaws of the provincial OSSTF concerning;
- Article 9.1.1 the procedure for the election of the District Executive and other District Officers;
- Article 9.1.2 its own internal organization and administration;
- Article 9.1.3 the time, place and conduct of general and other meetings of the District;
- Article 9.1.4 the appointment of auditors;
- Article 9.1.5 all other matters as are deemed necessary or convenient for the protection of the welfare and interests of the members of the District.

Article 10 **TERM OF OFFICE**

- Article 10.1 The term of office for Executive members shall be two years.
- Article 10.2 The term of office for members of the District Executive will begin on July 1.
- Article 10.3 Re-election to an office is possible.
- 10.4 The term of office for voting and non-voting members of District Council shall be two years.
- 10.5 Notwithstanding Article 10.1, the term of office of the Chief Negotiator shall last until negotiations are concluded and a new collective agreement has been signed.
- 10.6 The term of office for Branch Executive members shall be two years and begin on July 1.

Article 11 **ELECTIONS**

- Article 11.1 The District Executive shall be elected by a secret vote conducted in the workplace one day after the District Annual Meeting.

Article 12 **DISTRICT GENERAL MEETINGS**

- Article 12.1 There shall be a District Annual Meeting to be held no later than May 15 in each year.
- Article 12.2 Other General Meetings may be called by the President, the District Executive, or the District Council, and shall be called at the written request of ten percent of the members.

Article 12.3 Notice of such meeting shall be at least one week and the purpose of the meeting shall be stated in such notice.

Article 12.4 The quorum of a General Meeting shall be 10% of the total District Membership.

Article 13 **COMMITTEES**

Article 13.1 The District Executive shall establish such committees as are necessary to carry out the objects of the District.

Article 13.2 Committees shall have terms of reference as approved by the District Executive.

Article 14 **RULES OF ORDER**

Article 14.1 The rules of order which govern the District shall be the Rules of Order contained in the current edition of the *OSSTF Handbook* and the most recent available edition of *Robert's Rules of Order Newly Revised*.

Article 15 **AMENDMENTS**

Article 15.1 Amendment to the Constitution and Bylaws may be made at a District Annual Meeting by a two-thirds (2/3) majority vote of the members present, qualified to vote and voting, provided that the members have received the amendments in writing at least four (4) full weeks prior to the meeting.

15.1.1 Amendments to qualify for a two-thirds (2/3) majority vote may be submitted to the District Officer by the District Executive, the District Council, or any two members at least 30 days prior to the District Annual Meeting.

Article 15.2 Amendment to the Constitution and Bylaws may be made at a District Annual Meeting by a nine-tenths (9/10) vote of the members present, qualified to vote and voting, where sufficient notice has not been given under Article 15.

Article 15.3 Interim Bylaws and /or Interim Amendments to the Bylaws may be made by District Council;

Article 15.3.1 by a three-quarters (3/4) majority vote of the members present, qualified to vote and voting provided that such notice of motion was given on or before the date of the previous District Council meeting;

Article 15.3.2 by a nine-tenths (9/10) majority vote of the members qualified to vote and voting, previous notice as in 15.3.1 not having been given.

Article 15.3.3 Any Interim Bylaws and/or Interim Amendments to Bylaws shall be ratified, rescinded or amended at the next District Annual Meeting.

BYLAWS

Bylaw 1 ELECTIONS AND APPOINTMENTS

Bylaw 1.1 District Executive

Bylaw 1.1.1 Election to the District Executive shall be by a secret vote of the membership conducted in the workplace one day after the District Annual Meeting.

Bylaw 1.1.2 The candidate with the greatest number of votes shall be declared elected.

Bylaw 1.1.3 In the case of the three Executive Officers, the three candidates with the greatest number of votes shall be declared elected.

Bylaw 1.1.4 Tie votes shall be broken by a secret vote of the membership conducted in the workplace one week after the District Annual Meeting.

