



**TEACHER BARGAINING UNIT
ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION
DISTRICT 20 HALTON**

CONSTITUTION AND BYLAWS

REVISED October, 2019

Definitions

In this Constitution

1. "O.S.S.T.F." shall mean the Ontario Secondary School Teachers' Federation.
2. "District" shall mean "District Twenty Halton."
"Branch" shall mean a Branch Organization of the O.S.S.T.F.
3. "Member" shall mean a statutory member except where otherwise stated.
4. "Bylaw" shall mean Bylaws made under this Constitution.
5. "Board" shall mean The Halton District School Board.

Articles

ARTICLE 1 – Name

The organization shall be known as the Teacher Bargaining Unit, Ontario Secondary School Teachers' Federation, District 20, Halton.

ARTICLE 2 - Objects

The objects of O.S.S.T.F. T.B.U. District 20 Halton shall be:

- 2.1 to protect its Members both individually and collectively from discrimination in placement, mobility, tenure, conditions of work, leaves, remuneration, and professional development regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or handicap and to ensure that none of the civil, human and legal rights enjoyed by other Ontario residents shall be denied its members;
- 2.2 to secure and maintain for all statutory Members of T.B.U. O.S.S.T.F. District 20 Halton collective bargaining rights, including the right to strike;
- 2.3 to promote and advance the cause and standards of education;

- 2.4 to promote a high standard of professional ethics and a high standard of professional competence;
- 2.5 to secure for teachers active participation in formulating educational policies and practices affecting secondary schools;
- 2.6 to work toward control of our professional destiny;
- 2.7 to promote political action to ensure that legislation regulating educational structures and policies is in the best interest of teachers, students and the community.

ARTICLE 3 - Ethics

- 3.1 These shall be in accordance with the Constitution and By-Laws of O.S.S.T.F.

ARTICLE 4 – Membership

Members shall be as defined in the Constitution and By-Laws of O.S.S.T.F.

- 4.1 Statutory Members employed by the Board;
- 4.2 Voluntary Members employed by the Board;
- 4.3 Honorary Associate Members;
- 4.4 Provincial Life Members.

ARTICLE 5 - Organization

Section One – T.B.U. Annual Assembly

- 5.1 There shall be an Annual Assembly convened at least once each fiscal year no later than the second Tuesday of May, and at any other time during the year as required by the Constitution or requested by T.B.U. Council.
- 5.2 Voting Members at an Assembly shall be:
 - 5.2.1 registered delegates from each Branch to a maximum of one delegate for each twenty Members of the Branch or a major fraction thereof;
 - 5.2.2 the Branch President;
 - 5.2.3 the TBU Executive.
- 5.3 Non-voting Members shall be:
 - 5.3.1 Standing Committee Chairpersons who are not registered delegates;
 - 5.3.2 Staff Officer-Member Protection and Staff Officer-Health & Safety;
 - 5.3.3 Steering Committee;

5.3.4 Provincial Executive Liaison and Secretariat Member.

Section Two - The Teacher Bargaining Unit Council

5.4 There shall be a Council consisting of:

5.41 Voting members as follows:

5.42 One Branch President elected by each Branch (or an Alternate designated by the Branch President and recognized by the Chair);

5.43 The T.B.U. Executive.

5.44 Non-voting members as follows:

5.45 The Chair of Council.

5.5 Council will meet:

5.51 at least ten times each fiscal year

5.52 at times other than in 5.51 upon:

5.53 the request of the President to the Chair, or

5.54 the request of any four Branch Presidents to the Chair.

Section Three - The T.B.U. Executive

5.6 There shall be an Executive consisting of:

5.61 Voting Members:

- the immediate Past President, for a one-year term, if he/she accepts the position;
- the President;
- two Vice-presidents;
- the Treasurer;
- the Communications Coordinator;
- the Educational Services Officer.

5.62 Non-voting Members: Staff Officer- Health & Safety, Staff Officer- Member Protection, the Vice-Chair of Council, and the Chair of Council.

5.63 The Executive shall meet to conduct the business of the Executive at least 10 times each fiscal year and in addition at the request of the President, or any three members of the Executive.

Section Four - Committees

- 6.1 There shall be Standing Committees as designated in the Bylaws.
- 6.2 There shall be Ad-hoc Committees created by the Annual Assembly, Council, or Executive as they may deem necessary.
- 6.3 Each Ad-hoc Committee shall be responsible to the body that created it, unless otherwise specified in its terms of reference.

Section Five - Funds

- 7.1 The Bargaining Unit will operate on the rebate from the Provincial O.S.S.T.F. and a mandatory levy and any other funds received by the Bargaining Unit through donations, investment interest, or other sources.
- 7.2 The Council may request from the membership a voluntary levy for stated purposes.

Section Six – Quorum

- 8.1 The quorum for the Annual Assembly will be forty percent of the eligible voting members;
- 8.2 The quorum for a Council meeting will be sixty percent of the eligible voting members;
- 8.3 The quorum for an Executive meeting will be four of the six voting members of the Executive. The Chair casts the deciding vote in the event of a tie.

ARTICLE 6 – Branch Organization

Section One - Branches

- 6.1 Each secondary school shall be a Branch.
- 6.2 All Members in Section 23 programs will constitute one Branch.
- 6.3 All Members employed at the Board Offices will constitute one Branch.
- 6.4 All members of Gary Allan High School shall constitute one Branch.

