

CONSTITUTION & BYLAWS

20/21

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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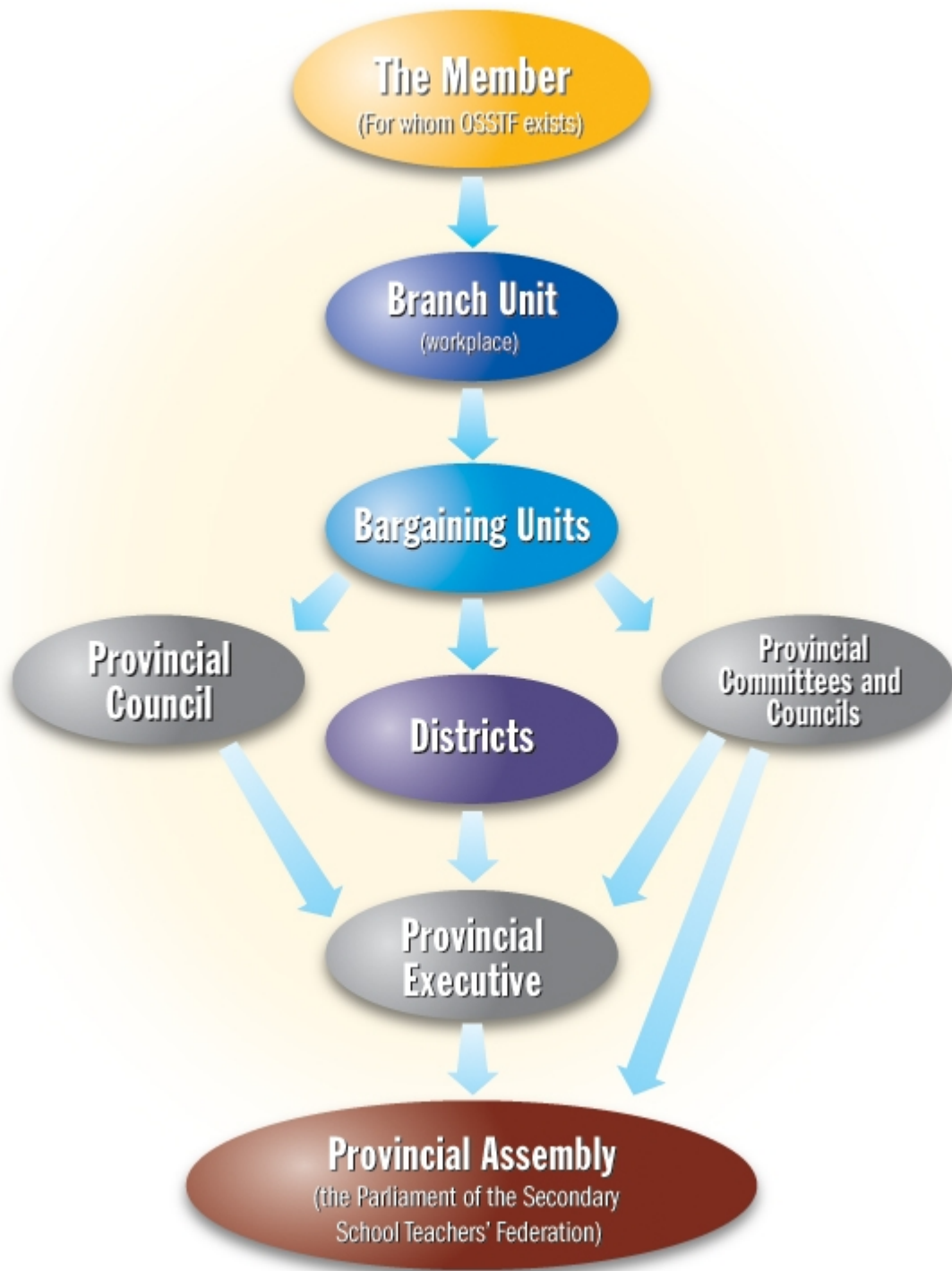
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OSSTF/FEESO Organizational Chart



ACRONYMS USED BY OSSTF/FEESO

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
CBES	COLLECTIVE BARGAINING – EMPLOYMENT STATUS
CBEV	COLLECTIVE BARGAINING - EVALUATION
CBLG	COLLECTIVE BARGAINING - LEAVE AND GRATUITY
CBS	COLLECTIVE BARGAINING - SALARY
CBW	COLLECTIVE BARGAINING CONDITIONS OF WORK
COPE	CANADIAN OFFICE PROFESSIONAL EMPLOYEES
CPAC	COMMUNICATIONS AND POLITICAL ACTION
CLC	CANADIAN LABOUR CONGRESS
CPI	CONSUMER PRICE INDEX
CPP	CANADA PENSION PLAN
CSLF	COMITÉ DES SERVICES EN LANGUE FRANÇAIS
CTF	CANADIAN TEACHERS' FEDERATION
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 DES ECOLES SECONDAIRES DE L'ONTARIO
FNMI	FIRST NATIONS, METIS & INUIT
FTE	FULL-TIME EQUIVALENT
JC	JUDICIAL COUNCIL
LTDI	LONG TERM DISABILITY INSURANCE
MISP	MISCELLANEOUS POLICY
MPWG	MEMBER PROTECTION WORK GROUP (COMPRISED OF PROVINCIAL OFFICE STAFF)
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/FEESO	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
PSC	PROTECTIVE SERVICES COMMITTEE
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

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

CONSTITUTION

(As amended at Provincial Assembly, June 6, 2020)

Article 1 Definitions

- 1.1 In this Constitution and Bylaws and in the Policies and Procedures (A.16)
- 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 11.3, 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 Bargaining Units’ Delegates and the District Alternates, selected according to the Bylaws, who together represent a District. (A.16)
- 1.1.2 “Appellant” shall mean the party who appeals a decision. (A.16)
- 1.1.3 “Bargaining Unit” shall mean a Bargaining Unit Organization of the OSSTF/FEESO. (A.91)
- 1.1.4 “Branch” shall mean a Branch Organization of the OSSTF/FEESO.
- 1.1.5 “Bylaws” shall mean standing rules governing the membership of OSSTF/FEESO made under this Constitution on matters of internal regulation and matters which are entirely within the control of OSSTF/FEESO.
- 1.1.6 “central bargaining shall mean the process established under statute whereby representatives of Provincial OSSTF/FEESO 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/FEESO Bargaining Units.” (A.14)