Bylaw 1.2 District Council

Bylaw 1.2.1 Branch Presidents shall be elected in their workplaces by secret ballot prior to the end of June.

Bylaw 1.2.1.1 The term of office of Branch Presidents shall be two years.

Bylaw 1.2.1.2 Re-election is possible.

Bylaw 1.2.2 Chairpersons of District Standing Committees shall be elected by their committee prior to the end of September in each school year.

Bylaw 1.3 Other District Officers

Bylaw 1.3.1 The District Officer, the Pension and Retirement Benefits Officer, the Health and Safety Officer, the Human Rights/Status of Women Officer, the Educational Services Officer, the shall be appointed by majority vote of the District Executive, subject to the approval of District Council.

Bylaw 1.3.2 These positions shall be advertised to the membership.

Bylaw 1.3.3 The term of these offices shall be two years.

Bylaw 1.3.4 Re-appointment is possible.

Bylaw 1.4 Delegates to Meetings of the Provincial Assembly

Bylaw 1.4.1 The District Council shall elect Delegates and Alternates to the Annual Meeting of the Provincial Assembly (AMPA).

Bylaw 1.4.2 The number of Delegates and Alternates shall be established in accordance with the formula established by the Provincial Office, OSSTF.

Bylaw 1.5 Authority

Bylaw 1.5.1 District Officers elected or appointed, are subject to the authority of the District Executive.

Bylaw 2 **VACANCIES**

Bylaw 2.1 Vacancies which occur in elected or appointed positions shall be filled in the manner in which the position was originally filled.

2.1.1 The District Council shall elect interim executive positions

Bylaw 3 **NOMINATIONS**

Bylaw 3.1 The Branch Presidents from each school shall constitute the District Nominating Committee.

Bylaw 3.2 Nominations for election to District Offices may be submitted in writing to the Branch President.

Bylaw 3.3 The District Nominating Committee shall develop balloting procedures and ensure that the elections are carried out in an equitable manner.

Bylaw 3.4 Notwithstanding 3.1, 3.2, and 3.3, there will be an opportunity for nominations from the Floor at the District Annual Meeting.

Bylaw 4 **DUTIES OF THE DISTRICT ORGANIZATION**

Bylaw 4.1 The District shall provide for:

Bylaw 4.1.1 the establishment of appropriate structures to ensure the negotiation of collective agreements for all its Bargaining Units;

Bylaw 4.1.2 the establishment of procedures to ensure that each Bargaining Unit shall have input in the formulation of that Bargaining Unit's budget;

Bylaw 4.1.3 the formulation of appropriate Branches;

Bylaw 4.1.4 the representation of its Active Members to the District Council;

Bylaw 4.1.5 the designation of one or more workplaces as a Branch; and

Bylaw 4.1.6 an OSSTF representative in each workplace.

Bylaw 5 **DUTIES OF THE DISTRICT EXECUTIVE MEMBERS**

Bylaw 5.1 The District Executive shall:

Bylaw 5.1.1 act in the name of the Federation between meetings of the District Council;

Bylaw 5.1.2 ensure that the OSSTF Constitution or Bylaws are not contravened in the process of transacting District business;

Bylaw 5.1.3 ensure that the Staff Representatives and/or Branch Executives are informed of their duties at the start of their term of office and are given assistance throughout their term in carrying out these duties;

Bylaw 5.1.4 forward to the General Secretary a copy of the District Constitution and of Branch constitutions where they exist, together with all amendments thereto;

