



2014 - 2015

Constitution and Bylaws

**Ontario Secondary School Teachers' Federation/
Fédération des enseignantes-enseignants de l'Ontario**

Website: www.osstf.on.ca



Dated June 6, A.D. 1925

LETTERS PATENT
Under the *Ontario Companies Act*
Incorporating
THE ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION

Recorded this 22nd
day of June A.D. 1925

Supplementary Letters Patent
issued May 15, 1987, June 20, 1995 and May 16, 1997

The original document is on file at the Provincial Office
and as amended by the Supplementary Letters Patent
sets forth the following purposes and objects:

- (a) TO associate and unite teachers and all other employees of educational institutions, or local government bodies of whatever nature, or who are employed by or engaged by any organization which provides services to an educational institution or to a local government body, whether directly or indirectly, within the Province of Ontario, and to promote and safeguard their interests;
- (b) TO purchase, acquire or lease premises which may be suitable for the headquarters of the Federation;
- (c) TO purchase, take or acquire, by original subscription or otherwise, and to hold, sell or otherwise dispose of shares, stock, whether common or preferred, debentures, bonds and other obligations in and of any other company having objects similar, in whole or in part, to the objects of the Federation or carrying on any business capable of being conducted so as, directly or indirectly, to benefit the Federation and to establish, promote or otherwise assist any other company or companies;
- (d) TO establish an Information Bureau for the use of the members of the Federation and a Teachers' Exchange; and
- (e) TO do all such other things as are incidental or conducive to the attainment of the above objects.

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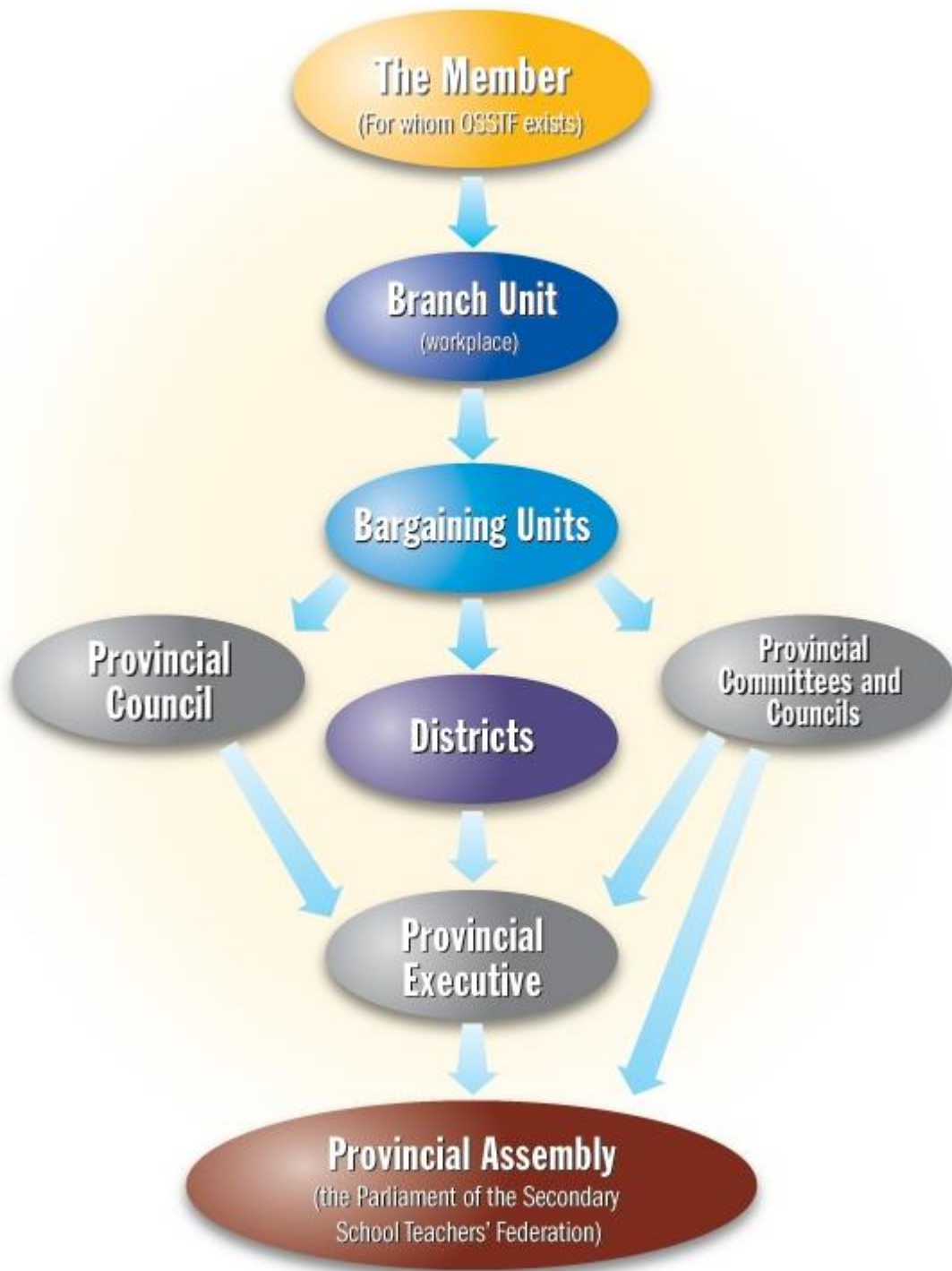
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OSSTF/FEESO Organizational Chart



ACRONYMS USED BY OSSTF

AEFO	L'ASSOCIATION DES ENSEIGNANTES ET DES ENSEIGNANTS FRANCO-ONTARIENS
AMPA	ANNUAL MEETING OF THE PROVINCIAL ASSEMBLY
ARM	ACTIVE RETIRED MEMBERS
CAB	CERTIFICATION APPEAL BOARD
CAMP	CAMPAIGN
CAS	CHILDRENS' AID SOCIETY
CBC	COLLECTIVE BARGAINING COMMITTEE
CBEV	COLLECTIVE BARGAINING EVALUATION
CBLG	COLLECTIVE BARGAINING LEAVE AND GRATUITY
CBS	COLLECTIVE BARGAINING - SALARY
CBT	COLLECTIVE BARGAINING - TENURE
CBW	COLLECTIVE BARGAINING CONDITIONS OF WORK
COPE	CANADIAN OFFICE PROFESSIONAL EMPLOYEES
CPAC	COMMUNICATIONS AND POLITICAL ACTION
CLC	CANADIAN LABOUR CONGRESS
CERT	CERTIFICATION
CPI	CONSUMER PRICE INDEX
CPP	CANADA PENSION PLAN
CSLF	COMITÉ DES SERVICES EN LANGUE FRANÇAIS
EAO	EDUCATOR ASSOCIATED ORGANIZATIONS
EDFI	EDUCATIONAL FINANCE
EDIS	EDUCATIONAL ISSUES
EFG	EDUCATORS FINANCIAL GROUP
EI	EDUCATION INTERNATIONAL
ELL	ENGLISH LANGUAGE LEARNER
ESC	EDUCATIONAL SERVICES COMMITTEE
ESL	ENGLISH AS A SECOND LANGUAGE
ESO	EDUCATIONAL SERVICES OFFICER
ESS	EDUCATIONAL SUPPORT STAFF
ETFO	ELEMENTARY TEACHERS' FEDERATION OF ONTARIO
ETH	ETHICS
FEESO	FEDERATION DES ENSEIGNANTES-ENSEIGNANTS DE L'ONTARIO
FTE	FULL TIME EQUIVALENT
JC	JUDICIAL COUNCIL
LTDI	LONG TERM DISABILITY INSURANCE
MISP	MISCELLANEOUS POLICY
MSRB	MEDIATION SERVICES RESOURCE BANK
OCT	ONTARIO COLLEGE OF TEACHERS
OECTA	ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION
OFL	ONTARIO FEDERATION OF LABOUR
OHIP	ONTARIO HEALTH INSURANCE PLAN
OLRA	ONTARIO LABOUR RELATIONS ACT
OMERS	ONTARIO MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM
OSIS	ONTARIO SCHOOLS: INTERMEDIATE AND SENIOR
OSSD	ONTARIO SECONDARY SCHOOL DIPLOMA
OSSTF	ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION
OTC	ONTARIO TEACHER'S CERTIFICATE
OTF	ONTARIO TEACHERS' FEDERATION
OTIP/RAEO	ONTARIO TEACHERS' INSURANCE PLAN
OTPA	ONTARIO TEACHERS' PENSION ACT
OTPP	ONTARIO TEACHERS' PENSION PLAN
OTPPB	ONTARIO TEACHERS' PENSION PLAN BOARD
PC	PROVINCIAL COUNCIL
PCC	PARLIAMENTARY AND CONSTITUTION COUNCIL
PD	PROFESSIONAL DEVELOPMENT
PE	PROVINCIAL EXECUTIVE
PEN	PENSIONS
PSAT	PROVINCIAL SCHOOLS AUTHORITY TEACHERS
PSSP	PROFESSIONAL STUDENT SERVICES PERSONNEL
REG	REGULATION
RRIF	REGISTERED RETIREMENT INVESTMENT FUND
RTO	RETIRED TEACHERS OF ONTARIO
SDA	SPECIAL DISTRICT ASSISTANCE
SWAG	SUPPORT WORKER ADVISORY GROUP
T/OT	TEACHER/OCCASIONAL TEACHER
TAO	TEACHER ASSOCIATED ORGANIZATION
TPA	TEACHING PROFESSION ACT
TPP	TEACHERS' PENSION PLAN
TTAC	TEACHER TRIPARTITE ADVISORY COMMITTEE
WHMIS	WORKPLACE HAZARDOUS MATERIALS INFORMATION SYSTEM

OSSTF/FEESO Districts

District 1	Ontario North East
District 2	Algoma
District 3	Rainbow
District 4	Near North
District 5A	Northern Shield
District 5B	Rainy River
District 6A	Thunder Bay
District 6B	Superior North
District 7	Bluewater
District 8	Avon Maitland
District 9	Greater Essex
District 10	Lambton Kent
District 11	Thames Valley
District 12	Toronto
District 13	Durham
District 14	Kawartha Pine Ridge
District 15	Trillium Lakelands
District 16	York Region
District 17	Simcoe
District 18	Upper Grand
District 19	Peel
District 20	Halton
District 21	Hamilton-Wentworth
District 22	Niagara
District 23	Grand Erie
District 24	Waterloo
District 25	Ottawa-Carleton
District 26	Upper Canada
District 27	Limestone
District 28	Renfrew
District 29	Hastings-Prince Edward
District 30	PSAT
District 31	Franco-Nord Ontarien
District 32	Centre-Sud-Ouest de l'Ontario
District 33	District de l'Est
District 34	Independent Educational Programs
District 35	Universities & Colleges

OSSTF/FEESO Regions

Region 1

District 5A	Northern Shield
District 5B	Rainy River
District 6A	Thunder Bay
District 6B	Superior North

Region 2

District 1	Ontario North East
District 2	Algoma
District 3	Rainbow
District 4	Near North

Region 3

District 7	Bluewater
District 8	Avon Maitland
District 9	Greater Essex
District 10	Lambton-Kent
District 11	Thames Valley
District 18	Upper Grand
District 23	Grand Erie
District 24	Waterloo

Region 4

District 12	Toronto
District 13	Durham
District 16	York Region
District 17	Simcoe
District 19	Peel
District 20	Halton
District 21	Hamilton-Wentworth
District 22	Niagara
District 30	PSAT
District 34	Independent Educational Programs
District 35	Universities & Colleges

Region 5

District 14	Kawartha Pine Ridge
District 15	Trillium Lakelands
District 25	Ottawa-Carleton
District 26	Upper Canada
District 27	Limestone
District 28	Renfrew
District 29	Hastings-Prince Edward

Francophone Units

District 31	Franco-Nord Ontarien
District 32	Centre-Sud-Ouest de l'Ontario
District 33	District de l'Est
District 35	(Université d'Ottawa)

CONSTITUTION OF THE ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION

[Amended at Provincial Assembly, March 2014]

Article 1 Definitions

- 1.1 In this Constitution and Bylaws
- 1.1.1 "AMPA" shall mean Annual Meeting of the Provincial Assembly. (A.96)
- 1.1.1.1 "AMPA Delegate" shall mean a Member at AMPA, chosen in accordance with Bylaw 11.2, who has voting privileges. (A.01)
- 1.1.1.2 "AMPA Alternate" shall mean a Member at AMPA who lacks voting privileges until the Alternate is seated to replace an absent Delegate or is recognized as an accredited voting member of a House Committee. (A.01)
- 1.1.1.3 "AMPA Delegation" shall mean the Delegates and Alternates selected according to the Bylaws. (A.01)
- 1.1.2 "Bargaining Unit" shall mean a Bargaining Unit Organization of the OSSTF. (A.91)
- 1.1.3 "Branch" shall mean a Branch Organization of the OSSTF.
- 1.1.4 "Bylaws" shall mean standing rules governing the membership of OSSTF made under this Constitution on matters of internal regulation and matters which are entirely within the control of OSSTF.
- 1.1.5 "central bargaining" shall mean the process established under statute whereby representatives of Provincial OSSTF meet with representatives of the provincial government and the Employer Bargaining Agent with a view to negotiating collective agreement terms which once ratified in accordance with the bylaws will be binding on local OSSTF Bargaining Units." (A.14)
- 1.1.6 "the Chair" when used in a parliamentary sense shall mean that a meeting is or was in progress and statements were made at the time by or to the person presiding over the meeting or that the authority for presiding was transferred for a time to another person. (A.84)
- 1.1.7 "Chairperson" shall mean the Presiding Officer of an official body of OSSTF, and may be used in addition to elected titles such as President. Such title shall be deemed to include the alternate titles which may be used at the preference of the Presiding Officer of each such official body of OSSTF. (A.84)

- 1.1.8 "Constitution" shall mean a system of fundamental principles according to which OSSTF is governed, and the basic organization of OSSTF.
- 1.1.9 "days" shall mean school days as defined in the Education Act unless otherwise stated. (A.95)
- 1.1.10 "District" shall mean a District Organization of the OSSTF.
- 1.1.11 "External Policy" shall mean a stand or position taken by the OSSTF in accordance with its Bylaws on matters whose resolution is beyond the internal legislative power of OSSTF. (A.12)
- 1.1.12 "full time equivalent membership" for the purposes of representation of, and fee rebates to, a District shall mean a number calculated by taking the average dues of each Bargaining Unit in the best six months of the Federation year. The FTE of a Bargaining Unit shall be calculated as the sum of all members employed on a full-time basis and the pro-rated FTE for members employed on a part-time basis. The FTE for part-time members shall be the total monthly Bargaining Unit dues paid, divided by the greater of the monthly average dues submitted by the Bargaining Unit or the calculated minimum monthly provincial dues. (A.11)
- 1.1.12.1 "Interim FTE" for the period following Labour Board certification and until the provisions of Article 1.1.12 can be fully implemented, shall be recommended by the General Secretary, after gathering all relevant information from the new Bargaining Unit, for approval by the Provincial Executive and reported, with a full rationale, to Provincial Council. (A.11)
- 1.1.13 "local bargaining" shall mean the renegotiation of collective agreement terms between an employer and an OSSTF bargaining unit that are not negotiated in central bargaining. (A.14)
- 1.1.14 "local organization" shall mean a District or Bargaining Unit. (A.98)
- 1.1.15 "Member" shall mean Active Member except where otherwise stated.
- 1.1.16 "member" shall mean any member of OSSTF as defined in Article 5 of this Constitution unless otherwise stated. (A.87) [The word "member" or "members" may also be used in context to refer to a person or persons belonging to any sub-group within or outside OSSTF, e.g. "a member of the Provincial Executive" or "a member of a committee" - Editor 1989]

- 1.1.17 "OSSTF" shall mean the Ontario Secondary School Teachers' Federation.
- 1.1.18 "OSSTF Internal Policy" shall mean a behavioural goal for all Members to strive to achieve. (A.12)
- 1.1.19 "OTF" shall mean the Ontario Teachers' Federation.
- 1.1.20 "OTPA" shall mean *Ontario Teachers' Pension Act*. (A.96)
- 1.1.21 "Procedure(s)" shall mean the method by which a Bylaw is implemented. (A.13)
- 1.1.22 "province wide bargaining" shall mean any process, with the exception of Provincial Responsibility for Negotiations, whereby one or more representative[s] of Provincial OSSTF meet with the provincial government and/or provincial educational employer representatives with a view to agreeing on collective agreement provisions which will be binding on local Bargaining Units.
- 1.1.23 "Region" shall mean a Region Organization of the OSSTF.
- 1.1.24 "regulations" shall mean authoritative rules dealing with details of procedures approved by a council, in accordance with its constitution, to assist it in carrying out the duties assigned to it by the Provincial Assembly. (A.84)
- 1.1.25 "Sector" shall mean a grouping of Bargaining Units representing Members who share a community of professional and protective interests. (A.05)
- 1.1.26 "TPA" shall mean *Teaching Profession Act*. (A.96)
- 1.1.27 "teacher" shall mean a person employed as a teacher, whether full-time or part-time, permanent or probationary, continuing education, or occasional. (A.88)
- 1.1.28 "Trusteeship" shall mean the resumption by OSSTF of those duties delegated to a local organization in accordance with the Bylaws. (A.91)
- 1.1.29 "vote of the membership" shall mean a balloted vote of the full membership or an entire Sector of the membership where the sheet containing the ballot includes only the question being put and the voting options. (A.12)
- 1.1.30 "workplace" shall be any location where an OSSTF Member is employed. (A.91)
- 3.1.2 to secure and maintain for all Active Members of OSSTF equal collective bargaining rights including the right to strike; (A.84)
- 3.1.3 to bargain collectively on behalf of its Active Members;
- 3.1.4 to promote and advance the cause of public education; (A.90)
- 3.1.5 to promote a high standard of professional ethics and a high standard of professional competence;
- 3.1.6 to secure for members active participation in formulating policies and practices affecting education; (A.88)
- 3.1.7 to work toward control of our professional destiny;
- 3.1.8 to promote political action to ensure that legislation regulating educational structures and policies is in the best interests of members, public education, students and the community; (A.90)
- 3.1.9 to support and promote equal opportunity for members, employees, and students; (A.83)
- 3.1.10 to foster and promote the dignity of all persons regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, socio-economic status, age, marital status, family status or disability. (A.13)
- 3.1.11 to associate and unite teachers and other employees of educational institutions, or agencies which provide services to educational institutions, within the Province of Ontario. (A.97)
- 3.1.12 to promote political action to ensure that legislation regulating labour structures and policies is in the best interest of members. (A.10)

Article 4 Ethics

- 4.1 The OSSTF shall maintain under OSSTF Internal Policies (A.12)
- 4.1.1 a motto,
- 4.1.2 a pledge,
- 4.1.3 a statement of ethics,
- 4.1.4 principles of professional conduct, (A.78)
- 4.1.5 a bill of rights for members, (A.88)
- 4.1.6 an equity statement, (A.10)
- 4.1.7 an anti-harassment policy and procedure. (A.13)

Article 5 Membership

- 5.1 Members shall be designated in accordance with the Bylaws as
- 5.1.1 Active Members, (A.91)
- 5.1.2 Active Retired Members, (A.96)
- 5.1.3 Voluntary Members,
- 5.1.4 Associate Members,
- 5.1.5 Honorary Members,

Article 2 Name

- 2.1 This organization shall be known as "The Ontario Secondary School Teachers' Federation".

Article 3 Objects

- 3.1 The objects of OSSTF shall be
- 3.1.1 first and foremost to protect its members, both individually and collectively, in their profession, and to ensure that none of the civil, human and legal rights enjoyed by

5.1.6 Provincial Life Members. (A.84)

Article 6 Fees

- 6.1 The fee for members shall be as prescribed in the Bylaws. (A.91)
- 6.2 Provided that a three-quarters vote of the Provincial Assembly approves of such action, a supplementary fee or a special assessment may be levied on the members.