- 1.1.7 “Chairperson” shall mean the Presiding Officer of an official body of OSSTF/FEESO, 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/FEESO. (A.84)
- 1.1.8 “Complainant” shall mean the party who has filed a Judicial Council petition or a complaint under the Anti-Harassment Policy and Procedure in accordance with the Bylaws. (A.15)
- 1.1.9 “Constitution” shall mean a system of fundamental principles according to which OSSTF/FEESO is governed, and the basic organization of OSSTF/FEESO.
- 1.1.10 “Co-option” shall mean a short-term appointment for a period of up to one year to a committee or council, as allocated in the procedures; or an appointment to fill a mid-term vacancy of less than one year on a committee or council. (A.16)
- 1.1.11 “days” shall mean school days as defined in the Education Act unless otherwise stated. (A.95)
- 1.1.12 “District” shall mean a District Organization of the OSSTF/FEESO.
- 1.1.13 “ELHT” shall mean the Employee Life and Health Trust. (A.16)
- 1.1.14 “External Policy” shall mean a stand or position taken by the OSSTF/FEESO in accordance with its Bylaws on matters whose resolution is beyond the internal legislative power of OSSTF/FEESO. (A.12)
- 1.1.15 “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)
- 1.1.15.1 “Interim FTE” for the period following Labour Board certification and until the provisions of Article 1.1.14 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)
- 1.1.16 “Internal Policy” shall mean a behavioural goal for all Members to strive to achieve. (A.16)
- 1.1.17 “local bargaining” shall mean the negotiation of collective agreement terms between an employer and an OSSTF/FEESO bargaining unit that are not negotiated in central bargaining. (A.16)
- 1.1.18 “local organization” shall mean a District or Bargaining Unit. (A.98)
- 1.1.19 “Member” (note: upper case “M”) shall mean Active Member except where otherwise stated. (A.16)
- 1.1.20 “member” (note: lower case “m”) shall mean any member of OSSTF/FEESO as defined in Bylaw 2 of this Constitution unless otherwise stated. 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/FEESO, e.g. “a member of the Provincial Executive” or “a member of a committee”. (A.16)
- 1.1.21 “OSSTF/FEESO” shall mean the Ontario Secondary School Teachers' Federation.
- 1.1.22 “OTF” shall mean the Ontario Teachers' Federation.
- 1.1.23 “OTPA” shall mean *Ontario Teachers' Pension Act*. (A.96)
- 1.1.24 “Procedure(s)” shall mean the method by which a Bylaw is implemented. (A.13)
- 1.1.25 “province wide bargaining” shall mean any process, with the exception of Provincial Responsibility for Negotiations, whereby one or more representative[s] of Provincial OSSTF/FEESO 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.
- 1.1.26 “Provincial Officer” shall mean an elected Provincial Executive Member, OTF Governor, or OTF Table Officer. (A.16)
- 1.1.27 “Region” shall mean a Region Organization of the OSSTF/FEESO.
- 1.1.28 “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)
- 1.1.29 “Respondent” shall mean the party against whom a charge or charges have been brought in a petition or complaint. (A.15)
- 1.1.30 “Sector” shall mean a grouping of Bargaining Units representing Members who share a community of professional and protective interests. (A.05)
- 1.1.31 “TPA” shall mean *Teaching Profession Act*. (A.96)
- 1.1.32 “teacher” shall mean a person employed as a teacher, whether full-time or part-time, permanent or probationary, continuing education, or occasional. (A.88)
- 1.1.33 “Trusteeship” shall mean the resumption by OSSTF/FEESO of those duties delegated to a local organization in accordance with the Bylaws and Procedures. (A.17)
- 1.1.34 “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)
- 1.1.35 “workplace” shall be any location where an OSSTF/FEESO Member is employed. (A.91)
- Article 2 Name**
- 2.1 This organization shall be known as “The Ontario Secondary School Teachers' Federation”.
- Article 3 Mission Statement**
- 3.1 The Core Union Strategies of OSSTF/FEESO are protecting and engaging members, extending OSSTF/FEESO influence, influencing decision makers and shaping public opinion. (A.19)

Article 4 Objects

- 4.1 The objects of OSSTF/FEESO shall be: 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 other Ontario residents shall be denied its members;
- 4.2 to secure and maintain for all Active Members of OSSTF/FEESO equal collective bargaining rights including the right to strike; (A.84)
- 4.3 to bargain collectively on behalf of its Active Members;
- 4.4 to promote and advance the cause of public education; (A.90)
- 4.5 to promote a high standard of professional ethics and a high standard of professional competence;
- 4.6 to secure for members active participation in formulating policies and practices affecting education; (A.88)
- 4.7 to work toward control of our professional destiny;
- 4.8 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)
- 4.9 to support and promote equal opportunity for members, employees, and students; (A.83)
- 4.10 to foster and promote the dignity of all persons regardless of age, ancestry, citizenship, colour, creed, disability, ethnic origin, family status, gender expression, gender identity, marital status, physical appearance, place of origin, political affiliation, race, religion, sex (including pregnancy and gender), sexual orientation or socioeconomic status. (A.15)
- 4.11 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)
- 4.12 to promote political action to ensure that legislation regulating labour structures and policies is in the best interest of members. (A.10)

Article 5 Ethics

- The OSSTF/FEESO shall maintain under OSSTF/FEESO Internal Policies and Procedures:
- 5.1 a motto,
- 5.2 a pledge,
- 5.3 a statement of ethics,
- 5.4 principles of professional conduct, (A.78)
- 5.5 a bill of rights for members, (A.88)
- 5.6 an equity statement, (A.10)
- 5.7 an anti-harassment policy and procedure. (A.13)
- 5.8 an anti-harassment statement. (A.17)