- Bylaw 5.1.5 endeavour to achieve provincial goals as approved by the Provincial Council;
- Bylaw 5.1.6 assist in the achievement of policies and priorities as approved by a Provincial Assembly, and provide faire representation for its members with due regard to the terms of the applicable collective agreement;
- Bylaw 5.1.7 provide leadership in all matters affecting the welfare of the District members;
- Bylaw 5.1.8 recommend and debate motions to the Annual Meeting of the Provincial Assembly;
- Bylaw 5.1.9 meet after each meeting of Provincial Council and at other times at the call of the President or at the written request of two members of the Executive, subject to provisions for funding in the Bylaws;
- Bylaw 5.1.10 prepare a budget;
- Bylaw 5.1.11 authorize payment of expenses and accounts in accordance with the Bylaws;
- Bylaw 5.1.12 appoint ad hoc committees and their chairpersons;
- Bylaw 5.1.13 recommend to the District Council the nature and extent of OSSTF activities at the District level;
- Bylaw 5.1.14 nominate candidates, if desired, for election to Provincial Offices at the Provincial Assembly.

Bylaw 5.2 The District President:

- Bylaw 5.2.1 shall be a member ex-officio of all District committees;
- Bylaw 5.2.2 is the official representative and Chief Executive Officer of the District,
- Bylaw 5.2.3 shall be a signing authority for the District, and
- Bylaw 5.2.4 shall be the Chief Executive Officer of the District for collective bargaining purposes.
- Bylaw 5.2.5 shall represent the bargaining unit at all meetings of the T/OT (Teacher/Occasional_Teacher) Sector Council, and to report back to the bargaining unit.
- Bylaw 5.2.6 As Provincial Councillor, the President shall:
 - Bylaw 5.2.6.1 present a written report to the District Council immediately following each meeting of the Provincial Council;
 - Bylaw 5.2.6.2 forward to the Administrative Assistant to Provincial Council questions to the Provincial Executive (for response at the Council) as approved by the District Executive or District Council;
 - Bylaw 5.2.6.3 forward to the Administrative Assistant to Provincial Council resolutions to be dealt with by the Provincial Council; and
 - Bylaw 5.2.6.4 take a leadership role with the District's delegation to the Provincial Assembly.

Bylaw 5.3 The District Past President:

- Bylaw 5.3.1 shall undertake the planning of the District Annual Meeting;

- Bylaw 5.3.2 shall chair the District Nominating Committee;
- Bylaw 5.3.3 shall perform such other duties as the President directs.

Bylaw 5.4 The District Vice-President:

- Bylaw 5.4.1 shall perform the duties of the President in his/her absence;
- Bylaw 5.4.2 shall perform such other duties as the President may direct.

Bylaw 5.5 The District Executive Officers and Chief Negotiator:

- Bylaw 5.5.1 shall be responsible for the district-wide co-ordination of Communications/Excellence in Education, Educational Services, Political Action, Health & Safety, Collective Bargaining and other committees as assigned by the President;
- Bylaw 5.5.2 shall report to the District Council the activities, programs and initiatives of their respective portfolios;
- Bylaw 5.5.3 shall perform such other duties as the President may direct.

Bylaw 5.6 The District Secretary-Treasurer:

- Bylaw 5.6.1 shall keep a record of all minutes and files of all correspondence;
- Bylaw 5.6.2 shall carry out his/her duties in accordance with Provincial OSSTF Bylaws
- Bylaw 5.6.3 deposit all monies received in a chartered bank in the name of OSSTF District 29;
- Bylaw 5.6.4 receive and distribute monies in accordance with the Bylaws, District Executive and District Council motions;
- Bylaw 5.6.5 pay all authorized accounts by cheque and in accordance with the Bylaws of the District;

Bylaw 5.7 The District Officer

- Bylaw 5.7.1 serves as advisor to the District Executive and the District Council;
- Bylaw 5.7.2 provides service and advice in the following areas:
 - Bylaw 5.7.2.1 Grievances;
 - Bylaw 5.7.2.2 Long Term Disability;
 - Bylaw 5.7.2.3 Contract Maintenance;
 - Bylaw 5.7.2.4 provides other services and advice to members as needed or as directed by the District Executive;
 - Bylaw 5.7.2.5 performs other duties as assigned by the President.