Article 7 Provincial Organization

7.1 Executive Body

- 7.1.1 There shall be a Provincial Executive consisting of
 - 7.1.1.1 Voting members as follows:
 - (a) the President (Chief Executive Officer),
 - (b) two Vice-Presidents,
 - (c) the Treasurer,
 - (d) three Executive Officers.
 - 7.1.1.2 Non-voting members as follows:
 - (a) the General Secretary, (A.78)
 - (b) the three Associate General Secretaries. (A.11)

- 7.1.2 The voting members of the Provincial Executive shall be elected or appointed by the Provincial Assembly in the manner prescribed by the Bylaws and Procedures. (A.13)
- 7.1.3 The General Secretary shall be appointed by the voting members of the Provincial Executive. (A.02)
- 7.1.4 The Associate General Secretaries shall be appointed by the voting members of the Provincial Executive. (A.11)

7.2 Secretariat

- 7.2.1 There shall be a Secretariat appointed by the voting members of the Provincial Executive. (A.02)
- 7.2.2 The General Secretary shall recommend to the Provincial Executive candidates for interviews for postings to the Secretariat. (A.13)
- 7.2.3 The Pensions Officer shall be selected in accordance with the Bylaws and shall perform the duties which are prescribed in the Bylaws as they relate to the Ontario Teachers' Pension Plan (OTPP) and the Ontario Municipal Employees' Retirement System (OMERS) and other pension plans of our members. (A.10)

7.3 Legislative Bodies

7.3.1 Provincial Council

- 7.3.1.1 There shall be a Provincial Council which shall act as the supreme legislative body between Annual Meetings of Provincial Assembly and consist of: (A.13)
 - 7.3.1.1.1 Voting members as follows:
 - 7.3.1.1.1.1 Provincial Councillors selected in accordance with the OSSTF Bylaws;

- 7.3.1.1.1.2 the voting members of the Provincial Executive;
- 7.3.1.1.1.3 in the case of a tie vote, then the Chairperson shall be deemed a voting member.
- 7.3.1.1.2 Non-voting members as follows:
 - 7.3.1.1.2.1 the General Secretary or his/her representative;
 - 7.3.1.1.2.2 discretionary members such as provincial committee chairpersons as the Provincial Council shall decide;
 - 7.3.1.1.2.3 the Members elected to the OTF Board of Governors;
 - 7.3.1.1.2.4 the Chairperson of Provincial Council except as determined by Article 7.3.1.1.1.3; (A.95)
 - 7.3.1.1.2.5 the OTF Table Officer; (A.06)
 - 7.3.1.1.2.6 an Ontario Municipal Employees Retirement System (OMERS) representative; (A.12)
 - 7.3.1.1.2.7 a representative from ARM Council. (A.12)
- 7.3.1.2 The Provincial Council shall elect from its members a Chairperson at the first meeting of the Council in each Federation year, who shall be considered Speaker of the body, and the newly-elected Chairperson's Bargaining Unit shall then select another Member as its Provincial Councillor. (A.12)
 - 7.3.1.2.1 A Vice-Chairperson shall be elected at the same meeting of the Council subsequent to the election of the Chairperson. (A.95)
 - 7.3.1.2.2 Both the Chairperson and the Vice-Chairperson of the Provincial Council shall take office immediately upon their election which shall be the last item on the Agenda. (A.12)
 - 7.3.1.3 In voting on all matters except those in Article 7.3.1.3.1 each Provincial Councillor shall be entitled to cast a weighted vote that represents the Bargaining Unit's total allocation of AMPA delegates in the preceding Federation year. Notwithstanding the preceding, the weighted vote for new Bargaining Units certified after the preceding AMPA shall be as determined under Bylaw 10.2. (A.12)
 - 7.3.1.3.1 In voting on the following matters, each Provincial Councillor shall be entitled to one vote: (A.12)
 - 7.3.1.3.1.1 adoption of the agenda; (A.12)
 - 7.3.1.3.1.2 adoption of minutes of prior meetings; (A.12)
 - 7.3.1.3.1.3 elections for the positions of Chairperson and Vice-Chairperson of Provincial Council; (A.12)
 - 7.3.1.3.1.4 Executive Session; (A.13)
 - 7.3.1.3.1.5 Committee of the Whole; (A.13)
 - 7.3.1.3.1.6 Adjournment and Recess; (A.13)
 - 7.3.1.3.1.7 Challenges to the Chair. (A.13)
 - 7.3.1.3.2 Where a Bargaining Unit has more than one Provincial Councillor, the Bargaining

- Unit's weighted vote will be equally divided among those Provincial Councillors. (A.12)
- 7.3.1.3.3 Provincial Executive members shall each be entitled to one vote. (A.12)
- 7.3.2 Provincial Assembly**
- 7.3.2.1 There shall be a Provincial Assembly to represent the membership at large which shall be the supreme legislative body and consist of: (A.13)
- 7.3.2.1.1 Voting members as follows:
- 7.3.2.1.1.1 Delegates to the Provincial Assembly chosen in accordance with the Bylaws, (A.85)
- 7.3.2.1.1.2 the voting members of the Provincial Executive,
- 7.3.2.1.1.3 the Members elected to the OTF Board of Governors,
- 7.3.2.1.1.4 the OTF Table Officer (A.06)
- 7.3.2.1.2 Non-voting members as follows: (A.91)
- 7.3.2.1.2.1 the Chairpersons of standing committees,
- 7.3.2.1.2.2 the Chairpersons of provincial councils,
- 7.3.2.1.2.3 the Chairperson of the Mediation Services Resource Bank, (A.13)
- 7.3.2.1.2.4 the Chairperson of Provincial Council,
- 7.3.2.1.2.5 the Chairpersons of special or ad hoc committees established by the Provincial Assembly,
- 7.3.2.1.2.6 the members of the Secretariat,
- 7.3.2.1.2.7 the General Secretary and the Associate General Secretaries. (A.11)
- 7.4 Provincial Committees**
- 7.4.1 There shall be provincial standing committees as designated in the Bylaws and special committees as the Provincial Executive, Provincial Council, or Provincial Assembly may from time to time deem necessary. (A.82)
- 7.4.2 Provincial standing committees shall be responsible to the Provincial Executive and Provincial Council between Annual Meetings of the Provincial Assembly. (A.86)
- 7.4.3 Special and ad hoc committees shall be responsible to their appointing bodies. (A.86)
- 7.4.4 Provincial standing committees, where appropriate, shall have a regional structure as proposed by the Provincial Executive and approved by Provincial Council. (A.92)
- 7.5 Provincial Councils**
- 7.5.1 There shall be the following Provincial Councils consisting of members to the maxima specified:
- 7.5.1.1 Judicial Council - 10 (A.12)
- 7.5.1.2 Benevolent Council - 9, (A.09)
- 7.5.1.3 Certification Council - 11, (A.09)
- 7.5.1.4 Parliamentary and Constitution Council - 12, (A.12)
- 7.5.1.5 Active Retired Members Council - 12. (A.09)
- 7.5.2 Each council shall have a constitution and, where necessary, bylaws and/or regulations. The council constitution, bylaws and regulations shall not contravene the Constitution and Bylaws of OSSTF. (A.85)
- 7.5.2.1 Provincial councils, where appropriate, shall have a regional structure as proposed by the Provincial Executive and approved by Provincial Council. (A.92)
- 7.5.3 Amendments**
- 7.5.3.1 The constitution and/or regulations of a provincial council, shall be maintained in the OSSTF Policy and Procedures Manual. Amendments to the constitution and/or regulations of a provincial council shall be made in the same manner as that prescribed for amendments to the Bylaws. (A.99)
- 7.5.4 Chairpersons of provincial councils shall be elected by their respective councils.**
- 7.5.5 Year of Office**
- 7.5.5.1 Unless defined otherwise in the constitution of the respective provincial council, a year of office of a provincial council shall commence during the meeting of the council which immediately precedes the June meeting of Provincial Council. (A.85)
- 7.5.6 Co-options (A.88)**
- 7.5.6.1 The council shall allow sufficient time for the new membership to recommend co-options for the approval of Provincial Council preferably at its final meeting of the Federation year. (A.13)
- 7.5.7 Vacancies**
- 7.5.7.1 Vacancies which occur in positions held by appointment from the membership at large, and for which the unexpired term does not extend beyond the end of the current year of office, shall be filled by co-option of a member, subject to the approval of Provincial Council, for the balance of the term. (A.88)
- 7.5.7.2 A co-option shall be for a period of up to one year. Repeat co-options are possible. (A.94)
- 7.5.7.3 All other vacancies shall be filled by the same body which appointed the original member, in accordance with the procedures of the appointing body, for the balance of the term. (A.88)
- 7.6 Mediation Services Resource Bank**
- 7.6.1 There shall be a Mediation Services Resource Bank consisting of up to 11 members. (A.11)
- 7.6.2 The Mediation Services Resource Bank shall have Terms of Reference and Guidelines that do not contravene the Constitution and Bylaws of the OSSTF. (A.11)
- 7.7 Certification Appeal Board (A.89)**

7.7.1 There shall be a Certification Appeal Board. (A.89)

7.8 Chief Financial Officer (A.09)

7.8.1 There shall be a Chief Financial Officer who shall be one of the Associate General Secretaries, appointed by the voting members of the Provincial Executive. (A.11)

Article 8 District Organization (A.00)

8.1 The OSSTF shall be divided into Districts whose boundaries and designations shall be determined by the Provincial Council.

8.1.1 No new District having fewer than 150 Active Members can be created.

8.2 A District Organization shall consist of those Members of OSSTF employed within the boundaries of a District.

8.3 Provincial Districts are those Districts designated by Provincial Council which:

8.3.1 consist of those members of OSSTF employed by one or more employer(s) whose educational institutions operate within the boundaries of the Province of Ontario.

8.4 District Executive

8.4.1 There shall be a District Executive consisting, at a minimum, of a President (who may be a Bargaining Unit president), a Vice-President or Vice-Presidents, a Secretary-Treasurer or Secretary and Treasurer, and all Presidents of Bargaining Units within the District. (A.12)

8.4.2 The District Executive may also include additional members as determined by the District to fulfil its duties under the bylaws.

8.4.3 Members of the District Executive must be Active Members of OSSTF and of the District. (A.10)

8.5 A District shall have such constitution and bylaws as are approved by a general meeting of the membership. The District constitution and bylaws shall not contravene the Constitution or Bylaws of the Provincial OSSTF. (A.00)

Article 9 Bargaining Unit (A.91)

9.1 The term "Bargaining Unit" shall be used to designate the OSSTF organization of those members for whom OSSTF holds bargaining rights under the appropriate legislation. (A.91)

9.2 A Bargaining Unit shall have such constitution and bylaws as are approved by a general meeting of the membership. The constitution and bylaws of the Bargaining Unit shall not contravene the Constitution and Bylaws of the OSSTF. (A.91)

9.3 There shall be a Bargaining Unit Executive consisting, at a minimum, of a President, Treasurer or Secretary/Treasurer and

Chief Negotiator. The Executive may also include additional members as determined by the Bargaining Unit Constitution. (A.00)

9.4 Members of the Bargaining Unit Executive must be Active Members of OSSTF and of the Bargaining Unit. (A.01)

Article 10 Branch Organization

10.1 A Bargaining Unit may be divided into Branches as determined by the Bargaining Unit. (A.98)

10.2 In each Branch there shall be a Branch Executive, including a Branch President as determined by the constitution or bylaws of the Bargaining Unit. (A.98)

10.3 Where the Members of the Branch are in more than one workplace, each workplace shall have an OSSTF Representative. (A.91)

10.4 Where a Branch Executive exists, the members of the Branch Executive may assume the duties assigned to the OSSTF Representative under this Constitution and the Bylaws made under this Constitution. Assignment of such duties to individual members of the Branch Executive shall be as specified by the Bargaining Unit constitution or bylaws. (A.98)

10.5 Where a Branch constitution is approved by a general meeting of the Branch membership, such constitution shall not contravene the constitution or bylaws of the District/Bargaining Unit or of the Provincial OSSTF. (A.98)

10.6 Members of the Branch Executive must be Active Members of OSSTF, of the Bargaining Unit and of the Branch. (A.01)

Article 11 Region Organization

11.1 A Region Organization shall consist of those Members of the OSSTF employed within the boundaries of two or more Districts which combine together for the purpose of organizing one or more Federation activities. (A.91)

11.2 Notwithstanding Article 11.1, standing committees and councils may have regional structures as proposed by the Provincial Executive and approved by Provincial Council. (A.04)

Article 12 Bargaining Agent (A.02)

12.1 The Ontario Secondary School Teachers' Federation shall be the designated bargaining agent for all OSSTF Bargaining Units composed of its members. (A.02)

12.2 The Provincial Bargaining Agent, and any subdivision thereof having responsibility for the negotiation or administration of a collective agreement, shall be subject to the Duty of Fair Representation as required by the *Ontario Labour Relations Act*. (A.13)

Article 13 Transfer of Jurisdiction (A.87)

- 13.1 The OSSTF may accept a transfer of jurisdiction, merger or amalgamation of collective bargaining rights from an employee organization representing professional employees working in an educational institution that possesses such bargaining rights. (A.10)
- 13.2 The acceptance of a transfer of jurisdiction, merger or amalgamation shall be subject to the approval of the Provincial Executive and shall be in accordance with the Bylaws. (A.10)

Article 14 Trusteeship (A.91)

- 14.1 The Provincial Executive may take a local organization under Trusteeship and resume those duties delegated to the local organization by OSSTF in accordance with the Bylaws. (A.91)

Article 15 Bylaws

- 15.1 The OSSTF in Provincial Assembly may pass Bylaws not inconsistent with the Constitution or existing Bylaws concerning
 - 15.1.1 the procedure for the election of its various office holders;
 - 15.1.2 the formation of District, Bargaining Unit, Branch, and Region Organizations; (A.12)
 - 15.1.3 the management of its property and its own internal organization and administration;
 - 15.1.4 the time, place and conduct of the annual and other meetings of the Federation;
 - 15.1.5 the discipline of its members; (A.93)
 - 15.1.6 the establishment, amendment or rescission of OSSTF Policy;
 - 15.1.7 the establishment of special funds in conformity with the Objects of the OSSTF;
 - 15.1.8 the investment of funds in the name of OSSTF;
 - 15.1.9 the appointment of auditors;
 - 15.1.10 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 OSSTF. (A.81)

Article 16 Amendments

- 16.1 Amendments to this Constitution may be made at the Annual Meeting of the Provincial Assembly
 - 16.1.1 by a two-thirds vote of the members qualified to vote, present and voting, provided that
 - 16.1.1.1 notice of the proposed amendment shall have been given in writing to the General Secretary on or before January 31, and (A.99)
 - 16.1.1.2 such notice shall have been forwarded on or before the second Friday after February 1 of that school year by the General Secretary to each Bargaining Unit President, (A.12)

- 16.1.2 by a nine-tenths vote of the members qualified to vote, present and voting, previous notice as in Article 16.1.1.1 not having been given. (A.92)
- 16.2 Proposed amendments received by the General Secretary after January 31 will be distributed at AMPA. (A.99)
- 16.3 Amendments to Constitutions adopted at AMPA shall be effective the subsequent July 1, unless stated otherwise in an action motion passed in advance of the amendment(s) being considered. (A.06)

BYLAWS

[Amended at Provincial Assembly, March 2014]

Bylaw 1 Federation Year

- 1.1 The Federation fiscal and membership year shall be from July 1 to the following June 30. (A.99)

Bylaw 2 Membership

2.1 Types of Membership

2.1.1 Active Members

- 2.1.1.1 Active Members are those members employed by district school boards or other educational institutions, or agencies which provide service to educational institutions within the province of Ontario, and who pay active member fees to OSSTF in accordance with the Constitution and Bylaws; (A.99)

- 2.1.1.2 Where a new Bargaining Unit is organized, members shall be deemed to be Active Members with a waiver of payment of dues until or unless a collective agreement is in force. (A.99)

- 2.1.1.3 Members on a paid leave of absence shall be deemed to maintain their Active Membership status and shall continue to pay membership fees and dues. (A.99)

- 2.1.1.4 Members on an unpaid leave of absence of one year or less in duration which is recognized by the collective agreement shall be deemed to maintain their Active membership status without payment of membership fees and dues. (A.01)

- 2.1.1.5 Members on an unpaid leave of absence of more than one year in duration which is recognized by the collective agreement shall be deemed to maintain their Active Membership status and shall pay fees after one year at the same rate as Voluntary Members. (A.01)

2.1.1.6 Rights, Privileges and Duties of Active Members

- 2.1.1.6.1 Rights and Privileges: Active Members shall have all the rights and privileges of membership, unless limited by disciplinary measures taken in accordance with the Bylaws. (A.12)

- 2.1.1.6.2 Active Members shall have the right to seek the advice of the OSSTF on any matter of professional relationship between the Member and a fellow Member, an employer, their professional college(s), the Ministry of Education, the Ministry of Training, Colleges and Universities, a student, a parent or the public in general. (A.12)

- 2.1.1.6.3 An Active Member shall have the automatic right to representation in a professional difficulty with an employer or other external agency; such representation may include provision of legal counsel

subject to approval by the Provincial Executive. (A.12)

2.1.1.7 Fees:

- 2.1.1.7.1 The fee for Active Members shall be 1.3% of total annual salary earned through an OSSTF employer-collective agreement. (A.12)

- 2.1.1.7.1.1 Total annual salary shall include all monies earned by Members through an OSSTF collective agreement while in the employ of their employer from July 1 to the following June 30. (A.12)

- 2.1.1.7.2 Amendments to the fee structure for Members must be approved by the Provincial Assembly through such vote count as that prescribed for amending the Bylaws. (A.12)

- 2.1.1.7.3 Members shall remit their fees in accordance with the terms of their collective agreements or upon direction of the Treasurer. (A.12)

2.1.2 Voluntary Members

- 2.1.2.1 Voluntary Members shall include:

- 2.1.2.1.1 those members whose applications have been approved by a Bargaining Unit Executive and accepted by the General Secretary; (A.10)

- 2.1.2.1.2 Where the appropriate District body dealing with the approval of Voluntary Members does not approve an applicant on an initial vote, the applicant will be notified of the decision and reasons stated. The District Executive shall provide for a hearing on the request of the applicant prior to a final decision on approval being forwarded to the Provincial Executive. (A.90)

- 2.1.2.1.3 Members of the Secretariat and Organizers employed by OSSTF on a full-time basis. (A.03)

- 2.1.2.2 Rights and Privileges: Voluntary Members shall be entitled to receive all routine information and official communications from OSSTF, and to attend in a non-voting capacity OSSTF meetings which are open to the general membership. (A.12)

- 2.1.2.3 Fees: (A.12)

- 2.1.2.3.1 The annual fee for Voluntary Members who qualify as such under Bylaw 2.1.2.1.1 shall be \$50.00. If certification services are required, an additional charge shall be made for such service. Certification services for Voluntary Members shall not include access to a Formal Hearing in the appeal process. (A.12)

- 2.1.2.3.2 The fee for Voluntary Members who qualify as such under Bylaw 2.1.2.1.1 shall be remitted to the Treasurer of OSSTF before March 1 of each school year. (A.12)

- 2.1.2.3.3 Fifty percent of the OSSTF fee for Voluntary Members shall be rebated to the

- District which approved the voluntary membership. (A.12)
- 2.1.3 **Associate Members**
- 2.1.3.1 Associate members shall include:
- 2.1.3.1.1 teachers in training at the Ontario Faculties of Education;
- 2.1.3.1.2 unemployed members who were formerly Active Members, who do not request to have their names removed from the list of members; (A.90)
- 2.1.3.1.3 all exchange teachers qualified to become OSSTF Members in publicly-supported secondary schools.
- 2.1.3.2 Associate Members shall be entitled to receive routine information, and official communications at the discretion of the Provincial Executive. (A.12)
- 2.1.4 **Honorary Members**
- 2.1.4.1 Honorary Members shall include Members who have retired after having performed outstanding service and commitment to OSSTF and on whom Honorary Membership has been conferred by the Provincial Executive on the recommendation of a District. (A.06)
- 2.1.4.2 An Honorary Membership may be approved from any District in any one year for every 500 members or greater portion thereof. (A.06)
- 2.1.4.3 Notwithstanding 2.1.4.2 every District shall be allowed to apply for a minimum of two Honorary Memberships each year. (A.06)
- 2.1.4.4 Honorary Members shall have all the rights and privileges of Associate Members. (A.12)
- 2.1.5 **Provincial Life Members**
- 2.1.5.1 Provincial Life Members shall include Members who, in the opinion of the Provincial Executive, have rendered meritorious and outstanding service to the OSSTF at the provincial level, and on whom the Provincial Executive has conferred Provincial Life Membership.
- 2.1.5.2 Provincial Life Members who would otherwise be Active Members shall have all the rights and privileges of Active Members. (A.12)
- 2.1.5.3 Provincial Life Members who would not otherwise be Active Members shall have all the rights and privileges of Voluntary Members. (A.12)
- 2.1.5.4 Provincial Life Members shall be entitled to a refund of the OSSTF fee. (A.12)
- 2.1.6 **Active Retired Members**
- 2.1.6.1 Active Retired Members shall include Members formerly defined under the terms of Bylaw 2.1.1 and former employees of OSSTF, who have retired from their employment and have paid the appropriate fee under Bylaw 2.1.6.5 for Active Retired Members. (A.01)
- 2.1.6.2 Associate Active Retired Members are retired former employees of an Ontario district school board or other educational institution, or agency which provides service to educational institutions within the province of Ontario, who do not qualify to be Active Retired Members under Bylaw 2.1.6.1 but have applied and paid the appropriate fee under Bylaw 2.1.6.5 for Active Retired Members. (A.09)
- 2.1.6.3 Notwithstanding 2.1.6.1 a retired member who returns to work may retain both Active Member and Active Retired Member status unless the person returns to employment in education within the province of Ontario for a period of more than 95 days in a school year. (A.06)
- 2.1.6.4 Active Retired Members shall have all the rights and privileges of Voluntary Members and all rights prescribed in the ARM Council Constitution. (A.12)
- 2.1.6.5 Fees: (A.12)
- 2.1.6.5.1 The annual fee for Active Retired Members shall be \$50.00. (A.12)
- 2.1.6.5.2 Active Retired Members shall remit their fees to the Treasurer of OSSTF. (A.12)
- 2.1.6.6 Associate Active Retired Members shall have the right to participate in the ARM Benefits Plan and to participate in the activities of a local ARM Chapter. (A.12)
- 2.2 **Bargaining and Membership**
- 2.2.1 No person shall retain membership in the OSSTF for the purposes of being represented by the OSSTF as bargaining agent if the statute under which that person would be represented excludes him/her from collective bargaining rights following a decision by the responsible tribunal.
- 2.3 **Term of Membership**
- 2.3.1 The membership of Members who are employed on a casual basis shall continue for a period of ninety-five school days after the date of the last day employed. (A.05)
- 2.3.2 The membership of Members who are employed on a limited term basis shall continue for a period of sixty school days after the date of the last day employed. (A.92)
- 2.3.3 Notwithstanding 2.3.1 and 2.3.2, if a person qualifies for membership again during the same membership year, such membership shall be deemed to have been continuous. (A.91)
- 2.4 **Rights, Privileges and Duties of Members**
- 2.4.1 **Members Other Than Active Members:**
- 2.4.1.1 Voluntary Members, Associate Members, Honorary Members and Provincial Life Members shall be subject to the same