Article 6 Membership

- Members shall be designated in accordance with the Bylaws as:
- 6.1 Active Members, (A.91)
- 6.2 Active Retired Members, (A.96)
- 6.3 Voluntary Members,
- 6.4 Associate Members,
- 6.5 Honorary Members,
- 6.6 Provincial Life Members. (A.84)

Article 7 Fees

- 7.1 The fee for members shall be as prescribed in the Bylaws. (A.91)
- 7.2 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 8 Provincial Organization

- 8.1 **Executive Body**
- There shall be a Provincial Executive consisting of:
- 8.1.1 Voting members as follows:
- 8.1.1.1 the President (Chief Executive Officer),
- 8.1.1.2 two Vice-Presidents,
- 8.1.1.3 the Treasurer,
- 8.1.1.4 three Executive Officers.
- 8.1.2 Non-voting members as follows:
- 8.1.2.1 the General Secretary, (A.78)
- 8.1.2.2 the three Associate General Secretaries, one of whom shall be the Chief Financial Officer. (A.16)
- 8.1.3 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)
- 8.1.4 The General Secretary shall be appointed by the voting members of the Provincial Executive. (A.02)

8.1.5	The Associate General Secretaries shall be appointed by the voting members of the Provincial Executive. (A.11)	8.3.2.2.1	the General Secretary or their representative; (A.16)
		8.3.2.2.2	the OTF Table Officer; (A.16)
		8.3.2.2.3	the Members elected to the OTF Board of Governors; (A.16)
8.2	Secretariat	8.3.2.2.4	an Ontario Municipal Employees Retirement System (OMERS) representative; (A.16)
8.2.1	There shall be a Secretariat appointed by the voting members of the Provincial Executive. (A.02)	8.3.2.2.5	a representative from ARM Council; and (A.16)
8.2.2	The General Secretary shall recommend to the Provincial Executive candidates for interviews for postings to the Secretariat. (A.13)	8.3.2.2.6	discretionary members such as provincial committee chairpersons as the Provincial Council shall decide. (A.16)
8.3	Legislative Bodies	8.3.3	The Provincial Council shall elect from its members a Chairperson at the first meeting of the Council in each Federation year. (A.19)
8.3.1	Provincial Assembly	8.3.3.1	A Vice-Chairperson shall be elected at the same meeting of the Council subsequent to the election of the Chairperson. (A.95)
	There shall be a Provincial Assembly to represent the membership at large which shall be the supreme legislative body and consist of:	8.3.3.2	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)
8.3.1.1	Voting members as follows:	8.3.4	In voting on all matters except those in Article 8.3.4.1 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)
8.3.1.1.1	Delegates to the Provincial Assembly chosen in accordance with the Bylaws, (A.85)	8.3.4.1	In voting on the following matters, each Provincial Councillor shall be entitled to one vote: (A.12)
8.3.1.1.2	the voting members of the Provincial Executive,	8.3.4.1.1	adoption of the agenda; (A.12)
8.3.1.1.3	the Members elected to the OTF Board of Governors,	8.3.4.1.2	adoption of minutes of prior meetings; (A.12)
8.3.1.1.4	the OTF Table Officer. (A.06)	8.3.4.1.3	elections for the positions of Chairperson and Vice-Chairperson of Provincial Council; (A.12)
8.3.1.2	Non-voting members as follows: (A.16)	8.3.4.1.4	Executive Session; (A.13)
8.3.1.2.1	the Chairperson of standing committees, (A.16)	8.3.4.1.5	Committee of the Whole; (A.13)
8.3.1.2.2	the Chairperson of provincial councils, (A.16)	8.3.4.1.6	Adjournment and Recess; (A.13)
8.3.1.2.3	the Chairperson of the Mediation Services Resource Bank, (A.16)	8.3.4.1.7	Challenges to the Chair. (A.13)
8.3.1.2.4	the Chairperson of Provincial Council, (A.16)	8.3.4.2	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)
8.3.1.2.5	the Chairperson of special or ad hoc committees established by the Provincial Assembly, (A.16)		
8.3.1.2.6	the members of the Secretariat, (A.16)		
8.3.1.2.7	the General Secretary and the Associate General Secretaries. (A.16)		
8.3.2	Provincial Council		
	There shall be a Provincial Council which shall act as the supreme legislative body between Annual Meetings of Provincial Assembly and consist of:		
8.3.2.1	Voting members as follows:		
8.3.2.1.1	Provincial Councillors selected in accordance with the OSSTF/FEESO Bylaws;		
8.3.2.1.2	the voting members of the Provincial Executive.		
8.3.2.2	Non-voting members as follows:		

- 8.3.4.3 Provincial Executive members shall each be entitled to one vote. (A.12)
- 8.4 **Provincial Committees**
- 8.4.1 There shall be the following provincial standing committees: (A.16)
- 8.4.1.1 Protective Services; (A.18)
- 8.4.1.2 Comité des services en langue française; (A.16)
- 8.4.1.3 Communications and Political Action; (A.16)
- 8.4.1.4 Educational Services; (A.16)
- 8.4.1.5 Finance; (A.16)
- 8.4.1.6 Health & Safety/Workplace Safety and Insurance Act; (A.16)
- 8.4.1.7 Human Rights; and (A.16)
- 8.4.1.8 Status of Women. (A.16)
- 8.4.2 Provincial standing committees shall be responsible to the Provincial Executive and Provincial Council between Annual Meetings of the Provincial Assembly. (A.16)
- 8.4.3 Provincial standing committees, where appropriate, shall have a regional structure as proposed by the Provincial Executive and approved by Provincial Council. (A.16)
- 8.4.4 Provincial standing committees representing equity-seeking groups shall comprise, where possible, a majority of members who self-identify as belonging to the equity-seeking group(s) represented by that committee. (A.16)
- 8.4.5 There shall be special and ad hoc committees as the Provincial Executive, Provincial Council, or Provincial Assembly may from time to time deem necessary. (A.16)
- 8.4.6 Special and ad hoc committees shall be responsible to their appointing bodies. (A.16)
- 8.5 **Provincial Councils**
- 8.5.1 There shall be the following provincial councils: (A.16)
- 8.5.1.1 Active Retired Members Council; (A.16)
- 8.5.1.2 Benevolent Council; (A.16)
- 8.5.1.3 Judicial Council; and (A.16)
- 8.5.1.4 Parliamentary and Constitution Council. (A.16)
- 8.5.2 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/FEESO. (A.85)

