

OSSTF DISTRICT 21 OFFICE, CLERICAL & TECHNICAL UNIT

CONSTITUTION AND BY-LAWS - 2008-2009

PREAMBLE:

1. "OSSTF" shall mean the Ontario Secondary School Teachers' Federation.
2. "District" shall mean the District 21 Hamilton-Wentworth Organization of OSSTF.
3. "Unit" shall mean the Bargaining Unit of OSSTF District 21 comprising of OSSTF Members employed as Office, Clerical and Technical employees by the Hamilton-Wentworth District School Board.
4. "Branch" shall mean a Branch Organization of the Unit.
5. "Member" shall mean an OSSTF member who is an active member of the Unit.
6. "Constitution" shall mean a system of fundamental principles according to which the Unit is governed and the basic organization of the Unit such Constitution not to contravene the Constitution of OSSTF or the Constitution of the District.
7. "By-Laws" shall mean standing rules governing the Membership of the Unit made under this Constitution on matters of internal regulation and matters which are entirely within the control of the Unit.
8. "Policy" shall mean a stand or position taken by the Unit in accordance with its By-Laws on matters whose resolution is beyond the internal legislative power of the Unit.
9. "Board" shall mean the Hamilton-Wentworth District School Board.
10. "Council" shall mean the Council composed of representatives of the Unit.
11. "OLRA" shall mean the Ontario Labour Relations Act.
12. "AMPA" - Annual General Meeting of the Provincial Assembly.
13. "DCC" shall mean District Co-ordinating Committee.
14. "SCOP" shall mean Sector Council of Presidents.

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ARTICLE 1 - NAME

1.1 The Unit shall be known as the Office, Clerical and Technical Unit of OSSTF District 21, Hamilton-Wentworth.

ARTICLE 2 - OBJECTIVES

2.1 The objectives of the Unit shall be:

2.1.1 to promote and advance the cause of education.

2.1.2 to promote a high standard of professional ethics.

2.1.3 to promote and advance the interest of Members and to secure conditions which will make possible the best professional service.

2.1.4 to secure for Members more active participation in the formulation of educational policies and practices affecting education.

2.1.5 to work towards control of our professional destiny.

2.1.6 to protect its Members, both individually and collectively in their profession.

2.1.7 to promote political action to ensure that legislation regulating educational structures and policies is in the best interests of Members, students and the community.

2.1.8 to support and promote equal opportunity for its Members, for its employees, and for students.

2.1.9 to work in conjunction with the Hamilton-Wentworth District 21 Constitution & By-Laws.

ARTICLE 3 - MEMBERSHIP

3.1 The Unit shall consist of: those Members of OSSTF who are employed as Office, Clerical and Technical employees by the Hamilton-Wentworth District School Board.

ARTICLE 4 - UNIT ORGANIZATION

4.1 **Unit Executive**

4.1.1 There shall be a Unit Executive consisting of Voting Officers as follows:

4.1.1.1 The President.

4.1.1.2 The Immediate Past-President.

4.1.1.3 Vice-President (1)

4.1.1.4 The Unit Provincial Councillor

4.1.1.5 The Chief Negotiator

4.1.1.6 The Secretary

4.1.1.7 The Treasurer

4.1.1.8 The Communications Officer

4.1.1.9 The Political Action Officer

4.1.1.10 The Health & Safety Officer

4.1.1.11 The Professional Development Officer

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4.1.2 The Voting Members of the Unit Executive shall be elected or appointed in the manner prescribed in the By-Laws and shall each have one vote at Unit Executive Meetings.

4.2 Council:

4.2.1 There shall be a Council consisting of voting Members as follows:

4.2.1.1 The voting Members of the Unit Executive.

4.2.1.2 A Representative from each Branch, who shall be elected or appointed as outlined in the By-laws.

4.2.1 All Voting Members of the Council shall have one vote at the Unit Council meetings.

4.2.2 The Members of the Council shall be elected or appointed in the manner prescribed in the By-Laws.

4.2.3 Status of Women Representative

4.2.4 Human Rights Representative

4.3 Unit Meetings

4.3.1 There shall be Unit Meetings open to all Members.

4.3.2 Each Member shall have one vote at Unit Meetings and may move, second, and vote on motions.

4.3.3 The Unit Meeting shall be convened and run in the manner prescribed in the By-Laws.

4.3.4 There may be additional Unit Meetings as per the By-Laws.

4.4 Annual General Meeting

4.4.1 There shall be an Annual General Meeting open to all Members.

4.4.2 Each Member shall have one vote at the Annual General Meeting and may move, second, and vote on motions.

4.4.3 The Annual General Meeting shall be convened and run in the manner prescribed in the By-Laws.

4.5 Unit Standing Committees

4.5.1 The Members of Unit Standing Committees shall be elected or appointed in the manner prescribed in the By-Laws.

4.5.2 **A Unit Collective Bargaining Committee** consisting of the following voting Members:

A Chairperson who is the Unit Chief Negotiator.

Representatives as follows:

Education Centre - 4, Elementary Schools - 6, Secondary Schools - 4, Library Technicians - 1, Computer Technicians - 1, Casuals - 1, Satellite Facilities - 1.

Such additional Members as shall be determined from time to time by the Unit Collective Bargaining Committee with Unit Executive approval.

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4.5.3 **A Unit Professional Development Committee** consisting of the following voting Members:

The Chairperson who shall be the Unit Professional Development Officer.

The Vice-Chairperson.

One representative from each Branch.

Such additional Members as shall be determined from time to time by the Unit Professional Development Committee with Unit Executive approval.

4.5.4 **A Unit Communications Committee** consisting of the following voting Members:

The Chairperson who shall be the Unit Communications Officer.

The Vice-Chairperson.

One representative from each Branch.

