



District 25

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# **Constitution & By-laws**

**2017-2018**

# **O.S.S.T.F DISTRICT 25 CONSTITUTION AND BY-LAWS**

## **ARTICLES**

### **Article 1      Definitions**

- 1.1            In this Constitution and By-laws:
- 1.1.1        "O.S.S.T.F." shall mean the Ontario Secondary School Teachers' Federation.
- 1.1.2        "District" shall mean District 25 of the O.S.S.T.F.
- 1.1.3        "Unit" shall mean a Bargaining Unit of the O.S.S.T.F. District 25.
- 1.1.4        "Member" shall mean an active member in O.S.S.T.F. District 25.
- 1.1.5        "Constitution" shall mean this Constitution being a system of fundamental principles according to which District 25, O.S.S.T.F. is governed and the basic organization of O.S.S.T.F. District 25.
- 1.1.6        "By-Laws" shall mean standing rules governing the membership of O.S.S.T.F., made under this Constitution on matters of internal regulation and matters which are entirely within the control of O.S.S.T.F. District 25.
- 1.1.7        "Policy" shall mean a stand or position taken by the O.S.S.T.F. District 25, in accordance with its By-Laws on matters whose resolution is beyond the internal legislative power of O.S.S.T.F. District 25.

### **Article 2      Name and Membership**

- 2.1            The name shall be Ontario Secondary School Teachers' Federation, District 25 Ottawa-Carleton.
- 2.2            Membership
- 2.2.1        Membership shall consist of all active members of District 25.
- 2.2.2        Active members who bargain collectively shall constitute a Unit.
- 2.2.3        Membership shall include Active Retired Members with such

### **Article 3      Objects**

- 3.1            The objects of the District shall be:
- 3.1.1        to promote and advance the cause of education
- 3.1.2        to adhere to a code of ethics as outlined in the Constitution and By-Laws of the O.S.S.T.F

## **Article 4      Organization**

4.1            District 25 shall operate as a District within the boundaries determined by the O.S.S.T.F.

### **4.2            District Executive Council**

4.2.1        There shall be a District Executive Council.

4.2.2        The District Executive Council shall consist of the following voting members:

- a)        District Treasurer
- b)        The president of each bargaining unit, or her/ his designate when due notice has been given to the District President.

### **4.3            District Assembly**

4.3.1        There shall be a District Assembly.

4.3.2        The District Assembly shall consist of one hundred voting delegates from the units, each serving a term of one Federation year. Each Bargaining Unit shall have at least three (3) delegates to the Assembly. The remaining delegates shall be allocated to units in proportion to their FTE share of the District Membership. All delegates shall be named by the units in accordance with their Constitutions and By-Laws.

### **4.4            Units**

4.4.1        There shall be Units within District 25.

4.4.2        The structure and rules governing each of the Units shall be established by the Constitution and By-Laws of each Unit.

4.4.3        Each Unit Executive shall include a minimum of:

- a)        President
- b)        Vice-President
- c)        Secretary
- d)        Treasurer
- e)        Chief Negotiator

4.4.4        The Constitution of the Unit shall not contravene the Constitution and By-Laws of District 25 or the Constitution and By-Laws of the O.S.S.T.F.

### **4.5            District Standing Committees**

4.5.1        There shall be District Standing Committees as designated by the Constitution and By-Laws.

4.5.1.1      Each District Standing Committee shall establish its terms of reference and operating procedures subject to the approval of the District Executive Council and in accordance with the constitution and By-Laws of the District.