- 8.5.2.1 Provincial councils, where appropriate, shall have a regional structure as proposed by the Provincial Executive and approved by Provincial Council. (A.92)

- 8.6 **Mediation Services Resource Bank**
- 8.6.1 There shall be a Mediation Services Resource Bank. (A.11)
- 8.6.2 The Mediation Services Resource Bank shall have Terms of Reference and Guidelines that do not contravene the Constitution and Bylaws of the OSSTF/FEESO. (A.11)

Article 9 District Organization

- 9.1 The OSSTF/FEESO shall be divided into Districts whose boundaries and designations shall be determined by the Provincial Council.
- 9.1.1 No new District having fewer than 150 Active Members can be created.
- 9.2 A District Organization shall consist of those Members of OSSTF/FEESO employed within the boundaries of a District.
- 9.3 Provincial Districts are those Districts designated by Provincial Council which consist of those members of OSSTF/FEESO employed by one or more employer(s) whose educational institutions operate within the boundaries of the Province of Ontario. (A.16)
- 9.4 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/FEESO. (A.16)
- 9.5 **District Executive**
- 9.5.1 There shall be a District Executive consisting, at a minimum, of: (A.16)
- 9.5.1.1 the President of each Bargaining Unit within the District; and (A.16)
- 9.5.1.2 the following (who may be Bargaining Unit Presidents): (A.16)
- 9.5.1.2.1 a President; (A.16)
- 9.5.1.2.2 at least one Vice President; (A.16)
- 9.5.1.2.3 a Secretary-Treasurer or a Secretary and a Treasurer. (A.16)

Article 10 Bargaining Unit

- 10.1 The term "Bargaining Unit" shall be used to designate the OSSTF/FEESO

organization of those members for whom OSSTF/FEESO holds bargaining rights under the relevant legislation. (A.16)

10.2 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/FEESO. (A.91)

10.3 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)

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

Article 11 Branch Organization

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

11.2. In each Branch there shall be a Branch Executive, including a Branch President as determined by the Bargaining Unit's Constitution and/or Bylaws. (A.16)

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

11.4. Where a Branch Executive exists, the members of the Branch Executive may assume the duties assigned to the OSSTF/FEESO Representative under the Provincial Constitution and Bylaws. Assignment of such duties to individual members of the Branch Executive shall be as specified by the Bargaining Unit's Constitution and/or Bylaws. (A.16)

11.5. 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/FEESO. (A.98)

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

Article 12 Region Organization

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

12.2 Notwithstanding Article 12.1, standing committees and councils may have regional structures as proposed by the Provincial Executive and approved by Provincial Council. (A.04)

Article 13 Bargaining Agent

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

13.2 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 14 Transfer of Jurisdiction

14.1 The OSSTF/FEESO 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)

14.2 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 15 Trusteeship

15.1 The Provincial Executive may take a local organization under Trusteeship, in accordance with OSSTF/FEESO Policies and Procedures, and resume those duties delegated to the local organization by OSSTF/FEESO in accordance with the Bylaws. (A.16)

Article 16 Bylaws

16.1 The OSSTF/FEESO in Provincial Assembly may pass Bylaws not inconsistent with the Constitution or existing Bylaws concerning:

- 16.1.1 the procedure for the election of its various office holders;
- 16.1.2 the formation of District, Bargaining Unit, Branch, and Region Organizations; (A.12)
- 16.1.3 the management of its property and its own internal organization and administration;
- 16.1.4 the time, place and conduct of the annual and other meetings of the Federation;
- 16.1.5 the discipline of its members; (A.93)
- 16.1.6 the establishment, amendment or rescission of OSSTF/FEESO Policy;
- 16.1.7 the establishment of special funds in conformity with the Objects of the OSSTF/FEESO;
- 16.1.8 the investment of funds in the name of OSSTF/FEESO;
- 16.1.9 the appointment of auditors;
- 16.1.10 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/FEESO. (A.81)

Article 17 Amendments

- 17.1 Amendments to this Constitution may be made at the Annual Meeting of the Provincial Assembly
 - 17.1.1 by a two-thirds vote of the members qualified to vote, present and voting, provided that
 - 17.1.1.1 notice of the proposed amendment shall have been given in writing to the General Secretary on or before the 3rd working Tuesday in January, and (A.19)
 - 17.1.1.2 such notice shall have been forwarded on or before the 3rd Friday in February in both French and English of that school year by the General Secretary to each Bargaining Unit President, (A.19)
 - 17.1.2 by a nine-tenths vote of the members qualified to vote, present and voting, previous notice as in Article 17.1.1.1 not having been given. (A.92)
- 17.2 Proposed amendments received by the General Secretary after the 3rd working Tuesday in January will be distributed at AMPA. (A.19)
- 17.3 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

(As amended at Provincial Assembly, June 6, 2020)

Bylaw 1 Federation Year

- 1.1 The Federation fiscal and membership year shall be from July 1 to the following June 30. (A.90)

Bylaw 2 Membership

2.1 Types of Membership

2.1.1 Active Members

2.1.1.1 Definition

- 2.1.1.1.1 Members employed by district school boards or other educational institutions, or agencies which provide services to educational institutions within the province of Ontario, and who pay active member dues to OSSTF/FEESO in accordance with the Constitution and Bylaws. (A.15)

- 2.1.1.1.2 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.15)

- 2.1.1.1.3 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.15)

- 2.1.1.1.4 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.15)

- 2.1.1.1.5 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 dues after one year at the same rate as Voluntary Members. (A.15)

- 2.1.1.1.6 Members who are laid-off and who retain recall rights which are recognized by the Collective Agreement shall be deemed to maintain their Active membership status without payment of membership fees and dues. (A.15)

2.1.1.2 Dues

- 2.1.1.2.1 The dues for Active Members shall be 1.3% of total annual salary earned through an OSSTF/FEESO employer-collective agreement. (A.15)

- 2.1.1.2.2 Total annual salary shall include all monies earned by Members through an OSSTF/FEESO collective agreement while in the employ of their employer from July 1 to the following June 30. (A.15)