Such additional Members as shall be determined from time to time by the Communications Committee with Unit Executive approval.

4.5.5 **A Unit Health and Safety Committee** consisting of the following voting Members:

The Chairperson who shall be the Unit Health and Safety Officer.

The Vice-Chairperson.

One representative from each Branch.

Such additional Members as shall be determined from time to time by the Health and Safety Committee with Unit Executive approval.

4.6 **Unit Ad-Hoc Committees**

4.6.1 The Members of Unit Ad-Hoc Committees shall be elected or appointed in the manner prescribed in the By-Laws.

4.6.2 There shall be the following Unit Ad-Hoc Committees established annually:

4.6.2.1 A Finance Committee.

4.6.2.2 The Collective Bargaining Table Team

4.6.2.3 A Constitution Committee.

4.6.2.4 A Grievance Committee

4.6.2.5 A Grievance Appeal Committee

4.6.2.6 Any other Ad-Hoc Committee established by the Unit Executive, the Council, or the Annual General Meeting.

4.7 **AMPA Representatives**

4.7.1 The Delegation to AMPA shall be elected in the manner prescribed in the By-Laws.

ARTICLE 5 - BRANCH ORGANIZATION

5.1 **Definition**

5.1.1 A Branch shall consist of all active members working in the Branch. There shall be 19 Branches as identified in 5.3.1. Branch 19 to consist of all casual OCTU members.

5.2 Each Member in a Branch shall have one vote at a Branch meeting.

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5.2.1 One or more representatives may be appointed to represent the Branch on the OSSTF District 21 Committee as follows:

- 1 Status of Women Committee
15. Political Action Committee

5.3 Branches and Branch Representatives

5.3.1 Each Branch shall have one (1) vote at a Council Meeting. Education Centre which shall have two (2) representatives, who sit on Council. There shall be the following Branches:

- Branch 1 - Education Centre (2 Representatives)
- Branch 2 - Ancaster High, Ancaster Meadow, Ancaster Senior, C.H. Bray, Fessenden, Maple Lane, Mount Hope, Rousseau, Memorial Office Building. (1 Representative)
- Branch 3 - Barton, C.B. Stirling, Franklin Road, L. Alexander, Ray Lewis, Templemead. (1 Representative)
- Branch 4 - A.M. Cunningham, Delta, Memorial (City), Queen Mary. (1 Representative)
- Branch 5 - Continuing Education, Elizabeth Bagshaw, Glen Brae, Glen Echo, Glendale, Lake Avenue, Sir Wilfred Laurier, Sir Isaac Brock, Woodward. (1 Representative)
- Branch 6 - Beverly Central, Dr. John Seaton, Dundana., Highland, Queens Rangers, Sir William Osler, Spencer Valley. (1 Representative)
- Branch 7 - Cardinal Heights, G.L. Armstrong, H. Detwiler, Hill Park, Linden Park, Pauline Johnson, Queensdale, Ridgemount, Crestwood, Norwood Park. (1 Representative)
- Branch 8 - Collegiate Avenue, Eastdale, Green Acres, Memorial (Stoney Creek), Mountain View, Orchard Park, R.L. Hyslop, Winona. (1 Representative)
- Branch 9 - Dundas Central, Greensville, Parkside, Yorkview. (1 Representative)
- Branch 10 - Bell-Stone, Bellmoore, Billy Green, Gatestone, Janet Lee, Mount Albion, Saltfleet High, Tapleystown. (1 Representative)
- Branch 11 - Adelaide Hoodless, Gibson, Parkview, Prince of Wales, King George. (1 Representative)
- Branch 12 - Eastmount Park, Highview, Huntington Park, Lisgar, R. Beasley, Sherwood. (1 Representative)
- Branch 13 - Chedoke, Lawfield, R.A. Riddell, Seneca, Sir Allan MacNab. (1 Representative)
- Branch 14 - Bennetto, Cathy Wever, Dr. Davey, Hess St., Queen Victoria, Sanford Ave., Sir John A. Macdonald, Stinson. (1 Representative)
- Branch 15 - Hillcrest, Parkdale, Rosedale, Roxborough Park, Sir Winston Churchill, Viscount Montgomery, W.H. Ballard. (1 Representative)
- Branch 16 - Balaclava, Flamborough Centre, Guy Brown, Mary Hopkins, Millgrove, Waterdown, Allan Greenleaf. (1 Representative)
- Branch 17 - Central, Dalewood, Earl Kitchener, Glenwood, G.R. Allan, Prince Philip, Ryerson, Strathcona, Westdale. (1 Representative)
- Branch 18 - Buchanan Park, G. Price, Holbrook, J. Macdonald, Mountview, Westwood, Westmount, Westview, Mountain Secondary. (1 Representative)

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Branch 19 - All OCTU casual Members. (1 Representative)

5.3.2 The representatives shall be elected or appointed in the manner prescribed in the By-Laws.

ARTICLE 6 - THE SUBSCRIPTION FUND

6.1 The Levy

6.1.1 There shall be a Unit Levy, the purpose of which shall be to pay the salaries and fringe benefits of the Unit President, and for Unit Officers at their specific salary level for all or part of the year in which they are released from their position with the HWDSB in the manner prescribed in the By-Laws.

6.1.2 The amount of this levy is subject to the approval of Membership at the Unit Annual General Meeting.

ARTICLE 7 - ELECTIONS

7.1 Any Unit Member is eligible to hold any Federation appointment or elective office at the Unit level.

7.2 Executive positions will be elected by the Membership bi-annually at the Annual General Meeting.

7.3 A Provincial Councillor to be elected by all D.21 Support Staff Bargaining Units bi-annually in the year between OCTU Executive elections.

