

**OSSTF DISTRICT 21 - HAMILTON-WENTWORTH
OCCASIONAL TEACHERS' BRANCH
2007-2008 CONSTITUTION AND BY-LAWS**

ARTICLES

ARTICLE 1 - NAMES

- (i) This organization shall be known as "The Ontario Secondary School Teachers' Federation, District 21 Occasional Teachers' Branch.

ARTICLE II - MEMBERSHIP

A member must be an occasional teacher on the Hamilton-Wentworth District School Board of Education's Occasional List.

ARTICLE III - OBJECTS

The object of the Occasional Teachers' Branch shall be:

- (i) to uphold and maintain the objects of the Ontario Secondary School Teachers' Federation and those of District 21 - Hamilton-Wentworth as described in their respective constitutions.
- (ii) to represent fairly the interests and concerns of its members with respect to their terms and conditions of employment by means of consultation and/or collective bargaining with the Hamilton-Wentworth Board of Education; District 21.
- (iii) to establish reasonable By-laws and Policies governing its members which shall not contravene those established by either OSSTF or District 21.

ARTICLE IV - ORGANIZATION

A. Executive

B. There shall be a Branch Executive consisting of the following voting members:

- C. Branch President, who shall be the Grievance Representative
- D. Vice-President, who shall be the Collective Bargaining Committee Representative if Occasional teachers and teachers bargaining is done jointly.
- E. Treasurer-Secretary
- F. Two other executive members at large.

- (ii) The members of the Branch Executive shall be elected at the Annual General Meeting of the Branch to be held in May each year.
- (iii) Whenever a vacancy exists in a Branch position, the Executive may appoint a member of the Branch to fill the position until the next Annual General Meeting.

B. Occasional Teachers' Negotiating Committee

In the event that Occasional Teachers and Teachers negotiate separately, the Occasional Teachers Negotiating Committee shall consist of one non-voting member of the District Collective Bargaining Committee as designated by District 21 - Hamilton-Wentworth Executive, and the following voting members:

- (a) The Vice-President of the Occasional Teachers' Branch who shall serve as Chief Negotiator.
- (b) The President of the Occasional Teachers' Branch
- (c) Three other members elected by the membership at the May Annual General Meeting.
- (d) The Chief Negotiator or designate of District 21 Teachers' Unit will be available to assist the Occasional Teacher Bargaining Unit in matters related to negotiations as requested.

C. Committees of District 21 - Hamilton-Wentworth

The Occasional Teachers' Branch shall elect one representative to each of the following committees at the May Annual General Meeting:

- (a) The Political Action Committee
- (b) Communications/Excellence in Education Committee
- (c) Benefits Information Committee
- (d) Educational Services Committee
- (e) Once representative to each of the following District Standing Committees:
 - (i) Health and Safety
 - (ii) Status of Women

ARTICLE V - AMENDMENTS

Amendments to the Constitution, By-Laws and Policies may be made at the Annual General Meeting of the Branch.

- (a) by a 2/3 majority vote of the members qualified to vote, present, and voting provided that notice of the proposed amendment has been given to the Secretary-Treasurer at least 1 month prior to the Annual Meeting and provided that written notice of the proposed amendment has been posted to the membership of the Branch 10 days prior to the Annual Meeting;
- (b) by a 9/10 majority vote of the members qualified to vote, present and voting if previous notice as in (a) above has not been given.

BY - LAWS

BY-LAW I - DUTIES OF MEMBERS

It shall be the duty of every member:

- (a) to comply with the Duties of Members of the Ontario Secondary School Teachers' Federation as defined in By-Law 4, Section 2.

BY-LAW II - DUTIES OF THE BRANCH EXECUTIVE

- (a) to administer the business of the Branch between Annual Meetings of the Branch;
- (b) to establish interim policies and to amend existing policies in order to facilitate the business of the Branch, and to present those interim policies and amendments to the membership for ratification at the Annual Meeting;
- (c) to communicate regularly to Branch Members regarding the management of Branch Business;
- (d) to prepare, in conjunction with the Secretary-Treasurer, a projected budget for presentation to the Annual Meeting of the Branch;
- (e) to give final approval to the Branch's negotiating brief.