- 2.1.1.2.3 Amendments to the dues structure for Members must be approved by the Provincial Assembly through such vote count as that prescribed for amending the Bylaws. (A.15)

- 2.1.1.2.4 Members shall remit their dues in accordance with the terms of their collective agreements or upon direction of the Treasurer. (A.15)

- 2.1.1.2.5 Notwithstanding Bylaw 2.1.1.2.1, Active Members shall pay a 0.3% dedicated Member Protection fee, when the projected balance of the Member Protection Account at year-end will be less than \$140 million. (A.16)

2.1.1.3 Rights and Privileges of Active Members

- 2.1.1.3.1 An Active Member shall have all the rights and privileges of membership, unless limited by disciplinary measures taken in accordance with the Bylaws. (A.15)

- 2.1.1.3.2 An Active Member shall have the right to seek the advice of the OSSTF/FEESO 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 Advanced Education and Skills Development, a student, a parent or the public in general. (A.15)

- 2.1.1.3.3 An Active Member shall have the automatic right to representation in a professional difficulty with an employer or other external agency, as outlined in Bylaw 5; such representation may include provision of legal counsel, subject to approval by the Provincial Executive. (A.16)

- 2.1.1.3.4 The nature and extent of representation for a Member shall be determined by the Provincial Executive. (A.15)

- 2.1.1.4 Active Members shall have the right to seek election/re-election to a provincial or local office without the imposition of limits on the number of terms that can be served. (A.15)

- 2.1.2 **Voluntary Members**
- 2.1.2.1 **Definition**
- 2.1.2.1.1 Those members whose applications have been approved by a Bargaining Unit Executive and accepted by the General Secretary; (A.15)
- 2.1.2.1.1.1 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.15)
- 2.1.2.1.2 Members of the Secretariat and Organizers employed by OSSTF/FEESO on a full-time basis. (A.15)
- 2.1.2.2 **Fees**
- 2.1.2.2.1 The annual fee for Voluntary Members who qualify as such under Bylaw 2.1.2.1.1 shall be \$50.00. (A.20)
- 2.1.2.2.2 The fee for Voluntary Members who qualify as such under Bylaw 2.1.2.1.1 shall be remitted to the Treasurer of OSSTF/FEESO before March 1 of each school year. (A.15)
- 2.1.2.2.3 Fifty percent of the OSSTF/FEESO fee for Voluntary Members shall be rebated to the District that approved the voluntary membership. (A.15)
- 2.1.2.3 **Rights and Privileges**
- 2.1.2.3.1 Voluntary Members shall be entitled to receive all routine information and official communications from OSSTF/FEESO, and to attend in a non-voting capacity OSSTF/FEESO meetings which are open to the general membership. (A.15)
- 2.1.2.4 **Active Retired Members**
- 2.1.2.4.1 **Definition**
- 2.1.2.4.1.1 Active Retired Members shall be voluntary members. (A.15)
- 2.1.2.4.1.2 Members formerly defined under the terms of Bylaw 2.1.1 and former employees of OSSTF/FEESO, who have retired from their employment and have paid the appropriate fee under Bylaw 2.1.2.5 for Active Retired Members. (A.15)
- 2.1.2.4.1.3 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 2.1.1 but have applied and paid the appropriate fee under Bylaw 2.1.2.5 for Active Retired Members. (A.15)
- 2.1.2.4.1.4 Notwithstanding 2.1.2.4.1.1, 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.
- 2.1.2.5 **Fees**
- 2.1.2.5.1 The annual fee for Active Retired Members shall be \$50.00. (A.15)
- 2.1.2.5.2 Active Retired Members shall remit their fees to the Treasurer of OSSTF/FEESO. (A.15)
- 2.1.2.6 **Rights and Privileges**
- 2.1.2.6.1.1 Active Retired Members shall have all the rights and privileges of Voluntary Members and all rights prescribed in the ARM Council Constitution. (A.15)
- 2.1.2.6.1.2 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.15)
- 2.1.3 **Associate Members**
- 2.1.3.1 **Definition**
- 2.1.3.1.1 Teachers in training at Ontario Faculties of Education; (A.15)
- 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.15)
- 2.1.3.1.3 All exchange teachers qualified to become OSSTF/FEESO Members in publicly-supported secondary schools. (A.15)
- 2.1.3.2 **Fees**
- 2.1.3.2.1 There shall be no annual fee for Associate members. (A.15)
- 2.1.3.3 **Rights and Privileges**
- 2.1.3.3.1 Associate Members shall be entitled to receive routine information, and official communications at the discretion of the Provincial Executive. (A.15)
- 2.1.4 **Honorary Members**
- 2.1.4.1 **Definition**
- 2.1.4.1.1 Members who have retired after having performed outstanding service and commitment to OSSTF/FEESO and on

- whom Honorary Membership has been conferred by the Provincial Executive on the recommendation of a District. (A.15)
- 2.1.4.1.2 An Honorary Membership may be approved from any District in any one year for every 500 members or greater portion thereof. (A.15)
- 2.1.4.1.3 Notwithstanding 2.1.4.1.2 every District shall be allowed to apply for a minimum of two Honorary Memberships each year. (A.15)
- 2.1.4.2 **Fees**
- 2.1.4.2.1 There shall be no annual fee for Honorary members. (A.15)
- 2.1.4.3 **Rights and Privileges**
- 2.1.4.3.1 Honorary Members shall have all the rights and privileges of Associate Members. (A.15)
- 2.1.5 **Provincial Life Members**
- 2.1.5.1 **Definition**
- 2.1.5.1.1 Members who, in the opinion of the Provincial Executive, have rendered meritorious and outstanding service to the OSSTF/FEESO at the provincial level, and on whom the Provincial Executive has conferred Provincial Life Membership, in accordance with the Provincial Life Membership Procedure in the OSSTF/FEESO Policies and Procedures. (A.15)
- 2.1.5.1.2 Provincial Life Membership can be revoked as outlined in the Provincial Life Membership Procedures in the OSSTF/FEESO Policies and Procedure. (A.15)
- 2.1.5.2 **Fees**
- 2.1.5.2.1 Provincial Life Members shall be entitled to a refund of the OSSTF/FEESO fee. (A.15)
- 2.1.5.3 **Rights and Privileges**
- 2.1.5.3.1 Provincial Life Members who would otherwise be Active Members shall have all the rights and privileges of Active Members. (A.15)
- 2.1.5.3.2 Provincial Life Members who would not otherwise be Active Members shall have all the rights and privileges of Voluntary Members. (A.15)
- 2.1.5.4 Provincial Life Members shall have all rights and privileges temporarily suspended if they are found to be in a conflict of interest as determined in accordance with the Provincial Life Membership Procedure as found in the