7.4 Elections for Executive positions shall be conducted as outlined in the By-Laws.

7.5 The Unit Council shall appoint yearly a Status of Women Representative and a Human Rights Representative.

ARTICLE 8 - AMENDMENTS

8.1 Amendments to this Constitution, its Articles and By-Laws, may be made at a duly constituted Annual General Meeting provided such amendments do not contravene or advocate the contravention of the District Constitution, the District's Articles and By-Laws, the Policy Statements of the District, or the OSSTF Constitution and By-Laws.

8.2 Amendments may be made by:

8.2.1 a two-thirds vote of the Members present and voting provided that notice of the proposed amendment shall have been submitted in writing to the Unit President at least 30 calendar days prior to the Annual General Meeting.

8.2.2 a three-quarters vote of the Members present and voting provided that notice of the proposed amendment shall have been submitted in writing to the Unit President at least 15 calendar days prior to the Annual General Meeting.

8.2.3 a three quarters vote of the Members present and provided that notice of the proposed amendment shall have been submitted in writing to the Unit President at least 20 calendar days prior to the Annual General Meeting.

8.2.4 the Unit President must inform the members in writing of the amendments at least 14 calendar days prior to the Annual General Meeting.

8.2.5 a nine-tenths vote of the members present and voting, where notice of the motion has

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not been given as outlined in Articles 8.2.1 and 8.2.3.

ARTICLE 9 - BY-LAWS

9.1 A duly constituted Annual General Meeting may pass By-Laws not inconsistent with the District Constitution concerning:

9.1.1 The procedure for the election of its various Officers.

9.1.2 The formation of Unit and Branch organizations.

9.1.3 The time, place and conduct of the Annual and other meetings of the Unit.

9.1.4 The establishment, amendment or rescission of Unit policy.

9.1.5 All other matters as are deemed necessary or convenient for the promotion of the welfare of the Members or the conduct of the business of the Unit.

ARTICLE 10 - GRIEVANCES

10.1 There shall be a Unit Grievance Officer, who shall be the Unit President, whose purpose shall be to deal with grievances within the Unit. The procedures for initiating and processing a grievance shall be appended to the By-Laws of the Unit Constitution.

ARTICLE 11 - RATIFICATION

11.1 It shall be the policy of OSSTF District 21 - Hamilton-Wentworth OCT Unit that: When the time arrives for the Members of OSSTF District 21 Hamilton-Wentworth to ratify a collective agreement with the Hamilton-Wentworth District School Board we do so as follows:

1. Members shall assemble in one meeting place for the purpose of receiving information concerning the proposed collective agreement.
2. A ratification vote will take place at this time.
3. Votes shall be counted immediately after the vote and results announced to the Membership at the same meeting.

ARTICLE 12 - AWARDS AND FINANCIAL CONTRIBUTIONS

12.1 The rationale and procedures for awards and financial contributions by the Unit shall be appended to the By-Laws of the Unit Constitution.

ARTICLE 13 - THE RESERVE FUND

13.1 There shall be a Unit Reserve Fund comprising such funds as are declared surplus by the Finance Committee, with the approval of the Council. The purposes of, sources for, and administration of, the Fund, shall be as outlined in the By-Laws.

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BY-LAW 1 - UNIT YEAR

The Unit year shall be July 1 to June 30 of the following year.

BY-LAW 2 - THE SUBSCRIPTION FUND

Section 1 - The Levy

- (a) Each Member shall pay not less than \$5 per month worked.
- (b) Any additional amount up to the maximum monthly amount set by the Annual General Meeting shall be paid as follows:
 - (i) Each member shall pay the maximum amount per month worked.
 - (ii) Pay from the Subscription Fund the salary of a Unit President, as a minimum, the maximum of the Grade 9 Grid Salary for 12 months.
 - (iii) When the President is a 10 month employee their salary will be paid for at the rate specified in the Collective Agreement and the difference will be subsidized from the Subscription Fund Account.
 - (iv) Casual Members shall pay \$5.00 for the first day worked each month and \$1.00 for each additional day worked up to the maximum monthly amount set for Members by the Annual General Meeting.
 - (v) For each member the Levy shall be payable pursuant to the appropriate article of the Collective Agreement.

Section 2 - Administration

- (a) Priority shall be given to the release of the Unit President.
- (b) The Unit Treasurer shall:
 - (i) Place all subscriptions in an account entitled "The Subscription Fund Account".
 - (ii) Apply the operating surplus remaining in the Subscription Fund towards the next year's needs.

BY-LAW 3 - CONDUCT OF MEETINGS

Section 1 - Quorums

- (a) Unit meetings: 5% of the voting Members of the Bargaining Unit
- (b) Council meetings: 50% of the voting Members of Council.
- (c) Branch meetings: 50% of the Members of the Branch.
- (d) Executive meetings: 50% of the voting Officers of the Executive.
- (e) Committee meetings: 50% of the voting Members of the Committee.
- (f) Annual General Meetings: 10% of the voting Members of the Bargaining Unit.

Section 2 - Procedures

(a) Rules of Order

The procedures for the conduct of Unit meetings shall be those outlined in the OSSTF Handbook.

(b) Resolutions

At meetings of the Council and Executive, motions shall be presented to the Secretary in writing.

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(c) **Convening Meetings**

(i) **Unit Meetings**

1. The Unit Executive, the Council or 25 Members of the Unit on written request, may direct the Unit President to call a Unit meeting.

2. Unit Meetings may be held during the months of September, November, January and March each year on the 3rd week of the month.

3. **Convening Meeting**

A ratification meeting shall be called by the President and Chief Negotiator who shall present the proposed Collective Agreement and hold a membership vote on the proposed settlement.

(ii) **Annual General Meeting**

The Annual General Meeting shall be held by the end of May each year.

(iii) **Council Meetings**

The Unit Executive or 2 Members on the Council on written request which includes a specific concern or action may direct the President to call a Council Meeting.