- 4.5.1.2 Each District standing committee shall elect a chair from within the members of the committee.
- 4.5.1.3 Each District Standing Committee Chair shall be a non-voting member of the District Executive Council.
- 4.5.1.4. Notwithstanding 4.5.1.3 the District Treasurer as Chair of the Finance Committee will be a voting member of the District Executive Council.
- 4.5.2 District Finance Committee**
- 4.5.2.1 There shall be a District Finance Committee.
- 4.5.2.2 The District Finance Committee shall consist of "the District Treasurer" and the Unit Treasurers of District 25 who shall be voting members. The District Treasurer may be a Unit Treasurer.
- 4.5.3 District Political Action Committee**
- 4.5.3.1 There shall be a District Political Action Committee.
- 4.5.3.2 The District Political Action Committee shall consist of a representative of each Unit and the District President who shall be voting members.
- 4.5.4 District Communications Committee**
- 4.5.4.1 There shall be a District Communications Committee.
- 4.5.4.2 The District Communications Committee shall consist of a representative of each Unit and the District Secretary who shall be voting members.
- 4.5.5 District Negotiations Advisory Committee**
- 4.5.5.1 There shall be a District Negotiations Advisory Committee.
- 4.5.5.2 The District Negotiations Advisory Committee shall consist of the Chief Negotiators of each Bargaining Unit of O.S.S.T.F District 25.
- 4.5.5.3 Each Unit shall bear the costs of their representative's participation on this committee.
- 4.5.6 District Labour Council Committee:**
- 4.5.6.1 There shall be a District Labour Council Committee.
- 4.5.6.2 The District Labour Council Committee shall consist of representatives of each Unit and the District Executive member assigned to the District Labour Council Committee.
- 4.5.6.3 The Chair of the committee shall be the primary contact to the District Labour Council.
- 4.5.6.4 The Chair and members, selected by the District Labour Council Committee, shall fill the seats (both delegates and alternates) on the District Labour Council allocated to District 25 O.S.S.T.F.

- 4.5.6.5 Delegates to District Labour Council shall be endorsed by District Executive Council or the Annual Meeting of the District Assembly.

## **Article 5 By-Laws**

- 5.1 A duly constituted District Assembly may pass by-laws not inconsistent with the Constitution.

## **Article 6 Amendments**

- 6.1 Amendments to the Constitution may be proposed at the Annual Meeting of District Assembly.
- 6.1.1 by a two-thirds (2/3) vote of members qualified to vote, present and voting, provided that
- 6.1.1.1 notice of the proposed amendment shall have been given in writing to the District Secretary at least twenty-one (21) days prior to the meeting, and
- 6.1.1.2 the membership has been informed in writing seven (7) days prior to the date of the meeting.
- 6.1.2 by a nine-tenths vote of members qualified to vote, present and voting, previous notice as in Article 6.1.1 not having been given.
- 6.2 amendments to the Constitution adopted at the Annual meeting of District Assembly shall be effective the subsequent July 1, unless stated otherwise in the preamble of such amendments.
- 6.3 amendment to this Constitution shall be made consistent with the Constitution of O.S.S.T.F.

## **BY-LAWS**

### **By-Law 1 District Federation Year**

- 1.1 The District Federation Year shall be from July 1 to the following June 30.

### **By-Law 2 Anti-Harassment and Anti-Bullying Policy**

- 2.1 The District shall have an Anti-Harassment and Anti-Bullying Policy and Procedure to be followed at all O.S.S.T.F workplaces and functions.

### **By-Law 3 Anti-Harassment and Anti-Bullying Appeal Procedure**

- 3.1 Members of the District affected by a decision resulting from a complaint under the District Anti- Harassment and Anti-Bullying Procedure may appeal this decision using the following procedure:
- 3.1.1 Within five days of the decision, the affected member (herein called the Appellant) shall submit a request in writing to the District President, or the District Vice President if the complaint is lodged against the President, for an Appeal Hearing.
- 3.1.2 Within two days of receiving the request, the District President, or Vice President, shall appoint three members of the District Appeal Committee to consider the appeal.
- 3.1.3 Within three days, the District Appeal Committee shall meet to consider the appeal.
- 3.1.3.1 The District Appeal Committee shall review the complaint, the investigation process and findings, and the decision.
- 3.1.3.2 Following the review, the Committee shall either confirm or modify the decision.
- 3.1.3.3 The decision of the District Appeal Committee shall be consistent with the District Anti-Harassment and Anti-Bullying Policy and Procedure.
- 3.1.4 The District Appeal Committee shall report the decision on the Appeal to the District President, or Vice President, within five (5) days after the meeting at which the Appeal is considered.
- 3.1.5 Within two days of receiving the decision of the District Appeal Committee, the District President, or Vice President shall communicate the decision to the Appellant in writing.
- 3.1.6 The decision of the District Appeal Committee shall be considered final and not subject to any appeal.