OSSTF/FEESO Policies and Procedures. (A.15)

2.2 Term of Membership

- 2.2.1 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.15)
- 2.2.2 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.15)
- 2.2.3 Notwithstanding 2.4.1 and 2.4.2, if a person qualifies for membership again during the same membership year, such membership shall be deemed to have been continuous. (A.15)
- 2.2.4 Should a Member give birth or experience anything else that would entitle them to a statutory leave during the 95 or 60 day period after the date of the last day employed as per 2.4.1 or 2.4.2, the provisions of Bylaw 2.1.1.4 shall apply to them. (A.19)

2.3 Duties of Members

2.3.1 Duties of Members to OSSTF/FEESO

- 2.3.1.1 It shall be the duty of every member to comply with the Constitution and Bylaws of OSSTF/FEESO and to seek to change the Constitution, Bylaws or Policies only through the proper procedures of the Federation. (A.15)
- 2.3.1.2 Where a member's actions are not constrained by agencies external to the OSSTF/FEESO, it shall be the duty of every Member to act in accordance with the established Policies of the OSSTF/FEESO. (A.15)
- 2.3.1.3 It shall be the duty of every Member to uphold the OSSTF/FEESO Pledge and Statement of Ethics. (A.15)
- 2.3.1.4 It shall be the duty of every Member to act in accordance with Principles of Professional Conduct prescribed under Internal Policy 1.4. (A.15)
- 2.3.1.5 It shall be the duty of every Member to uphold the OSSTF/FEESO Anti-Harassment Policy. (A.16)
- 2.3.1.6 It shall be the duty of every Member to honour the commitments made on his/her behalf by the Federation, if those commitments are made with his/her written consent when being represented

- by the Federation in a professional difficulty with an employer, or other external agency. (A.15)
- 2.3.1.7 It shall be the duty of every Member to check with OSSTF/FEESO before accepting a position to ensure that the employer is in good standing. (A.15)
- 2.3.1.8 It shall be the duty of every Member who holds elected or appointed office with OSSTF/FEESO 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/FEESO. (A.15)
- 2.3.1.9 It shall be the duty of every Member who is seeking office in OSSTF/FEESO and who is also a member of another union to declare such dual membership. (A.15)
- 2.3.1.10 It shall be the duty of every Member to resign from that office when the member retires to a pension or its equivalent while serving on the Provincial Executive, Provincial Council, a provincial committee, council or as OTF Governor. (A.15)
- 2.3.1.11 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/FEESO, to resign from any elected or appointed OSSTF/FEESO office(s) for the period of employment. (A.15)
- 2.3.1.12 It shall be the duty of every Member to support a modified work environment for members with disabilities. (A.15)
- 2.3.1.13 It shall be the duty of every Member to support the Federation's Constitution, Bylaws and Policies while representing or being sponsored by OSSTF/FEESO at any external convention, conference or other decision-making bodies. (A.15)
- 2.3.1.14 It shall be the duty of every Member to maintain the confidentiality of any document, communication or any other information deemed confidential. (A.15)
- 2.3.2 **Duties of Members During Negotiations/Sanctions**
- 2.3.2.1 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.15)
- 2.3.2.2 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, shall join in such sanctions as have been decided upon. (A.16)
- 2.3.2.3 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.15)
- 2.3.2.4 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/FEESO in relation to central bargaining or local bargaining. (A.15)
- 2.3.2.5 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.15)
- 2.3.2.6 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/FEESO Bargaining Unit, and the Provincial Executive of OSSTF/FEESO. (A.15)
- 2.3.2.7 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.15)
- 2.3.3 **Duties of Members to Other Members**
- 2.3.3.1 A members shall: (A.15)
- 2.3.3.1.1 avoid interfering in an unwarranted manner between other members and pupils;(A.15)
- 2.3.3.1.2 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.15)

- 2.3.3.1.2.1 Notwithstanding Bylaw 2.2.3.1.2, this obligation shall not apply to: (A.19)
- 2.3.3.1.2.1.1 matters related to the Child, Youth and Family Services Act; and (A.19)
- 2.3.3.1.2.1.2 investigations the procedures of which stipulate the confidentiality of proceedings. (A.19)
- 2.3.3.1.3 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.15)
- 2.3.3.1.4 refuse to accept employment with an employer whose relations with the Federation are unsatisfactory; (A.15)
- 2.3.3.1.5 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.15)
- 2.3.3.1.6 not attempt to gain an advantage over other Members by knowingly under-bidding 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.15)
- 2.3.3.2 Any member making an adverse report on another member under 2.2.3.1.2 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.15)
- 2.3.3.3 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.15)
- 2.3.3.4 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/FEESO 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.15)
- 2.3.4 **Violations**
- 2.3.4.1 No Member shall be deemed to be in violation of these duties 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/FEESO. This exemption shall not apply to any violations occurring: (A.15)
- 2.3.4.1.1 more than thirty days after the notification of posting of an amended Handbook; or (A.15)
- 2.3.4.1.2 after the next consecutive Provincial Council meeting which established, amended, or rescinded the Policy, on an interim basis; or (A.15)
- 2.3.4.1.3 after 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/FEESO. (A.15)
- 2.4 **Bargaining and Membership**
- 2.4.1 No person shall retain membership in the OSSTF/FEESO for the purposes of being represented by the OSSTF/FEESO 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. (A.15)
- Bylaw 3 Federation Logo**
- 3.1 The chief identifying logotype of the OSSTF/FEESO shall be the Lamp of Learning surrounded by a rectangle having rounded corners. (A.98)
- 3.1.1 The OSSTF/FEESO logo is protected by trademark. (A.02)