(iv) **Unit Executive Meetings**

Two Members of the Unit Executive on written request which includes a specific concern or action may direct the Unit President to call a meeting of the Unit Executive. The Unit President shall call Unit Executive meetings or as required per school year Sept. to June inclusive.

(v) **Unit Committee Meetings**

A Unit Committee shall meet at such time as the Committee Chairperson, the Executive or the Council shall direct, or upon the written request of five Members of that Committee.

(vi) **Branch Meetings**

The Branch Membership shall meet at the call of the Branch Representative or on the written request of five (5), Members of the Branch.

Section 3 - Representation on Councils, Delegations, and Committees

(a) For General Representation at Unit, Council, Branch, Executive, and Standing Committees, see Article 4.

(b) **Representation on Unit Ad-Hoc Committees**

(i) **Finance Committee**

The Unit Finance Committee shall be composed of the Unit Treasurer as Chairperson; the Unit President; the Unit Past-President or Executive Officer; and 3 Members appointed by the Council.

(ii) **The Collective Bargaining Table Team**

The Unit Collective Bargaining Table Team shall be composed of 6 voting Members to include the Past Chief Negotiator, the Chief Negotiator, the President and 3 Collective Bargaining Committee representatives elected by the Collective Bargaining Committee with Council ratification. Additional non-voting Members

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may be appointed at any time by the incumbent Collective Bargaining Committee Chairperson at his/her discretion with Council ratification.

(iii) **Resolutions Committee**

Composition of the Unit Resolutions Committee shall be the Unit Secretary, who will chair the Committee, plus two Council Members.

(iv) **Nominating Committee**

Composition of the Unit Nominating Committee shall be: The Immediate Past-President or Executive Officer, one additional Executive Officer, plus 3 Branch Representatives who are not Executive Members. The Committee shall elect its own Chairperson. No one seeking a Unit Office may serve on the Nominating Committee. In the event that the immediate Past-President or Executive Officer runs for an office, the Council shall appoint a replacement from the Unit Executive or Council to serve in his/her place.

(v) **Constitution Committee**

Composition of the Unit Constitution Committee shall be: the Immediate Past-President or Executive Officer, one other Executive Member, plus three other Council Members. This Committee will elect its own Chairperson.

- (c) Representative to SCOP (Sector Council of Presidents) meetings shall be
(i) the Unit President or designate.

BY-LAW 4 - ELECTIONS, AND NOMINATION PROCESS

Section 1 - Eligibility

- (a) Any Member shall be eligible to hold elected office in the Bargaining Unit.
- (b) A Member elected or appointed to complete the unexpired term of any Unit Officer shall have all the rights and privileges of his/her predecessor.
- (c) Elections of Unit Officers shall take place at the Annual General Meeting in the following order:
- President
 - Vice-President
 - Chief Negotiator
 - Secretary
 - Treasurer
 - Communications' Officer
 - Health & Safety Officer
 - Political Action Officer
 - Professional Development Officer
 - Provincial Councillor
- (d) **Branch Representatives**
- (i) The Branch representatives shall be elected from the Branch Membership not later than June 1 of each year and take office on September 1 of that year.

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- (ii) Branch representatives as required, to represent the Branch at Council Meetings, shall annually and specifically be named Branch Representatives to Council for that year.
 - (iii) With approval of Council, an Alternate may take the place of a Branch representative to Council at any given Council meeting, and shall retain all rights and privileges of the Branch representative.
- (e) **Delegates to AMPA**
- (i) Nominations shall be sought for the position of AMPA Delegates by notification to the membership soliciting names by the last week in November.
 - (ii) Nominations for AMPA Delegates shall be received by the President in writing at least two (2) weeks prior to the December Council Meeting. Nominations may also be received from the Floor.
 - (iii) Nominees for the position of AMPA Delegate shall be given the opportunity to address the Council meeting for a maximum of three (3) minutes prior to the balloting for such position.
 - (iv) AMPA Delegates shall be elected by Council at the December Council Meeting.
 - (v) For the position of AMPA Delegate the number of Bargaining Unit delegate positions shall be filled by the equal number of members with the highest vote count. Once all positions are filled, the balance of names shall fill the alternate position(s), in order of most votes. The remainder of nominees shall have their names retained on a list, in order of vote count, to move into a position if one becomes vacant.

Section 2 - Nominations

- (a) Nominations for Unit Executive Officers and the Provincial Councillor may be submitted in writing to the President not later than twenty-one (21) working days prior to the Annual General Meeting and shall be identified as “on-time” nominations. Such “on-time” nominations shall be included in the “on-time” materials provided to the membership in writing at least fourteen (14) days prior to the Annual General Meeting.
- (b) For an “on-time” nomination to be valid, candidates must have their nomination papers signed by an active Member.
- (c) A nomination shall be received from the Floor of the Annual General Meeting provided the nomination is signed by 2 active members.
- (d) Nominees for the position of President, Chief Negotiator, Vice-President, and Provincial Councillor shall have the opportunity to address the Annual General Meeting for a period not to exceed five (5) minutes. All other elected positions shall have the opportunity to address the Annual General Meeting for a maximum of three (3) minutes.

Section 3 - Balloting

- (a) All elections shall be held by secret ballot.

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- (b) The election of all officers shall be by a simple majority vote of those qualified to vote, present and voting.
- (c) In the case of more than two candidates for any of the elected offices, and failing a majority for any candidate on the first ballot, the candidate with the lowest number of votes shall be dropped from the succeeding ballots until a majority is reached.
- (d) Notice of Unit elections shall be sent to all members, in writing, at least four (4) weeks prior to the Annual General Meeting by the President. The notice shall solicit nominations for the elected positions.

Section 4 - Tenure of Office

Tenure of Office is a two year term from July 1 to June 30.