### **By-Law 4 District Executive Council**

- 4.1 The President of each Unit shall be selected by his/her Unit according to the Unit Constitution and By-Laws.
- 4.2 The President and Vice-President of the District shall be elected by the incoming District Executive Council from among its membership at its June meeting in accordance with By-Law 5.1.1.10.

- 4.3 The District Treasurer shall be elected by the incoming District Finance Committee from among the District's membership at a June meeting.
- 4.4 Additional Bargaining Unit Councillors shall be non-voting members of District Executive Council.

## **By-Law 5 Duties**

### **5.1 District Executive Council**

- 5.1.1 It shall be the duty of the District Executive Council:
- 5.1.1.1 to promote within the District the Objects of the O.S.S.T.F. and District 25
  - 5.1.1.2 to establish interim District policy
  - 5.1.1.3 to facilitate the transfer of information among the Units
  - 5.1.1.4 to review the management and operation of the District office
  - 5.1.1.5 to approve all contracts negotiated with employees of the District
  - 5.1.1.6 to recommend to the membership the inclusion of additional Units in accordance with By-Law 5.1.1.1
  - 5.1.1.7 to establish ad hoc District Committees as required
  - 5.1.1.8 to receive and review the District budget proposal of the District Finance Committee
  - 5.1.1.9 to recommend the District budget to the District Annual Assembly with due notice to the membership
  - 5.1.1.10 to elect the District President and the District Vice-President
  - 5.1.1.11 to appoint a District Returning Officer and a chair for AMDA
  - 5.1.1.12 where the District President has been unsuccessful, to mediate a dispute between Units and to refer unresolved disputes to a provincial mediator
  - 5.1.1.13 to assign such other responsibilities as needed from among its members
  - 5.1.1.14 to appoint five (5) members to the District Anti-Harassment/Anti-Bullying Appeal Committee prior to September 30 of each year
  - 5.1.1.15 to appoint the District Secretary from among membership of District 25.

### **5.2 District President**

- 5.2.1 It shall be the duty of the District President:
- 5.2.1.1 to chair meetings of the District Executive Council
  - 5.2.1.2 to refer matters of concern to the appropriate Units
  - 5.2.1.3 to advise and assist Unit officers as requested
  - 5.2.1.4 to facilitate a good working relationship between Units and to attempt to mediate any dispute between Units when requested by the Presidents of the Bargaining Units involved.

- 5.2.1.5 to act as signing officer for the District
- 5.2.1.6 to be liaison to the District Political Action Committee
- 5.2.1.7 under direction of the District Executive Council, to be responsible for the operation of the District office
- 5.2.1.8 to represent the District at the annual meetings of the Units as requested
- 5.2.1.9 to serve as constitutional advisor to the District and maintain the District Constitution
- 5.2.1.10 to be responsible for the District archives
- 5.2.1.11 to perform duties as directed by the District Executive Council
- 5.2.1.12 to report annually to the District Assembly
- 5.2.1.13 to be an ex officio member of all District Standing Committees
- 5.2.1.14 to serve as the District Officer responsible for the offices listed in provincial O.S.S.T.F bylaw 23.1.4, which are not otherwise assigned in this constitution, for the purposes of implementation of provincial initiatives and to coordinate among appropriate bargaining unit officers as needed.

### **5.3 District Secretary**

- 5.3.1 It shall be the duty of the District Secretary:
  - 5.3.1.1 to be liaison to the District Communications Committee
  - 5.3.1.2 to be responsible for all records and minutes of the District Executive Council and the District Assembly
  - 5.3.1.3 to manage all District elections under the direction of the District Returning Officer and in accordance with By-Law 12.
  - 5.3.1.4 to perform other duties as assigned by the District Executive Council

### **5.4 District Vice-President**

- 5.4.1 It shall be the duty of the District Vice-President:
  - 5.4.1.1 to perform duties of the District President in his/her absence
  - 5.4.1.2 to assume responsibilities as directed by the District President or District Executive Council
  - 5.4.1.3 to act as a signing officer for the District.