Bylaw 6 DUTIES OF THE DISTRICT COUNCIL

- 6.1 The District Council shall:
 - 6.1.1 act in the name of the Federation between meetings of the District Annual Meeting;
 - 6.1.2 determine the nature and extent of Federation activities at the District level;
 - 6.1.3 approve the District budget
 - 6.1.4 adopt interim Bylaws governing the conduct of Federation business in accordance with Article 15;
 - 6.1.5 recommend amendments to the Constitution and Bylaw;
 - 6.1.6 approve all waivers to the collective agreement in accordance with Bylaw 8;
 - 6.1.7 deal with matters referred to it by the District Annual Meeting, the District Executive, Standing Committees and Branches;
 - 6.1.8 recommend and debate motions to the Provincial council and Annual Meeting of the Provincial Assembly;
 - 6.1.9 nominate or endorse candidates for election to Provincial Offices at the Annual Meeting of the Provincial Assembly;
 - 6.1.10 elect delegates and alternates to the Annual Meeting of the Provincial Assembly in accordance with Bylaw 1.5;
 - 6.1.11 receive reports from the Provincial Councillor, Chairs of Standing Committees, Branch Presidents and others as required.

Bylaw 7 DISTRICT STANDING COMMITTEES

- 7.1 There shall be the following District Standing Committees;
 - 7.1.1 Collective Bargaining
 - 7.1.1.1 consisting of 1 representatives from each Branch
 - 7.1.2 Education Services
 - 7.1.2.1 consisting of 1 representative from each Branch
 - 7.1.3 Communications/Excellence in Education
 - 7.1.3.1 consisting of 1 representative from each Branch
 - 7.1.4 Political Action
 - 7.1.4.1 consisting of 1 representative from each Branch
 - 7.1.5 Pensions & Benefits
 - 7.1.5.1 consisting of 1 representative from each Branch
 - 7.1.6 Staffing Committee
 - 7.1.6.1 consisting of 1 representative from each Branch

7.2 General Objectives of District Standing Committees

- 7.2.1 To recommend priorities to the District Executive and District Council on items encompassed by the specific objectives of the committee;
- 7.2.2 To submit a budget to the District Treasurer;
- 7.2.3 To report to District Council on its activities;
- 7.2.4 To perform other duties as defined in the Provincial OSSTF Constitution and Bylaws;
 - 7.2.4.1 Except where the District Executive gives specific direction, any committee may,

with the approval of the District Executive, reorient its projects in the light of changing circumstances.

Bylaw 8 COLLECTIVE BARGAINING

- 8.1 A person or persons selected to negotiate on behalf of the District shall be responsible to the District Executive and shall keep the District Executive informed at all times of the progress of negotiations.
- 8.2 The District Executive shall:
 - 8.2.1 inform the Provincial OSSTF of progress in negotiations on a regular basis and shall endeavor to co-operate with the provincial Executive to coordinate effectively negotiation strategies among bargaining units.
- 8.3 All waivers to the collective agreement must be presented to the District Council for approval.
- 8.4 All amendments to the collective agreement must be approved by a secret ballot of the membership conducted in the workplace.
 - 8.4.1 Members shall have 48 hours, exclusive of weekends and statutory holidays, to consider any proposed amendments prior to voting.
 - 8.4.2 Approval of any amendments to the collective agreement requires a majority of those voting.

Bylaw 9 MEETINGS

9.1 District Annual Meeting

- 9.1.1 There shall be a District Annual Meeting, held prior to May 15.
 - 9.1.2 Notice of the date of the District Annual Meeting shall be given in writing to the Branch Presidents at least six (6) weeks prior to the date of that meeting.
 - 9.1.3 Branch Presidents shall communicate the date of the District Annual Meeting to the members of their branches.
 - 9.1.4 The District Annual Meeting shall:
 - 9.1.4.1 ratify, rescind, or amend action taken by the District Executive in the name of the Federation;
 - 9.1.4.2 receive the written annual reports of District Officers and Committees;
 - 9.1.4.3 amend the Constitution and Bylaws in accordance with the provisions of the Constitution and Bylaws.