BY-LAW 5 - DUTIES OF THE UNIT ORGANIZATION

Section 1 - Executive Officers

(a) President

It shall be the duty of the President:

- (i) to preside at all meetings of the Unit Executive.
- (ii) to be an ex-officio member of all Unit Committees and to maintain contact with all aspects of Federation work in the Unit.
- (iii) to act as Unit Relations Officer.
- (iv) in the event of a vacancy on the Unit Executive, to ensure that all vital functions of that office be carried out on an interim basis until Council fills that vacancy.
- (v) to sit as a member of the Unit Negotiating Committee.
- (vi) to sit as a member of the Unit Finance Committee.
- (vii) to act as spokesperson for all Members of the Unit.
- (viii) to assume responsibility for the efficient management of the Unit Office and the maintenance of Unit Records.
- (ix) to call and arrange the meetings of the Unit, the Council and the Unit Executive.
- (x) to report to the Unit Meetings and the Annual General Meeting.
- (xi) to be a Signing Officer for the Unit vouchers.
- (xii) to act as Unit Grievance Officer.
- (xiii) to assume, with the Unit Chief Negotiator, responsibility for contract maintenance.
- (xiv) to chair the Unit Grievance Advisory Committee/Executive.
- (xv) to represent the Unit at the Board's Personnel and Organization Committee meetings, Operation Management Committee meetings, Full Board meetings.
- (xvi) to sit as a member of the District Co-ordinating Committee.
- (xvii) to receive and forward communications from the Unit Executive and Council to the Provincial Councillor and SCOP.
- (xviii) to receive and forward to the Unit Executive and Council communications from the Provincial Councillor and SCOP.
- (xix) to be the SCOP representative.
- (xx) to be a delegate to the AMPA meeting.

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(xxi) to administer the District Anti-Harassment Policy as it applies to the OCTU.

(b) The Past-President

It shall be the duty of the immediate Past-President:

(i) to advise the Executive and Council.

(c) Vice-President

It shall be the duty of the Vice-President:

(i) to perform the duties of the President in his/her absence or at his/her request.

(ii) to assist the President in carrying out his/her functions especially those of communication and facilitation.

(iii) Chair Council meetings.

(iv) Chair the Annual General Meeting (in the event of no Past-President).

(d) Unit Provincial Councillor

It shall be the duty of the Unit Provincial Councillor:

(i) If a member of OCTU, to be a member of the OCTU Executive and OCTU Council.

(ii) to act as liaison between OCTU, PSSP, ESL and PECW Executives and Councils at Provincial Council meetings.

(iii) to be a delegate at AMPA.

(iv) to report to the OCTU Executive, Council, Unit Meetings and Annual General Meeting.

(v) to sit as a non-voting member of the District Co-ordinating Committee.

(e) Chief Negotiator

It shall be the duty of the Chief Negotiator:

(i) to be Chairperson of:

1. The Unit Collective Bargaining Committee
2. The Collective Bargaining Table Team.

(ii) As the Unit Collective Bargaining Table Team Chairperson:

1. to form a Committee following the prescriptions of By-Law 3 Section 3 (b) (ii).
2. to be responsible for the formulation of negotiating procedures and strategies.
3. to meet as required with the representatives of the Board.
4. to make periodic progress reports on the negotiations to the Council and to the

Membership.

5. to make recommendations to the Council and to the Membership in accordance with the By-Laws.

6. to negotiate the collective agreement under the OLRA.

(iii) to report to the Unit Meetings and the Annual General Meeting.

(iv) to assume, with the Unit President, responsibility for contract maintenance.

(v) to represent the Unit at the Board's Operation Management Committee meetings.

(vi) to sit as a member of the District Co-ordinating Committee.

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(f) Secretary

It shall be the duty of the Secretary:

- (i) to be responsible for the Minutes of all Executive and Council Meetings, the Annual General Meeting and all other Unit Meetings.
- (ii) to ensure that Minutes of all meetings for which he/she is responsible be made available to the Executive and Council and to the General Membership as required.
- (iii) to assist the President in Correspondence.
- (v) to forward those representations and recommendations of the Unit which should be brought to the attention of Provincial OSSTF.
- (vi) to Chair the Unit Resolutions Committee.
- (vii) annually to maintain an updated file of Unit Policy Statements.
- (viii) to be a Signing Officer for Subscription Fund vouchers.
- (ix) annually to file with the General-Secretary of the OSSTF a copy of the Unit 21 Constitution.

(g) Treasurer

It shall be the duty of the Treasurer:

- (i) to sign and submit vouchers to authorize the District Financial Officer to pay all authorized accounts.
- (ii) to submit a financial statement at each Unit Executive and Council meeting.
- (iii) to assist auditors in the preparation of the Annual Audit and Financial Statements.
- (iv) to Chair the Unit Finance Committee.
- (v) to caution against unnecessary and wasteful expenditures in the Unit.
- (vi) to administer the Subscription Fund in accordance with By-Law 2 (b).
- (vii) to be a Signing Officer for the Unit vouchers.
- (viii) to sit as a member of the District Co-ordinating Committee.
- (ix) to submit financial reports at the Unit Meetings and to the Annual General Meeting.
- (x) to be the signing officer for reimbursement of Travel Allowance for out-of-way mileage claims for committee Members.

(h) Communications Officer

It shall be the duty of the Unit Communications Officer:

- (i) to keep the Membership aware of affairs affecting the welfare of the Unit.
- (ii) to act as Editor of the Unit publication or publications.
- (iii) to attend committee meetings of the Unit Standing Committees as a member, but without a vote.
- (iv) to report to the Unit Executive, Council, Unit Meetings and the Annual General Meeting.
- (v) to Chair the Communications Committee.
- (vi) to sit on the District Communications Committee.