Section Two -Structure of a Branch

- 6.5 The Branch may have a Constitution if it so decides, but such Constitution must be consistent with this Constitution.

- 6.6 Each Branch shall have a:
- 6.61 Branch President and an Alternate, or Co-Branch Presidents who will act as the Staff representative(s);
 - 6.62 Grievance Officer.
 - 6.63 Where the Branch President position has been vacated and/or left unfilled by an election call, the Branch will be considered to be in Trusteeship, directly represented by the TBU President and TBU Staff Officer - Member Protection, or in the absence of both, a designated member of the Executive.
 - 6.64 Gary Allan High School, a multi-site school, may have additional Work Site Representatives, who report back to the Branch President or Co-Branch Presidents.
 - 6.65 Each Branch may have an Executive consisting of a President, a Secretary, and such other positions as Members of that Branch may decide.

ARTICLE 7 – Bylaws

The Assembly may pass Bylaws not inconsistent with the Constitution and Bylaws of Provincial O.S.S.T.F. concerning:

- 7.1 the procedure for the election of its various office-holders;
- 7.2 the management of its own internal organization and administration;
- 7.3 the time, place and, conduct of the Annual and any other meeting;
- 7.4 the establishment, amendment, and rescission of Policy;
- 7.5 all other matters as are deemed necessary or convenient for the promotion of the welfare of its Members or the conduct of the business of O.S.S.T.F., Teacher Bargaining Unit, District 20 Halton.

ARTICLE 8 - Amendments

Amendments to this Constitution may be made at the Annual Assembly:

- 8.1 by a two-thirds vote of the Members qualified to vote, present and voting, provided that a NOTICE OF MOTION has been given in writing to the Chair at least one month prior to the Assembly, and circulated to all schools for posting at least one week prior to the Assembly;
- 8.2 by a three-fourths vote of the Members qualified to vote, present and voting provided that a NOTICE OF MOTION has been given in writing to the Treasurer at least two weeks before the Assembly, and circulated to all schools for posting at least one week prior to the Assembly;

- 8.3 by a nine-tenths vote of the Members qualified to vote, present and voting, previous notice as in 8.1 or 8.2 not having been given.

ARTICLE 9 - Interpretation

This Constitution in its interpretation or execution shall be regarded as consistent with the Constitution of the Ontario Secondary School Teachers' Federation.

BYLAWS

BYLAW 1 – Federation Year

The Federation fiscal year shall be from July 1st to June 30th.

BYLAW 2 - Membership

Section One – Rights and Privileges

- 1.1 These shall be in accordance with the Constitution and By-Laws of O.S.S.T.F.;
- 1.2 It is the right of every member to equal treatment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, pregnancy, or disability.
- 1.3 It is the right of every Member to appeal the decision of the TBU Grievance Committee in respect of a duly processed grievance. Such appeal is to be made in writing to the TBU Executive within five instructional days of the recommendations of the Grievance Committee having been given to the grievor.

Section Two – Duties of Members

- 2.1 It shall be the duty of every Member to comply with the Constitution and Bylaws of O.S.S.T.F.;
- 2.2 It shall be the duty of every Member to comply with the Constitution and Bylaws of O.S.S.T.F. District 20 Halton, Teacher Bargaining Unit to support the policies of O.S.S.T.F. District 20 Halton Teacher Bargaining Unit and to seek to change the Constitution, Bylaws and Policies only through the proper procedures.

BYLAW 3 – Organization

Section One – The Annual T.B.U. Assembly – Powers and Duties

The Annual T.B.U. Assembly:

- 1.1 shall elect
 - the T.B.U. President - every second year
 - the T.B.U. Treasurer
 - Two T.B.U. Vice-Presidents
 - the T.B.U. Communications Coordinator
 - the T.B.U. Educational Services Officer
- 1.2 shall have the authority to amend the Constitution, Bylaws, Policy and Procedures according to the provisions of the Constitution and Bylaws.
- 1.3 shall, prior to the conclusion of its annual meeting, approve the budget for the following fiscal year.

Section Two – T.B.U. Council – Powers and Duties

The T.B.U. Council:

- 2.1 represents the Membership.
- 2.2 shall meet:
 - 2.2.1 at its inaugural meeting called by the T.B.U. President
 - 2.2.2 at such other times as called by the Chair in accordance with Bylaw 3, Section 4, sub-section 4.1.
- 2.3 shall elect:
 - 2.3.1 at its inaugural meeting, a Chair of Council from among its members or from the membership
 - 2.3.2 a Vice-Chair of Council from among its members at its inaugural meeting.
- 2.4 shall appoint at one of its first or second meetings, and for each fiscal year, an auditor to examine and report on the financial records.
- 2.5 may determine interim policy between Annual Assemblies.
- 2.6 shall appoint at the earliest opportunity, and may dismiss:
 - 2.6.1 Chairs of T.B.U. Standing Committees;
 - 2.6.2 members of T.B.U. Standing Committees;
 - 2.6.3 members of T.B.U. Council Ad-Hoc Committees;

- 2.6.4 members of Annual Assembly Ad-Hoc Committees, where such authority is delegated by the Annual Assembly;
- 2.6.5 delegates and alternates to the Annual Meeting of the Provincial Assembly;
- 2.6.6 members of other committees for which representation is needed.