### **5.5 District Treasurer**

- 5.5.1 It shall be the duty of the District Treasurer:
  - 5.5.1.1 to keep an account of all monies received and disbursed in accordance with accepted accounting practices
  - 5.5.1.2 to chair the District Finance Committee



- 5.5.1.3 to deposit all monies received, in a chartered bank, trust company or credit union in the name of O.S.S.T.F. District 25
- 5.5.1.4 to issue receipts for all monies received as required.
- 5.5.1.5 to submit a statement of income and expenses and a budget report for the District and its Units to all Unit Presidents and Treasurers monthly
- 5.5.1.6 to pay all authorized accounts in accordance with the By-Laws of the District
- 5.5.1.7 to act as a signing officer for the payment of all accounts authorized by Unit spending authorities
- 5.5.1.8 to present annually to the District Assembly a detailed financial report for the preceding fiscal year
- 5.5.1.9 to present the Annual Budget to the District Assembly for approval
- 5.5.1.10 to act as a liaison between the District and the O.S.S.T.F. on financial matters.

## **5.6 Finance Committee**

- 5.6.1 It shall be the duty of the District Finance Committee:
  - 5.6.1.1 to draft the annual District budget in accordance with By-Law 6
  - 5.6.1.2 to implement the budgetary process according to By-Law 6
  - 5.6.1.3 to recommend the disposition of District budgetary surplus
  - 5.6.1.4 to act as an advisory body to the District on financial and budgetary matters
  - 5.6.1.5 to determine the application of any District levy in an equitable manner
  - 5.6.1.6 to elect the District Treasurer.

## **5.7 Communications Committee**

- 5.7.1 It shall be the duty of the District Communications Committee:
  - 5.7.1.1 to keep membership aware of O.S.S.T.F. programs and activities
  - 5.7.1.2 to promote unity and professionalism in the District
  - 5.7.1.3 to co-ordinate the distribution of information to the District and the public as directed by the District Executive Council
  - 5.7.1.4 to act upon communication requests from Units
  - 5.7.1.5 to report to the District Executive Council in a timely manner
  - 5.7.1.6 to report to the Annual Meeting of the District Assembly.

## **5.8 District Negotiations Advisory Committee**

- 5.8.1 The District Negotiations Advisory Committee shall meet, at the call of at least three (3) of the members of the Committee, to discuss and exchange information on the progress of Negotiations and Contract Maintenance with the OCDSB.

## **5.9 Provincial Councillors**

5.9.1 Unit Presidents in their role as Provincial Councillors:

- 5.9.1.1 It shall be the duty of the Unit Presidents (in their role as Provincial Councillors):
- 5.9.1.2 to be members of the District Delegation to the Annual Meeting of the Provincial Assembly.
- 5.9.1.3 to elect a District Delegation Leader to the Annual Meeting of the Provincial Assembly.
- 5.9.1.4 to assign the District Delegation Alternates to the Annual Meeting of the Provincial Assembly.

## **5.10 Annual Meeting of the District Assembly**

5.10.1 It shall be the duty of the Annual Meeting of the District Assembly:

- 5.10.1.1 to approve the inclusion of additional Bargaining Units
- 5.10.1.2 to amend the District Constitution and By-Laws
- 5.10.1.3 to establish, amend or rescind District policy
- 5.10.1.4 to receive and approve the report of the District Treasurer
- 5.10.1.5 to approve the District budget
- 5.10.1.6 to conduct such other business as determined by the District Executive Council or the Annual Meeting of the District Assembly.