(i) Political Action Officer

It shall be the duty of the Unit Political Action Officer:

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- (i) to be a member of the District Political Action Committee.
- (ii) to report to the Unit Executive, Council and the Annual General Meeting.
- (iii) to sit on the District Co-ordinating Committee as a non-voting member.

(j) Health & Safety Officer

It shall be the duty of the Unit Health & Safety Officer:

- (i) to be a member of the Board's Joint Health & Safety Committee
- (ii) to investigate/document all Members' Health & Safety concerns and to take appropriate actions
- (iii) to report to the Unit President all procedures/changes requested of the Board on which to take action
- (iv) to report to the Unit Executive, Council, Unit Meetings and the Annual General Meeting.
- (v) to be a member on the OSSTF District 21 Health and Safety Committee.
- (vi) to be Chair of the Health & Safety Committee
- (vii) to be a member of the Unit Executive and Council.

(k) Professional Development Officer

It shall be the duty of the Professional Development Officer:

- (i) to be Chair of the Professional Development Committee.
- (ii) to be a member of the Unit Executive and Council.
- (iii) to report to the Unit Executive, Council, Unit Meetings and the Annual General Meeting.

(l) Grievance Officer

It shall be the duty of the Unit Grievance Officer:

- (i) to Chair the Unit Grievance Committee (Executive).
- (ii) to investigate all alleged grievances.
- (iii) to inform the Unit Executive of all grievances.
- (iv) to make recommendations to the Unit Executive regarding the submission of grievances to arbitration.

Section 2 - The Unit Executive

It shall be the duty of the Unit Executive:

- (i) to promote within the Unit the objectives of OSSTF.
- (ii) to meet before all Unit Meetings, and as laid down in By-Law 3 Section 2 of this Constitution.
- (iii) to report to the Membership at Unit Meetings.
- (iv) to carry out the instructions of the Council.
- (v) between meetings of the Council, to deal with all matters which, in the Unit Executive's opinion, require action.
- (vi) to keep the Unit Membership informed of its activities.
- (vii) to appoint such persons as the Council may decide to any Office or Committee.

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(viii) in the event that the Office of the Unit President becomes vacant, immediately to appoint the Unit Vice-President as Acting Unit President.

(ix) in the event that a vacancy occurs during the academic year (September 1 - June 30) in any Office filled at the Annual General Meeting to call a Council Meeting within seven days of the occurrence of the vacancy to deal with the matter. If the vacancy occurs during July or August to call a Council Meeting within seven days of Labour Day.

(x) in the event that a vacancy occurs in any office, other than the President, that was filled at the Annual General Meeting, immediately to seek and recommend candidates to Council, who are active members to fill the vacancy.

(xi) to authorize payment of expenses and accounts incurred in the conduct of the business of the Unit.

(xii) to inform the Provincial Executive of any matters affecting the welfare of the OSSTF or of one or more of its Members.

(xiii) annually to facilitate the organization of Branches.

(xiv) to determine whether any Unit grievances shall be filed for arbitration.

Section 3 - Council

It shall be the duty of the Council:

(i) to approve all business affecting the Unit.

(ii) to advise the Unit Executive on any matter requiring attention before the next meeting of the Council.

(iii) to instruct the Unit Representatives and Delegates on matters to come before the Provincial Council and AMPA.

(iv) to discuss and vote on the District Budget and the Unit Budget.

(v) to elect a successor to complete the unexpired term of any Officer elected at the Annual General Meeting.

(vi) to meet as laid down by By-Law 3 of this Constitution.

(vii) annually, at the November Council Meeting, to appoint a Constitution Committee.

(viii) to appoint at the Board's request and at the Council's discretion, Members to serve on the Board Committees.

(ix) annually, at the September Council Meeting, to appoint a Unit Finance Committee.

(x) to instruct the Treasurer in the administration of the Reserve Fund.

(xi) to approve the nomination of a Member of the Unit to any Provincial OSSTF office

(xii) on recommendation of the Unit Executive, to approve the Unit endorsement of an application by a Member of the Unit to any Provincial Standing Committee or Council.

(xiii) when necessary at Council meetings, to approve Alternates for Branch representatives.

(xiv) annually, at the December Council meeting, to elect AMPA delegates and alternate(s)

(xv) deal with policy and action motions referred to Council by the Unit Annual Business Meeting.

(xvi) annually, appoint the Status of Women Representative and the Human Rights Representative.

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Section 4 - The Annual General Meeting

It shall be the duty of the Annual General Meeting:

(i) to elect bi-annual, by secret ballot, a Unit President, Vice-President, Chief Negotiator, Secretary, Treasurer, Professional Development Officer, Political Action Officer, Communications Officer, a Health and Safety Officer, Branch Representatives and a Provincial Councillor.

(ii) Notwithstanding By-Law 5, Section 5, (i), if the incumbent President is re-elected, the office of immediate Past-President may be declared vacant by the Annual General Meeting. If the Office of immediate Past-President is declared vacant, the Unit Annual General Meeting may elect a replacement Executive Officer, whose duties shall be determined by the Unit Executive.

(iii) to receive, discuss and vote on communications and reports from Unit Officers, Auditors and Committee Chairpersons.

(iv) to receive and discuss communications from the Provincial Office of OSSTF.

(v) to determine the action to be taken on the reports received and to instruct the Unit Executive, Council, and Committees, thereto.

(vi) to consider matters of general interest to the Membership.

(vii) to adopt By-Laws necessary for the transaction of Unit business and not in contravention of any Article or Section of OSSTF Constitution as published in the Provincial Handbook and not in contravention of any Article or Section of the District Constitution or the Unit Constitution.

(viii) annually, to establish the maximum amount to be contributed by each Member to the Subscription Fund.

Section 5 - Unit Ad-Hoc Committees

(a) Finance Committee

It shall be the duty of the Finance Committee:

(i) to recommend an annual Unit Budget to the Unit Executive and Council at the April Meeting.