2.7 may call meetings of the Annual Assembly.

2.8 shall determine the amount of the local levy based on the budget that was approved at the Annual Assembly.

2.9 shall have the authority to approve over-expenditures in the Executive line item.

2.10 will determine the terms of reference for its ad-hoc committees.

2.11 will appoint from the TBU Executive or the TBU Council an additional Provincial Councillor in the event that the Vice-Presidents are unwilling or unable to accept the assignment.

Section Three – Branch President – Powers and Duties

The Branch President will:

- 3.1 represent his/her Branch at T.B.U. Council and Assembly meetings;
- 3.2 call meetings of the Branch for the discussion of O.S.S.T.F. matters;
- 3.3 take on the duties as outlined in the Procedures;
- 3.4 take whatever therapeutic action is necessary to maintain good staff relations in the Branch;
- 3.5 if unable to attend the Council meetings, arrange to have an alternate attend;
- 3.6 bring forward Branch concerns; and
- 3.7 assume the duties of the Staff Representative with duties as outlined in the Provincial OSSTF handbook.

Section Four – Chair of T.B.U. Council – Powers and Duties

The Chair of Council will:

- 4.1 call meetings of T.B.U. Council at the written request of any four members of Council or the written request of the T.B.U. President;
- 4.2 chair the meetings of T.B.U. Council in such a way as to allow free and responsible

discussion of the questions under debate, within the Rules of Order as adopted by the Council;

- 4.3 represent the T.B.U. Council at Executive meetings;
- 4.4 present to the Annual T.B.U. Assembly those interim policies approved by T.B.U. Council since the previous Assembly;
- 4.5 chair T.B.U. Executive meetings.

Section Five – Vice-Chair of T.B.U. Council – Powers and Duties

The Vice-Chair of T.B.U. Council will act in the capacity of Chair whenever the Chair of T.B.U. Council is unable to perform the duties as outlined in By-Law 3, Section Four or on agreement between the Chair and Vice-chair. The Vice-Chair will attend the same T.B.U. Council or T.B.U. Executive meetings at the same time as the Chair as part of the ongoing training process, but only one of the two will act as Chair.

Section Six – T.B.U. Executive – Powers and Duties

The T.B.U. Executive will:

- 6.1 work toward the implementation of policy;
- 6.2 advise the T.B.U. Council on matters before it;
- 6.3 recommend to T.B.U. Council the names of Members for appointment to, or dismissal from
 - 6.3.1 Standing T,B.U. Committee Chairs
 - 6.3.2 Standing T.B.U. Committees
 - 6.3.3 the Joint Health & Safety Committee
 - 6.3.4 other committees for which representation is needed
 - 6.3.5 other committee chairs
- 6.4 create, amend or revoke terms of reference for its Committees;
- 6.5 have the power to reassign responsibilities to the Staff Officer - Member Protection, and/or Staff Officer - Health & Safety, by deleting some duties and/or adding others;
- 6.6 have the power to approve any overspending in any account of the budget, except the T.B.U. Executive account;
- 6.7 take responsibility for the duties outlined in By-Law 4, Section Three, subsection(D), and PROC – 10, with respect to the investigation of alleged violations of the Collective

Agreement, and the processing of individual and policy grievances;

- 6.8 inform the membership of Provincial O.S.S.T.F. and Ministry issues and directions;
- 6.9 ensure standing committees and ad hoc committees understand their terms of reference and responsibilities;
- 6.10 be responsible for preparation and planning of a T.B.U. Council Workshop;
- 6.11 act as an T.B.U. Executive liaison to T.B.U. Standing Committees: The primary purpose is to provide a communications link between the T.B.U. Executive and the committee. The goals, objects and responsibilities of each must be communicated to the other as is necessary. The T.B.U. Executive member may make reports to T.B.U. Executive and T.B.U. Council, on behalf of the committee. This does not preclude a report being made by the chair nor does it preclude an invitation being extended to a chairperson by the T.B.U. Executive or Council;
- 6.12 review the Constitution, By-laws, Policy and Procedures annually and provide recommendation for change, in writing , to the Branch Presidents at least 2 weeks prior to the Annual Assembly;
- 6.13 solicit and receive nominations and select recipients of awards and make recommendations for Provincial awards;
- 6.14 inform Council and the membership of District 20's process for recognizing members;
- 6.15 appoint where necessary members to Joint Committees of the Board and the Union such as the Staffing Advisory Committee and Joint Health and Safety;
- 6.16 advertise to the membership the committee positions available for the next academic year by June and in the last week of August prior to the start of the school year.