9.2 District General Meetings

- 9.2.1 A District General Meeting of the membership of the District 29 OSSTF may be called at any time by the President, the District Executive, or the District Council, and shall be called at the written request of ten percent of the members.
- 9.2.2 Notice of such meeting shall be at least one week and the purpose of the meeting shall be stated in the notice.
- 9.2.3 The quorum of a General Meeting shall be 10% of the total District membership.

9.3 District Executive Meetings

9.3.1 The District Executive will meet ten times a year and at such other times as called by the President or on the written request of two members of the District Executive.

9.3.2 A quorum shall be five of the voting members of the District Executive.

9.4 District Council Meetings

9.4.1 District Council shall meet at least six times during the school year and at such other times as called by the President or on the written request of eight members of the District Council.

9.4.2 A quorum shall be 60% of the voting members of the District Council.

OSSTF DISTRICT 29 POLICY STATEMENTS

Policy - Definition

Policy shall mean a stand or position taken by OSSTF District 29 in accordance with its Bylaws on matters whose resolution is beyond the power of OSSTF. The purpose of a policy statement is to guide all OSSTF members in making public statements, in forming action plans, and in carrying out OSSTF activities.

Policy 1 - Purchasing

It is the policy of District 29 OSSTF that the District Office and its branches shall make every attempt to purchase items from sources that manufacture under humane working conditions in compliance with accepted international standards and local laws.

Policy 2 - Data

BIRT it is the policy of OSSTF District 29 that members oppose any use of data from Provincial and/or Board-wide assessments for the purpose of tracking, evaluating and/or monitoring individual teacher performance.

Policy 3 - Data

BIRT it is the policy of OSSTF District 29 that members should not use data in any way to compare, analyze or evaluate the performance of OSSTF members.

TERMS OF REFERENCE

Collective Bargaining

1. To develop the local negotiations brief
2. To provide assistance to District and Bargaining Unit Officers on all aspects of the issues involved in the negotiations and maintenance of a collective agreement
3. To assist in the training of District/Bargaining Unit Negotiators and Grievance Officers
4. To establish and maintain an effective two-way communications network between District 29 and the provincial organization with respect to collective bargaining matters

Communications and Excellence in Education

2. To train, assist and advise the District in providing information to its members on OSSTF programs and activities, on new communications technologies and on effective media relations with their communities
3. To promote the pride of Members in their own skills and contributions to their professions, students, clients, media and the community through the organization and administration of the annual Teacher of the Year Award
4. To administer the annual selection and presentation of awards for excellence in education through the local Student Recognition Awards
5. To assist with the promotion and selection processes of the provincial Marion Drysdale competition.

Educational Services

7. To identify the professional, curricular and educational issues and concerns of District 29 OSSTF members and to make recommendations to the District Executive for policy, actions or educational research projects.
8. To assist Members to work collaboratively to implement effective and innovative educational practices and to provide equality of access to professional growth.
9. To administer staff development funds allocated directly to the school
10. To administer the Kevin Manion Memorial Lecture Fund and to plan professional development activities in accordance with the guidelines established for the fund

Pensions & Benefits Committee

1. To advise the District Executive and District Council on matters relating to benefits and retirement.
2. To provide assistance to the Collective Bargaining Committee for negotiation of benefits.
3. To organize workshops for members on the subject of pensions and retirement.
4. To communicate to members issues and information related to benefits.

Political Action

2. To advise the District Executive and Council on matters concerning political activity at the local and regional levels.
3. To organize actions in conjunction with other interest groups in order to deal with areas of mutual concerns, subject to the prior approval of the District Executive.
4. To maintain liaison with the other local OTF Affiliates