(ii) from time to time during the fiscal year to recommend alterations in the annual Budget as circumstances dictate.

(iii) to review from time to time during the fiscal year all Unit funds, accounts, and other fiscal matters, and to make recommendations thereto to Unit Executive and Council.

(b) Constitution Committee

It shall be the duty of the Unit Constitution Committee:

(i) to poll the Membership and to report any proposed changes in the Unit Constitution to the February Unit Executive and Council Meetings.

(ii) to maintain the Unit Constitution.

(iii) to advise the Unit Executive, Council, Committees, and Membership in matters pertaining to the Unit Constitution.

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(c) Collective Bargaining Table Team

It shall be the duty of the Unit Collective Bargaining Table Team:

- (i) to bargain in good faith with the Board on behalf of the Unit and in accordance with the OLRA
- (ii) to present the Board Contract offer to the Unit prior to a Membership vote to accept or reject the Contract offer.
- (iii) copies of the proposed agreement (contract) must be mailed, a minimum of five (5) working days, to Members, prior to a vote on the agreement occurring.

(d) Grievance Committee

(e) The purpose of the Grievance Committee shall be to determine if the alleged grievances should be taken forward.

(f) A meeting of the Grievance Committee will be called by the Chairperson/President as needed.

(g) The Grievance Committee should be members of the Executive who are not members of the Grievance Appeal Committee.

(e) Grievance Appeal Committee

It shall be the duty of the Unit Grievance Appeal Committee:

(i) to hear appeals for Members when the Grievance Committee has decided not to proceed on behalf of District 21 (Hamilton-Wentworth) with complaints and alleged violations of the agreement.

(ii) the Grievance Appeal Committee shall consist of the Grievance Officer as Chair with no voting privilege and 3 Executive Members who did not take part in the decision to deny the grievance.

Section 6 - Unit Standing Committees

(a) Unit Professional Development Committee

It shall be the duty of the Unit Professional Development Branch Representatives:

- (i) to attend all PD meetings at the PD Officer's request.
- (ii) to assist the PD Officer in the formation of all Unit PD policy.
- (iii) to assist the PD Officer in the implementation of all Unit PD activities.
- (iv) to act as liaison on all PD matters between the Branches and the PD Officer.
- (v) to encourage PD activities at the Branch level.
- (vi) to nominate in September the Vice-Chairperson.

(b) Unit Collective Bargaining Committee

It shall be the duty of the Collective Bargaining Branch Representatives:

- (i) to attend all CBC meetings at the CBC Chairperson's request.
- (ii) to assist the CBC Chairperson in the research and preparation of the Salary Brief.
- (iii) to make recommendations regarding proposed amendments to the Collective Agreement.

(iv) to act as resource personnel at the Branch level with respect to all matters affecting Collective Bargaining.

(v) to act as liaison between the Branches and the CBC Chairperson.

(vi) to encourage and administer CBC activities at the Branch level.

(vii) the CBC Table Team shall consist of the Chief Negotiator, the Unit President, and 3 elected Members from the Collective Bargaining Committee.

(c) **Unit Communications Committee**

It shall be the duty of the Unit Communications Branch Rep.

(i) to attend all communications meetings at the Communications Officer's request.

(ii) to assist the Communications Officer in the formation of all Unit Communications policy.

(iii) to assist the Communications Officer in the implementation of all Unit Communications activities.

(iv) to act as liaison on all Communications matters between the Branches and the Communications activities

(v) to encourage Communications activities at the Branch level.

(vi) to nominate in September, the Vice-Chairperson.

(d) **Unit Health & Safety Committee**

(i) it shall be the duty of the Unit Health & Safety Branch representatives to attend all Health & Safety meetings at the Health & Safety Chairperson's request.

(ii) one member may be appointed, by Council, upon recommendation of the Executive to act as the second Health & Safety Rep. at the Board's Joint Health & Safety Committee meetings.

(iii) to assist in the performance of the duties of the Health & Safety Officer.

(iv) to act as liaison on all Health & Safety matters between the Branches and the Health & Safety Officer.

(v) to encourage Health & Safety practices at the Branch level.

(vi) to nominate a Vice-Chairperson.

Section 7 - Delegation to the Provincial Annual Assembly

It shall be the duty of the delegation to attend AMPA

(i) to make reports and recommendations to the Executive and Council Meetings concerning Unit involvement at AMPA.

(ii) to represent the Unit fairly and efficiently at AMPA.

BY-LAW 6 - THE RESERVE FUND

Section 1 - Objectives

The objectives of the Reserve fund shall be:

(a) to provide for funds for emergencies and/or Unit expenses not regularly included in the Annual Budget.

(b) to provide investment income for the Unit.

Section 2 - Sources

- (a) the Reserve Fund will not exceed 50% of total Unit allocation as reported in the District Funding Master.
- (b) the Unit Council shall have the authority to authorize expenditures from the Reserve Fund. Recommendations for withdrawals from the Reserve Fund will be made by the Finance Committee.
- (c) if the need arises for emergency bridge financing, withdrawals can be made by their President and Treasurer jointly signing a voucher to be presented to the District Financial Officer, a full accounting of which will be made at the next scheduled Council meeting.

Section 3 - Administration

The administration of the Unit Reserve fund shall be a duty of the Unit Treasurer who will:

- (a) report monthly to Unit Executive, and Council who will advise the Treasurer on the administration of the Fund.
- (b) report to the Members on the activity of the account at the Annual General Meeting.

BY-LAW 7 - DUTIES (BRANCH REPRESENTATIVES)

Section 1 - Branch Representative

It shall be the duty of the Branch Representative or designate:

- (i) to attend all Council meetings
- (ii) to represent all Members of the branch by bringing forward, to Council meetings concerns/issues from the branch Members
- (iii) to report all information received at Council to all Members of the branch.