Section Seven – T.B.U. President – Powers and Duties

The T.B.U. President or his/her designate will:

- 7.1 act as the official spokesperson for O.S.S.T.F. District 20 Halton, T.B.U. on all matters;
- 7.2 act as ex-officio member of all Standing T.B.U. Committees;
- 7.3 call the inaugural meeting of T.B.U. Council before the end of June;
- 7.4 call meetings of the T.B.U. Executive;
- 7.5 prepare an agenda for each meeting of the T.B.U. Executive and Council;

- 7.6 assign duties to both the voting and non-voting members of the T.B.U. Executive;
- 7.7 prepare and conduct a goal-setting and review process with the non-voting members of the T.B.U. Executive;
- 7.8 serve as T.B.U. Provincial Councillor to attend Provincial meetings as the representative and report back to T.B.U. Council, or designate a Vice President to serve as Provincial Councillor in order that the TBU President can serve on a provincial committee;
- 7.81 bring to T.B.U. Executive so that it may recommend to T.B.U. Council, names of Members for appointment to or dismissal from:
- Standing T.B.U. Committee Chairs
 - Standing T.B.U. Committees
 - other committees for which representation is needed;
- 7.9 designate an alternate from the Executive if a Provincial Councillor is unable to attend a meeting.
- 7.10 conduct an annual performance review of the Staff Officers between January 1 and March 31, with the results reported to TBU Executive and TBU Council no later than their respective April meetings.

Section Eight – T.B.U. Vice-Presidents – Powers and Duties

The T.B.U. Vice-Presidents will:

- 8.1 act in place of the T.B.U. President at the T.B.U. President's request:
- as an additional Councillor at the Provincial Council in the event that additional Councillors are awarded to the TBU by OSSTF;
 - as a T.B.U. representative at Regional meetings of OSSTF (i.e. NOVA, GTA), and the Halton Union Coalition.
- 8.2 perform all other duties assigned by the T.B.U. President
- 8.3 perform the duties of the T.B.U. Past-President in those years when the T.B.U. Past-President position is vacant.
- 8.4 act as the Federation liaison to joint Board/Federation committees;
- 8.5 help to prepare the T.B.U. delegation for AMPA
- 8.6 be the T.B.U. Executive liaison to the Standing T.B.U. Committees;
- 8.7 attend T.B.U. Council and T.B.U. Executive meetings;

- 8.8 assist with planning and delivering New Members' Workshops
 - 8.8.1 plan new teachers' night in the fall
 - 8.8.2 disseminate information to new teachers
 - 8.8.3 encourage membership involvement in Federation activities.
 - 8.8.4 be responsible for Educational Services for the T.B.U. as deemed necessary by the T.B.U. Executive

Section Nine – T.B.U. Treasurer

The T.B.U. Treasurer will:

- 9.1 maintain a record of financial accounts for the fiscal year;
- 9.2 report to the T.B.U. Executive and to the T.B.U. Council on financial matters as requested by the T.B.U. Executive and T.B.U. Council;
- 9.3 prepare and present to T.B.U. Council a regular report on the financial matters;
- 9.4 assist in carrying out T.B.U. Vice-President responsibilities where necessary.

Section Ten – Immediate Past T.B.U. President

The Immediate Past T.B.U. President will:

- 10.1 act as the designate of the T.B.U. President upon request;
- 10.2 take responsibility for the organization of the Annual Assembly;
- 10.3 serve as alternate T.B.U. Provincial Councillor;
- 10.4 perform all other duties as assigned by the T.B.U. President;
- 10.5 serve for a period of one year.

Section Eleven – T.B.U. Staff Positions – Powers and Duties

- 11.1 The Staff Officer - Member Protection will fulfill duties as outlined in PROC. 4, and perform other duties assigned by the T.B.U. President, subject to appeal to the T.B.U. Council;
- 11.2 The Staff Officer - Health & Safety will fulfill duties as outlined in PROC 4, and perform other duties assigned by the T.B.U. President, subject to appeal to the T.B.U. Council;

Section Twelve – T.B.U. Communications Coordinator – Powers and Duties

The T.B.U. Communications Coordinator will:

- 12.1 be the Chair of the T.B.U. Communications Standing Committee;
- 12.2 serve as T.B.U. Executive liaison with the T.B.U. Communications Standing Committee;
- 12.3 prepare and arrange for the distribution of a regular newsletter and other relevant communications.

Section Thirteen – T.B.U. Educational Services Officer – Powers and Duties

The T.B.U. Educational Services Officer will:

- 13.1 serve as the T.B.U. Executive liaison with the T.B.U. Professional Development Committee;
- 13.2 be responsible for Educational Services for the T.B.U. in collaboration with the T.B.U. Executive.

BYLAW 4 - T.B.U. Standing and Ad-Hoc Committees

Section One – T.B.U. Committees

The following Standing T.B.U. Committees will be formed:

- 1.1
 - A. Collective Bargaining
 - B. Communications
 - C. Finance
 - D. Grievance
 - E. Hiring
 - F. Political Action
 - G. Professional Development
 - H. Rights and Equity
 - I. Anti-Harassment Appeals
 - J. LTD Assistance Fund
 - K. Staffing Committee
 - L. Health and Safety Representatives' Committee
 - M. Benevolent Support/Emergency Funds
 - N. Constitution, Bylaws, and Procedures
- 1.2 Ad Hoc Committees may be formed from time to time as the Executive or Council deems necessary.

Section Two – Chairperson of T.B.U. Committees – Powers and Duties

The Chairperson of a T.B.U. Committee will:

- 2.0 be elected by the voting members of the committee present at the first committee meeting of each school year, unless otherwise specified elsewhere in Bylaw 4.
- 2.1 call meetings, set agendas and record minutes which are to be filed at the District Office;
 - 2.1.1 ensure that the committee works:
 - 2.1.3 within its terms of reference and budget;
 - 2.1.4 consistently with O.S.S.T.F. District and Provincial policies;
- 2.2 submit a committee budget to the T.B.U. Treasurer at least six weeks prior to the Annual Assembly, at the request of the Finance committee;
- 2.3 carry out the responsibility for disbursement from that budget;
- 2.4 report in writing to the T.B.U. Council at least once a year;
- 2.5 report in writing to the membership at the Annual T.B.U. Assembly;
- 2.6 consult with the T.B.U. President on a regular basis about matters related to the activities of the Committee.

