

BY-LAWS

Of

**Ontario
Secondary School
Teachers' Federation
(OSSTF)**

DISTRICT 20 (Halton)

**Occasional Teachers'
Bargaining Unit (OTBU)**

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DEFINITIONS

For the purpose of these documents:

“Constitution” shall mean a system of fundamental principles by which District 20 OTBU is governed.

“By-Laws” shall mean the rules and regulations governing District 20 OTBU.

“Member in good standing” shall mean registered with Ontario College of Teachers (OCT) and has worked in the previous 95 consecutive instructional days.

BY-LAW 1 Duties of Members:

1.1 The Members shall:

- 1.1 comply with the OSSTF Provincial Bylaw 2.2 Duties of Members.
- 1.2 unless forbidden by law, refrain from undertaking or supporting actions which undermine, or attempt to undermine, any sanction(s) imposed by OSSTF in relation to Central/Local Bargaining (OSSTF Constitution & By-Laws Article 15 By-Laws Section 2.2.2.4).

BY-LAW 2 Duties of Executive:

2.1 The Executive shall:

- 2.1.1 administer the business of the D20 OTBU between Annual General Meetings. (AGM).
- 2.1.2 establish interim policies and amend existing policies in order to facilitate the business of the D20 OTBU.
- 2.1.3 present policies and amendments at the AGM.
- 2.1.4 communicate regularly with Members.
- 2.1.5 prepare a projected budget for presentation at the AGM.
- 2.1.6 designate five (5) signing officers from the Executive for cheques drawn on the D20 OTBU account
- 2.1.7 ensure that all cheques are signed by two of the designated signing officers and for each cheque, one of the signing officers must be the Treasurer.
- 2.1.8 hold at least six (6) regular Executive meetings annually.
- 2.1.9 hold other Executive meetings at the call of the President.
- 2.1.10 appoint, when necessary, a successor to complete any unexpired term of an elected Local representative.
- 2.1.11 appoint Member(s) to the following:
 - a) Collective Bargaining Committee
 - b) Health and Safety Committee
 - c) any other Standing/Ad hoc Committees

BY-LAW 3 Duties of Executive Members:

3.1 The President shall:

- 3.1.1 be the Chief Executive Officer for Collective Bargaining purposes. (OSSTF Bylaw 19.8.1)
- 3.1.2 be an ex-officio Member of all Bargaining Unit (D20 OTBU) committees. (OSSTF Bylaw 19.8.2)
- 3.1.3 have a fiduciary responsibility to the membership.
- 3.1.4 assume the duties of the D20 OTBU President as outlined in the Provincial Council OSSTF Handbook in a fair and equitable manner.
- 3.1.5 act as District 20 President on a rotating basis as outlined in the D20 District Council Constitution.
- 3.1.6 be the official spokesperson for the D20 OTBU.
- 3.1.7 call and preside over all D20 OTBU Executive and General Meetings.
- 3.1.8 be a Member of the Collective Bargaining Committee, the Table Team Committee and the Employee Relations Committee.
- 3.1.9 plan for and call the AGM.
- 3.1.10 attend meetings and liaise with D20 Executive Council, Halton Union Coalition (HUC) and Ontario District Council, acting as Chair when required.
- 3.1.11 transact any and all D20 OTBU business arising from the Executive or Member Meetings.
- 3.1.12 report the activities and concerns of the District to the D20 OTBU Executive.
- 3.1.13 submit the President's report to the D20 OTBU Members at the AGM.
- 3.1.14 in consultation with the Treasurer, prepare a budget for presentation to D20 OTBU Members at the AGM.
- 3.1.15 serve as the Bargaining Unit's Provincial Councilor.
- 3.1.16 attend all OSSTF Provincial Council Meetings and submits a report to the Executive.
- 3.1.17 represent the D20 OTBU at the Annual Meeting of the Provincial Assembly (AMPA). If the President is unable to attend, then the Immediate Past President and Vice-President will attend. If there is no Immediate Past President, then a designate will attend.
- 3.1.18 Be the Chair of the D20 OTBU AMPA Delegation Team.
- 3.1.19 act as one of the signing officers for the D20 OTBU.
- 3.1.20 ensure the membership is kept informed through regular communication.
- 3.1.21 ensure that all functions of an office which is vacant /or has been vacated are carried out until the vacancy is filled.
- 3.1.22 maintain accurate records/files of correspondence received by and sent on behalf of the D20 OTBU.
- 3.1.23 assign his/her duties in a prolonged absence (greater than 2 weeks) to Vice-President.
- 3.1.24 review and oversee the content of the D20 OTBU website.
- 3.1.25 handle all day-to-day correspondence of D20 OTBU.
- 3.1.26 keep the official rolls of the STO and LTO Members, giving names, email addresses, and mailing addresses.
- 3.1.27 designate, as necessary, any of the above duties.
- 3.1.28 make recommendations and/or take actions as required for complaints alleging improper conduct on the part of any Member.