BY-LAW III - DUTIES OF THE BRANCH EXECUTIVE MEMBERS

Section 1 - President

It shall be the duty of the President:

- (a) to be the presiding officer and the official representative of the Branch;
- (b) to call Branch Executive meetings, the Annual Meeting of the Branch, and Branch Meetings as required;
- (c) to be responsible for bringing all Bargaining Unit grievances to the Grievance Committee of District 21 - Hamilton-Wentworth, OSSTF and to be the Branch representative on the Grievance Committee of District 21 Hamilton-Wentworth.
- (d) to represent the Branch at Teachers' District 21 - Hamilton-Wentworth Council Meetings.
- (e) to represent the Bargaining Unit at all meetings of the Teacher/Occasional Teacher Sector Council and to report back to the membership.

Section 2 - Vice-President/Chief Negotiator

In the event that Occasional Teachers and Teachers bargain separately, it shall be the duty of the Vice-President/Chief Negotiator:

- (i) to coordinate, preparation of the negotiation brief on behalf of the Occasional Teachers Bargaining Unit, District 21, and to negotiate the Collective

Agreement.

- (ii) to call a General Meeting when necessary for the purpose of ratifying a new Collective Agreement.
- (iii) to ensure that all members have access to a copy of the new Collective Agreement at least 24 hours in advance of ratification.
- (iv) to conduct a vote by secret ballot at designated polling station(s) following procedures published at least 48 hours in advance of the vote.

In the event that Occasional Teachers and Teachers bargain together:

- (v) to serve as a member of the Teachers' Collective Bargaining Committee and recommend to the CBC causal language on behalf of the Occasional Teachers.
- (vi) to assist the President in their duties
- (vii) to serve as President when the President is not available
- (viii) to report to the Branch Annual General meeting

Section 3 - Secretary-Treasurer

It shall be the duty of the Secretary-Treasurer:

- (i) to be responsible for the Minutes of all Unit Executive and Council meetings, the Unit Annual Meeting, and all other Unit meetings.
- (ii) to distribute the minutes of the above meetings at the next applicable meeting, and to any member upon request, and to post minutes of meetings on the Occasional Teachers' Bulletin Boards at the work sites.
- (iii) to assist the President in correspondence
- (iv) to maintain the records of the Unit, including an up-to-date mailing of all members
- (v) to receive and read motions presented to all meetings
- (vi) to report to the Branch Annual General Meeting
- (vii) to, with the Branch President, co-authorize Branch expenses
- (viii) to submit a financial statement to each Branch Executive meeting and at the Branch Annual General Meeting
- (ix) to administer the Subscription Fund in accordance with the By-Laws
- (x) to annually prepare a draft budget for approval by the Branch Executive.

Section 4 - Executive Members at Large

It shall be the duty of the Executive Members at Large:

- (i) to assist the other Branch Executive members in the fulfilling of their duties
- (ii) to be prepared to assume the role of any Branch Executive Member, as directed by the Branch Executive
- (iii) to assist the Branch President in preparation for the Branch Annual General Meeting.
- (iv) to serve as an alternate representative to the District Committees.

BY-LAW IV - COLLECTIVE BARGAINING COMMITTEE

In the event that Occasional Teachers and Teachers bargain separately, an

Occasional Branch Collective Bargaining Committee shall be elected.

A. Duties

It shall be the duty of the Occasional Teachers' Negotiating Committee:

- (a) to represent the Branch membership in negotiations for a collective agreement with the Hamilton-Wentworth Board of Education, District 21;
- (b) to solicit input from Branch members and the Branch Executive;
- (c) to prepare the negotiating brief;
- (d) to carry out negotiations with The Hamilton-Wentworth Board of Education, District 21.
- (e) to distribute information on negotiations to Branch members;
- (f) to arrange for information.

B. Ratification

Ratification of the Occasional Teachers' Branch Collective Agreement shall be for Occasional Teachers' Branch members only.

BY-LAW V - MEETINGS

A. Branch Executive

- B. The Branch Executive shall meet at the call of the Branch President or on the request of two members of the Branch Executive.

B. Annual Meeting of the Branch

- C. An Annual Meeting of all Branch members shall be held during the month of May at the call of the Branch President, with 1 month notice being served;
- D. Resolutions to the Annual Meeting shall be posted in each work site in the Hamilton-Wentworth school system, or shall be available by calling the District 21 Hamilton-Wentworth office 10 days prior to the Annual Meeting of the Branch.
- E. The Annual Meeting of the Branch shall elect the officers of the Branch Executive and representatives to committees of District 21 - Hamilton-Wentworth.