Section Three - Standing Committees – Membership and Terms of Reference

(A) COLLECTIVE BARGAINING

3.1 Membership

- 3.2 At least three and not more than four members at-large.
Members-at-large will be selected by an ad-hoc committee struck by Council to go through a selection process after advertisements have been posted. Selections will be approved by T.B.U. Council.
- 3.3 One member of the Executive.
The T.B.U. Executive will appoint the T.B.U. Executive representative, prior to member-at-large appointments.
- 3.4 One Branch President.
The Branch President representative will be selected by T.B.U. Council, by majority vote if necessary, prior to member-at-large appointments.

3.5 The T.B.U. Staff Officer - Member Protection.

3.51 Term of Office

3.52 The term of office for committee Members will commence upon their appointment by T.B.U. Council to negotiate a specified Collective Agreement and shall terminate upon the signing of such Agreement.

3.53 Should the Member appointed in 3.3 or 3.4 above leave office before the term of office of the Committee expires, T.B.U. Council may, at its discretion request the Member to continue to serve on the committee.

3.54 A Member may reapply at the conclusion of the term of office.

3.55 Terms of Reference

3.56 to conduct negotiations for a Collective Agreement in the best interests of the Members in order to promote quality education for students;

3.57 to keep the T.B.U. Executive, T.B.U. Council and general membership informed on all matters relating to negotiations on a regular basis;

3.58 to keep the Provincial Collective Bargaining Committee fully informed about the progress of negotiations.

(B) COMMUNICATIONS

4. Membership

4.1 Up to six members to be determined by need.

4.2. Terms of Reference

4.3 to work in conjunction with the Executive, Council and the Provincial Public Relations officers;

4.4 to keep the membership informed on affairs affecting the welfare of the Members;

4.5 to be responsible for the newsletter;

4.6 to coordinate and disseminate information from all schools, O.S.S.T.F. committees, and other activities;

4.7 to recommend communication needs.

(C) FINANCE

5. Membership

5.1 up to five members, one of whom shall be the T.B.U. Treasurer

5.2 Terms of Reference

5.3 to prepare a budget for submission to the T.B.U. Executive and T.B.U. Council for their consideration prior to the Annual T.B.U. Assembly;

5.4 to present the budget to the Annual T.B.U. Assembly;

5.5 to communicate with the spending authorities to explain the budgeting procedure;

5.6 to assist the T.B.U. Treasurer in periodically reviewing T.B.U. and District Finances;

5.7 to make recommendations with respect to financial policy, procedures and investments.

(D) GRIEVANCE

6. Membership

6.1 Up to seven members: the T.B.U. President, the Staff Officer - Member Protection, the Staff Officer - Health and Safety and up to 4 members appointed by Executive.

6.2 The Chair of the Committee shall be the Staff Officer - Member Protection.

6.3 Terms of Reference

6.4 to investigate alleged violations of the Collective Agreement reported to it by individual Members or the T.B.U. Executive or a Branch Grievance Officer;

6.5 to process an individual grievance by:

6.51 preparing the initial work-up on the grievance;

6.52 reporting to the Executive with recommendations;

6.53 informing the grievor of its recommendations;

6.54 acting as Branch Representative on behalf of the grievor where such assistance is required.

6.55 to assist in the process of a policy grievance by reviewing the circumstances of the grievance and reporting to the Executive;

6.56 to prepare an annual report in general terms for the purpose of informing the Members regarding the implementation of the Collective Agreement while preserving the confidentiality of the individual grievors;

6.57 to organize professional development for the Branch Grievance Officers.

6.58 Appeals of the decisions of this committee will be heard by the T.B.U. Executive, which shall decide what, if any, further action shall be taken with respect to the grievance. Any Member(s) of the Executive, who, in their role on the Grievance Committee, voted on the decision being appealed, will not have a vote in the appeal process.

(E) HIRING

7. Membership

7.1 A member of the Executive appointed by the TBU Executive at its October meeting in the years needed;

7.2 The T.B.U. President - chairperson (non-voting);

7.3 Branch Presidents or Alternates from branches in rotation yearly according to and in order of the following groups:

Group A

White Oaks
Abbey Park
MM Robinson
Milton
Burlington Central
New Street

Group B

Georgetown
Frank Hayden
Iroquois Ridge
TA Blakelock
Gary Allan
Syl Aps

Group C

Craig Kielburger
Oakville Trafalgar
Garth Webb
Robert Bateman
Nelson
Aldershot
Acton

7.31 Each Branch will decide which Branch President or Alternate will serve on the committee and will advise the President before the October TBU Council.

7.32 The Branch representative from each school will be approved by T.B.U. Council at its October meeting in the years needed;

7.4 One member-at-large to be appointed by T.B.U. Council at its October meeting in the years needed.

7.5 In the event of a resignation from the Hiring Committee the following will apply:

7.51 If the TBU Executive member of the Hiring Committee resigns, that vacancy will be filled by the TBU Executive and TBU Council notified.