UNIT GRIEVANCE PROCEDURE

Appendix 1

Any alleged violation of the Collective Agreement between the Board and the Branch Affiliate (Unit) may be grounds for the lodging of a grievance.

On becoming aware of an alleged violation of the Collective Agreement a Member should discuss the matter with the Member's immediate superior without delay, in an attempt to resolve the problem. The Member should also notify the Unit Grievance Officer by phoning the Unit Office.

The Member should keep a log of the sequence of events, names of witnesses, any relevant background information, and copies of all letters, reports, documents, etc.

If the decision or explanation given by the immediate superior is not satisfactory to the Member, he should again contact the Unit Grievance Officer, who shall decide whether to pursue the matter through initiation of a formal grievance, or not.

The Unit Grievance Officer shall have the authority to file a grievance on behalf of a Member, and proceed through Steps 1 and 2 of the formal grievance procedure. Every effort will be made to reach a satisfactory resolution of the grievance at Step 1 or 2, but if the Unit Grievance Officer is not satisfied with any proposed resolution they shall make a full report on the matter to the Unit Executive except the 3 Executive Members who are on the Grievance Appeal Committee who shall determine whether the grievance shall be filed for arbitration (Step 3.)

Should the Unit Grievance Officer decide that the matter does not warrant recourse to the formal grievance procedure, or should be dropped after Step 1 or 2 he shall inform the Member of the Member's decision and of the Member's right to appeal this to the Unit Executive. If the Member wishes to appeal, he must inform the Unit President in writing. The Executive shall meet forthwith to hear the appeal.

The Unit Executive shall meet in Committee of the Whole and be chaired by one of its Members who shall not be the President or Vice-President. The Member lodging the appeal shall be invited to attend the meeting. After receiving the report of the Unit Grievance Officer and any statement of the Member, the Executive shall decide whether the grievance should be pursued. The report of the Committee of the Whole shall contain the decision, and that decision shall be final.

INTERIM POLICY ON GIFTS AND DONATIONS

Appendix 2

1. **Donations - General**

- (a) "Donation" shall be defined as "a gift of money to support an individual or group whose objects are not inconsistent with OSSTF policy".
- (b) No donation shall be made without prior authorization of Council in the form of a motion.
- (c) Donations and gifts shall be debited against a budget line called "Donations and Gifts".

2. **Strike Funds**

- (a) It shall be Unit Policy to support any group of OSSTF Members who become involved in sanctions against their employer.
- (b) A nominal Unit contribution shall be sent to the striking Members' strike fund upon motion from Council. Amount to be set by Council.
- (c) Individual contributions to strike funds will be solicited from Members by Branch Executives and forwarded to the Unit Office for mailing.
- (d) It shall be Unit Policy to support any group of employees of the Hamilton-Wentworth District School Board who become involved in sanctions against the Board. The procedure in (b) and (c) above shall be followed.
- (e) The Unit will not normally support other striking groups but Council may authorize the collection of individual donations.

3. **Political Donations**

- (a) Notwithstanding the general definition of donations it shall be Unit Policy not to donate Unit funds to any political party or candidate for political office.
- (b) The Unit will not donate to any community organization or cause other than as provided for under PAC or Provincial Executive guidelines, and only with guaranteed reimbursement from provincial funds.

4. **Charitable Donations**

- (a) The Unit will not donate from Unit funds to any charity or other designation ie. Trust Funds, except in lieu of flowers upon the death of a member if requested by the family.
- (b) The Council may authorize the soliciting of donations and/or the holding of fund raising projects.
- (c) The Unit will support recognized charities (ie. Kids Help Phone, United Way) by promoting Membership involvement, distributing material and/or subsidizing a portion of the cost of organizational meetings to a maximum of \$200 per charity, per year, subject to a motion at Council.

5. **Miscellaneous Gifts/Donations**

- (a) It shall be Unit Policy to send flowers to a member who is hospitalized for an extended period and/or upon the death of a member.
- (b) Subject to a motion at Council, the Unit may partially fund the cost of some event involving District 21 Members not covered by Professional Development or other budget lines, which will result in good will/good public relations accruing to the Unit.

6. **Branch Awards**

The criteria and procedures for the Branch Awards are:

- (a) One (1) award per Branch per year.
- (b) Candidate must have given meritorious service at the Branch level (eg. Council, Branch President, Unit Committees etc.) but not necessarily in his/her present Branch.
- (c) The Unit Executive will seek nominees and determine a Branch winner. The name of such winner is to be forwarded to the Unit Office no later than April 30.
- (d) The award will be in the form of a framed certificate presented at the Annual General Meeting.

7. Annual OCTU/OSSTF Award

8. The Annual OCTU/OSSTF Award will be presented to an OCTU member who has made an outstanding contribution to OCTU, or the Community, or the Hamilton-Wentworth District School Board.

(ii) This award will be presented to the winner each year at the Annual General Meeting.

(iii) (a) The award will consist of a cash award, a personalized plaque and the inclusion of the award winner's name on the OCTU Plaque which will be displayed in the OSSTF District 21 Office.

(b) OCTU will publicize the contributions of the winner of the award, and others whom the Committee considers worthy of honourable mention in OSSTF publications.

(iv) The Selection Committee will consist of the President, 3 Members of the Executive and the Provincial Councillor and/or President who will chair the committee and only vote in case of a tie.

(v) Nominations shall be made only on the official nominations form and forwarded to the Provincial Councillor and/or President no later than April 15 of each year.

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**ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION
DISTRICT 21 - HAMILTON-WENTWORTH**

2008 - 2009

OFFICE, CLERICAL & TECHNICAL

**UNIT'S
CONSTITUTION & BY-LAWS**

SEPTEMBER 2008