3.2 The OSSTF/FEESO logo shall be used in official OSSTF/FEESO provincial materials, communications and publications, including electronic and print media. (A.10)

Bylaw 4 Anti-Harrasment Policy and Procedure

4.1 There shall be an Anti-Harassment Policy and Procedure in effect for meetings of the OSSTF/FEESO Provincial Assembly and Provincial Council, and for all meetings of and events organized by OSSTF/FEESO advisory work groups, provincial standing or ad-hoc committees or provincial councils. (A.15)

4.2 The OSSTF/FEESO Anti-Harassment Policy or Anti-Harassment & Equity Declaration 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/FEESO provincial conferences. (A.17)

4.3 An Anti-Harassment Officer shall be appointed for all the OSSTF/FEESO functions listed in Bylaw 4.1. (A.16)

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/FEESO 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 Council

6.1 Judicial Council shall be responsible for the receipt of any formal complaints and for the organization and implementation of formal hearings.(A.15)

6.2 Formal Complaint

6.2.1 Formal Complaints can be made to Judicial Council concerning alleged violations of: (A.15)

6.2.1.1 Bylaws 2.2.2, 2.2.3, 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/FEESO; (A.15)

6.2.1.2 Bylaw 11.2 by a Member or Members of Provincial Council, arising from the performance of the duties of their office; (A.15)

6.2.1.3 Bylaw 18 by a Member or Members of a District Executive arising from the performance of the duties of their office; (A.15)

6.2.1.4 Bylaw 19 by a Member or Members of a Bargaining Unit Executive arising from the performance of the duties of their office; or (A.15)

6.2.1.5 the Constitution or Bylaws by a Member or Members of the Provincial Executive arising from the performance of the duties of their office. (A.15)

6.2.2 Formal Complaints shall be made in accordance with Judicial Council Procedures section of the OSSTF/FEESO Policies and Procedures.(A.15)

6.3 Formal Hearings

6.3.1 Formal hearings before Judicial Council shall be conducted in accordance with the procedures as described in the Judicial Council Hearings Procedures section of the OSSTF/FEESO Policies and Procedures.(A.15)

6.3.2 Judicial Council shall determine if the Member(s) is guilty of a breach of the Duties, and either: (A.15)

6.3.2.1 dismiss the complaint or (A.15)

6.3.2.2 determine the penalty to be imposed. (A.15)

- 6.3.3 Where the Judicial Council finds a Member guilty of a breach of the Duties of Members, the Judicial Council may decide: (A.15)
 - 6.3.3.1 that the Member be reprimanded;
 - 6.3.3.2 that the Member be suspended from any OSSTF/FEESO office; (A.15)
 - 6.3.3.3 that the Member be declared ineligible to hold any OSSTF/FEESO office for a specified period of time; (A.15)
 - 6.3.3.4 that the Member be declared ineligible for a specified period of time, to participate in any OSSTF/FEESO meetings except for those called for the purpose of taking strike votes or for ratifying a collective agreement; and/or (A.15)
 - 6.3.3.5 that no action be taken or no penalty be imposed. (A.15)
- 6.3.4 A copy of the Judicial Council 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.15)
- 6.3.5 Where appropriate, the name of the Member(s), the charge(s), and the penalty(ies) will be published in a regular OSSTF/FEESO publication. (A.15)

Bylaw 7 Appeals

- 7.1 **Requests for Leave to Appeal**
 - 7.1.1 The Appeal Committee of Provincial Council shall be responsible for requests for Leave to Appeal a Decision from: (A.15)
 - 7.1.2 the Anti-Harassment Policy and Procedure; (A.15)
 - 7.1.3 Judicial Council. (A.15)
- 7.2 The Appeal Committee of Provincial Council also shall be responsible for: (A.15)
 - 7.2.1 appeals from a decision on the timeliness of a petition or complaint. (A.15)
- 7.3 **Appeal Process**
 - 7.3.1 Requests for Leave to Appeal a Decision from the Anti-Harassment Policy and Procedure, or Judicial Council shall be in accordance with the OSSTF/FEESO Policies & Procedures. (A.20)

- 7.4 **Appeal Committee of Provincial Council**
 - 7.4.1 Membership
 - 7.4.1.1 The Appeal Committee of Provincial Council shall be composed of a Chair, Vice-Chair, and eight additional members to be appointed by Provincial Council. (A.15)
 - 7.4.1.2 Members of the Appeal Committee of Provincial Council shall be voting members of Provincial Council. (A.18)
 - 7.4.1.3 No member of the Provincial Executive shall be appointed as a member of the Appeal Committee of Provincial Council. (A.20)
 - 7.4.2 The terms of reference of the Appeal Committee of Provincial Council shall be in accordance with the Provincial Council Handbook. (A.15)

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/FEESO at the District/Bargaining Unit level, or at both the District/Bargaining Unit and Provincial levels. (A.16)
 - 8.1.2 The District Executive shall make application to the Provincial Executive. (A.16)
 - 8.1.3 The District Executive may submit one approved application for every 500 Members (or major fraction thereof). (A.16)
 - 8.1.4 Notwithstanding Bylaw 8.1.3, every District shall be allowed to apply for a minimum of two Awards of Merit in any one year. (A.16)
- 8.2 **Scholarships and Other Awards**
 - 8.2.1 Scholarships and other monetary awards may be created and awarded by the OSSTF/FEESO in the following manner:
 - 8.2.1.1 Terms of reference shall be determined by the Provincial Executive. (A.16)
 - 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

There shall be a General Account to provide funds for the annual general operating expenditures of OSSTF/FEESO. (A.12)

9.1.1 Preparation of the General Account Budget

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/FEESO Policies and Procedures. (A.12)

9.1.1.2 An annual amount shall be allocated within the General Account budget as a transfer to the Member Protection Account. (A.19)

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, Affiliations, and Conventions (A.19)

9.1.1.4.6 Staff Association – Salaries (A.16)

9.1.1.4.7 Staff Association – Benefits (A.16)

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)

9.1.1.4.13 100th Anniversary Funding Reserve (A.15)