7.52 If a Branch representative resigns, then the Branch will send to the Hiring Committee Chair the name of the replacement Branch President or Alternate for approval at the next Council meeting.

7.53 If a Member-at Large member of the Hiring Committee resigns, the TBU Council will appoint a replacement at the next TBU Council meeting.

8. Terms of Reference

8.1 To develop selection criteria for approval by T.B.U. Council at its November meeting, and to develop & distribute application forms with the approved selection criteria;

8.2 To organize and give a seminar to prospective applicants for the position of Staff Officer - Member Protection or Staff Officer--Health & Safety before Christmas;

8.3 To interview candidates in January;

8.4 To recommend to T.B.U. Council in February one candidate for appointment to the position of T.B.U. Staff Officer - Member Protection or T.B.U. Staff Officer - Health & Safety;

8.5 And if the Hiring Committee determines that no suitable candidate has applied, it shall, with all due speed, re-advertise the position, interview candidates and recommend to T.B.U. Council one candidate for appointment to the position of T.B.U. Staff Officer - Member Protection or Staff Officer - Health & Safety.

(F) POLITICAL ACTION

9. Membership:

9.1 Any District 20 T.B.U. member, preferably one per Branch, one of whom shall be from the T.B.U. Executive as liaison to the Committee.

9.2 Terms of Reference:

9.3 to establish and maintain liaison with other affiliates;

9.4 to maintain constant observations of the proceedings of The Halton District School Board;

9.5 to advise on matters concerning political activities of candidates for local, provincial and federal office;

9.6 to implement P.A.C. "A" projects assigned by the Provincial Executive.

(G) PROFESSIONAL DEVELOPMENT/EDUCATIONAL SERVICES

10. Professional Development Committee

10.1 Membership:

10.2 any District 20 T.B.U. member, one voting member per Branch;

10.3 the Chair of the Committee is to be elected by the voting members present at the first Committee meeting of each school year;

10.4 the T.B.U. Educational Services Officer.

10.5 Terms of Reference:

10.6 to draft policy with respect to funding and program for implementation at the District and school level;

10.7 to carry out policy in the promotion and implementation of professional development in the schools;

10.8 to be responsible for the planning and implementation of a regional professional development day;

10.9 to allocate funding for professional development activities for members as per professional development procedures;

10.10 to monitor the expenditures of all negotiated professional development monies.

11. School Professional Development Committee

11.1 Membership:

11.2 The committee should represent a broad cross-section of the school staff and be organized on a school year basis.

11.3 The chairperson should be selected by the committee.

11.4 One member of the school Leadership Team.

11.5 Branch President or designate decide the process for selection of the school committee.

11.6 Coordinators and instructional leaders will organize their own professional development committee.

11..7 Terms of Reference:

11.8 to allocate P.D. funds;

11.9 to plan P.D. activities at the branch level.

(H) RIGHTS AND EQUITY

12. Membership

12.1 Up to 9 members to include:

12.2 one member of the T.B.U. Executive, as liaison to the committee;

12.3 one Branch President, as liaison to the committee;

12.4 up to 7 members at large.

12.5 Terms of Reference

12.6 To monitor and promote equity for the members, including but not limited to all genders and gender orientations, by:

12.7 educating members with respect to relevant issues;

12.8 networking with other committees in other Districts and at the provincial level;

12.9 making recommendations regarding collective bargaining issues;

12.10 monitoring relevant Board policies;

12.11 promoting employment and promotion equity.

(I) ANTI HARASSMENT APPEALS

13. Membership

13.1 three (3) members (appointed by T.B.U. Council), one (1) from a school in each of Burlington, Oakville, and Milton/Halton Hills, and;

13.2 the chairperson will be the Staff Officer - Health & Safety, or a designate to be appointed by the T.B.U. Executive at its first meeting of the school year.

13.3 Terms of Reference

13.4 to hear appeals from members affected by a decision resulting from a complaint under The District's Anti-Harassment and Anti-Bullying Policy following the process in the T.B.U. Procedures Handbook, PROC-14.

(J) L.T.D. ASISTANCE FUND

14. Membership

14.1 three (3) members (appointed by T.B.U. Council): one (1) from TBU Executive, one (1) Branch President, and one (1) member-at-large, and;

14.2 if a member-at-large cannot be found, then the position shall be filled by appointing a second member of TBU Council;

14.3 the chairperson will be the Staff Officer - Health & Safety, or a designate to be appointed by the T.B.U. Executive at its first meeting of the school year.

14.4 Terms of Reference

14.5 the committee shall meet, if necessary, three times a year (November, March, June) and at any other time deemed necessary by the Chair of the committee, to consider applications for assistance from the LTD Assistance Fund, following the processes in the T.B.U. Procedures Handbook, PROC-16.

(K) STAFFING

15. Membership

- 15.1 Up to 6 members appointed by the Executive;
- 15.2 The Staff Officer - Member Protection as the Chair.

15.3 Terms of Reference

- 15.4 to scrutinize the staffing of schools during staffing allocations;
- 15.5 to act as a resource in training Branch Presidents;
- 15.6 to make recommendations to the President and Staff Officer - Member Protection regarding staffing issues.