3.2 The Immediate Past President:

- 3.2.1 shall act in an advisory capacity to the D20 OTBU Executive for a period of up to 2 years.
- 3.2.2 shall Chair the Nominating Committee.
- 3.2.3 shall act as a signing officer of the D20 OTBU.
- 3.2.4 may be an AMPA delegate.
- 3.2.5 may be the Chair of the D20 OTBU AMPA Delegation Team in the absence of the President and Vice-President.
- 3.2.6 shall assume duties as assigned by the Executive.

3.3 The Vice-President:

- 3.3.1 shall perform the duties of the President in his/her absence, as requested.
- 3.3.2 shall act as a signing officer of the D20 OTBU.
- 3.3.3 shall be a Member of the Employee Relations Committee.
- 3.3.4 shall be the Chair of the Grievance Appeals Committee.
- 3.3.5 may be an AMPA delegate.
- 3.3.6 may become the Chair of the D20 OTBU AMPA Delegation Team in the absence of the President.
- 3.3.7 shall assume duties as assigned by the Executive.

3.4 The Treasurer shall:

- 3.4.1 have custody of the books and records belonging to D20 OTBU.
- 3.4.2 keep accurate and detailed financial records of the D20 OTBU based on the fiscal year of July 1 to June 30.
- 3.4.3 ensure that all dues and monies owing to D20 OTBU are collected and properly recorded.
- 3.4.4 maintain a written record of all receipts and disbursements of D20 OTBU.
- 3.4.5 deposit all monies in a Chartered Financial Institution in an account entered in the name of D20 OTBU.
- 3.4.6 report at each Executive meeting on revenues, expenses, investments and current bank balance for the immediate preceding month and provide for publication in Executive minutes.
The statement shall show all revenues, expenses on an itemized basis.
- 3.4.7 make its financial records available for audit by Provincial Office upon notice of no fewer than five (5) working days.
- 3.4.8 submit by November 1 both the District budget for the current fiscal year to the Provincial Treasurer and the District's Annual Financial Report of the previous federation year to the Provincial Office.
- 3.4.9 be designated as one of the signing officers on all cheques drawn on the D20 OTBU account.
- 3.4.10 ensure that all payments have a receipt for the reimbursement of the expenditure.
- 3.4.11 provide a financial report to Members twice a year.
- 3.4.12 in consultation with the President and Executive, prepare a budget for presentation to the D20 OTBU's Annual General Meeting.
- 3.4.13 report on the current budget and present the proposed budget for approval to the AGM.
- 3.4.14 make fiscally responsible investments with the majority approval of the Executive.
- 3.4.15 forward the annual audited financial statement of the D20 OTBU to the OSSTF Provincial Office by June 30.
- 3.4.16 liaise with the Bookkeeper.
- 3.4.17 assume duties as assigned by the Executive.
- 3.4.18 upon completion of their term, the Treasurer will:
 - 3.4.18.1 complete the financial records and organize the documentation in a timely fashion.
 - 3.4.18.2 meet with the new Treasurer to pass on the following:
 - a) accounting files including bank statements and vouchers
 - b) blank cheques
 - c) Income Statement as of last day in role
 - d) Balance Sheet as of last day in role
 - 3.4.17.3 If the financial records cannot be passed on as indicated above, the records should be left with the President.
 - 3.4.17.4 Arrangements should be made as soon as possible to change signatories on banking and investment records.

3.5 The Secretary shall:

- 3.5.1 record the minutes of all Executive Meetings, any general/special meetings and the AGM.
- 3.5.2 prepare and circulate minutes of Executive Meetings within ten (10) working days.
- 3.5.3 prepare and submit to Executive the draft minutes of AGMs within ten (10) working days.
- 3.5.4 act as a signing officer of the D20 OTBU.
- 3.5.5 assume duties as assigned by the Executive.