- Duties of Members as Active Members. (A.12)
- 2.4.1.2 Active Members shall have all the rights and privileges of membership, unless limited by disciplinary measures taken in accordance with the Bylaws. (A.12)
- 2.4.1.3 Voluntary Members shall be entitled to receive all routine information and official communications from OSSTF, and to attend in a non-voting capacity OSSTF meetings which are open to the general membership. (A.12)
- 2.4.1.4 Associate Members shall be entitled to receive routine information, and official communications at the discretion of the Provincial Executive. (A.12)
- 2.4.1.5 Honourary Members shall have all the rights and privileges of Associate Members. (A.12)
- 2.4.1.6 Life Members, who would otherwise be Active Members, shall have all the rights and privileges of Active Members. (A.12)
- 2.4.1.7 Provincial Life Members, who would not otherwise be Active Members, shall have all the rights and privileges of Voluntary Members. (A.12)
- 2.4.1.8 Provincial Life Members shall be entitled to a refund of the OSSTF fee. (A.12)
- 2.4.1.9 Members shall have the right to seek the advice of the OSSTF on any matter of professional relationship between the Member and a fellow Member, an employer, their professional college(s), the Ministry of Education, the Ministry of Training, Colleges and Universities, a student, a parent or the public in general. (A.12).
- 2.4.1.10 An Active Member shall have the automatic right to representation in a professional difficulty with an employer or other external agency; such representation may include provision of legal counsel subject to approval by the Provincial Executive. (A.12)
- 2.4.1.11 The nature and extent of representation for a Member shall be determined by the Provincial Executive. (A.12)
- 2.4.1.12 Active Retired Members shall have all the rights and privileges of Voluntary Members and all rights prescribed in the ARM Council Constitution. (A.12)
- 2.4.1.13 Associate Active Retired Members shall have the right to participate in the ARM Benefits Plan and to participate in the activities of a local ARM Chapter. (A.12)
- 2.4.2 **Duties of Members to Other Members**
- 2.4.2.1 A member shall: (A.12)
- 2.4.2.1.1 avoid interfering in an unwarranted manner between other members and pupils; (A.12)
- 2.4.2.1.2 on making an adverse report on another member, furnish that member with a written statement of the report at the earliest possible time and not later than three days after making the report. (A.12)
- 2.4.2.1.2.1 Notwithstanding the preceding, on matters related to the Child and Family Services Act, this obligation shall not apply. (A.12)
- 2.4.2.1.3 prior to registering a complaint of harassment or bullying against another member, inform the member, either personally or through a representative, that the actions are unwelcome and must cease; (A.12)
- 2.4.2.1.4 refuse to accept employment with an employer whose relations with the Federation are unsatisfactory; (A.12)
- 2.4.2.1.5 where the Member is in an administrative or supervisory position, make an honest and determined effort to help and counsel a Member before subscribing to the dismissal of that member; (A.12)
- 2.4.2.1.6 not attempt to gain an advantage over other Members by knowingly underbidding another Member, or knowingly applying for a position not properly declared vacant, or by negotiating for salary independently of the Member's Bargaining Unit. (A.12)
- 2.4.2.2 Any member making an adverse report on another member under 2.4.2.1.2 shall include in the written statement the relevant date, details and alleged incidents that were related in the adverse report to the member and address and deliver the written statement to the member. (A.12)
- 2.4.2.3 It shall be the duty of every member whose duties include the making of recommendations affecting the tenure or position of responsibility of another member to provide the said member with copies of all reports submitted or filed concerning him/her, no later than 72 hours after the submission or filing of the report; and before making a recommendation for termination or non-renewal of a member's contract, or demotion on the grounds of unsatisfactory performance, to warn the member in writing, to provide or offer assistance and to allow a reasonable time for improvement, and when placing a member under formal review to inform the Field Secretary assigned to the member's District or Bargaining Unit. (A.12)
- 2.4.2.4 It shall be the duty of every Member not to deliberately and repeatedly breach the rules of order at any meeting called by an OSSTF Bargaining Unit, District, Provincial Council, a Resumption of Bargaining Team a Pay Equity Steering Committee or a Resumption of Pay Equity Steering Committee, the Provincial Executive or a provincial committee or council. (A.12)
- 2.4.3 **Duties of Members to OSSTF**
- 2.4.3.1 It shall be the duty of every member to comply with the Constitution and Bylaws of OSSTF and to seek to change the

- Constitution, Bylaws or Policies only through the proper procedures of the Federation. (A.12)
- 2.4.3.2 Where a member's actions are not constrained by agencies external to the OSSTF, it shall be the duty of every Member to act in accordance with the established Policies of the OSSTF. (A.12)
- 2.4.3.3 It shall be the duty of every Member to uphold the OSSTF Pledge and Statement of Ethics. (A.12)
- 2.4.3.4 It shall be the duty of every Member to act in accordance with Principles of Professional Conduct prescribed under Internal Policy 1.4. (A.12)
- 2.4.3.5 It shall be the duty of a Member who is being represented by the Federation in a professional difficulty with an employer, or other external agency to honour the commitments made on his/her behalf by the Federation, if those commitments are made with his/her written consent. (A.12)
- 2.4.3.6 It shall be the duty of every Member to check with OSSTF before accepting a position to ensure that the employer is in good standing. (A.12)
- 2.4.3.7 It shall be the duty of every Member who holds elected or appointed office with OSSTF to refrain from holding or seeking office with another union where the interests of the union are in conflict, or appear to be in conflict, with the interests of OSSTF. (A.12)
- 2.4.3.8 It shall be the duty of every Member who is seeking office in OSSTF and who is also a member of another union to declare such dual membership. (A.12)
- 2.4.3.9 It shall be the duty of a Member serving on the Provincial Executive, Provincial Council, a Provincial Committee, Council or as OTF Governor to resign from that office when the member retires to a pension or its equivalent. (A.12)
- 2.4.3.10 It shall be the duty of a Member on an unpaid leave of absence recognized by the collective agreement, who works in any employment situation where the Member would not otherwise be a Member of OSSTF, to resign from any elected or appointed OSSTF office(s) for the period of employment. (A.12)
- 2.4.3.11 It shall be the duty of each member to support a modified work environment for members with disabilities. (A.12)
- 2.4.3.12 It shall be the duty of a Member of OSSTF to support the Federation's Constitution, Bylaws and Policies while representing or being sponsored by OSSTF at any external convention, conference or other decision-making bodies. (A.12)
- 2.4.3.13 It is the duty of every member to maintain the confidentiality of any document, communication or any other information deemed confidential. (A.13)
- 2.4.4 **Duties of Members During Negotiations/Sanctions**
- 2.4.4.1 It shall be the duty of every member to refrain from undertaking or supporting actions which undermine any established negotiating procedures during a collective bargaining process or pay equity process. (A.12)
- 2.4.4.2 It shall be the duty of every Member that, where a strike occurs in accordance with the results of a membership ballot, the Member, unless forbidden by law or requested otherwise by the local District/Bargaining Unit Executive, shall join in such sanctions as have been decided on by the majority vote of the Members in the body undertaking the sanction. (A.12)
- 2.4.4.3 It shall be the duty of every Member not to attend, organize, convene, or participate in any manner whatsoever in, any extracurricular school activities, events or tournaments involving a school or workplace or schools or workplaces from another District whose Members have instituted a withdrawal of voluntary activities. (A.12)
- 2.4.4.4 Unless forbidden by law, it shall be the duty of every Member to refrain from undertaking or supporting actions which undermine or attempt to undermine any sanction imposed by OSSTF in relation to central bargaining or local bargaining. (A.14)
- 2.4.4.5 It shall be the duty of every Member whenever the Provincial Executive has issued an Information Bulletin to refuse to accept employment of the kind described in the Bulletin. (A.12)
- 2.4.4.6 In the event of a lock-out or strike and upon the return to normal duties, it shall be the duty of every member not to undertake any unusual duties or alter any standards except as agreed by the OSSTF Bargaining Unit, and the Provincial Executive of OSSTF. (A.12)
- 2.4.4.7 Unless a union-to-union agreement has been made or forbidden by law, it shall be the duty of every Member not to cross picket lines while on educational field trips. (A.12)
- 2.4.5 **Violations**
- 2.4.5.1 No Member shall be deemed to be in violation of this duty where it can be shown that the Member might reasonably be ignorant of the amended section(s), additions to, or deletions from the Constitution, Bylaws, and established Policies of OSSTF. This exemption shall not apply to any violations occurring (A.12)

- 2.4.5.1.1 more than thirty days after the notification of posting of an amended Handbook, or (A.12)
- 2.4.5.1.2 after the next consecutive Provincial Council meeting which established, amended, or rescinded the Policy, on an interim basis, or (A.12)
- 2.4.5.1.3 notification of posting to every Member of notification of an amendment, or addition to, or deletion from the Constitution, Bylaws, and established Policies of OSSTF. (A.12)

Bylaw 3 Federation Logo

- 3.1 The chief identifying logotype of the OSSTF shall be the Lamp of Learning surrounded by a rectangle having rounded corners. (A.98)
- 3.1.1 The OSSTF logo is protected by trademark. (A.02)
- 3.2 The OSSTF logo shall be used in official OSSTF provincial materials, communications and publications, including electronic and print media. (A.10)

Bylaw 4 Ethics

- 4.1 The OSSTF shall maintain a motto, pledge, statement of ethics, a bill of rights, and principles of professional conduct, and an equity statement. (A.10)
- 4.2 Amendments to items in Bylaw 4.1 shall be made in the same manner as that prescribed for amending the Bylaws of OSSTF. (A.80)
- 4.3 **Anti-Harassment Policy and Procedure**
- 4.3.1 There shall be an Anti-harassment Policy and Procedure in effect for meetings of the OSSTF Provincial Assembly and Provincial Council, and for all meetings of and events organized by OSSTF advisory work groups, provincial standing or ad-hoc committees or provincial councils. (A.13)
- 4.3.2 The Anti-harassment Policy and Procedure in Bylaw 4.3.1 shall be as implemented at the Annual Meeting of the Provincial Assembly (2007), and as amended from time to time by the Provincial Executive. (A.13)
- 4.3.3 The OSSTF Anti-harassment Policy shall be read into the record at the beginning of each Annual Meeting of the Provincial Assembly, at all meetings of Provincial Council, at each Leadership Conference, and at all OSSTF provincial conferences. (A.13)

Bylaw 5 Representation of and Support for a Member in a Professional Difficulty with an Employer or an External Agency

- 5.1 For the purposes of this Bylaw, a

professional difficulty shall mean any matter directly arising from the employment relationship which adversely affects a Member's human rights, tenure, remuneration, pension benefits, conditions of work, professional status, or the free exercise of professional duties. (A.99)

- 5.2 A member who requests advice from the OSSTF Provincial Office on any matter of professional difficulty shall be referred to a Secretariat member, who shall counsel the member. (A.13)
- 5.3 Any matter of professional difficulty for which a procedure for resolution is provided in the Collective Agreement of the Bargaining Unit shall be submitted to the local Grievance Officer or Committee. (A.13)
- 5.4 Where a request is made for assistance from Provincial Office on any matter of professional difficulty, the nature and extent of such assistance shall be determined in accordance with policies approved by the Provincial Executive as amended from time to time." (A.13)

Bylaw 6 Judicial Procedures

- 6.1 Judicial Council shall be responsible for the implementation of the Hearings Procedures as described in the Judicial Council Procedures sub section of the OSSTF *Policies and Procedures* related to the receipt of formal complaints, as submitted in accordance with the Complaint Procedures, described in the Judicial Council Procedures sub section of the OSSTF *Policies and Procedures* concerning alleged violations of: (A.13)
 - 6.1.1 Bylaws 2.4.2, 2.4.4, and/or Rule of Order 5.10.3 by an Active Member and submitted by a representative of a District, Bargaining Unit, Committee, Council or elected officer of OSSTF; (A.13)
 - 6.1.2 Bylaw 11.2.19 by a Member or Members of Provincial Council, arising from the performance of the duties of their office; (A.13)
 - 6.1.3 Bylaw 18 by a Member or Members of a District Executive arising from the performance of the duties of their office; (A.13)
 - 6.1.4 Bylaw 19 by a Member or Members of a Bargaining Unit Executive arising from the performance of the duties of their office; (A.13)
 - 6.1.5 the Constitution or Bylaws by a Member or Members of the Provincial Executive arising from the performance of the duties of their office. (A.13)
- 6.2 All Formal Complaints to Judicial Council must be sent to the Chair of Judicial Council with copies to the Respondent(s) and to the General Secretary. The Formal Complaint

- shall be submitted no later than: (A.13)
- 6.2.1 sixty calendar days of the incident giving rise to the complaint or (A.13)
- 6.2.2 sixty calendar days of the Member(s) becoming aware of the incident giving rise to the complaint, in which case the Member(s) shall include a written explanation for the delay between the occurrence of the incident and the Member(s)' becoming aware of it or (A.13)
- 6.2.3 sixty calendar days after the end of the sanction, for complaints dealing with alleged violations of Bylaws 2.4.2 and/or 2.4.4. (A.13)
- 6.3 The Chair of Judicial Council shall acknowledge receipt of the complaint forthwith and in writing with a copy to the General Secretary. (A.13)
- 6.4 When the Complainant is advised in writing by the Chair of Judicial Council that the Formal Complaint will not be dealt with because one or more of the conditions in 6.1 and 6.2, have not been met, the Complainant may appeal within fifteen days to the Appeals Committee of Provincial Council in accordance with Procedure 6 in the OSSTF *Policies and Procedures*. (A.13)
- 6.5 The Chair of Judicial Council shall notify in writing all parties concerned of their rights and responsibilities with respect to procedures of Judicial Council. (A.13)
- 6.6 The General Secretary shall appoint an advocate from a list of candidates approved by the Provincial Executive to the Complainant and to the Respondent to assist in the preparation for hearings before Judicial Council. (A.13)
- 6.7 The Complainant may withdraw the complaint at any time. (A.13)
- 6.8 Judicial Council shall review questions referred to it by the Provincial Executive for clarification. (A.13)
- 6.9 **Hearings** (A.13)
- 6.9.1 Formal hearings before Judicial Council shall be conducted in accordance with the procedures as described in the Judicial Council Hearings Procedures section of the *Policies and Procedures* and based on those procedures shall determine if the Member(s) is guilty of a breach of the Duties and either: (A.13)
- 6.9.1.1 dismiss the complaint or (A.13)
- 6.9.1.2 determine the penalty to be imposed. (A.13)
- 6.10 Where the Judicial Council finds a Member guilty of a breach of the Duties of Members,

- the Judicial Council may decide: (A.13)
- 6.10.1 that the Member be reprimanded; (A.13)
- 6.10.2 that the Member be suspended from any OSSTF office; (A.13)
- 6.10.3 that the Member be declared ineligible to hold any OSSTF office for a specified period of time; (A.13)
- 6.10.4 that the Member be declared ineligible for a specified period of time, to participate in any OSSTF meetings except for those called for the purpose of taking strike votes or for ratifying a collective agreement; and/or (A.13)
- 6.10.5 that no action be taken or no penalty be imposed. (A.13)
- 6.11 A copy of Judicial Council's decision, including reasons, shall be forwarded to the Provincial Executive for implementation of the decision. Judicial Council shall advise the Provincial Executive on the implementation of the decision. (A.13)
- 6.12 Where appropriate, the name of the Member(s), the charge(s), and the penalty(ies) will be published in a regular OSSTF publication. (A.13)

Bylaw 7 Appeal Procedures

7.1 Appeal Committee

- 7.1.1 A request for Leave to Appeal a decision from the Anti-Harassment Policy and Procedure, of the Certification Appeal Board or the Judicial Council lies to the Appeal Committee of Provincial Council. (A.12)
- 7.1.2 An appeal from a decision on the timeliness of a petition or complaint lies to the Appeal Committee of Provincial Council.(A.06)
- 7.1.3 An appeal from a decision to initiate Trusteeship of a local organization lies to the Appeal Committee of Provincial Council. (A.06)
- 7.1.4 The Appeal Committee shall be composed of a Chair, Vice-Chair, and eight additional members to be appointed by Provincial Council. (A.06)
- 7.1.5 Members of the Appeal Committee shall, at the time of their appointment, be voting members of Provincial Council. (A.06)
- 7.1.6 No member of the Provincial Executive and no Provincial Council liaison members to Certification Appeal Board shall be appointed as a member of the Appeal Committee. (A.06)
- 7.1.7 All decisions taken on appeal require the approval of a majority of the members of the panel consisting of at least three members of the Appeal Committee assigned to that case by the Chair of the Committee. (A.06)

7.2 **Application for Leave to Appeal a decision from the Anti-Harassment Policy and Procedure**

- 7.2.1 A Request for Leave to Appeal a decision from the Anti-Harassment Policy and Procedure shall be submitted to the Chair of the Appeal Committee within fourteen days of the date the decision appealed from was served, with copies of the request to the original Complainant or Respondent and to the General Secretary. (A.12)
- 7.2.2 The request for leave to Appeal shall state, in writing, the grounds and rationale for the appeal and the relief sought. (A.12)
- 7.2.3 The Appeal Committee will request submissions from the original Complainant or Respondent and the General Secretary with respect to whether Leave to Appeal should be granted. (A.12)
- 7.2.4 Leave to Appeal may be granted by the Appeal Committee if it is satisfied that the appeal raises matters of importance to the Federation involving the interpretation or application of the Provincial Anti-harassment Policy and Procedure, and the member seeking Leave to Appeal demonstrates an arguable case. (A.12)
- 7.2.5 The Appeal Committee of Provincial Council shall render a decision to grant or deny Leave to Appeal not later than fifteen days after receipt of a request for leave to Appeal, with copies to interested parties as in 7.2.1. (A.12)
- 7.2.6 The General Secretary shall appoint an advocate from a list of candidates approved by the Provincial Executive to the Complainant, the Respondent, and any other parties granted third-party status to assist in the preparation of hearings before the Appeal Committee of Provincial Council. (A.12)

Bylaw 8 Scholarships and Awards

- 8.1 **Award of Merit**
- 8.1.1 An Award of Merit may be conferred by the Provincial Executive upon a Member, who, in the opinion of a District Executive or the Provincial Executive, has rendered meritorious and outstanding service to the OSSTF at the District/Bargaining Unit level, or at both the District/Bargaining Unit and Provincial levels. The District Executive shall make application to the Provincial Executive. An Award of Merit may be approved from any District in any one year for every 500 members or greater portion thereof. Notwithstanding the above, every District shall be allowed to apply for a minimum of two Awards of Merit in any one year. (A.98)
- 8.2 **Scholarships and Other Awards**
- 8.2.1 Scholarships and other monetary awards may be created and awarded by the

OSSTF in the following manner:

- 8.2.1.1 Terms of reference shall be determined by the Provincial Council;
- 8.2.1.2 The scholarships and awards shall be administered by the Educational Services Committee in accordance with the monies provided by the Provincial Assembly. (A.13)

Bylaw 9 Federation Finances

- 9.1 **General Account** (A.96)
There shall be a General Account to provide funds for the annual general operating expenditures of OSSTF. (A.12)
- 9.1.1 **Preparation of the General Account Budget** (A.12)
- 9.1.1.1 There shall be an annual budget for the General Account prepared in accordance with the procedures as outlined in the Preparation of the Budget section of the OSSTF Policies and Procedures Manual. (A.12)
- 9.1.1.2 An annual amount shall be allocated within the General Account budget to the Member Protection Account. (A.12)
- 9.1.1.3 The General Account Budget shall be a balanced budget. (A.14)
- 9.1.1.4 The Budget shall include, but not be limited to the following line items: (A.10)
- 9.1.1.4.1 Provincial Executive - Salaries
- 9.1.1.4.2 Provincial Executive - Benefits
- 9.1.1.4.3 Provincial Executive - Expenses
- 9.1.1.4.4 Provincial Executive - Dislocation Allowances
- 9.1.1.4.5 Provincial Executive - Training (A.91)
- 9.1.1.4.6 Secretariat - Salaries
- 9.1.1.4.7 Secretariat - Benefits
- 9.1.1.4.8 Secretariat - Field Service Expenses
- 9.1.1.4.9 Secretariat - Expenses
- 9.1.1.4.10 Secretariat - Training Program
- 9.1.1.4.11 Office Staff - Salaries
- 9.1.1.4.12 Office Staff - Benefits (A.81)
- 9.1.2 **Administration of the Budget**
- 9.1.2.1 The final amended Budget report approved by the Annual Meeting of the Provincial Assembly shall be a maximum expenditure, and shall reflect the Annual Action Plan as approved and/or amended by the Provincial Assembly.
- 9.1.2.2 Responsibility for the initial approval of expenditures for any approved budget may be delegated to the authorized signing authority for that account.
- 9.1.2.3 Notwithstanding Bylaw 9.1.2.2, the Provincial Executive shall have the authority to require that each expenditure be subject to their prior approval and shall be responsible for satisfying themselves as to the immediate value and economic wisdom of the expenditure. The Provincial Executive shall have complete authority in the matter of approving expenditures or reducing costs within the limits of the Budget.