(L) HEALTH & SAFETY REPRESENTATIVES

16. Membership

- 16.1 All TBU Safety Representatives on school or site based committees;
- 16.2 Staff Officer - Health and Safety.
- 16.3 The chair of the Health and Safety Committee will be appointed by TBU Council.
- 16.4 The appointment shall occur at the June meeting of TBU Council.

16.5 Terms of Reference

- 16.6 to give school based safety representatives an opportunity to meet;
- 16.7 to keep the membership informed on issues relating to health and safety;
- 16.8 to recommend health and safety issues to be brought to the Joint Health and Safety Committee;
- 16.9 to raise the profile of health and safety within the membership;
- 16.10 to provide health and safety training opportunities.

(M) BENEVOLENT SUPPORT/EMERGENCY FUNDS

- 17.1 The Benevolent Support/Emergency Funds Committee shall be comprised of the Staff Officer-Member Protection, Staff Officer - Health and Safety, and two members-at-large.
- 17.2 The Committee shall keep all application information confidential.
- 17.3 The Chair of the Committee will report to TBU Executive at each subsequently scheduled meeting.

(N) Constitution, Bylaws, and Procedures

18 Membership

18.1 Up to seven (7) Members;

18.2 One (1) member of TBU Executive as a liaison and voting member of the committee;

18.3 One (1) member of TBU Council as a liaison and voting member of the committee;

18.4 Up to five (5) members-at-large.

18.5 Terms of Reference

18.6 The committee will look at and examine the TBU Constitution, Bylaws, and Procedures.

18.7 The committee will meet at least three (3) times per year every second year.

18.8 The TBU Executive and TBU Council liaisons will report at each of their respective meetings in November and March.

18.9 The chair of the committee will be responsible for submitting motions to the chair of the TBU AGM and the TBU President at least one (1) month prior to the TBU AGM.

BYLAW 5 - Elections

Section One Positions

1.1 Election to the T.B.U. Executive position of T.B.U. President shall be by an all member vote of the T.B.U. members of District 20 as per procedures established by the T.B.U. Council.

1.2 Election to the following Executive positions shall take place at each Annual T.B.U. Assembly:

1.3 T.B.U. Vice-Presidents

1.4 T.B.U. Treasurer

1.5 T.B.U. Communications Coordinator

1.6 T.B.U. Educational Services Officer

1.7 Election of the Chair and Vice-Chair of the T.B.U. Council shall occur according to Bylaw 3, Section Two, 2.3

Section Two Term of Office

2.1 The term of office for elected members of the T.B.U. Executive shall be for one year, except for the T.B.U. President, which shall be for a term of two years, and shall commence on July 1 following their election.

Section Three Vacancies

3. Vacancies which occur in T.B.U. Executive positions elected at the Annual T.B.U. Assembly shall be filled by a weighted vote of the T.B.U. Councillors at a meeting not more than thirty school days after the notification of the vacancy has been received. During such voting

each T.B.U. Councillor may cast a number of votes equal to the number of delegates his/her Branch was entitled to at the last Annual T.B.U. Assembly.

- 3.1 Vacancies in the position of Chair and Vice-Chair of T.B.U. Council shall be filled through election by Council at the earliest possible Council meeting.
- 3.2 Vacancies which occur on T.B.U. Council shall be filled for the duration of the term of office within thirty school days of the vacancy occurring by the election by the Branch of a replacement Councillor.
- 3.3 A vacancy due to a statutory or sick leave in the position of Staff Officer for Member Protection or Staff Officer for Health and Safety shall be filled through the process described in By-Law 5, Section Three, 3 with an acting time-release officer, for the duration of the leave, subject to the term of office.

Section Four Nominations

4. A defeated candidate for T.B.U. President may become a candidate for any other position to be filled at the Annual T.B.U. Assembly upon nomination from the floor.
- 4.1 A defeated candidate for T.B.U. Vice-President may become a candidate for T.B.U. Treasurer or T.B.U. Communications Coordinator or T.B.U. Educational Services Officer upon nomination from the floor.
- 4.2 An opportunity for nomination by delegates from the floor of the Assembly shall be provided before nominations are declared closed by the Chair.
- 4.3 Offices for which no nominations have been received shall be filled by appointment of T.B.U. Council at its discretion at its first meeting subsequent to the meeting of the T.B.U. Annual Assembly.

Section Five Balloting

5. All voting shall be by secret ballot.
- 5.1 Elections for Officers will be held during the Annual T.B.U. Assembly at times determined by the Steering Committee, but in the following sequence:
- 5.2 election for T.B.U. President;
- 5.3 after the results of the election for T.B.U. President, the election for T.B.U. Vice-Presidents;
- 5.4 after the results of the election for T.B.U. Vice-Presidents, the election of T.B.U.