3.6 The Chief Negotiator shall:

- 3.6.1 be the D20 OTBU's liaison to the Collective Bargaining Committee (CBC).
- 3.6.2 provide a written survey to all Members to determine the priority bargaining issues of the Members.
- 3.6.3 be responsible for preparing the negotiating brief along with the CBC and the Provincial priorities.
- 3.6.4 present the negotiating brief for approval by the Executive.
- 3.6.5 represent the Bargaining Unit at Regional Collective Bargaining Committee Meetings and/or special meetings called by Provincial OSSTF and any related workshops.
- 3.6.6 present the terms of settlement of a Collective Agreement to the membership for information and ratification.
- 3.6.6 be a member of the Grievance Appeals Committee.
- 3.6.7 assume duties as assigned by the Executive.

3.7 The Grievance Officer shall:

- 3.7.1 be responsible for all grievances.
- 3.7.2 be a Member of the Negotiating Team.
- 3.7.3 work on contract maintenance with the Chief Negotiator.
- 3.7.4 prepare a summarized Annual Report of Grievances for the AGM. This report will preserve the confidentiality of all grievors.
- 3.7.5 maintain Members' rights according to the Collective Agreement.
- 3.7.6 assume duties as assigned by the Executive.

3.8 The Member-at-Large shall:

- 3.8.1 assume the role and duties of the Immediate Past President when said position is vacant.
- 3.8.2 assume duties as assigned by the Executive.

BY-LAW 4 Standing Committees

- 4.1 D20 OTBU shall form Standing Committees that may include, but are not limited to:
 - 4.1.1 Collective Bargaining
 - 4.1.2 Health and Safety
 - 4.1.3 Communications & Political Action
 - 4.1.4 Education Services
 - 4.1.5 Human Rights
 - 4.1.6 Status of Women
- 4.2 The Chair of each Standing Committee shall be elected by the committee at its first meeting unless indicated otherwise in the By-Laws.
- 4.3 Membership of the Committee is composed of at least 2 and not more than 5 Members-at-large selected by the Executive after advertisements have been posted and/or through direction at the AGM. One Member of the Executive will be appointed to the Committee.
- 4.4 The term of office for committee Members will commence upon their appointment by D20 OTBU Executive.
- 4.5 The terms of reference for each Standing Committee will be determined by D20 OTBU Executive.
- 4.6 Each Committee shall submit a written report on its activities to the D20 OTBU AGM.
- 4.7 Meetings shall be at the call of the Chair of the Committee a minimum of twice per year.
- 4.8 A preliminary budget will be determined at the time the Committee is formed.
- 4.9 **Local Collective Bargaining Committee (CBC)**
 - 4.9.1 The Local Collective Bargaining Committee for D20 OTBU shall include the President, Vice-President, Chief Negotiator, Treasurer, Grievance Officer and a minimum of two Members, one of which would be in a current LTO position.
 - 4.9.2 The duties of the CBC shall be to:
 - 4.9.2.1 solicit input from the membership for preparation of the negotiating brief.
 - 4.9.2.2 seek final approval for the brief from OTBU Executive and OSSTF Provincial.
 - 4.9.2.3 communicate with the Members on the progress of negotiations
 - 4.9.2.4 arrange ratification vote and report results.
 - 4.9.2.5 assume duties as requested by the Executive.
- 4.10 **Health and Safety Committee**
 - 4.10.1 The Executive will appoint a Health and Safety Officer and an alternate.
 - 4.10.2 The duties of the Health and Safety Committee shall be to:
 - 4.10.2.1 attend the HDSB Joint Health and Safety Committee as the D20 OTBU's representative.
 - 4.10.2.2 assume duties as requested by the Executive.

BY-LAW 5 Ad Hoc Committees

- 5.1 Ad Hoc Committees shall be established by D20 OTBU Executive as required.
 - 5.1.1 For each Ad Hoc Committee, a preliminary budget and time frame will be determined at the time the Committee is formed.

5.2 Local Table Team

In a Bargaining year for D20 OTBU, a Local Table Team will be struck by the D20 OTBU Executive.

- 5.2.1 The Local Table Team will represent the membership of D20 OTBU in negotiations for a Collective Agreement with HDSB.
- 5.2.2 The Local Table Team shall consist of a minimum of five (5) Members including the:
 - 5.2.2.1 Chief Negotiator of D20 OTBU, who shall serve as Chair.
 - 5.2.2.2 President of D20 OTBU
 - 5.2.2.3 Three (3) additional Members of the D20 OTBU CBC who shall be appointed by the Executive.
- 5.2.3 Upon the completion of the Local Collective Agreement, the Table Team duties are completed and the committee is dissolved.