- 9.1.2.4 All expenditures which are not provided for in the General Account Budget shall be charged to the Contingency Account.
- 9.1.2.5 The Provincial Executive shall allocate the surplus from the General Account to the Member Protection Account and/or to Working Capital. (A.01)
- 9.1.3 **Approval for Overspending**
- 9.1.3.1 **Provincial Executive Accounts**
- 9.1.3.1.1 Any expenditures beyond the budgets approved by the Provincial Assembly shall require the prior approval of the Provincial Council.
- 9.1.3.2 **Other Accounts**
- 9.1.3.2.1 Any expenditures in all accounts other than those of the Provincial Executive beyond the budgets approved by the Provincial Assembly shall require the prior approval of the Provincial Executive, which shall then report all such approvals, in writing, at the next Provincial Council meeting. (A.78)
- 9.1.3.3 Any over expenditure of General Accounts which has had the prior approval of the Provincial Executive may, with the approval of the Provincial Council, be covered by the General Account surplus of that fiscal year. (A.85)
- 9.1.3.4 **Total Budget**
- 9.1.3.4.1 Notwithstanding Bylaw 9.1.2.1, any expenditures beyond the total amount of the Budget approved by the Provincial Assembly shall require the prior approval of the Provincial Council. (A.82)
- 9.2 **Contingency Account**
- 9.2.1 **Objects**
- 9.2.1.1 The objects of the Contingency Account shall be:
- 9.2.1.1.1 to provide funds to finance special projects which were not provided for in the General Account Budget approved by the previous meeting of the Provincial Assembly, and which, in the opinion of the Provincial Executive, are of sufficient benefit to the Federation that they should not be delayed until the following Annual Meeting of the Provincial Assembly for approval;
- 9.2.1.1.2 to provide for overspending of the General Account Budget, which, in the opinion of the Provincial Executive, is warranted in light of current costs.
- 9.2.2 **Operation**
- 9.2.2.1 Any expenditure for special projects authorized by the Provincial Executive which is not provided for in the General Account Budget shall be paid for out of the Contingency Account.
- 9.2.2.2 The Provincial Executive shall have the sole authority for expenditures from the Contingency Account in any one fiscal year up to 50 percent of the value of the
- account at the beginning of that year. Any expenditure beyond this limit of the authority granted to the Provincial Executive shall require the prior approval of the Provincial Council.
- 9.2.2.3 The Contingency Account shall be budgeted at not more than four (4) percent of the General Account Budget annually.
- 9.2.2.4 The excess of revenue over expenses in the Contingency Account shall be transferred to the Member Protection Account at the fiscal year end. (A.01)
- 9.3 **Member Protection Account**
- 9.3.1 **Objects (A.04)**
- 9.3.1.1 to negotiate and defend the priorities of OSSTF, including, but not limited to job security, working conditions, fringe benefits, pension and salary; (A.04)
- 9.3.1.2 to assist in securing and maintaining satisfactory salary schedules and other negotiable items not contrary to Policy; (A.04)
- 9.3.1.3 to assist in maintaining and improving security of tenure; (A.04)
- 9.3.1.4 to ensure complete and adequate investigation of cases of professional difficulty and to pay for expenses of investigation, legal advice, or other expenses connected therewith as authorized by the Provincial Executive; (A.04)
- 9.3.1.5 to assist financially a Member who, through loyalty to the profession and Policy, and who, acting on the instructions of the Provincial Executive, suffers loss of position or salary; (A.04)
- 9.3.1.6 to assist a District or Bargaining Unit in a dispute with an employer; (A.09)
- 9.3.1.7 to make loans to Members for retraining purposes in accordance with resolutions adopted by a Provincial Assembly; (A.04)
- 9.3.1.8 to pay the necessary expenses of parties to an appeal before the Certification Appeal Board; (A.06)
- 9.3.1.9 to pay the necessary expenses of members of Mediation Services Resource Bank to conduct investigations/mediation as required by the Bylaws; (A.06)
- 9.3.1.10 to pay the necessary personal expenses of a Member appearing before the Appeal Committee of Provincial Council or Judicial Council; (A.04)
- 9.3.1.11 to make grants on the recommendation of the Benevolent Council to Members experiencing extreme financial difficulty; (A.04)
- 9.3.1.12 to secure for all Members legal collective bargaining rights which shall include the right to strike; (A.04)
- 9.3.1.13 to provide for the payment of contributions to the appropriate pension plan on behalf of Members who have been locked out or

- on legal strike conducted by OSSTF; (A.04)
- 9.3.1.14 to provide funds for protecting the OSSTF membership through involvement in municipal, provincial, and federal elections and election readiness activities. (A.12)
- 9.3.2 **Management**
- 9.3.2.1 The portion of the annual fee of a Member which shall be assigned to the Member Protection Account shall be as determined from time to time by AMPA in accordance with the Constitution. (A.04)
- 9.3.2.2 Any funds transferred or assigned from time to time to the Member Protection Account shall be invested in the Internal Investment Fund. (A.04)
- 9.3.2.3 Expenditures from the Member Protection Account pursuant to Bylaw 9 - Federation Finances shall be made by the Treasurer of OSSTF as approved by resolution of the Provincial Council or AMPA upon recommendation of the Provincial Executive. (A.04)
- 9.4 **Working Capital**
- 9.4.1 **Object**
- 9.4.1.1 The object of the Working Capital shall be solely to provide the needed funds between the periods of receipt of fees.
- 9.4.2 **Operation**
- 9.4.2.1 Working Capital shall be maintained at not more than fifteen (15) percent of the General Account budget. (A.91)
- 9.4.2.2 Working capital shall be funded from the General Account Surplus as determined by the auditors each June 30 or by a direct allocation from the Member Protection Account as approved by the Provincial Assembly. (A.01)
- 9.4.2.3 Working capital shall be controlled solely by the Provincial Executive and shall be used to meet short-term cash requirements.
- 9.4.2.4 The status of the Working Capital at the end of each month shall be reported to the Provincial Council at each regular meeting. (A.81)
- 9.5 **Internal Investment Fund**
- 9.5.1 **Objects**
- 9.5.1.1 To provide a common investment vehicle for all internal OSSTF investments including, but not limited to, the General Account, Member Protection Account, and Working Capital. (A.04)
- 9.5.2 **Management**
- 9.5.2.1 Funds from time to time transferred or assigned to the Internal Investment Fund shall be invested in securities in which pension funds are authorized to invest money pursuant to the *Pension Benefits*

Act of Ontario (R.S.O. 1980, Chapter 373, and R.R.P. 1980, Regulation 746) as amended from time to time provided that the amount of funds that may be invested in common shares shall be established by the Provincial Executive from time to time and in real property.

- 9.5.2.2 The net income of the Internal Investment Fund shall be prorated among the OSSTF accounts in accordance with the amount of capital each account has in the Internal Investment Fund.
- 9.5.2.3 No part of the Internal Investment Fund shall enure to the specific benefit of any member.
- 9.5.2.4 Notwithstanding 9.5.2.2, up to 10% of the net income of the Internal Investment Fund shall be allocated to the General Account, unless to do so would reduce the Member Protection Account balance to less than \$50 million. (A.04)

Bylaw 10 FTE

- 10.1 OSSTF shall provide District /Bargaining Units with a list of Members who are considered to be one (1) FTE and a list of Members deemed to be less than one (1) FTE. (A.11)
- 10.2 The General Secretary's determination of the FTE/Interim FTE numbers used to determine representation and used in the calculation of District fee rebates may be appealed by Bargaining Units in writing, with reasons, no later than November 30th. (A.11)
- 10.3 Appeals received in accordance with Bylaw 10.2 shall be heard by the Finance Committee. (A.11)

Bylaw 11 Provincial Meetings

- 11.1 **Attendance at Provincial Meetings**
- 11.1.1 Any Member of the OSSTF may attend a Provincial Council Meeting, the Annual Meeting of the Provincial Assembly or the Provincial Mass Meeting, and, with the permission of the Chairperson, may participate in discussions but shall not have the right to vote. (A.13)
- 11.2 **Provincial Council**
- 11.2.1 The Provincial Council shall meet at least six times a year, at a place to be named by the Chairperson in consultation with the General Secretary. (A.83)
- 11.2.2 The Provincial Council shall meet within three weeks if requested in writing by forty (40) percent or more of the Provincial Councillors, or Councillors who represent 40 percent or more of the membership.

- 11.2.3 Sixty percent of the voting members of the Provincial Council who together represent sixty (60) percent or more of the membership shall constitute a quorum. (A.12)
- 11.2.4 The Provincial Council shall have the power to ratify the action taken in the name of the Federation by the Provincial Executive since the last meeting of the Provincial Council. (A.13)
- 11.2.5 The Provincial Council shall appoint members to provincial standing committees. (A.13)
- 11.2.6 The Provincial Council shall appoint a liaison member to each of the provincial standing committees and councils where required by each committee/council's membership as described in the Policy and Procedures Manual. (A.13)
- 11.2.6.1 The Provincial Council shall receive the reports of their liaison members to the provincial standing committees and provincial councils. (A.13)
- 11.2.7 The Provincial Council shall deal with matters referred to it by the Annual Meeting of the Provincial Assembly, the Provincial Executive, and by the provincial standing committees. (A.13)
- 11.2.8 The Provincial Council shall receive any report, resulting from a motion passed at AMPA requiring a report to Provincial Council, in the on-time written materials for the appropriate Provincial Council meeting. (A.13)
- 11.2.9 The Provincial Council, on a three-quarters majority vote, shall act in the name of the Federation between meetings of the Provincial Assembly. (A.13)
- 11.2.10 The Provincial Council shall recommend to the Provincial Assembly the establishment of special funds and amendments to the constitutions governing those funds. (A.13)
- 11.2.11 The Provincial Council shall have the authority to determine Interim Policies. (A.13)
- 11.2.12 The Provincial Council shall receive, on time and in writing, for its January meeting a draft copy of the Provincial Executive's proposed Annual Action Plan for discussion in Committee of the Whole. The Provincial Council shall receive, on time and in writing for discussion at its February meeting, the final copy of the Provincial Executive's proposed Annual Action Plan. (A.13)
- 11.2.13 The Provincial Council shall (A.13)
- 11.2.13.1 approve in original or amended form expenditure of monies for expenditures involving Resumption of Bargaining, including Resumption of Pay Equity, in a specific Bargaining Unit, strikes, and related activities from the Member Protection Account upon the recommendation of the Provincial Executive; (A.13)
- 11.2.13.2 approve in original or amended form the expenditure of funds from the Contingency Account for projects recommended by the Provincial Executive for which such expenditure would be beyond the limits of authority granted to the Provincial Executive; (A.13)
- 11.2.13.3 be responsible for negotiating the salaries, benefits, allowances and working conditions for all continuing employees of the Provincial OSSTF; (A.13)
- 11.2.13.4 prepare and approve financial/negotiating mandates for negotiations with all Provincial employee groups. (A.13)
- 11.2.13.5 Notwithstanding 11.2.13.3 and 11.2.13.4, the Vice-Presidents and Treasurer shall be on the table team for all negotiations with OSSTF Provincial Office unionized and non-unionized staff. (A.13)
- 11.2.14 The Chairperson of the Provincial Council shall present to the Provincial Assembly for ratification, revision, or amendment all matters of Interim Policy passed by the Provincial Council since the previous Provincial Assembly. (A.13)
- 11.2.15 The Provincial Council shall be responsible for ratifying, in Executive Session, collective agreements with OSSTF employees, and terms and conditions of employment for all permanent OSSTF employees not covered by a collective agreement, as negotiated or determined by the Provincial Executive. (A.13)
- 11.2.16 Any terms and conditions of employment for all permanent OSSTF employees not covered by a collective agreement shall be distributed to the members of the Provincial Council in an Executive Session. The employment agreements shall be collected at the conclusion of the Executive Session. (A.13)
- 11.2.17 Any tentative collective agreements between the negotiators for Provincial OSSTF and employees of OSSTF shall be in the hands of members of the Provincial Council at least 48 hours (unless otherwise agreed to by the Provincial Council) prior to the Provincial Council meeting at which the tentative agreement shall be discussed. In the event that the Bargaining Unit is on strike when the tentative agreement is reached, the time limits stated above shall be waived. (A.13)
- 11.2.18 The Provincial Council shall be responsible for ratifying the terms of reference and the selection criteria for

- hiring the General Secretary, Associate General Secretaries and members of the Secretariat, prior to advertising and/or recruiting for such positions. (A.13)
- 11.2.19 **Duties of Provincial Councillors**
- 11.2.19.1 Members of Provincial Council shall: (A.13)
- 11.2.19.2 bring forward resolutions passed by Districts/Bargaining Units and directed to Provincial Council; (A.13)
- 11.2.19.3 provide input to the Provincial Executive regarding the Annual Action Plan; (A.13)
- 11.2.19.4 monitor and assist in the implementation of the Annual Action Plan; (A.13)
- 11.2.19.5 present a written report to the Bargaining Units, following each meeting of the Provincial Council; (A.13)
- 11.2.19.6 ensure that the membership is aware of decisions taken in accordance with the provision of Bylaw 11.3; (A.13)
- 11.2.19.7 assist in the implementation of decisions taken in accordance with the provisions of Bylaw 11.3; and (A.13)
- 11.2.19.8 assist the Provincial Executive in translating policy into effective administrative action. (A.13)
- 11.2.19.9 comply with the duties outlined in the Provincial Council Handbook. (A.13)
- 11.2.20 **Provincial Executive Compensation**
- 11.2.20.1 The Provincial Council shall have the responsibility of determining and approving the compensation for elected members of the Provincial Executive, subject to the following conditions: (A.13)
- 11.2.20.2 the compensation package shall be in force for a minimum period of twelve calendar months; (A.13)
- 11.2.20.3 a member who moves to take up residence in the Metro Toronto area shall be enabled to do so in suitable accommodation; (A.13)
- 11.2.20.4 the Provincial Executive members of the Provincial Council shall declare a conflict of interest and shall not vote on or debate any issue relating to Provincial Executive compensation; (A.13)
- 11.2.20.5 the Treasurer and the General Secretary are directly responsible for the proper implementation of the Executive's compensation. Any unusual expenses must be reported to a standing committee of Provincial Council in closed session at the next meeting after the expense was submitted. The standing committee shall report its recommendations to the Provincial Council in closed session at the next meeting after the expense was submitted. (A.13)
- 11.2.20.6 The Chairperson of Provincial Council shall report, in closed session, the Provincial Executive compensation package to the Provincial Assembly each year. (A.13)
- 11.2.21 **Representation at Provincial Council**
- 11.2.21.1 Each Bargaining Unit President shall be a member of Provincial Council. (A.13)
- 11.2.21.2 The Bargaining Unit shall submit the name of the Bargaining Unit President to the General Secretary by July 1 of each year. (A.13)
- 11.2.21.3 A Bargaining Unit shall be entitled to elect additional Provincial Councillors on the basis of one Councillor for each 1,000 FTE/Interim FTE members. (A.13)
- 11.2.21.4 If a Provincial Councillor is unable to attend all or part of a Council meeting, then the Bargaining Unit Executive shall be empowered to appoint a substitute from the Bargaining Unit as an Alternate for all or a part of that meeting. (A.13)
- 11.2.21.5 An Alternate who has been authorized by the Bargaining Unit Executive to substitute for the Provincial Councillor for all of a Council meeting shall be seated as a voting member of Provincial Council upon presentation of written authorization from the Bargaining Unit President or designate. (A.13)
- 11.2.21.6 An Alternate who has been authorized by the Bargaining Unit Executive to substitute for a Provincial Councillor for a part of a Council meeting shall be seated as a voting member of Provincial Council upon presentation of written authorization from the Bargaining Unit President or designate subject to majority vote of Provincial Council. (A.13)
- 11.2.21.7 Notwithstanding the above, if on short notice a Provincial Councillor is unable to attend all or part of a Council meeting, the Provincial Council may authorize an Alternate from the same Bargaining Unit to be seated as a voting member by unanimous vote. (A.13)
- 11.2.22 **Establishment and Rescission of Policy by Provincial Council**
- 11.2.22.1 Interim Policy, amendment or rescission of Interim Policy, and interim amendment or interim rescission of existing Policy may be made at any meeting of the Provincial Council; (A.13)
- 11.2.22.1.1 by a three-quarters majority of the weighted vote of the members qualified to vote, present and voting, provided that a proper Notice of Policy Motion was given to the Provincial Council on or before the date of the previous meeting of the Provincial Council; (A.13)
- 11.2.22.1.2 by a nine-tenths majority of the weighted vote of the members qualified to vote, present and voting, previous notice as in Bylaw 11.2.22.1.1 not having been given. (A.13)

- 11.2.22.2 A proper Notice of Policy Motion for the establishment of Interim Policy is one which begins with the words, "It is the policy of OSSTF that . . ." (A.13)
- 11.2.22.3 Notwithstanding a resolution's adherence to Bylaw 11.2.22.2, it is the duty of the Steering Committee to make a final ruling as to whether or not a resolution is a Policy resolution. (A.13)
- 11.3 Provincial Assembly**
- 11.3.1 The Provincial Assembly is the supreme legislative body and shall have the authority to: (A.13)
- 11.3.1.1 Determine Internal and External Policies; (A.13)
- 11.3.1.2 Transact business in the name of the Federation; (A.13)
- 11.3.1.3 Ratify action taken by the Provincial Executive or the Provincial Council in the name of the Federation (A.13)
- 11.3.2 The Provincial Assembly shall hold its Annual Meeting at a time and place to be arranged by the Provincial Executive and, in case of emergency, may hold other meetings at such times as may be determined by the Provincial Executive or the Provincial Council.
- 11.3.3 Forty percent of the voting members of the Provincial Assembly shall constitute a quorum.
- 11.3.4 The Provincial Assembly shall approve and/or amend the Annual Action Plan for the next Federation year as based upon the Policies of OSSTF. (A.13)
- 11.3.5 The Annual Meeting of the Provincial Assembly shall conduct elections for the elected members of the Provincial Executive and for representatives to the Board of Governors of the OTF and the OTF Table Officer in accordance with, and in the manner prescribed by, the Constitution and Bylaws and Policies and Procedures. (A.13)
- 11.3.6 The Annual Meeting of the Provincial Assembly shall appoint auditors. (A.13)
- 11.3.7 The Provincial Assembly shall receive the written annual report of standing committees, councils and boards. (A.13)
- 11.3.8 The Provincial Assembly shall establish special committees as considered advisable. (A.13)
- 11.3.9 The Provincial Assembly shall have the authority to establish and maintain at its discretion special funds for the protection of its Members. (A.13)
- 11.3.10 The Press may or may not be admitted at the discretion of the Assembly to any session of the Provincial Assembly. (A.13)
- 11.3.11 The Provincial Assembly shall have the authority to amend the Constitution and Bylaws and Policies and Procedures in accordance with the provisions of the Constitution and Bylaws.. (A.13)
- 11.3.12 The Provincial Assembly shall, prior to the conclusion of its Annual Meeting, approve the OSSTF Budget which is to include allocations to the Member Protection Account for the following fiscal year. (A.13)
- 11.3.13 The Provincial Assembly may approve and amend provincial council constitutions and regulations and standing committee Membership and Terms of Reference. (A.13)
- 11.3.14 Representation at Provincial Assembly**
- 11.3.14.1 The number of Delegates to a Provincial Assembly from each District shall be determined by the General Secretary by May 15 of the previous school year on the basis of the number of full-time equivalent members in its Bargaining Units and Interim FTE calculations for newly organized Bargaining Units. The District Delegates to a Provincial Assembly shall be the sum of the Delegates selected by the Bargaining Units within the District. Each Bargaining Unit shall be entitled to one Delegate to a Provincial Assembly for each one hundred (or major fraction thereof) of the Bargaining Unit's full-time equivalent members/interim full-time equivalent members. (A.13)
- 11.3.14.2 Notwithstanding 11.3.14.1, representation at AMPA shall be as observers for any newly organized Bargaining Units receiving their Labour Board Certificate within the month prior to the Annual Meeting of the Provincial Assembly. (A.13)
- 11.3.14.3 Notwithstanding 11.3.14.1 each Bargaining Unit shall be entitled to a minimum of one Delegate. (A.13)
- 11.3.14.4 Notwithstanding the above, each District shall have a minimum of three Delegates to a Provincial Assembly. (A.13)
- 11.3.14.5 Each Provincial Councillor shall be a Member of the Bargaining Unit's delegation to a Provincial Assembly. (A.13)
- 11.3.14.6 No Delegate shall represent more than one District at a Provincial Assembly. (A.13)
- 11.3.14.7 Alternates may be seated in the sessions of a Provincial Assembly only to replace Delegates who are absent from the session or part thereof. The total number of Delegates and/or Alternates seated by a District may not exceed the total number of Delegates determined by the General Secretary in accordance with the Bylaws. (A.13)
- 11.3.14.8 The number of alternates shall be determined by the General Secretary on the basis of one quarter of the total number of District Delegates, such fraction to be rounded upwards to the nearest whole number. (A.13)