## **5.11 District Membership**

5.11.1 It shall be the duty of each member of the District:

- 5.11.1.2 to comply with the O.S.S.T.F. Objects and Ethics
- 5.11.1.3 to receive the approval of the District Executive Council or the District President before releasing to any outside body a brief or communication which could be interpreted as representing District policy.

## **By-Law 6 District Budget**

- 6.1 The District budget shall be drafted by the District Finance Committee for submission to the District Executive Council for recommendation of approval at AMDA.
- 6.2 The District budget shall be distributed to AMDA delegates seven (7) days prior to its presentation to the Annual Meeting of the District Assembly.
- 6.3 All revenues shall be identified as accruing to the District save and except Unit levies as identified in the Unit Constitutions.
- 6.4 The total monies accruing to each Unit will be identified following establishment of the District financial needs.
- 6.5 The Budget shall identify:

- 6.5.1 District income
- 6.5.2 District expenses
- 6.5.3 District levy if applicable
- 6.5.4 District reserve fund if applicable
- 6.5.5 the total to be remitted to each Unit
- 6.6 remittances to each Unit shall be based upon full-time equivalent membership
- 6.7 proposed District expenditures shall not exceed District revenue
- 6.8 Unit Budgets shall be submitted to their membership for approval
- 6.9 Unit Budgets may include provisions for a Unit levy
- 6.10 surplus Unit funds and deficits shall remain to the credit of that Unit
- 6.11 approved Unit Budgets shall be submitted to the District Treasurer.

**By-Law 7 District Levy**

- 7.1 The District shall have the right to establish a District levy.
- 7.2 A District levy shall be established in accordance with By-Law 6.
- 7.3 The proposed District budget shall show the amount of the required levy as a cost per member.
- 7.4 Approval of the budget shall result in approval of the required levy.

**By-Law 8 District Reserve Funds**

- 8.1 The District may establish a District General Operating Reserve Fund.
  - 8.1.1 Funds may be allocated to the District General Operation Reserve Funds by the Annual Meeting of the District Assembly.
  - 8.1.2 Funds may be expended from the District General Operating Reserve Funds or in accordance with the Assembly-established purpose(s) of the Fund:
    - 8.1.2.1 by resolution of the District Executive Council up to twenty-five (25) percent of the Fund
    - 8.1.2.2 by resolution of the District Assembly.
  - 8.1.3 Funds may be expended to provide funds of an emergency nature as determined by the District Executive Council
- 8.2 The District may establish a District 25 Provincial Leadership Reserve Fund.
  - 8.2.1 The Provincial Leadership Reserve Fund shall operate under the following criteria:
    - 8.2.1.1 the fund shall be allocated \$10,000 from Members' Equity
    - 8.2.1.2 the funds shall be allocated to pay up to \$5,000 per candidate for expenses of members of the District in their candidacy for Provincial O.S.S.T.F. office

- 8.2.1.3 the funds shall be allocated by the District Executive Council.
- 8.3 The District may establish a Service Gratuity Payable Reserve Fund.
- 8.3.1 Funds shall be allocated to the Service Gratuity Payable Reserve Fund according to the Annual District Budget line 8707
- 8.3.2 Funds shall be expended as per the terms of the staff agreements.
- 8.4 The District may establish a Capital Building Expenses Payable Reserve Fund.
- 8.4.1 Funds shall be allocated to the Capital Building Expenses Payable Reserve Fund according to the Annual District Budget line 8917
- 8.4.2 Funds shall be expended to purchase office space or property or to enhance or repair the property
- 8.5 The District may establish a District PD Reserve Fund
- 8.5.1 Funds shall be allocated to the District PD Reserve Fund at the end of the year from surplus 2010 funding
- 8.5.2 Funds shall be expended when District workshops and training is offered.
- 8.6 The District Treasurer shall present a report on the status of all of the District Reserve Funds to the Annual Meeting of the District Assembly.

## **By-Law 9 Meetings**

### **9.1 District Assembly**

- 9.1.1 There shall be an Annual Meeting of the District Assembly in each Federation year to be held no later than May 15.
- 9.1.2 There shall be meetings of the District Assembly:
  - 9.1.2.1 at the call of the District President as determined by the District Executive Council
  - 9.1.2.2 at the written request of a ten (10) members of Assembly representing at least three (3) Bargaining Units.