5.3 Grievance Procedure

- 5.3.1 The President or Grievance Officer shall investigate alleged violations of the Collective Agreement and shall decide what, if any, further actions shall be taken.

5.4 Grievance Appeals

- 5.4.1 Appeals of the decisions by the President or Grievance Officer will be heard by the Grievance Appeals Committee.
- 5.4.2 The Grievance Appeals Committee shall consist of three Members of Executive including:
 - 5.4.2.1 Vice-President who shall serve as Chair.
 - 5.4.2.2 Chief Negotiator
 - 5.4.2.3 One (1) additional Member appointed by the Executive. The President or Grievance Officer whose original decision is being appealed cannot be a member of this committee and will not have a vote in the appeal process.
- 5.4.3. The Grievance Appeals Committee shall decide if any, further action shall be taken with any matter of professional difficulty for which a procedure for resolution is provided in the Collective Agreement.

BY-LAW 6 Nominations and Elections of the Executive

6.1 Nominations

- 6.1.1 A request for nominations from the membership will be advertised via email and/or mailing fifteen (15) calendar days before the AGM.
- 6.1.2 Candidates who wish their names to appear on the ballot may indicate their intention to run for office by submitting their name, supported by two other Members' signatures. -
- 6.1.3 Any Member of D20 OTBU may be nominated "from the floor" by two Members present and in good standing.
- 6.1.4 Only Members in good standing of D20 OTBU may be candidates for office.

6.2 Elections

- 6.2.1 Election to the offices of D20 OTBU Executive shall take place at the AGM.
- 6.2.2 A presiding officer will be appointed, by the Executive, to call the nominations closed and declare the elections to proceed.
- 6.2.3. Elections for D20 OTBU Executive shall be in the order listed in D20 OTBU Constitution. Article 7.
- 6.2.4 All candidates, if they so choose, shall be given an opportunity to address the AGM.
 - 6.2.4.1 If there is more than one (1) nomination for any given position, the speaking order will be determined by drawing lots.
 - 6.2.4.2 The length of speeches will be as follows:
 - 6.2.4.2.1 five (5) minutes in the case of President
 - 6.2.4.2.2 three (3) minutes for all other positions
- 6.2.5 Elections for D20 OTBU Executive shall be by secret ballot at the AGM, with balloting carried out by the presiding officer.
- 6.2.6 To be elected to D20 OTBU Executive the candidate must receive a majority of the ballots cast by those Members present, qualified to vote and in good standing.
- 6.2.7 In the case of more than 2 candidates, if there is no majority, the candidate with the fewest votes must withdraw and a further ballot must be held.
- 6.2.8 When the ballot result is a tie between 2 candidates, a further ballot is held. If a tie occurs a second time, the candidates shall draw lots to see who is elected.
- 6.2.9 Defeated candidates, if they so choose, shall be considered for the other remaining positions for election.
- 6.2.10 For any Executive position with only 1 nominee, that candidate will be declared acclaimed.

BY-LAW 7 Terms of Office

- 7.1 OTBU President, Treasurer, Grievance Officer and if required, Member at Large shall be elected for a two-year term by a majority vote of the Members at the AGM who are present, voting and in good standing. These elections are to take place in every odd-numbered year.
- 7.2 OTBU Vice President, Chief Negotiator, Secretary shall be elected for a two-year term by a majority vote of the Members at the AGM who are present, voting and in good standing. These elections are to take place in every even-numbered year.
- 7.3 The term of office for Executive commences from July 1 to the end of the term on June 30.

BY-LAW 8 Vacancy

- 8.1 Any vacancy occurring mid- term shall be filled by appointment by the majority vote of the Executive.
- 8.2 Such appointee shall serve for the balance of the term.
- 8.3 In the event of the President's chair becoming vacant, the Vice-President will fill the office for the balance of the term.

BY-LAW 9 Meetings

- 9.1 At all D20 OTBU Member meetings the President shall preside. In the absence of the President, the Vice-President shall preside.
- 9.2 Voting on all matters except where otherwise covered in the Constitution and By-Laws shall be by a show of hands.
- 9.3 All meetings shall be conducted as per Roberts Rules of Order and the OSSTF Provincial Constitution & By-Laws.