- 11.3.14.9 When a matter is referred to a House Committee, an Alternate may be seated in the House to replace the Delegate serving on the House Committee. Only Delegates or Alternates seated in the House may cast ballots in the elections for Provincial Officers. The total number of Delegates and/or Alternates seated by a District may not exceed the total number of Delegates determined by the General Secretary in accordance with the Bylaws. (A.13)
- 11.3.14.10 The term of office of Delegates to a Provincial Assembly shall begin at the time of selection by the Bargaining Unit(s) and shall continue for one year or until their successors are selected by the Bargaining Unit(s). (A.13)
- 11.3.14.11 Each District may select Alternates to attend the Provincial Assembly. (A.13)
- 11.3.15 **Establishment and Rescission of Policy by Provincial Assembly**
- 11.3.15.1 Policy, and the amendment or rescission of Policy, may be made in Provincial Assembly; (A.13)
- 11.3.15.1.1 by a majority of the members qualified to vote, present and voting, provided that a Notice of Motion shall have been given in writing to the General Secretary on or before January 31 of that school year and such Notice of Motion shall have been forwarded on or before the second Friday after February 1 of that school year by the General Secretary to the Bargaining Unit Presidents; (A.13)
- 11.3.15.1.2 by a three-quarters vote of the members qualified to vote, present and voting, previous notice as in Bylaw 11.3.15.1.1 not having been given. (A.13)
- 11.3.15.2 Proposed amendments received by the General Secretary after January 31 will be distributed at AMPA. (A.13)
- 11.3.15.3 A proper Notice of Policy Motion for the establishment of Policy is one which begins with the words, "It is the policy of OSSTF that . . ." (A.13)
- 11.3.15.4 Notwithstanding a resolution's adherence to Bylaw 11.3.15.3, it is the duty of the Steering Committee to make a final ruling as to whether or not a resolution is a Policy resolution. (A.13)
- 11.3.15.5 Any Interim Policy or interim amendment of Policy or interim rescission of Policy made by the Provincial Council since the previous Annual Meeting of the Provincial Assembly may be amended and then shall be ratified or rescinded by a majority vote of the members of the Provincial Assembly qualified to vote, present and voting, Bylaw 11.3.15.1 notwithstanding. (A.13)
- 11.4 **Mass Meetings**
- 11.4.1 A Provincial Mass Meeting of the OSSTF may be called at any time at the discretion

of the Provincial Executive.

Bylaw 12 Provincial Committees and Advisory Work Groups Standing Committees

- 12.1 There shall be the following protective services committees, consisting of members up to the maxima specified: (A.09)
- 12.1.1.1 Collective Bargaining - 29 (A.09)
- 12.1.1.2 Health and Safety/Workplace Safety and Insurance Act – 14 (A.13)
- 12.1.2 There shall be the following professional services committees, consisting of members up to the maxima specified: (A.09)
- 12.1.2.1 Educational Services – 25 (A.09)
- 12.1.2.2 Comité des services en langue française – 11 (A.09)
- 12.1.3 There shall be the following additional standing committees, consisting of members up to the maxima specified: (A.09)
- 12.1.3.1 Finance – 11 (A.09)
- 12.1.3.2 Communications and Political Action - 25 (A.09)
- 12.1.3.3 Status of Women – 12 (A.09)
- 12.1.3.4 Human Rights – 12 (A.09)
- 12.2 **General Objectives of Standing Committees**
- 12.2.1 To recommend priorities to the Provincial Executive and policies to the Provincial Assembly or Provincial Council on items encompassed by the specific objectives of the committee.
- 12.2.2 To undertake a research in its own area.
- 12.2.3 To report in writing to the Provincial Assembly on its activities.
- 12.2.4 To work in conjunction with the member of the Provincial Executive with the corresponding portfolio to implement the OSSTF Annual Action Plan as approved for the current year by the Provincial Assembly. (A.04)
- 12.2.5 Except where the Provincial Assembly or the Provincial Council gives specific direction, any committee may, with the approval of the Provincial Executive, reorient its projects in the light of changing circumstances.
- 12.2.6 To co-opt such members as necessary for a period of up to one year. Repeat co-options are possible.
- 12.2.7 To report to each meeting of Provincial Council through the member appointed as liaison by the Provincial Council. (A.99)
- 12.2.8 To report to the Provincial Executive as needed through the member appointed by the Provincial Executive. (A.99)
- 12.2.9 To reflect and represent the diversity of OSSTF membership. (A.99)

12.2.10	To comply with the Terms of Reference as approved by Provincial Assembly. (A.01)		the committee, that vacancy may be filled by co-option. The co-option is subject to the approval of Provincial Council. Where such temporary vacancy, of three to seven consecutive meetings, extends over two Federation years, Provincial Council may consider a new co-option to fill the vacancy at the start of the second federation year. (A.10)
12.3	Election of Chairpersons		
12.3.1	Chairpersons of provincial standing committees shall be elected by their respective committee after the year of office of the new committee has begun. (A.87)		
12.3.2	Chairpersons of special or ad hoc committees shall be elected by their committee unless the body creating the committee directs otherwise.	12.7.3	All other vacancies shall be filled by the same body which appointed the original member, in accordance with the procedures of the appointing body, for the balance of the term. (A.88)
12.4	Provincial Committee Meetings	12.8	Provincial Committees Findings and Reports
12.4.1	A provincial committee shall meet at the call of its Chairperson.	12.8.1	It shall be the duty of a provincial committee to report to the Provincial Executive and to the appointing body, its findings, suggested policies and recommended courses of action with regard to those matters referred to it.
12.4.2	Fifty percent of the voting members of a provincial committee shall constitute a quorum.	12.8.2	The decision to publish findings, to implement suggested policies, or to embark upon courses of action recommended by a provincial committee shall be the responsibility of the Provincial Assembly, the Provincial Council, or the Provincial Executive.
12.4.3	The Chairperson of a standing or special committee shall be responsible for		
12.4.3.1	the calling of meetings of the committee;		
12.4.3.2	the functioning of the committee in accordance with instructions of the Provincial Executive, the Provincial Council or the Provincial Assembly;		
12.4.3.3	the making of a report to the Provincial Executive, the Provincial Council and the Provincial Assembly as required;		
12.4.3.4	<u>reviewing the detailed expenditure report for the committee's budget line.</u> (A.14)	12.9	Advisory Work Groups
12.5	Year of Office	12.9.1	The Provincial Executive shall establish and appoint members to the following Advisory Work Groups: (A.95)
12.5.1	A year of office of a provincial committee shall commence during the meeting of the committee which immediately precedes the June meeting of Provincial Council. (A.82)	12.9.1.1	Faculty of Education Advisory Work Group (A.95)
		12.9.1.2	Teachers' Pension Plan Advisory Work Group (A.02)
		12.9.1.3	Ontario Municipal Employees Retirement System Advisory Work Group (A.02)
12.6	Co-options (A.88)	12.9.1.4	Local Benefits Advisory Work Group (A.07)
12.6.1	The committee shall allow sufficient time for the new membership to recommend co-options for the approval of Provincial Council at its final meeting of the Federation year. (A.13)	12.9.1.5	Environmental Advisory Work Group (A.12)
		12.9.1.6	<u>First Nations, Métis and Inuit</u> Advisory Work Group (A.14)
12.7	Vacancies in Provincial Standing Committees	12.9.1.7	New Member Engagement Advisory Work Group; (A.12)
12.7.1	Vacancies which occur in positions held by appointment from the membership at large, and for which the unexpired term does not extend beyond the end of the current year of office, shall be filled by co-option of a member, subject to the approval of Provincial Council, for the balance of the term. (A.88)	12.9.1.8	<u>Central Bargaining</u> Advisory Work Groups (A.14)
		12.9.1.9	Such other Advisory Work Groups as deemed necessary by the Provincial Executive. (A.95)
12.7.2	Where a temporary vacancy of at least three consecutive meetings within one federation year is created by reason of a member's statutory leave, or other extenuating circumstances acceptable to	12.9.2	Any member of the Provincial Executive may be a member of an Advisory Work Group. (A.95)
		12.9.3	The Advisory Work Groups shall meet as required. (A.95)
		12.9.4	Faculty of Education Advisory Work Group
		12.9.4.1	The Advisory Work Group shall have, from among its members, two members

- assigned to the OTF Teacher Education Committee. (A.95)
- 12.9.4.2 The Advisory Work Group shall advise the Provincial Executive on any matters related to teacher education pertaining to Active or Associate Members and such other matters as may be referred to it by the Provincial Executive. (A.95)
- 12.9.5 **Teachers' Pension Plan Advisory Work Group**
- 12.9.5.1 The Teachers' Pension Plan Advisory Work Group shall advise the Provincial Executive on any matters related to the Ontario Teachers' Pension Plan and such other matters as may be referred to it by the Provincial Executive.
- 12.9.6 **Ontario Municipal Employees Retirement System Advisory Work Group**
- 12.9.6.1 The Ontario Municipal Employees Retirement System Advisory Work Group shall advise the Provincial Executive on any matters related to the Ontario Municipal Employees Retirement System and such other matters as may be referred to it by the Provincial Executive. (A.02)
- 12.9.7 **Local Benefits Advisory Work Group**
- 12.9.7.1 The Local Benefits Advisory Work Group shall advise the Provincial Executive on any matters related to the employee benefit plans of Bargaining Units that are responsible for managing their own health and dental benefits plans. (A.07)
- 12.9.8 **Environmental Advisory Work Group**
- 12.9.8.1 The Environmental Advisory Work Group shall advise the Provincial Executive on any matters related to environmental matters within the Federation and any other matters as may be referred to it by the Provincial Executive. (A.11)
- 12.9.9 **First Nations, Métis and Inuit Advisory Work Group**
- 12.9.9.1 The First Nations, Métis and Inuit Advisory Work Group shall advise the Provincial Executive on any matters related to issues affecting First Nations, Métis and Inuit people and such other matters as may be referred to it by the Provincial Executive. (A.14)
- 12.9.10 **New Member Engagement Advisory Work Group**
- 12.9.10.1 The New Member Engagement Advisory Work Group shall advise the Provincial Executive on any matters related to new member engagement and such other matters as may be referred to it by the Provincial Executive. (A.12)
- 12.9.11 The Provincial Executive shall report annually to AMPA on the status and activity of the Advisory Work Groups. (A.95)
- 12.9.12 Where a new Advisory Work Group has been established by the Provincial Executive, the Provincial Executive shall report to the next AMPA on its status and activities. (A.95)
- 12.9.13 **Central Bargaining Advisory Work Groups**
- 12.9.13.1 **Membership**
- 12.9.13.1.1 The Provincial Executive will appoint a Central Bargaining Advisory Work Group for Teacher/Occasional Teachers and a Central Bargaining Advisory Work Group for Support Staff prior to the presentation of Central Bargaining briefs at the Central Negotiations Table. (A.14)
- 12.9.13.1.2 Each Central Bargaining Advisory Work Group shall have 14 members from affected bargaining units. (A.14)
- 12.9.13.1.3 The term of the appointment shall expire with the ratification of the central bargaining agreement. (A.14)
- 12.9.13.1.4 Members of each Central Bargaining Advisory Work Group shall be Bargaining Unit Presidents and/or Chief Negotiators and/or members of the Collective Bargaining Committee selected from the affected Bargaining Units. (A.14)
- 12.9.13.2 **Duties**
- 12.9.13.2.1 Each Central Bargaining Advisory Work Group shall advise the Provincial Executive on matters related to the central bargaining process. (A.14)
- 12.9.13.3 **Meetings**
- 12.9.13.3.1 The Central Bargaining Advisory Work Groups shall meet prior to the initiation of central bargaining negotiation meetings at a time determined by the Provincial Executive. (A.14)
- 12.9.13.3.2 The Central Bargaining Advisory Work Groups shall meet during central bargaining negotiation meetings at the discretion of the Provincial Executive. (A.14)
- Bylaw 13 Elections**
- 13.1 **Offices**
- 13.1.1 Election to the following elective offices shall take place at the Annual Meeting of the Provincial Assembly in odd numbered years: (A.14)
- 13.1.1.1 Provincial Executive;
- 13.1.1.2 OTF Governors
- 13.1.1.3 OTF Table Officer
- 13.1.1.4 The Provincial Executive shall designate one of its Members as immediate Past President, solely for the purpose of conforming to the requirements of the "Teaching Profession Act, Section 5(1)." (A.14)

- 13.2 **Nominations**
 13.2.1 Only active OSSTF members in good standing may be nominated. (A.14)
 13.2.2 Members of OTF may be nominated for OTF Governor. (A.14)
 13.2.3 Members who are contributors to the OTPP may be nominated for OTF Table Officer. (A.14)
 13.2.4 Nominations for elected positions outlined in Bylaw 13.1.1 shall be submitted in accordance with the Elections Procedures found in OSSTF Policies and Procedures. (A.14)
- 13.3 **Campaigns**
 13.3.1 Campaigns for elected positions outlined in Bylaw 13.1.1 shall be conducted in accordance with Campaign Regulations found in OSSTF Policies and Procedures and the Campaign Guidelines and Procedures as approved by Provincial Council. (A.14)
- 13.4 **Balloting**
 13.4.1 Elections of positions outlined in Bylaw 13.1.1 shall be by ballot in accordance with the Elections Procedures found in OSSTF Policies and Procedures. (A.14)
- 13.5 **Vacancies**
 13.5.1 Vacancies that occur in elected positions outlined in Bylaw 13.1.1 shall be filled in accordance with the Elections Procedures found in OSSTF Policies and Procedures.” (A.14)

Bylaw 14 Policy

- 14.1 **Status of Policy**
 14.1.1 No District, Bargaining Unit or Branch has the right to advocate the contravention of established OSSTF Policy or practice. (A.12)

Bylaw 15 Negotiations

- 15.1 **Collective Bargaining** (A.02)
 15.1.1 OSSTF shall hold all bargaining rights for its Bargaining Units whether it became the bargaining agent by statute or through certification by the Ontario Labour Relations Board, agency agreement, or voluntary recognition by an employer. (A.02)
 15.1.2 On each occasion that central bargaining takes place, the Provincial Executive shall be responsible for such negotiations. (A.14)
 15.1.3 On each occasion that local bargaining takes place, the Provincial Executive shall initially delegate the responsibility for such negotiations to the respective OSSTF Bargaining Unit executive. (A.14)
 15.1.4 An individual Active Member shall not

- negotiate independently of the OSSTF Bargaining Unit any adjustments to items specified in the collective agreement. (A.02)
 15.1.5 Active members of OSSTF shall not serve as members of, or observers to, any management negotiation team of an employer of OSSTF members. (A.02)
 15.1.6 A person or persons selected to negotiate on behalf of an OSSTF Bargaining Unit shall be responsible to the OSSTF Bargaining Unit executive and shall keep the OSSTF bargaining unit executive informed of the progress of negotiations at all times. (A.02)
 15.1.7 A teachers' Bargaining Unit and an occasional teachers' Bargaining Unit, all of whose members are employed by the same district school board, may be combined to form one Bargaining Unit. (A.02)
 15.1.8 In cases where joint bargaining occurs with occasional teacher and teacher Bargaining Units negotiating a single contract, there shall be occasional teacher representation on the bargaining team where possible. (A.02)
- 15.2 **Central Brief Approval**
 15.2.1 In preparation for each round of Central Bargaining, and prior to creating a draft version of the Central Bargaining brief, the Provincial Executive will survey affected Bargaining Units through the Bargaining Unit Presidents to determine issues to go to the Central Bargaining table. (A.14)
 15.2.2 In preparation for central bargaining, the Provincial Executive will present a draft version of the central bargaining brief at an initial meeting of Presidents and Chief Negotiators of all affected bargaining units. The members of the Collective Bargaining Committee will also be invited to attend this meeting. (A.14)
 15.2.3 A final version of the central bargaining brief endorsed by the Provincial Executive will be presented for approval through a vote at a second special meeting of the affected bargaining unit Presidents and Chief Negotiators only. (A.14)
 15.2.3.1 Approval of the central bargaining brief shall require both a majority of the Bargaining Units eligible to vote and that those Bargaining Units represent a majority of the membership affected. The votes shall be cast by the President or Chief Negotiator (or designate from the same Bargaining Unit) as determined by the Bargaining Unit. (A.14)
- 15.3 **Ratification**
 15.3.1 **Central Agreements**
 15.3.1.1 The Provincial Executive shall, at a

- meeting, present an endorsed central bargaining tentative agreement to affected bargaining unit Presidents and Chief Negotiators for endorsement for ratification. (A.14)
- 15.3.1.2 Presidents and Chief Negotiators (or designate from the same bargaining unit as determined by the bargaining unit) will vote on whether or not to recommend ratification by members. If ratification is not recommended, Presidents and Chief Negotiators (or designate from the same bargaining unit as determined by the bargaining unit) will then vote whether or not to submit the tentative agreement for a ratification vote of the membership. (A.14)
- 15.3.1.3 If so determined at the meeting of Presidents and Chief Negotiators as determined in 15.3.1.2, a province-wide vote of all affected Active Members of OSSTF in the affected Bargaining Units shall be conducted by the Provincial Office of OSSTF. All Active Members of OSSTF in the bargaining units to be covered by the centrally bargained agreement shall have the right to vote regardless of tenure in the following year. (A.14)
- 15.3.1.4 Ratification of the centrally bargained agreement shall require both a majority of the Bargaining Units eligible to vote and voting and a majority of those members eligible to vote and voting. (A.14)
- 15.3.2 Local Agreements.
- 15.3.2.1 Where a local offer or other local tentative agreement between an employer and an OSSTF Bargaining Unit is submitted to the membership for ratification, all Active Members of OSSTF in that OSSTF Bargaining Unit to be covered by the Agreement shall have a right to vote on such matters, regardless of tenure in the following year. (A.14)
- 15.4 **Information Bulletins**
- 15.4.1 The issuance of Information Bulletins (pink letters) is the prerogative of the Provincial Executive and these shall not be issued by OSSTF Bargaining Units. (A.90)
- 15.4.2 The Provincial Executive, when requested by an OSSTF Bargaining Unit, can issue an Information Bulletin (pink letter) on behalf of the OSSTF Bargaining Unit without resuming responsibility for the negotiations. (A.02)
- 15.5 **Terms of Provincial Responsibility for Negotiations (A.02)**
- 15.5.1 Notwithstanding Bylaw 15.1.3, the Provincial Executive may maintain the responsibility for negotiations or may resume responsibility for negotiations for any Bargaining Unit. (A.02)
- 15.5.2 When the Provincial Executive is responsible for negotiations, the OSSTF Bargaining Unit executive shall furnish in writing to the Provincial Executive full details of the current negotiations, together with information on previous settlements, commitments or understandings that might be pertinent to the current negotiations. It shall be the responsibility of the Provincial Executive to ascertain the employer's positions in negotiations. (A.02)
- 15.5.3 When the Provincial Executive is responsible for negotiations, the Provincial Executive will meet with the OSSTF Bargaining Unit executive and determine the terms under which they will negotiate and such terms shall be set out in a Procedures Document. (A.02)
- 15.5.3.1 The Procedures Document may contain clauses conflicting with, and shall take precedence over, any Bargaining Unit constitution, bylaws, policy or special rules related to negotiations for the duration of the Provincial Executive's responsibility for negotiations. (A.02)
- 15.5.4 When the Provincial Executive has resumed responsibility for bargaining, the Resumption of Bargaining Team shall be comprised of: (A.02)
- 15.5.4.1 One member of the Provincial Executive, who shall act as Chair; one member of the Provincial Secretariat, who shall act as Chief Negotiator; the Bargaining Unit President, the Bargaining Unit Chief Negotiator or designate; and one other member selected by the Bargaining Unit. (A.02)
- 15.5.5 No contract negotiations between OSSTF Bargaining Units and their respective employers shall take place without the presence of at least one person designated by the Bargaining Unit(s) concerned. (A.02)
- 15.5.6 Prior to a final settlement, the Provincial Executive is required to report its recommended settlement to the membership of that Bargaining Unit. (A.02)
- 15.5.7 A strike shall be called only with the prior approval of the Provincial Executive and when the Provincial Executive has responsibility for negotiations. (A.02)
- 15.5.8 No later than 120 days after the Provincial Negotiating Team has ceased to be involved in negotiations for an OSSTF Bargaining Unit, the Negotiating Team shall submit to the Provincial Council and to the Bargaining Unit involved a confidential statement of expenses for their involvement in the negotiations. (A.02)
- 15.5.9 All correspondence with the Ministry of Labour regarding negotiations, including conciliation, shall be issued by OSSTF and directed to OSSTF. (A.02)