### **9.2 District Executive Council**

- 9.2.1 The District Executive Council shall meet:
  - 9.2.1.1 at least four (4) times in each Federation Year, and the incoming Council shall meet in June of the preceding Federation Year
  - 9.2.1.2 at other times at the call of the District President;
- 9.3.1.3 at the call of the District President within ten (10) days of a written request from two (2) members of the District Executive Council or a written request from a Unit Executive.

### **9.3 District Standing Committees**

- 9.3.1 The District Finance Committee shall meet:

- 9.3.1.1 at least four (4) times during each Federation year
- 9.3.1.2 at such times as required to implement By-Law 4
- 9.3.1.3 at the call of the District Treasurer

#### **9.4 District Meeting**

- 9.4.1 A meeting of the District membership may be called
  - 9.4.1.1 by the District President as determined by the District Executive Council or the District Assembly.
  - 9.4.1.2 by a group of members, comprising of at least 5% of members of each Bargaining Unit, submitting a written application to the District Executive Council. Such a meeting will be convened within 30 days.

#### **By-Law 10 Vacancies**

- 10.1 Should a vacancy occur in the office of District President, District Vice-President, the District Executive Council shall appoint a replacement from among its members.
- 10.2 Should a vacancy occur in the office of District Treasurer, the District Finance Committee will elect a replacement from among the membership of the District.
- 10.3 Vacancies filled under By-Law 10 shall be for the duration of the unexpired term under the provisions of the Constitution and By-Laws.
- 10.4 Should a vacancy occur in the office of District Secretary, the District Executive Council shall appoint a replacement from among the membership of the District.

#### **By-Law 11 Quorums**

- 11.1 A quorum for meetings of the District Executive Council shall be fifty (50) percent of the members of Council.
- 11.2 A quorum for meetings of the District Assembly shall be the members present and voting at the assembly.
- 11.3 A quorum for meetings of District Standing Committees shall be the members of the Committee qualified to vote, present and voting from three (3) District Units.

#### **By-Law 12 Election Procedures**

- 12.1 Notice of elections shall be received thirty (30) days prior to the date of election which shall be held no later than May 15.
- 12.2 The Annual Meeting of District Assembly shall hold elections for District positions as approved by the District Executive Council or the Annual Meeting of the District Assembly, or as identified in article 4.3 and in accordance with Bylaw 4.
- 12.3 Elections shall be conducted by the District Returning Officer.
- 12.4 Candidates may be nominated up to the time when nominations are called for at

the District Assembly if their nomination papers are signed by ten (10) Members.

- 12.5 All candidates for election will be given the opportunity to address the meeting(s) and answer questions.
- 12.6 Candidates for office shall be allowed three (3) minutes to speak.
- 12.7 Each candidate shall be allowed to name a scrutineer to observe the counting of ballots at each polling station.
- 12.8 All elections shall be conducted by secret ballot.
- 12.9 For election, a candidate must receive a majority of the votes cast.

### **By-Law 13 Amendments to the By-Laws**

- 13.1 Amendments to these By-Laws shall be made consistent with the Constitution and By-Laws of O.S.S.T.F. and with the Constitution of District 25.
- 13.2 Amendments to these By-laws may be proposed at a meeting of the District Assembly following due notice of motion.
  - 13.2.1 Due notice of motion shall be given:
    - 13.2.1.1 when the District Secretary receives written notice of the proposed amendment at least twenty-one (21) days prior to the meeting of the District Assembly
    - 13.2.1.2 when the membership has been informed in writing seven (7) days prior to the meeting of the District Assembly.
- 13.3 Amendments to these By-Laws shall require:
  - 13.3.1 the support of the majority of the members to the District Assembly qualified to vote, present and voting, due notice of motion having been given
  - 13.3.2 the support of two-thirds (2/3) of the members to the District Assembly qualified to vote, present and voting, due notice of motion not having been given.