BY-LAW 10 Funds

- 10.1 The fiscal year of D20 OTBU shall be from July 1 to the subsequent June 30.
- 10.2 The Treasurer shall be the administrator of D20 OTBU funds and shall disburse those funds in accordance with the Budget as approved at the AGM.
- 10.3 Allowable expenses incurred on behalf of D20 OTBU shall be paid when they are submitted with appropriate receipts, as approved by D20 OTBU Executive.
- 10.4 Allowable expenses incurred by members for Professional Development, meetings, and activities, as approved by D20 OTBU Executive, shall be paid when they are submitted with appropriate receipts.
- 10.5 **Dues**
 - 10.5.1 Members shall pay annual OSSTF dues as prescribed in the Bylaws of Provincial OSSTF and the Collective Agreement.
 - 10.5.2 A Local Levy may be required by D20 OTBU. The amount of the levy shall be approved at the D20 OTBU AGM as determined in the Collective Agreement (Article 8).
- 10.6 The Treasurer may request an audit by OSSTF of D20 OTBU financial records.

BY-LAW 11 Remuneration and Release Time

- 11.1 The annual rate of pay for the D20 OTBU President will be 50% of Category 4 maximum on the grid as listed in the current Collective Agreement.
- 11.2 A Member of D20 OTBU or OTBU Executive Member, other than the President who is released for D20 OTBU duties, shall be paid the casual occasional rate as per the current Collective Agreement.

BY-LAW 12 Compensated Position – Book Keeper

12.1 Hiring Qualifications

12.1.1 The candidate should possess some computer skills and financial skills as a bookkeeper.

12.2 Remuneration

12.2.1 Remuneration will be commensurate with the qualifications of the successful candidate. The maximum remuneration shall be as negotiated and approved by the Executive and then approved by the membership at the AGM.

12.3 Length of Term

12.3.1 The length of term will be on a casual, as needed, basis.

12.4 Selection Process

12.4.1 The Interview Team will be comprised of two (2) members of the Executive, one who must be the Treasurer, and will interview all prospective candidates.

12.4.2 The Interview Team will make a recommendation to the Executive.

12.4.2 Approval of the Interview Team’s recommendation will occur by a simple majority vote of the Executive.

12.5 Job Description

12.5.1 The bookkeeper will liaise with the Treasurer on a mutually convenient basis.

12.5.2 The bookkeeper will maintain a written record of all receipts and disbursements as authorized by the D20 OTBU.

BY-LAW 13 Anti-Harassment Policy

As stated in the Occupational Health & Safety Act the definition Harassment is:

“engaging in a course of vexatious comments or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.”

According to the Human Rights Code, every employer in Ontario has a legal obligation to provide a workplace free from harassment. This obligation extends to protecting members from harassing acts committed by other employees, management personnel, agents of the employer, and student, parents and guardians.

Every member has the right to have a safe and harassment-free workplace.

131 D20 OTBU has an Anti-Harassment Policy that is in effect at all HDSB and OSSTF workplaces and functions.

132 D20 OTBU has an Anti-Harassment Resolution and Complaint Procedure (Refer D20OTBU Policies & Procedures 34).

133 D20 OTBU has an Anti-Harassment Appeals Procedure (Refer D20OTBU Policies & Procedures 35).

134 The Anti-Harassment Officer will be appointed by the Executive when required. The Anti-Harassment Officer will not have any connection to the either party, either as being named in the complaint or in a personal way.

**BY-LAW 14 ANNUAL MEETING OF THE PROVINCIAL ASSEMBLY (AMPA)
DELEGATE SELECTION PROCEDURE**

14.1 The AMPA Delegation Selection procedure and timelines that must be followed are outlined in the D20 OTBU Policies & Procedures (Refer to Policies & Procedures 11).

RULES OF ORDER

RULE 1 Meetings

1.1 Order of Business

At meetings of the D20 OTBU the sequence of the meetings may be as follows:

- a) At the first meeting of the year, AGM and then, at the discretion of the Chair, the OSSTF Pledge and the OSSTF Anti-Harassment Policy or the Anti-Harassment & Equity Declaration shall be read.
- b) Recording of Members and guests present.
- c) Reading and acceptance of the Minutes.
- d) Business arising from the Minutes.
- e) Treasurer's report.
- f) Committee reports.
- g) Business arising from the correspondence.
- h) Old business.
- i) New business.
NOTE: At the Annual General Meeting, new business will include elections, fixing of dues for the upcoming year, appointing auditors and the summarized Annual Report of Grievances.
- j) Adjournment