- 15.6 **Contract Maintenance, Grievance and Arbitration** (A.02)
- 15.6.1 Following ratification of a collective agreement, the Provincial Executive shall normally delegate the administration and enforcement of the collective agreement to the OSSTF Bargaining Unit. (A.02)
- 15.6.2 Notwithstanding Bylaw 15.6.1, no OSSTF Bargaining Unit shall forward a grievance to arbitration without the prior approval of OSSTF. (A.02)
- 15.6.3 All correspondence with the Ministry of Labour regarding contract maintenance processes, including expedited arbitration, shall be issued by OSSTF and directed to OSSTF. (A.02)
- 15.7 **Pay Equity** (A.09)
- 15.7.1 The Provincial Executive may delegate the responsibility for pay equity or pay equity maintenance to the respective OSSTF Bargaining Unit executive. (A.09)
- 15.7.2 The Provincial Secretariat assigned to pay equity shall bargain the Terms of Reference document in conjunction with the respective Bargaining Unit. The Terms of Reference document shall be submitted to the Department Head of Negotiation and Contract Maintenance for approval. The Terms of Reference document may contain clauses conflicting with, and shall take precedence over, any Bargaining Unit constitution, bylaws, policy or special rules related to pay equity. (A.13)
- 15.8 **Terms of Provincial Responsibility for Pay Equity**
- 15.8.1 Notwithstanding Bylaw 15.7.1, the Provincial Executive may maintain the responsibility for pay equity or may resume responsibility for pay equity for any Bargaining Unit. (A.09)
- 15.8.2 When the Provincial Executive resumes responsibility for pay equity, the OSSTF Bargaining Unit executive shall furnish in writing to the Provincial Executive full details of the current pay equity status, together with information on previous commitments and understandings that might be pertinent to the current pay equity process. It shall be the responsibility of the Provincial Executive to ascertain the employer's positions in pay equity. (A.09)
- 15.8.3 When the Provincial Executive has resumed responsibility for pay equity, the Resumption of Pay Equity Steering Committee shall be comprised of: (A.09)
- 15.8.3.1 One member of the Provincial Executive, who shall act as Chair; one member of the Provincial Secretariat, who shall act as Pay Equity Negotiator; the Bargaining Unit President or designate; and two other members from the Steering Committee. (A.09)
- 15.8.4 No pay equity negotiations between OSSTF Bargaining Units and their respective employers shall take place without the presence of provincial representation and at least one representative from the Bargaining Unit(s) concerned. (A.09)
- 15.8.5 When the pay equity plan is finalized, the Provincial Executive or designate is required to present the pay equity plan to the membership of that Bargaining Unit for information. (A.09)
- 15.8.6 No later than 120 days after the Resumption of Pay Equity Steering Committee has ceased to be involved in the pay equity for an OSSTF Bargaining Unit,, the Resumption of Pay Equity Steering Committee shall submit to the Provincial Council and to the Bargaining Unit involved a confidential statement of expenses for their involvement in the pay equity. (A.09)
- 15.8.7 All correspondence with the Pay Equity Commission and the Pay Equity Hearing tribunal regarding pay equity shall be issued by OSSTF and directed to OSSTF. (A.09)
- Bylaw 16 The Provincial Organization**
- 16.1 **Provincial Executive**
- 16.1.1 **Functions**
- 16.1.1.1 The role of the Provincial Executive shall be to protect and engage members, extend OSSTF influence, influence decision makers and shape public opinion and ensure that the matters directed to it by Provincial Council and AMPA are translated into effective action. (A.13)
- 16.1.1.2 The Provincial Executive shall act in the name of the Federation between meetings of the Provincial Council.
- 16.1.1.3 In addition, the Provincial Executive shall:
- 16.1.1.3.1 provide leadership in all matters affecting the welfare of the Members through long-range planning;
- 16.1.1.3.2 recommend Policy;
- 16.1.1.3.3 evaluate Policy;
- 16.1.1.3.4 assign or recommend projects to Districts; (A.12)
- 16.1.1.3.5 monitor and assist Districts and Bargaining Units and co-ordinate efforts among Districts and Bargaining Units in the achievement of goals as approved by Provincial Council; (A.12)
- 16.1.1.3.6 prepare the Executive's proposed Annual Action Plan for the next Federation year; (A.04)
- 16.1.1.3.7 administer the Annual Action Plan for the current year; (A.04)

- 16.1.1.3.8 be responsible prior to each Ontario provincial election for the preparation of a report on each of the major political parties evaluating its performance and policies with respect to Federation Policies and the needs of quality education, such evaluations to be published in *Update*; (A.04)
- 16.1.1.3.9 take, in accordance with the Bylaws, any District or Bargaining Unit of OSSTF into Trusteeship and resume those duties delegated to that organization by OSSTF; (A.03)
- 16.1.1.3.10 notify the membership of changes in Certification Regulations, through publication in *Update*, within three months of such changes being enacted; (A.93)
- 16.1.1.3.11 provide for note taking and/or sign language interpreter services to deaf and hard-of-hearing members who participate in OSSTF activities at the Bargaining Unit or District level; (A.05)
- 16.1.1.3.12 provide for Braille transcription to blind members who participate in OSSTF activities at the Bargaining Unit or District levels. (A.05)
- 16.1.1.3.13 appoint the Directors of Educators Financial Group; (A.08)
- 16.1.1.3.14 ensure that the processes for FTE calculation and appeals are adhered to in accordance with the OSSTF Articles and Bylaws; (A.10)
- 16.1.1.3.15 decide what routine information and official communications will be shared with Associate Members; (A.12)
- 16.1.1.3.16 declare conflict of interest and not vote on or debate any issue relating to Provincial Executive compensation at Provincial Council; (A.12)
- 16.1.1.3.17 confer, in accordance with Bylaw 2.1.4.1 an Honorary Membership on a retired member on the recommendation of a District; (A.12)
- 16.1.1.3.18 confer, in accordance with Bylaw 8.1.1, Awards of Merit upon recommendation of a District Executive or the Provincial Executive; (A.12)
- 16.1.1.3.19 at its discretion, call mass meetings of provincial OSSTF. (A.13)
- 16.1.1.4 The Provincial Executive may, in accordance with Bylaw 2.1.5.1, confer Provincial Life Membership Awards. (A.12)
- 16.1.1.5 It shall be the duty of the Provincial Executive to report to the Provincial Council any approvals for enrolment as Members organized under the provision of the OLRA which it has granted at the request of a District or at the request of a provincial group which, if approved, would be designated as a Provincial District. (A.91)
- 16.1.1.6 When the request of the District relates to a category of employee not previously

reported to the Provincial Council, it shall be the duty of the Provincial Executive to seek ratification by the Provincial Council of the approval of the enrolment prior to initiating any action leading to the processes outlined in the Bylaws. (A.90)

- 16.1.1.6.1 Should a ruling of the Ontario Labour Relations Board add a new category or new categories of employees to an application previously reported to or approved by the Provincial Council, it shall be the duty of the Provincial Executive to decide whether or not to continue to support the application with the inclusion of the new category or categories. (A.08)

16.1.1.7 Pensions

- 16.1.1.7.1 It shall be the duty of the Provincial Executive to provide Members, who are contributors to the Ontario Teachers' Pension Plan, with regular reports regarding the process and contents of decision-making surrounding the filing of a valuation, as permitted by the confidentiality requirements of the process. (A.13)

- 16.1.1.7.2 It shall be the duty of the Provincial Executive to ensure that prior to OSSTF OTF Governors giving final approval to a valuation plan for the Ontario Teachers' Pension Plan that would result in an increase in pension contributions and/or a decrease in benefits, a vote of the Members who are contributing members of the Ontario Teachers' Pension Plan will be held to approve or reject the proposed valuation plan. (A.13)

- 16.1.1.7.3 It shall be the duty of the Provincial Executive to appoint a representative to the Teachers' Pension Plan (TPP) Adjudication Committee. This representative shall be a contributor to the TPP Fund. (A.13)

- 16.1.1.7.4 It shall be the duty of the Provincial Executive to appoint OSSTF representatives for the OMERS Administration Corporation and the OMERS Sponsors Corporation. (A.13)

16.1.1.8 Hiring/Staff Negotiations

- 16.1.1.8.1 The Provincial Executive shall: (A.12)
 - 16.1.1.8.1.1 Be responsible for the selection and interview process; (A.12)
 - 16.1.1.8.2 Define the duties of the General Secretary; (A.12)
 - 16.1.1.8.3 Assign duties to the Associate General Secretaries in conjunction with the General Secretary; (A.12)
 - 16.1.1.8.4 Be responsible for the implementation of a plan of action to ensure that OSSTF is an equal opportunity employer; (A.12)
 - 16.1.1.8.5 Report to each meeting of Provincial Council on the general status of negotiations with COPE and OSSTF Staff

- Association while such negotiations are ongoing. (A.12)
- 16.1.1.8.6 It shall be the duty of the Provincial Executive to appoint an Acting General Secretary, Acting Associate General Secretary or Acting Chief Financial Officer to replace the General Secretary, Associate General Secretary or Chief Financial Officer in the event of extended illness, injury, jury duty, vacation or leave of absence. (A.12)
- 16.1.1.8.7 It shall be the duty of the Provincial Executive to appoint an Interim General Secretary or Interim Associate General Secretary or Interim Chief Financial Officer for up to one year to fill a vacancy created by retirement, resignation, termination of employment or death, while hiring procedures are followed pursuant to the bylaws. (A.12)
- 16.1.1.8.8 It shall be the duty of the Provincial Executive to ensure that any person hired by OSSTF is not otherwise employed in a capacity where there is a conflict of interest with OSSTF. (A.12)
- 16.1.1.8.9 A member of the Provincial Executive shall be eligible to apply for appointment to the Secretariat only after having resigned from the Provincial Executive. (A.13)
- 16.1.1.8.10 **Interns**
- 16.1.1.8.10.1 OSSTF, as an organization, shall be prohibited from using any and all unpaid internships, unless part of an accredited educational program, leading to a credential such as a university degree or college diploma.(A.14)
- 16.1.1.9 **Negotiations**
- 16.1.1.9.1 The Provincial Executive will: (A.12)
- 16.1.1.9.1.1 exercise provincial responsibility for negotiations in accordance with Bylaw 15.5; (A.12)
- 16.1.1.9.1.2 exercise provincial responsibility for negotiations in accordance with Bylaw 15.7 and Bylaw 15.8.; (A.12)
- 16.1.1.9.1.3 issue Information Bulletins (Pink Letters) in accordance with Bylaw 15.4. (A.13)
- 16.1.1.9.2 It shall be the responsibility of the Provincial Executive, subject to the approval of the Provincial Council, to recommend negotiating priorities that should be obtained for its Members through the process of local collective bargaining. (A.12)
- 16.1.1.9.3 It shall be the duty of the Provincial Executive to ensure that the responsibility in Bylaw 16.1.1.9.4 is complied with. (A.12)
- 16.1.1.9.4 It shall be the duty of the Provincial Executive, acting primarily by the vehicle of the Collective Bargaining Committee through the dissemination of information and the process of consultation, to encourage local negotiating units to strive to obtain the negotiating priorities recommended under Bylaw 16.1.1.9.7. (A.12)
- 16.1.1.9.5 It shall be the duty of the Provincial Executive to inform the membership should they become aware that the provincial government is considering changes that could result in the establishment of province wide bargaining for any OSSTF members. (A.12)
- 16.1.1.9.6 It shall be the duty of the Provincial Executive to hold a vote of the membership in the affected Bargaining Unit(s) prior to the final approval of any change that results in province wide bargaining for any OSSTF members. (A.12)
- 16.1.1.9.7 It shall be the duty of the Provincial Executive to present the negotiating priorities to Provincial Council for their information at the meeting prior to the meeting where they are presented for approval. (A.12)
- 16.1.1.9.8 It shall be the duty of the Provincial Executive to keep the membership informed, through the local leadership and other appropriate means, of provincial dialogue and/or discussions that impact on local bargaining. (A.12)
- 16.1.1.9.9 It shall be the duty of the Provincial Executive to review, at least every two years, the appropriate relief payments to members who may be on strike or locked out. (A.12)
- 16.1.1.9.10 On each occasion that central bargaining takes place, the Provincial Executive shall be responsible for such negotiations. (A.14)
- 16.1.1.10 **Federation Finances**
- 16.1.1.10.1 To have authority and responsibility over federation finances in accordance with Bylaw 9.1.2.3; (A.12)
- 16.1.1.10.2 Approve any over-expenditures in accordance with the requirements in Bylaw 9.1.3.2.1; (A.12)
- 16.1.1.10.3 Determine the use of the Contingency Fund in accordance with Bylaw 9.2; (A.12)
- 16.1.1.10.4 Authorize or recommend the use of the Member Protection Account in accordance with Bylaw 9.3; (A.12)
- 16.1.1.10.5 Be responsible for Working Capital in accordance with Bylaw 9.4; (A.12)
- 16.1.1.10.6 To establish from time to time the amount of funds in the Investment Fund that may be invested in common shares and in real property in accordance with Bylaw 9.5.2; (A.12)
- 16.1.1.10.7 Be responsible for administration of finances and be individually responsible for fulfilling their fiduciary obligations

- under the *Corporations Act*, (A.12)
- 16.1.1.10.8 Notwithstanding Bylaw 16.1.1.10.7, any decision to buy or sell a capital asset of more than \$0.5 million, other than District and/or Bargaining Unit properties, that is not set out in the budget approved by AMPA, be taken to the Finance Committee for advice and then to Provincial Council for approval. (A.12)
- 16.1.1.10.9 Any proposal to increase the number of the Secretariat must be presented and clearly indicated as part of the proposed budget to AMPA. (A.13)
- 16.1.1.11 **Committees and Work Groups**
- 16.1.1.11.1 Where appropriate to propose to Provincial Council a regional structure for standing committees in accordance with Article 11.2; (A.12)
- 16.1.1.11.2 appoint ad hoc committees and work groups; (A.12)
- 16.1.1.11.3 be responsible for all bodies whose terms of reference direct reporting to the Provincial Executive; (A.12)
- 16.1.1.11.4 be responsible for a review of each standing committee, Advisory Work Group and Provincial Council (except Provincial Council and Judicial Council) on a rotational basis every five years, with a report to the Provincial Council and then to the Annual Meeting of the Provincial Assembly; (A.13)
- 16.1.1.11.5 report and make recommendations to the BProvincial Assembly regarding any Bylaw or Constitution amendments, arising independently of the five-year review process, which would establish or disband a standing committee or council of OSSTF; (A.12)
- 16.1.1.11.6 appoint members to the Mediation Services Resource Bank. (A.12)
- 16.1.1.12 **Judicial Procedures**
- 16.1.1.12.1 The Provincial Executive will exercise its authority and responsibility in relation to judicial procedures in accordance with Bylaw 6.11. (A.12)
- 16.1.1.12.2 It shall be the responsibility of the Provincial Executive to approve a list of active and/or retired OSSTF members from which the General Secretary will appoint advocates to assist the Complainant and the Respondent in Judicial Council cases and/or Provincial Council Appeal Committee hearings. (A.12)
- 16.1.2 **Term**
- 16.1.2.1 The term of office of the newly-elected Provincial Executive shall commence on July 1. (A.12)
- 16.1.2.2 The term of office for elected members of the Provincial Executive shall be two years or until their successors in office
- are elected. Re-election is possible. (A.92)
- 16.1.3 **President**
- 16.1.3.1 The President shall:
- 16.1.3.1.1 serve as the Presiding Officer and the official representative of the Federation;
- 16.1.3.1.2 serve or designate a representative to serve as the Chairperson of the Provincial Executive and a member ex-officio, of all official bodies, committees, boards, commissions and councils, appointed by the Provincial Executive, the Provincial Council or the Provincial Assembly;
- 16.1.3.1.3 notwithstanding 16.1.3.1.2, designate for each standing committee a member of the Provincial Executive to act as a liaison between the Provincial Executive and that committee;
- 16.1.3.1.4 serve on the OTF Executive and act as Chairperson of the OTF Governors representing OSSTF; (A.13)
- 16.1.3.1.5 annually assign liaison Districts and Bargaining Units and portfolio assignments for each member of the Provincial Executive and shall report such assignments to Provincial Council before the end of June. (A.12)
- 16.1.4 **Vice-Presidents and Executive Officers**
- 16.1.4.1 In the absence of the President, his/her duties shall be performed by either Vice-President or in their absence by one of the Executive Officers.
- 16.1.5 **Treasurer**
- 16.1.5.1 It shall be the duty of the Treasurer to: (A.09)
- 16.1.5.1.1 be responsible for the oversight of the administration of all OSSTF finances; (A.09)
- 16.1.5.1.2 be responsible for the oversight of key financial relationships; (A.09)
- 16.1.5.1.3 be responsible for the safeguarding of OSSTF assets; (A.09)
- 16.1.5.1.4 present financial reports on the status of OSSTF finances to the Provincial Executive and to each meeting of Provincial Council; (A.09)
- 16.1.5.1.5 be a voting member of the Finance committee; (A.09)
- 16.1.5.1.6 ensure Districts/Bargaining Units receive assistance with financial matters; (A.09)
- 16.1.5.1.7 caution against unnecessary and wasteful expenditures of OSSTF funds; (A.09)
- 16.1.5.1.8 submit to the Provincial Executive for approval all accounts of an unusual nature not relating to Provincial Executive compensation; (A.09)
- 16.1.5.1.9 submit to Provincial Council for approval

- all accounts of an unusual nature relating to Provincial Executive compensation; (A.09)
- 16.1.5.1.10 act a liaison between the Provincial Executive and the Finance Committee and other committees or work groups as deemed necessary; (A.09)
- 16.1.5.1.11 present annually at AMPA an audited financial report for all OSSTF funds and accounts for the preceding fiscal year. (A.13)
- 16.1.5.1.12 The Treasurer of OSSTF shall present an audited statement of the Member Protection Account at AMPA. (A.12)
- 16.1.5.1.13 The Treasurer of OSSTF shall present an audited statement of the Internal Investment Fund at AMPA. (A.12)
- 16.1.5.1.14 It shall be the duty of the Treasurer to provide annually to each Provincial Councillor a concise summary of the financial statement which shows the receipts and expenditures of the Provincial OSSTF. (A.12)
- 16.1.5.1.15 It shall be the duty of the Treasurer to provide annually to all Members in *Update* a concise financial report listing the services provided for Members by OSSTF. (A.12)
- 16.1.6 **Leaves of Absence**
- 16.1.6.1 All voting members of the Provincial Executive shall seek leaves of absence for the year or years during which they hold office. (A.87)
- 16.1.6.2 If an incumbent member of the Provincial Executive finds it necessary to arrange in advance a leave of absence for the next anticipated year on the Provincial Executive and then is unable to serve as a member of the Provincial Executive by reason of defeat at the polls, the member's regular salary and benefits will be paid by OSSTF until the member is able to be reinstated by the employer. Such payment will continue for a period not to exceed the subsequent school year, or until the member accepts other employment, whichever is shorter. (A.87)
- 16.1.7 **General Secretary**
- 16.1.7.1 The General Secretary shall be in charge of the Secretariat and, with such assistance and definition of duties of the Secretariat as may be provided by the Provincial Executive, it shall be his/her duty
- 16.1.7.1.1 to record all minutes;
- 16.1.7.1.2 to receive, answer, and keep all correspondence;
- 16.1.7.1.3 to keep all records;
- 16.1.7.1.4 to carry out the instructions of the Provincial Executive;
- 16.1.7.1.5 to be responsible for the management of the Provincial Office; (A.91)
- 16.1.7.1.6 to refer all unusual expenses, unusual accounts and/or authorization of expenditures which do not relate to Provincial Executive compensation to the Treasurer and the Provincial Executive; (A.91)
- 16.1.7.1.7 to refer all unusual expenses, unusual accounts and/or authorization of expenditures relating to Provincial Executive compensation to the Provincial Council; (A.91)
- 16.1.7.1.8 to coordinate French language services; (A.12)
- 16.1.7.1.9 to be responsible for implementing FTE as provided in Article 1.1.12 and Bylaw 10; (A.13)
- 16.1.7.1.10 to determine the number of AMPA delegates in accordance with Bylaw 11.3; (A.13)
- 16.1.7.1.11 to provide a summary report of the financial statement of each candidate for election to Provincial Executive, OTF Governor and OTF Table Officer in accordance with Campaign Regulation 3; (A.13)
- 16.1.7.1.12 to assign an Election Coordinator to perform duties as provided in CAMP Reg. 4. (A.13)
- 16.1.7.2 The General Secretary shall be responsible for the assignment of the Secretariat after prior consultation with the President and Provincial Executive. (A.02)
- 16.1.7.3 The General Secretary shall be designated as Secretary-Treasurer of OSSTF for the purpose of serving on the OTF Executive and Board of Governors, and shall carry out the duties of those positions. (A.04)
- 16.1.7.4 The General Secretary shall designate the elected Vice-Presidents listed in alphabetical order as first and second Vice-Presidents to OTF solely for the purpose of conforming to the requirements of the *TPA* Section 5(1). (A.91)
- 16.1.8 **Associate General Secretaries**
- 16.1.8.1 It shall be the duty of the Associate General Secretaries to: (A.11)
- 16.1.8.1.1 be responsible for performing the duties of the General Secretary when the General Secretary is absent; (A.11)
- 16.1.8.1.2 be responsible for carrying out such other duties and responsibilities as may be assigned by the General Secretary and the Provincial Executive. (A.11)
- 16.1.9 **Chief Financial Officer**
- 16.1.9.1 It shall be the duty of the Chief Financial Officer to: (A.09)
- 16.1.9.1.1 be responsible for the administration of all OSSTF finances; (A.09)