Communications Coordinator;

- 5.6 after the results of the election for T.B.U. Communications Coordinator, the election of T.B.U. Treasurer;
- 5.7 after the results of the election for T.B.U. Treasurer, the election of T.B.U. Educational Services Officer.
- 5.8 The election to any office, except that of President, shall be by a majority vote of those qualified to vote.
- 5.9 In the case of more than two candidates for the position of T.B.U. Treasurer, and/or more than two candidates for the position of T.B.U. Communications Coordinator, and/or more than two candidates for the position of T.B.U. Educational Services Officer, and failing a majority on the first ballot, the candidate with the least number of votes shall be dropped from the succeeding ballots until a majority is reached.
- 5.10 In the event of a tie for the lowest number of votes when there are more than three candidates on the ballot for T.B.U. Educational Services Officer and/or T.B.U. Treasurer, and/or T.B.U. Communications Coordinator both candidates with the lowest number of votes shall be dropped from the succeeding ballot.
- 5.11 If no candidate has a majority and in the event of a tie for the lowest number of votes when there are three candidates on the ballot for T.B.U. Educational Services Officer and/or T.B.U. Treasurer and/or T.B.U. Communications Coordinator both candidates with the lowest number of votes will compete in a special ballot with the most leading candidate excluded.

The name of the candidate with the most votes in the special balloting will then be placed on the remaining ballot.
- 5.12 In the case of more than two candidates for the positions of T.B.U. Vice-Presidents, after each ballot the candidate with the lowest number of votes shall be dropped from succeeding ballots until the three (two) highest candidates remain.
- 5.13 In the event of a tie for the lowest number of votes when there are more than four candidates on the ballot for T.B.U. Vice-Presidents, both candidates with the lowest number of votes shall be dropped from the succeeding ballot.
- 5.14 In the event of a tie for the lowest number of votes when there are three candidates for T.B.U. Vice-President with two to be elected, a special ballot will be held with only the candidates with the lowest number of votes, the one achieving the greatest number of votes in the special ballot to be appointed to the position.

- 5.15 The ballots shall have printed on them the names of the candidates whose candidacy has been submitted to the District Office in writing at least one week prior to the Annual T.B.U. Assembly. Delegates voting for candidates nominated from the floor will have to write or print clearly the name of the candidate in the space provided.
- 5.16 The Steering Committee (and appointees of the Chair if any) will count the ballots and report the results to the Chair.
- 5.17 Candidates may appoint scrutineers to observe the counting of ballots in any election in which the candidate is running.
- 5.18 The Chair shall rule, if requested to do so, on any and all spoiled ballots.

BYLAW 6 – Rules of Order

The Rules of Order at all meetings of T.B.U. Annual Assembly, Council, Executive, and Committees, shall be in accord with the Provincial Handbook and Resource Binder.

BYLAW 7 - Policy

Section One STATUS OF POLICY

No Branch or Member has the right to advocate publicly the contravention of established O.S.S.T.F. policy or practice.

Section Two ESTABLISHMENT AND RESCISSION BY COUNCIL

- 7.2 Interim policy, amendment or rescission of interim policy or interim rescission of existing policy may be made at any meeting of the T.B.U. Council;
- 7.3 by a three-quarters majority of the members qualified to vote, present and voting, provided that a proper notice of policy motion was given to the T.B.U. Council on or before the date of the previous meeting of the T.B.U. Council.
- 7.4 by a nine-tenths majority of the members qualified to vote, present and voting, previous notice as in 7.3 not having been given.
- 7.5 a proper notice of policy motion for the establishment of interim policy is one which begins with the words, "BE IT RESOLVED THAT, it is the policy of O.S.S.T.F. District Twenty (20) T.B.U. that ..."

7.6 Notwithstanding a motion's adherence to By-Law 7, Section Two, 7.5 it is the duty of the Constitution Committee to make a final ruling as to whether or not a motion is a policy motion.

Section Three ESTABLISHMENT AND RESCISSION BY ANNUAL ASSEMBLY

7.7 Policy, and the amendment or rescission of policy, may be made at the Annual T.B.U. Assembly:

7.8 by a majority of the members qualified to vote, present and voting, provided that a proper notice of policy motion shall have been given in writing, to the T.B.U. Treasurer on or before April 1st of that school year and such notice of policy motion shall have been forwarded on or before April 15th of the school year by the T.B.U. Treasurer to the Branch Presidents.

7.9 by a two-thirds majority vote of the members qualified to vote, present and voting, previous notice as in 7.8 not having been given.

7.10 A proper notice of policy motion for the establishment of policy is one which begins with the words, "BE IT RESOLVED THAT, it is the policy of O.S.S.T.F. District Twenty (20) T.B.U. that ..."

7.11 Notwithstanding a motion's adherence to By-Law 7, Section Three 7.10 it is the duty of the Steering Committee to make a final ruling as to whether or not a motion is a policy motion.

7.12 Any interim policy or interim amendment of policy or interim rescission of policy made by the T.B.U. Council since the previous Annual T.B.U. Meeting shall be ratified or rescinded by a majority vote or the members of the Annual Assembly qualified to vote, present and voting.

BYLAW 8 – Amendments

These By-Laws may be amended at an Annual T.B.U. Assembly:

8.1 by a majority vote of the Members qualified to vote, present and voting provided that NOTICE OF MOTION has been given in writing, to the District Office at least three weeks prior to the meeting, and circulated to all schools for posting at least one week prior to the meeting;

8.2 by a two-thirds vote of the Members qualified to vote, present and voting provided that no NOTICE OF MOTION has been given.

BYLAW 9 – Procedures

Section One There shall be a section entitled "Procedures" attached to the Constitution and By-Laws of O.S.S.T.F. District 20 T.B.U. Halton.

Section Two Procedures may be established or amended at an Annual T.B.U. Assembly meeting by a simple majority vote of the Members qualified to vote, present and voting.