C. Branch Meetings

- D. A meeting of all Branch members may be held at the call of the Branch President or the President of District 21 Teachers' Unit with 14 days written notice being given.
- E. A meeting of all Branch Members shall be called by the Branch President or the President of District 21 Teachers' Unit if requested by at least 10 members of the Branch; such request to be in written form and signed by each of the requesting members. The meeting shall be

held within 21 days of the request being received.

D. Representation at District 21 - Hamilton-Wentworth Meetings

- E. Representation at District 21 - Hamilton-Wentworth meetings shall be as prescribed in "The Constitution, By-Laws, and Policies of District 21 - Hamilton-Wentworth" Constitution and By-Laws.

BY-LAW VI - PROCEDURES AT MEETINGS

A. Rules of Order

- B. The meetings shall be conducted in accordance with the Rules of Order of OSSTF.

B. Quorum

- C. A Quorum of the Branch Executive shall be three of the five voting members of the Executive.
- D. A Quorum of the Occasional Teachers' Negotiating Committee shall consist of three members who are members of the Occasional Teachers' Negotiating Committee.
- E. A Quorum for all Branch Meetings, including the Annual Meeting shall consist of 15 members qualified to vote, present and voting.

BY-LAW VII - ELECTIONS

A. Offices

- B. Election to the offices on the Branch Executive shall take place at the Annual Meeting of the Branch.
- C. Election of representatives of District 21 - Hamilton-Wentworth committees shall take place at the Annual Meeting of the Branch.

B. Nominations

- C. Written nominations for the Branch Executive offices shall be submitted to the President of District 21 - Hamilton-Wentworth not later than 14 days prior to the Annual Meeting of the Branch and shall be available by calling the office of District 21 - Hamilton-Wentworth.
- D. Nominations from the floor of the Annual Meeting of the Branch provided the nominations is signed by three members of the Branch.

C. Balloting

- D. Balloting for Branch Executive positions shall be carried out by the President of District 21 - Hamilton-Wentworth or his/her designate.
- E. Persons elected to offices at the Annual Meeting of the Branch must have a majority of the ballots cast to win. If there is no majority, the person with the least votes must withdraw and a further ballot must be held. This procedure continues until there is a majority vote.

D. Term of Office

E. The term of office of the Branch Executive shall commence on June 1 and shall end the following May 31.

E. Vacancies

F. Vacancies which occur on the Branch Executive during the term of office shall be filled by appointment by the Branch Executive until the next Branch meeting at which the position shall be filled by election in order to complete the term of office.

BY-LAW VIII - DUES

A. Annual Dues

B. The amount of the annual dues shall be as prescribed in the By-Laws of the Ontario Secondary School Teachers' Federation.

C. A District Levy as prescribed by the By-Laws of District 21 - Hamilton-Wentworth.

D. The method of payment of dues shall be as prescribed in the collective agreement made between Occasional Teachers' Branch OSSTF District 21 - Hamilton-Wentworth Board of Education.

TABLE OF CONTENTS

<u>ARTICLES</u>	<u>PAGE</u>
ARTICLE I - Name	1
ARTICLE II -Membership.....	1
ARTICLE III - Objects	1
ARTICLE IV - Organization	1
A. Executive.....	1
(ii) Occasional Teachers' Negotiating Committee	2
(iii) Committees of OSSTF District 21	2
ARTICLE V - Amendments.....	2
<u>BY-LAWS</u>	
BY-LAW I - Duties of the Members.....	3
BY-LAW II - Duties of the Branch Executive.....	3
BY-LAW III - Duties of the Branch Executive Members	3
Section 1 - President	3
Section 2 - Vice-President/Chief Negotiator	3
Section 3 - Secertary/Treasurer.....	4
Section 4 - Executive Members at Large	4
BY-LAW IV - Collective Bargaining Committee.....	4
(i) Duties.....	

(ii) Ratification.....
5

BY-LAW V - Meetings..... 5
A. Branch Executive
5
B. Annual Meeting of the Branch
5
C. Branch Meetings.....
5
D. Representation at District 21 Meetings.....
6

BY-LAWS _____ **PAGE**

BY-LAW VI - Procedures at Meetings..... 6
(i) Rules of Order..... 6
(ii) Quorum..... 6

BY-LAW VII- Elections 6
(a) Offices..... 6
(b) Nominations..... 6
(c) Balloting..... 6
(d) Term of Office..... 7
(e) Vacancies..... 7

BY-LAW VII -Dues 7
(a) Annual Dues..... 7

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

2007 - 2008

**OCCASIONAL TEACHERS
CONSTITUTION & BY-LAWS**

September, 2007