- 16.1.9.1.2 be responsible for the management of key financial relationships; (A.09)
- 16.1.9.1.3 be responsible for the safeguarding of OSSTF assets; (A.09)
- 16.1.9.1.4 be responsible for the preparation of financial reports; (A.09)
- 16.1.9.1.5 be a non-voting member of the Finance Committee; (A.09)
- 16.1.9.1.6 assist Districts/Bargaining Units with financial matters; (A.09)
- 16.1.9.1.7 caution against unnecessary and wasteful expenditures of OSSTF funds; (A.09)
- 16.1.9.1.8 refer to the Treasurer, the finance Committee and the Provincial Executive all unusual expenses, unusual accounts and/or unusual authorization of expenditures which do not relate to Provincial Executive compensation; (A.09)
- 16.1.9.1.9 refer to Provincial Council all unusual expenses, unusual accounts and/or unusual authorization of expenditures which relate to Provincial Executive compensation; (A.09)
- 16.1.9.1.10 be responsible for the system of internal controls; (A.09)
- 16.1.9.1.11 be responsible to the Provincial Executive through the Treasurer; (A.09)
- 16.1.9.1.12 invest OSSTF funds within the investment guidelines approved by the Provincial Executive; (A.09)
- 16.1.9.1.13 borrow money on behalf of OSSTF when so directed by the Provincial Executive; (A.09)
- 16.1.9.1.14 carry out such other duties and responsibilities as may be assigned by the General Secretary and/or the Provincial Executive. (A.09)
- 16.1.10 **Meetings of Provincial Executive**
- 16.1.10.1 A quorum shall be five of the seven voting members of the Provincial Executive. (A.12)
- 16.1.10.2 The Provincial Executive shall meet at the call of the President or on the request of two members of the Provincial Executive. (A.13)
- 16.2 **Secretariat**
- 16.2.1 **General**
- 16.2.1.1 The role of the Secretariat is to implement Federation programs and carry out duties as assigned by the General Secretary. (A.04)
- 16.2.1.2 Members of the Secretariat shall be responsible through the General Secretary to the Provincial Executive. (A.02)
- 16.2.1.3 Members of the Secretariat shall inform the District/Bargaining Unit President prior to any action taken related to that District's/Bargaining Unit's business. (A.02)
- 16.2.2 **Pensions Officer**
- 16.2.2.1 It shall be the Pensions Officer's duty to (A.02)
- 16.2.2.1.1 provide advice and assistance to members regarding the *Ontario Teachers' Pension Act* and the Ontario Municipal Employees' Retirement System and other pension plans of our members; (A.10)
- 16.2.2.1.2 conduct and participate in workshops on pensions and related matters; including retirement planning in Districts, Bargaining Units and Branches and work sites; (A.10)
- 16.2.2.1.3 act as a resource person for other Secretariat members, the Provincial Executive and pension-related advisory work groups; (A.02)
- 16.2.2.1.4 assist in the preparation of materials relating to pensions; (A.02)
- 16.2.2.1.5 advise the Provincial Executive through the General Secretary on the implications of communications related to members' pensions; (A.02)
- 16.2.2.1.6 perform other duties relating to pensions as assigned by the General Secretary; (A.02)
- 16.2.2.1.7 report when requested to the Provincial Executive and to Provincial Council and submit a written report to AMPA; (A.02)
- 16.2.2.1.8 evaluate, prepare, and present appeal cases on behalf of Members appealing decisions of the OTPP and OMERS and other pension plans staff. (A.10)
- 16.2.3 **Equity Officer**
- 16.2.3.1 It shall be the Equity Officer's duty to:
- 16.2.3.1.1 provide advice and assistance to members regarding the Ontario Human Rights Code and relevant legislation, equity issues, and equity-based barriers to participation in Federation; (A.11)
- 16.2.3.1.2 conduct and participate in training and workshops on equity and related matters; (A.11)
- 16.2.3.1.3 act as an advisor and resource person for other Secretariat members, the Provincial Executive, and equity-related advisory groups; (A.11)
- 16.2.3.1.4 assist in the preparation of materials relating to equity; (A.11)
- 16.2.3.1.5 advise the Provincial Executive through the General Secretary on human rights and equity issues within the organization; (A.11)
- 16.2.3.1.6 perform other duties relating to equity as assigned by the General Secretary; (A.11)
- 16.2.3.1.7 report when requested to the Provincial Executive and to Provincial council and submit a written report to AMPA; (A.11)

16.2.3.1.8 serve as a resource for the purposes of vetting of OSSTF policy, bylaws, events, communications, and processes from an equity perspective; (A.11)

16.2.3.1.9 coordinate equity initiatives within OSSTF. (A.11)

16.3 OTF Governors

16.3.1 It shall be the duty of the OTF Governors representing OSSTF to notify all Members of OSSTF who may be affected, in writing, of any proposed change in OTF Bylaws that may affect the membership in OSSTF of these Members. (A.79)

16.3.2 The results of a vote on a negotiated pension settlement by the OSSTF membership who are contributors to the TPP is binding on OSSTF Members on the OTF Board of Governors. (A.91)

16.3.3 It shall be the duty of the OTF Governors representing OSSTF to represent OSSTF at the OTF and to carry forward and report back on such business as the Provincial Council and/or the Provincial Assembly may from time to time require.

16.3.4 It shall be the duty of the President of OSSTF to act as Chairperson of the Governors representing OSSTF.

16.3.5 It shall be the duty of the OTF Governors representing OSSTF to meet prior to all regular meetings of the OTF Board of Governors. (A.84)

16.3.6 Term

16.3.6.1 The term of office for elected OSSTF representatives on the Board of Governors of the OTF and the OTF Table Officer shall be one year. Such representatives will be deemed to be re-elected by acclamation for an additional one-year term. (A.14)

Bylaw 17 Employment of Secretariat

17.1 Advertising

17.1.1 Upon the approval by the Provincial Assembly of the hiring of additional members of the Secretariat, the position(s) will be advertised. (A.02)

17.2 Selection

17.2.1 The Provincial Executive, which includes the General Secretary, shall be responsible for the selection and interview process or for deciding that no suitable candidate is available. (A.02)

17.3 Vacancies

17.3.1 If a vacancy occurs for a permanent position in the authorized complement of the Secretariat between meetings of the Provincial Assembly, then upon approval of the Provincial Executive the

position will be advertised. (A.08)

17.3.2 If a temporary vacancy occurs in the authorized complement of the Secretariat between meetings of the Provincial Assembly, then upon approval of the Provincial Executive the position will be advertised. (A.06)

Bylaw 18 Districts

18.1 The District shall provide for:

18.1.1 District Executive

18.1.1.1 the formation of a District Executive and/or Council and the designation of its duties and its voting members;

18.1.1.2 the appointment or election of:

18.1.1.2.1 a District Communications/Excellence in Education Officer;

18.1.1.2.2 Chairpersons of District standing committees;

18.1.1.2.2.1 a Health and Safety Officer(s); (A.05)

18.1.1.2.2.2 an Educational Services Officer;

18.1.1.2.2.3 a Human Rights Officer;

18.1.1.2.2.4 a Status of Women Officer;

18.1.1.2.2.5 a Labour Council Liaison; (A.11)

18.1.1.2.2.6 other Officers of the District according to the District constitution;

18.1.1.2.2.7 a Political Action Officer; (A.13)

18.1.2 the establishment of appropriate structures to ensure the negotiation of collective agreements for all its Bargaining Units;

18.1.3 the establishment of appropriate procedures to ensure the election or appointment of delegates and alternates to the Provincial Assembly; (A.01)

18.1.4 the establishment of appropriate, democratic procedures to ensure the integration of all Bargaining Units;

18.1.5 the establishment of procedures to ensure that each Bargaining Unit shall have input in the formulation of that Bargaining Unit's budget and the District Budget; (A.01)

18.1.6 the establishment of procedures to ensure representation from all Bargaining Units on the District Council and/or other bodies, as appropriate;

18.1.7 The establishment of anti-harassment, anti-bullying and anti-sexual harassment policies and procedures that are followed for all OSSTF members and employees for both the office as a workplace and for OSSTF sponsored functions. (A.13)

18.1.8 A District or Region of OSSTF wishing to make representation to the Minister of Education, the Minister of Training, Colleges & Universities and/or the Legislature on any matter concerning education or salary issues may make such representation only after the representation has obtained the support of a Provincial Assembly and/or

	Provincial Council and/or Provincial Executive. (A.13)	18.1.11.5.1.6	ensure that no materials, including electronic information, which contain the District's name and/or Federation logo, are published or circulated without the prior authorization of the District. (A.13)
18.1.9	Communications	18.2	District President
18.1.9.1	The district shall provide for communication with the membership by means of a newsletter, memorandum or communiqué, issued from time to time; and/or	18.2.1	The District President shall: (A.13)
18.1.9.2	a District web site to inform and receive feedback from the membership.	18.2.2	Be the official representative and Chief Executive Officer of the District; (A.13)
18.1.9.3	The District website shall be inclusive of all Bargaining Units in the District and could include such information as the names of all current members of executives, Bargaining Unit contact information and an inclusive calendar of District events. (A.06)	18.2.3	Be a member ex-officio of all District committees; (A.13)
18.1.10	The District shall provide for the representation of its Active Members to the District Executive/Council. (A.13)	18.2.4	Be a signing authority for the District. (A.13)
18.1.11	The District shall: (A.13)	18.3	District Treasurer
18.1.11.1	endeavour to co-operate with the Provincial Executive to co-ordinate effectively negotiation strategies among Bargaining Units; (A.13)	18.3.1	The District Treasurer shall: submit one copy of the District Annual Financial Report to the Provincial Office by November 1 of the following federation year; and (A.13)
18.1.11.2	co-operate with Bargaining Units to appoint or elect Health and Safety Representatives to the joint Occupational Health and Safety Committees provided for in the <i>Occupational Health and Safety Act</i> ; (A.13)	18.3.2	submit each year one copy of the District budget for the current year to the Provincial Treasurer, no later than November 1;
18.1.11.3	endeavour to achieve provincial goals as approved by the Provincial Council; and (A.13)	18.3.3	ensure that information in the Financial Handbook is communicated to the appropriate District and Bargaining Unit Officers. (A.01)
18.1.11.4	assist in the achievement of policies and priorities as approved by a Provincial Assembly. (A.13)	18.3.4	at least semi-annually provide to the District Executive/Council financial reports which include expenses to date for each budget line and the financial position of the District, including all District assets. (A.04)
18.1.11.5	District Executive	18.3.5	All District funds, whether allocated by the Provincial Office, raised by voluntary levy or received from other sources, are to be and shall remain the responsibility of the District Treasurer, who is accountable to the District membership. The disposition of such funds is to be reflected in the required Annual Financial Report of the District. (A.13)
18.1.11.5.1	The District Executive shall: (A.13)	18.4	District Finances
18.1.11.5.1.1	ensure that the OSSTF Constitution or Bylaws are not contravened in the process of transacting District business; (A.13)	18.4.1	Each District shall make available, upon notice of no fewer than five working days, its financial records for audit by the Provincial Office.
18.1.11.5.1.2	ensure that the Staff Representatives and/or Branch Executives are informed of their duties at the start of their term of office and are given assistance throughout their term in carrying out these duties; (A.13)	18.5	The District may provide for the appointment of a qualified auditor on a yearly basis who may be responsible for preparing and submitting an annual audited financial statement to the membership.
18.1.11.5.1.3	forward to the Parliamentary and Constitution Council a copy of the District constitution together with all amendments thereto; (A.13)	18.6	All District Officers appointed or elected shall be subject to the authority of the District Executive.
18.1.11.5.1.4	where the District is a member of a local labour council, distribute copies of the labour council's newsletter to the district membership; (A.13)		
18.1.11.5.1.5	promote OSSTF scholarships and awards to the District membership; (A.13)		

Bylaw 19 Bargaining Units

- 19.1 The Bargaining Unit shall provide for:
- 19.1.1 the formation of appropriate Branches;
- 19.1.2 the designation of one or more workplaces as a Branch; and
- 19.1.3 an OSSTF representative in each workplace;
- 19.1.4 the formation of procedures to represent its members under the appropriate legislation;
- 19.1.5 the election of an Executive, the designation of its duties and its voting members, and procedures for the filling of vacancies. (A.04)
- 19.1.6 the election or appointment of:
- 19.1.6.1 a representative negotiating team;
- 19.1.6.2 a Chief Negotiator;
- 19.1.6.3 a Grievance Officer;
- 19.1.6.4 personnel to carry out its obligations and duties under the Constitution and Bylaws;
- 19.1.6.5 representatives to the District Executive;
- 19.1.6.6 a Provincial Councillor(s) where appropriate;
- 19.1.6.7 the Bargaining Unit's member(s) of Joint Health and Safety Committee(s), or in workplaces where no Joint Health and Safety Committee is required, the Bargaining Unit's health and safety representative(s); (A.04)
- 19.1.6.8 a Health and Safety Officer; (A.04)
- 19.1.6.9 an Educational Services Officer; (A.08)
- 19.1.6.10 Pay Equity Officer, where Pay Equity negotiations and maintenance are required; (A.10)
- 19.1.6.11 Communications and Political Action Officer; (A.13)
- 19.1.7 regular meetings of bargaining representatives;
- 19.1.8 the mutual support of, co-operation with, and assistance to other Bargaining Units within the District;
- 19.1.9 the formation of procedures to secure and maintain pay equity for its members;
- 19.1.10 the formation of procedures to ensure that all Members have fair representation with due regard to the terms of the applicable collective agreement;
- 19.1.11 the selection of delegates to the Provincial Assembly; (A.01)
- 19.1.12 the establishment of anti-harassment, anti-bullying and anti-sexual harassment policies and procedures that are followed for all OSSTF members and employees for both the office as a workplace and for OSSTF sponsored functions. (A.07)
- 19.2 The Bargaining Unit shall:
- 19.2.1 co-operate with the District to appoint or elect Health and Safety Representatives
- 19.2.2 to the joint Occupational Health and Safety Committees provided for in the *Occupational Health and Safety Act*; (A.07)
- 19.2.3 endeavour to achieve provincial goals as approved by the Provincial Council; and
- 19.2.3 assist in the achievement of policies and priorities as approved by a Provincial Assembly.
- 19.3 A Bargaining Unit or Branch of OSSTF wishing to make representation to the Minister of Education, the Minister of Training, Colleges & Universities, and/or the Legislature on any matter concerning educational or salary issues may make such representation only after the representation has obtained the support of a Provincial Assembly and/or Provincial Council and/or the Provincial Executive. (A.11)
- 19.4 **Negotiations (A.13)**
- 19.4.1 The Bargaining Unit shall be responsible for: (A.13)
- 19.4.1.1 the preparation of a local negotiating brief in accordance with the Bargaining Unit's constitution and bylaws; (A.14)
- 19.4.1.2 the approval of the negotiating brief by the executive of the Bargaining Unit; (A.13)
- 19.4.1.3 the submission of the negotiating brief to the Department Head of Negotiation and Contract Maintenance for approval; (A.13)
- 19.4.1.4 communication with members of the Bargaining Unit regarding the progress of negotiations; (A.13)
- 19.4.1.5 joint meetings with other Bargaining Unit representatives from the District in order to co-ordinate bargaining issues and strategies; (A.13)
- 19.4.1.6 establishing a procedure for ratification vote by the membership of any negotiated agreement between the employer and authorized representatives of the Bargaining Unit which alters the terms and conditions of the collective agreement arising out of Provincial or Federal legislation; (A.13)
- 19.4.1.7 informing the Provincial OSSTF of progress in negotiations on a regular basis and shall endeavour to co-operate with the Provincial Executive to co-ordinate effectively negotiation strategies among Bargaining Units. (A.13)
- 19.4.2 A person or persons selected to negotiate on behalf of a Bargaining Unit shall be responsible to the Bargaining Unit Executive and shall keep the District and Bargaining Unit Executive

20.2.1.1.4	provincial councils;		
20.2.1.1.5	Districts; (A.90)		
20.2.1.1.6	the previous Annual Meeting of the Provincial Assembly as Notice of Motion; (A.89)	21.2	previous notice as in Bylaw 21.1.1.1 not having been given. (A.92) Proposed amendments received by the General Secretary after January 31 will be distributed at AMPA. (A.92)
20.2.1.1.7	a committee (which includes task forces, work groups, or other titles) created by AMPA and which was given direction to report to the next AMPA; (A.93)	21.3	Amendments to Bylaws adopted at AMPA shall be effective starting the subsequent July 1st, unless stated otherwise in an action motion passed in advance of the amendment(s) being considered. (A.06)
20.2.1.1.8	Bargaining Units; (A.96)		
20.2.1.1.9	Mediation Services Resource Bank; (A.13)		
20.2.1.1.10	OTF Governors and OTF Table Officer; (A.13)		
20.2.1.2	must be in writing and signed by the Secretary or Presiding Officer of the submitting body;		
20.2.1.3	except for a Notice of Motion in accordance with Bylaw 20.2.1.1.6, must have received the prior approval of the submitting body. (A.12)	22.2	
20.2.1.4	must be received by the General Secretary by Jan. 31st;		
20.2.1.5	must be accompanied by a reasonable estimate of the cost, should the resolution require the expenditure of funds for implementation; and (A.90)		
20.2.1.6	must have a rationale printed in the Assembly materials by the Resolutions Committee if they are considered to be Out of Order as submitted and printed. (A.83)	22.3	
20.2.2	A miscellaneous action resolution passed by the Provincial Assembly continues in effect for three years unless the action terminates at a time definite, or the resolution is rescinded by a meeting of the Provincial Assembly. (A.87)	22.4	
20.2.3	An External Policy resolution passed by the Provincial Assembly continues in effect for ten years from the date of being adopted or amended, unless the External Policy is rescinded. (A.12)	22.5	
Bylaw 21	Amendments		
21.1	Amendments to these Bylaws may be made at the Annual Meeting of the Provincial Assembly	22.6	
21.1.1	by a majority vote of the members qualified to vote, present and voting, provided that	22.7	
21.1.1.1	notice of the proposed amendment shall have been given in writing to the General Secretary on or before January 31 of that school year, and (A.99)		
21.1.1.2	such notice shall have been forwarded on or before the second Friday after February 1 of that school year by the General Secretary to the Bargaining Unit Presidents; (A.12)	22.8	
21.1.2	by a three-quarters vote of the members qualified to vote, present and voting,		
			Bylaw 22 Certification
		22.1	The Certification Plan is the Regulations and prefatory material governing the administration of teacher certifications as published in the Procedures Section of the Policy and Procedures Manual of OSSTF. (A.12)
			It is the responsibility of Members to apply for Certification Rating Statements in accordance with the procedures as provided in the Procedures Section of the Policy and Procedures Manual of OSSTF, as amended from time to time. (A.12)
			It is the responsibility of Members to be cognizant of the latest changes to the Certification Plan and to apply for re-evaluation when necessary. (A.12)
			Teachers involuntarily transferred to the OSSTF will have their previous qualification evaluation rating statements moved laterally on to the OSSTF certification plan and will be expected to progress through the charts currently in effect. (A.12)
			The Certification Division shall evaluate the qualifications of only those Members who are teaching under a valid teaching Certificate issued by the Ontario College of Teachers or who are teacher-candidates enrolled in a publically funded Ontario Faculty of Education. (A.12)
			Persons will not be evaluated if they are teaching under a Letter of Permission or any other document which is less than a basic secondary school teaching certificate. (A.12)
			A Certification Rating Statement will only be issued to a Member who holds a valid teaching Certificate issued by the Ontario College of Teachers and who is an Active or Voluntary Member of OSSTF. (A.12)
			A Provisional Rating Statement may be issued for a specified period of time where a Member has completed all the necessary qualifications for a particular group but has not received all necessary documentation. (A.12)

- 22.9 Any Member holding a Certification Rating Statement in any group shall not lose this grouping by virtue of any revisions in the Certification Plan. (A.12)
- 22.10 When a regulation has changed, the Member may continue to advance according to their Regulation in place when that Member began to upgrade only for so long as that Member continues to make "reasonable progress". Should a Member fail to make "reasonable progress," that Member shall be required to upgrade according to the Regulation presently in place. (A.12)
- 22.11 The Certification Division shall give an official ruling on the acceptability of any course to be used for upgrading. (A.12)
- 22.12 Course approvals shall be in force for a period of eighteen months from the date of issue. (A.12)

Bylaw 23 Mediation Services Resource Bank

- 23.1 The Mediation Services Resource Bank shall upon request and in accordance with the procedures as outlined in the Policy and Procedures Manual, assist with dispute resolution between members where the dispute affects the professional relationship of those members. (A.12)
- 23.2 The Mediation Services Resource Bank shall not deal with matters of professional difficulty which involve a grievance, a matter under the OLRA, a College of Teachers case, or other professional college case. (A.12)

RULES OF ORDER

(Determined under Bylaw 20)

RULE 1 Responsibility

- 1.1 The responsibility for conducting meetings lies with the Chief Executive Officer, or the person designated by the Chief Executive Officer to chair the meeting or selected by the jurisdiction in accordance with its Constitution and Bylaws.

RULE 2 Role of the Presiding Officer

- 2.1 The Presiding Officer calls the meeting to order.
- 2.2 The Presiding Officer announces the business which should come before the assembly in its proper order, usually in the form of a printed agenda.
- 2.3 The Presiding Officer assigns the floor to members who desire to speak. Once the Presiding Officer has recognized the right of a member to the floor, it is the duty of the Presiding Officer to protect the speaker from disturbance or interference. Notwithstanding the foregoing, the Presiding Officer must never hesitate, when the interest of the organization or its members requires, to permit a speaker to be interrupted, or to limit the number of speakers to a resolution.
- 2.4 The Presiding Officer reads all resolutions that have been correctly moved and seconded. The Presiding Officer may require a restatement, in the best possible form and without changing the intent, of any resolution the proposer has failed to submit correctly or clearly.
- 2.5 The Presiding Officer explains what the effect of a resolution would be if it is not clear to every member. The Presiding Officer makes certain that members understand exactly what business is pending.
- 2.6 The Presiding Officer restricts discussion to the question before the assembly.
- 2.7 The Presiding Officer is responsible for answering all Parliamentary Inquiries and for deciding Points of Order and Questions of Privilege as soon as they arise.
- 2.8 The Presiding Officer never debates a resolution while presiding. To participate in debate, the Presiding Officer shall relinquish the Chair, and not return to it until the pending main resolution has been disposed of. This does not preclude the Presiding Officer from explaining a ruling or responding to an appeal from the Chair. Notwithstanding the foregoing, the Presiding Officer may, with the consent of the House, state matters of fact that are relevant to the debate.
- 2.9 When discussion on a question has ceased or has been closed by a resolution to that effect, the Presiding Officer is responsible for restating the exact question upon which the assembly is to vote and for putting the question

to a vote.

- 2.10 When necessary, the Presiding Officer decides whether the resolution has two or more independent parts that may be voted on separately.
- 2.11 When necessary, to verify an indecisive vote by show of hands, the Presiding Officer may require voters to rise and be counted.
- 2.12 The Presiding Officer, only if a designated voting member of the body, may vote to create or break a tie. (PC. 91)
- 2.13 The Presiding Officer states definitely and clearly the result of the vote.
- 2.14 The Presiding Officer protects the assembly from annoyance by refusing to recognize resolutions that are frivolous in character or that are made solely for the purpose of blocking business or of consuming time.
- 2.15 The Presiding Officer may be advised on parliamentary procedures by a Steering Committee which may consist of one or more persons.
- 2.16 Notwithstanding Rule 2.8 and 2.12, in a small, relaxed or informal meeting, a Presiding Officer shall carry out the usual functions in conducting a meeting, and may, if a voting member, also participate in discussion and may vote. (PC.04)
- 2.17 Each OSSTF group should decide at the outset of the federation year whether Rule 2.16 applies to them. (PC.04)

RULE 3 Meetings

- 3.1 **Types of Meetings**
 - 3.1.1 An Open Meeting is a meeting under the normal Rules of Order. A variation of this would be a meeting with some restriction on who may attend.
 - 3.1.2 An Executive Session is any meeting of a deliberative assembly, or portion of a meeting, at which the proceedings are secret or confidential.
- 3.2 **Order of Meetings**
 - 3.2.1 At meetings of the OSSTF Provincial, District, and Branch jurisdictions the structure of meetings may be established according to the following order:
 - 3.2.1.1 Call to Order;
 - 3.2.1.2 At the first meeting of the jurisdictional year, and then at the discretion of the Chair, the reading of the OSSTF Pledge;
 - 3.2.1.3 Registration, or roll call, of members;
 - 3.2.1.4 Appointment of Steering, Credential, and other temporary committees;
 - 3.2.1.5 Procedural resolutions;
 - 3.2.1.6 Adoption of the Agenda;
 - 3.2.1.7 Minutes of the previous meetings and

- business arising therefrom;
- 3.2.1.8 Report of the Treasurer;
- 3.2.1.9 Communications and business arising therefrom;
- 3.2.1.10 Action items, including reports of officers and/or committees containing recommendations for immediate decision;
- 3.2.1.11 Items of concern to recognized units within the jurisdiction;
- 3.2.1.12 Information items, including reports of officers and/or committees not requiring immediate decision;
- 3.2.1.13 Unfinished business;
- 3.2.1.14 New business;
- 3.2.1.15 At the Annual Meeting, appointment of auditors and installation of officers;
- 3.2.1.16 Adjournment.
- 3.2.2 Where appropriate for the business of a particular meeting, the structure of the meeting may vary from the items outlined in Rule 3.2.1. Subject to the Rules of Order, the Presiding Officer has the responsibility to determine what items are appropriate to that meeting and to arrange their order. (PC.04)
- 3.3 **Minutes** (PC.02)
- 3.3.1 The Minutes of an OSSTF meeting constitute the official record of the proceedings of the meeting. (PC.02)
- 3.3.2 The minutes contain a record of what was done at the meeting and not what was said, including the disposition of all motions that were dealt with. (PC.06)

RULE 4 Quorum of Meetings

- 4.1 The quorum for any meeting will be established in the Constitution or Bylaws of the body concerned, and for any body of OSSTF for which such is not set, the quorum shall be a majority of the voting members.

RULE 5 Debate

- 5.1 No debate shall be held on a topic until there is a resolution on the floor.
- 5.2 All main resolutions and amendments thereto shall be written and presented prior to the vote to the Presiding Officer or to the Resolutions Committee.
- 5.3 The mover of a resolution shall have the privilege of being the first speaker in the debate on the resolution, and shall have the further privilege of speaking once more to conclude the debate.
- 5.4 Members who wish to speak to a resolution must first be recognized by the Presiding Officer and should begin by stating whether they support or oppose the resolution, are moving an amendment, or have other intentions.

- 5.5 Members shall not speak more than once to a resolution, except as provided in Rule 5.3 or Rule 5.8 and except in explanation of a material part of their own speech. No debate shall be allowed upon the explanation.
- 5.6 After a resolution or an amendment has been debated, the Presiding Officer calls the question by asking those in favour of the resolution to so indicate, followed by those opposed. The Presiding Officer then declares the resolution "carried" or "lost". In the case of a tie vote, the Presiding Officer casts the deciding vote.
- 5.7 A time limit may be set on debate if the assembly so decides.
- 5.8 **Committee of the Whole**
- 5.8.1 If free debate on a topic is desirable without the necessity of having a resolution on the floor, the assembly may go into a Committee of the Whole. After the Committee of the Whole rises and reports, any resolutions passed in the Committee of the Whole, except procedural resolutions, shall be proposed as main resolutions. Such resolutions shall be put and decided without debate or amendment.
- 5.8.2 If free debate of a resolution or resolutions is required, the assembly may go into a Committee of the Whole. The Committee of the Whole shall include in its report recommendations, if any, regarding the disposition of any resolution(s) referred to it, including recommendations for amendments. Such resolutions and amendments shall then be put and decided without further debate or amendment by the assembly. (PC 03)
- 5.8.3 The main resolution to move into Committee of the Whole shall specify the term(s) of reference, restriction(s) for debate, if any, and time frame.
- 5.8.4 A resolution to "rise and report" is neither debatable nor amendable and may be moved at any time.
- 5.8.5 A Committee of the Whole may not, even by unanimous consent
 - 5.8.5.1 appoint a subcommittee,
 - 5.8.5.2 refer the matter to another body,
 - 5.8.5.3 table or postpone indefinitely,
 - 5.8.5.4 reconsider or rescind action already taken,
 - 5.8.5.5 extend its own time limit,
 - 5.8.5.6 recess or adjourn.
- 5.8.6 However, a Committee of the Whole may recommend such options (Rule 5.8.5) to the assembly.
- 5.8.7 Resolutions in a Committee of the Whole require a simple majority to carry.
- 5.8.8 In the assembly, resolutions carried by a Committee of the Whole require the same vote count that they would have required if

they had not been considered by the Committee of the Whole.

5.9 House Committees

- 5.9.1 A House Committee or Committees may be created for the purpose of dealing with special items of business at the same time that the assembly is carrying on with its regular business.
- 5.9.2 The members of such committee shall be selected by the House and voting and non-voting members shall be clearly indicated in the resolution establishing the House Committee.
- 5.9.3 Only voting members of the House Committee may move, second, or vote on resolutions in the House Committee.
- 5.9.4 Upon its creation, the House Committee may sit at its convenience between the House's first convening and final adjournment, subject to any time conditions set by the House.
- 5.9.5 Any member of the House Committee may speak as often as such member is able to obtain the floor, provided the resolution establishing the House Committee has no restriction on debate or no other member is seeking the floor who has not debated previously.
- 5.9.6 The length of time for each debater is the same as that during debate in the House unless the House Committee decides otherwise by a two-thirds vote.
- 5.9.7 In the House Committee all parliamentary resolutions may be used except the resolutions "To Table", "To Postpone Indefinitely", "To Refer (to any body except the House)", and "To Adjourn".
- 5.9.8 The House Committee cannot appoint a sub-committee.
- 5.9.9 The House Committee shall conclude its business either at the expiration of the time limit set by the House, or by the adoption of the resolution "To Rise and Report". It cannot extend the time of its existence, even by a unanimous vote.
- 5.9.10 The House Committee shall include in its report any recommendations on those resolutions specifically referred to it. Such recommendations shall be proposed as main resolutions without debate or amendment and shall require the same voting majority as the original resolutions. The vote on such recommendations shall be the decisions of the House on the resolutions referred to the House Committee.
- 5.9.11 Any other resolutions or recommendations arising from within the deliberations of the House Committee shall be presented in a supplementary report as resolutions "from the floor". Unless specified otherwise, their time-effective date shall be the same as that

for those in the primary report of the House Committee.

5.10 Executive Session (PC.91)

- 5.10.1 A body shall move into Executive Session whenever it must consider either matters relating to personnel or matters of serious importance to the body. (PC.91)
- 5.10.2.1 The standard resolution to move into Executive Session should be worded as follows: "Be it resolved that this House move into Executive Session, with the Chairperson in the Chair, minimal staff present, and the doors tyled." (PC 91)
- 5.10.2.2 Minimal staff shall be as defined in the constitution, bylaws, or handbook of the body or as limited by the standard resolution. (PC.91)
- 5.10.3 All matters discussed in Executive Session shall remain absolutely confidential to those members present during the Session. Violation of this provision of confidentiality is punishable under the disciplinary procedures of OSSTF. The Minutes of an Executive Session shall be read and acted upon only in an Executive Session. (PC.91)
- 5.10.4 The Minutes of an Executive Session shall be kept in a secure location for a period of seven years, whereafter they shall become part of the body's public record unless the body specifically directs otherwise. (PC.91)
- 5.10.5 Within Executive Session the standard rules of order shall be followed unless the body specifically directs otherwise. (PC.91)
- 5.10.6 A resolution to rise from Executive Session shall be moved at the end of the Session. (PC.91)
- 5.10.7 The resolutions directing the body to move into and rise from Executive Session are the only public record of the Executive Session. (PC.91)
- 5.10.7.1 Any resolution arising from Executive Session which requires public action shall be reported in the resolution to rise from Executive Session. (PC.02)

RULE 6 Voting Procedures

6.1 General

- 6.1.1 No interruptions are permitted during the taking of a vote. Once the order of business has been announced by the Presiding Officer, no further action can be taken on the previous resolution except for reconsideration of a resolution.

6.2 Inconclusive Vote

- 6.2.1 If the Chair is in doubt about a vote, the Chair should immediately retake the vote, always as a rising vote.
- 6.2.2 If after a vote has been retaken as an uncounted rising vote, the Chair is still unable to determine the result, the Chair

should take the vote a third time as a counted rising vote.

6.2.3 In voting by any method (including a counted rising vote), a member has the right to change the member's vote up to the time the result is finally announced.

6.2.4 A member may vote on a rising vote not having voted previously on the issue.

6.3 **Division of the House** (Rising vote - uncounted or counted)

6.3.1 A member can demand a Division (a vote taken by rising) from the moment the negative votes have been cast until the announcement of the result is complete and until the next order of business has been announced by the Presiding Officer, unless a rising vote has been taken.

6.3.2 A Division of the House does not require a seconder and is not debatable, nor amendable.

6.3.3 A vote retaken by a show of hands is not a Division of the House and any member still has the right to demand a Division.

6.3.4 Either the Chair or the House by a majority vote can order a Division of the House vote to be counted. A single member has the power to require a standing vote but not to order a count.

6.3.5 The doors should be closed and no one should be allowed to enter or leave the House while a count is being taken.

6.4 **Roll Call Vote**

6.4.1 Roll call votes may be taken at meetings. Unless specified otherwise in the Constitution, Bylaws, or operating procedures of a particular jurisdiction, the roll call vote shall be taken only if a resolution to do so is approved by a simple majority vote.

6.5 **Verifying Vote**

6.5.1 A vote is never retaken by the same form of voting except in the case of a counted rising vote when the vote count is within five of the required majority, when the Chair may retake the vote. (PC.97)

6.5.2 In a counted rising vote, a ballot, or a roll call, a recapitulation of the teller's tabulations can be ordered to assure that the count is precisely correct as reported.

RULE 7 Amendments

7.1 A resolution may be amended by

7.1.1 Insertion,

7.1.2 Addition,

7.1.3 Deletion,

7.1.4 Deletion for insertion,

7.1.5 Substitution.

7.2 An amendment must bear such close relationship to the resolution that the basic

intent of the resolution is not changed.

7.3 There may be an amendment to the amendment but not more than one such sub-amendment may be debated at any one time.

7.4 The sequence of voting on amendments is as follows:

7.4.1 the amendment to an amendment (sub-amendment),

7.4.2 the amendment,

7.4.3 the main resolution.

RULE 8 Notice of Motion

8.1 As a general rule, changes in the Constitution or the Bylaws, and the establishment, amendment, or rescission of Policy should be made only after proper Notice of Motion has been given so that members may give such weighty matters due consideration before the questions are debated.

8.2 Jurisdictions may set statements of procedures regarding Notice of Motion in their Bylaws or operating procedures. Such procedures shall include the conditions that

8.2.1 "Notice of Motion" appears as an agenda item;

8.2.2 The resolution appears in print, or is read into the record;

8.2.3 At the time notice is given, questions of clarification may be asked.

RULE 9 Incidental Requests and Appeals

9.1 **Requests** (may interrupt debate; no vote required)

9.1.1 **Question of Privilege** - relates to any matter affecting rights and immunities of the assembly collectively, or to the position, reputation and conduct of members in their respective character.

9.1.2 **Point of Order** - question to the Presiding Officer regarding a possible breach of Rules of Order.

9.2 **Parliamentary Inquiry** (must be recognized in the order of debaters)

9.2.1 a question to the Presiding Officer relating to procedure or to the meaning or effect of the impending resolution.

9.2.2 a question to the debater or proposer of the resolution about the pending resolution.

9.3 **Appeals** (vote required)

9.3.1 **Challenge to the Chair [Appeal from the Decision of the Chair]** - a member may challenge a ruling or decision of the Presiding Officer. The member may speak only to the reason for objecting to the ruling. The Presiding Officer may reply. The

Presiding Officer shall then call for a show of hands of those supporting the challenge, and then for a show of hands of those upholding the Presiding Officer's ruling. A simple majority supporting the challenge is required to overrule the decision of the Presiding Officer. (PC.06)

- 9.3.2 **Appeal from the decision to withdraw a resolution** - if any member objects to the withdrawal of a resolution once it is on the floor, the assembly must vote on a procedural resolution to permit the withdrawal; simple majority to carry.

RULE 10 Order of Precedence of Resolutions

- 10.1 The procedures with respect to resolutions shall apply as set forth in the table on the following page. (PC.04)

RULE 11 Authorities

- 11.1 The parliamentary authorities for OSSTF in order of priority and precedence are
- 11.1.1 the above Rules of Order
- 11.1.2 **Robert's Rules of Order Newly Revised**, Scott, Foresman & Co., (most recent edition).
- 11.1.3 **Sturgis Standard Code of Parliamentary Procedure**, 3rd Edition, McGraw-Hill Book Co., 1993.
- 11.1.4 **Bourinot's Rules of Order**, 4th Edition, revised by J. Gordon Dubroy, McLelland and Stewart Limited, Toronto, 1995.
- 11.2 In the event that problems arise in the conduct of business which cannot be resolved by reference to the Rules of Order, then reference is to be made to **Robert's**, followed by **Sturgis**, followed by **Bourinot's**.

OSSTF RULES GOVERNING ORDER OF BUSINESS

The motions above the line are listed by precedence. After the chair states a motion, higher ranking motions are in order and lower ranking motions are not, except for *Amend* as shown on the chart and *Previous Question (Call the Question)*.

PRIVILEGED MOTIONS

	INTERRUPT?	SECOND?	DEBATE?	AMEND?	VOTE?	RECONSIDER?
Fix the Time to Which to Adjourn (1)	No	Yes	No	Yes	Maj	Yes
Adjourn	No	Yes	No	No	Maj	No
Recess (1)	No	Yes	No	Yes (13)	Maj	No
Raise a Question of Privilege	Yes	No	No	No	2	No

SUBSIDIARY MOTIONS

Table	No	Yes	No	No	Maj	(3)*
Call The Question (14)	No	Yes	No	No	2/3	Yes
Limit or Extend Limits of Debate (1)	No	Yes	(15)	Yes	2/3	Yes
Postpone to a Certain Time (1)	No	Yes	(16)	Yes	Maj	Yes
Commit or Refer (1)	No	Yes	(17)	Yes	Maj	Yes
Amend (1) (18)	No	Yes	Yes	Yes	Maj	Yes
Postpone Indefinitely (1)	No	Yes	Yes	No	Maj	(4)

MAIN MOTIONS

Main Motion (11)	No	Yes	Yes	Yes	Maj (7)	Yes
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INCIDENTAL MOTIONS OR POINTS RAISED DURING THE MEETING

Incidental Motions have no precedence (rank). They are in order when the need arises.

Suspend the Rules	No	Yes	No	No	(8)*	No
Objection to Consideration (9)	Yes	No	No	No	2/3 Neg.	(3)
Point of Order	Yes	No	No*	No	(2)*	No
Parliamentary Inquiry	Yes	No	No	No	(2)	No
Appeal/Challenge Chair's Decision (12)	Yes	No	Limited	No	(6)	Yes
Point of Information	Yes	No	No	No	(2)	No
Division of a Question	No	Yes	No	Yes	Maj	No

MOTIONS THAT BRING A QUESTION AGAIN BEFORE THE ASSEMBLY

None of these motions (except *Reconsider*) are in order when business is pending.

Reconsider (10)*	No*	Yes	Yes	No	Maj	No
Rescind	No	Yes	Yes	Yes	(5)	(3)
Take from the Table	No	Yes	No	No	Maj	No
Amend Something Previously Adopted	No	Yes	Yes	Yes	(5)	(3)

* Refer to *Robert's Rules of Order Newly Revised* for rule(s)

- (1) A Main Motion if made when no business is pending
- (2) The chair decides. Normally no vote is taken
- (3) Only the negative vote may be reconsidered.
- (4) Only the affirmative vote may be reconsidered.
- (5) Normally a majority with notice, or 2/3 without notice, or majority of entire membership. Consult constitutions.
- (6) Majority or the vote sustains the chair.
- (7) The specific vote count is normally a majority. (May require notice having been given). Consult constitutions.
- (8) Rules of Order, 2/3 vote - Standing rules, majority vote
- (9) Must be proposed before debate has begun or a subsidiary motion is stated by the chair (applied to original main motions).
- (10) Only made by a member who voted on the prevailing side and is subject to time limits
- (11) The maker of a motion may withdraw it without permission before the motion is stated by the chair.
- (12) Unlike Roberts, a second is not required and debate is limited to the challenger and the chair.
- (13) The length of recess only is amendable.
- (14) Can be applied only to a debatable or amendable resolution and will cause an immediate vote. Cannot be proposed by a member who has spoken to the resolution to which it is applied. If carried, vote on the pending motion will be taken immediately. If defeated, debate on the pending question continues
- (15) Debatable as to the appropriateness of limiting or extending debate only.
- (16) Debatable as to the appropriateness of postponing only.
- (17) Debatable as to the appropriateness of referral only
- (18) An amendment is not in order if it changes the intent of the resolution to which it is applied (see Rule 7.2)

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