9.1.1.4.13.1 Notwithstanding Bylaw 9.1, an annual amount shall be allocated within the General Account budget to a 100th Anniversary Funding Reserve. (A.15)

9.1.1.4.13.2 The purpose of the 100th Anniversary Funding Reserve is to allow for the accumulation of funds and spread the costs associated with the events and activities planned for the 100th anniversary of OSSTF/FEESO. (A.15)

9.1.1.4.13.3 The reserve shall not, at any point in time, be permitted to have a deficit balance. (A.15)

9.1.1.4.13.4 This reserve shall expire on June 30, 2020 and any funds remaining at that time shall be transferred to the Member Protection Account. (A.17)

9.1.2 Administration of the Budget

9.1.2.1 The final amended General Account Budget approved at AMPA shall be a maximum expenditure and shall reflect the Strategic Action Plan as approved by the Provincial Assembly. (A.18)

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: (A.19)

9.1.2.3.1 require that each expenditure be subject to their prior approval and be economically prudent; and (A.19)

9.1.2.3.2 reduce expenditures within the approved Budget. (A.19)

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 year-end surplus from the General Account to the Member Protection Account and/or retain a portion for the General Account Surplus. (A.16)

9.1.3 Approval for Overspending

Provincial Executive Accounts

9.1.3.1 Any expenditures beyond the budgets approved by the Provincial Assembly shall require the prior approval of the Provincial Council.

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)

9.1.3.2.2 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)

9.1.3.3 Total Budget

- 9.1.3.3.1 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**
The objects of the Contingency Account shall be:
- 9.2.1.1 to provide funds to finance special projects which were not provided for in the General Account Budget approved at the previous AMPA, 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 AMPA for approval.
- 9.2.2 **Operation**
- 9.2.2.1 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 as of 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.
- 9.2.2.2 The Contingency Account shall be budgeted at not more than 4 percent of the General Account Budget annually.
- 9.2.2.3 Any excess 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**
The objects of the Member Protection Account shall be to:
- 9.3.1.1 negotiate and defend the priorities of OSSTF/FEESO, including but not limited to job security, working conditions, fringe benefits, pension and salary; (A.04)
- 9.3.1.2 assist in securing and maintaining satisfactory salary schedules and other negotiable items not contrary to Policy; (A.04)
- 9.3.1.3 assist in maintaining and improving security of tenure; (A.04)
- 9.3.1.4 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 or by the designated spending authority; (A.15)
- 9.3.1.5 assist financially a Member who, through loyalty to the profession and Policy, and, acting on the instructions of the Provincial Executive, suffers loss of position or salary; (A.04)
- 9.3.1.6 assist a District or Bargaining Unit in a dispute with an employer; (A.09)
- 9.3.1.7 make loans to Members for retraining purposes, in accordance with resolutions adopted by a Provincial Assembly; (A.04)
- 9.3.1.8 pay the necessary expenses of members of Mediation Services Resource Bank to conduct investigations/mediation as required by the Bylaws; (A.06)
- 9.3.1.9 pay the necessary personal expenses of a Member appearing before the Appeal Committee of Provincial Council or Judicial Council; (A.04)
- 9.3.1.10 make grants, on the recommendation of the Benevolent Council, to Members experiencing extreme financial difficulty; (A.04)
- 9.3.1.11 secure for all Members legal collective bargaining rights which shall include the right to strike; (A.04)
- 9.3.1.12 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/FEESO; (A.04)
- 9.3.1.13 provide funds for protecting the membership through involvement in municipal, provincial, and federal elections and election readiness activities. (A.12)
- 9.3.1.14 provide funds for the Resumption of Bargaining, the Resumption of Pay Equity, for strikes and related activities, and lockouts, as identified in Bylaw 11.2.2.11. (A.16)
- 9.3.1.15 provide funds for strike and lockout relief payments as identified in Bylaw 16.1.1.8. (A.16)
- 9.3.2 **Management**
- 9.3.2.1 Any funds transferred or assigned to the Member Protection Account shall be invested in the Internal Investment Fund. (A.04)
- 9.3.2.2 Expenditures from the Member Protection Account pursuant to Bylaw 9 shall be made by the Treasurer of OSSTF/FEESO, as approved by resolution of the Provincial

- Council or AMPA, upon recommendation of the Provincial Executive. (A.04)
- 9.4 **General Account Surplus**
- 9.4.1 **Objects**
The objects of the General Account Surplus shall be to provide the needed funds between the periods of receipt of fees and to cover an unexpected year-end shortfall in projected fee income. (A.16)
- 9.4.2 **Operation of General Account Surplus**
- 9.4.2.1 The General Account Surplus shall be maintained at not more than 10 percent of the General Account budget. (A.16)
- 9.4.2.2 The Provincial Executive may retain a portion of the year-end surplus for the General Account Surplus, up to the maximum set in 9.4.2.1, rather than transferring it to the Member Protection Account. (A.16)
- 9.4.2.3 The General Account Surplus shall be controlled solely by the Provincial Executive within the parameters of 9.4.1.1 (A.16)
- 9.4.2.4 Notwithstanding 9.4.2.3, the Provincial Executive may transfer all or a portion of the General Account Surplus to the Member Protection Account. (A.19)
- 9.5 **Internal Investment Fund**
- 9.5.1 **Objects**
The objects if the Internal Investment Fund shall be to provide a common investment vehicle for all internal OSSTF/FEESO investments including but not limited to the General Account, the Member Protection Account, the Sick Benefit Trust, the Early Retirement Leave Account, and the Sick Leave Gratuity Account. (A.19)
- 9.5.2 **Management**
- 9.5.2.1 Funds transferred or assigned to the Internal Investment Fund shall be invested according to an investment policy which shall include portfolio allocations similar to pension funds, including real estate, as approved by the Provincial Executive, with input from the Finance Committee. (A.16)
- 9.5.2.2 The net income or loss of the Internal Investment Fund shall be prorated among the OSSTF/FEESO accounts, in accordance with the amount of capital each account has in the Internal Investment Fund. (A.15)

- 9.5.2.3 No part of the Internal Investment Fund shall be to the specific benefit of any member. (A.17)
- 9.5.2.4 Notwithstanding 9.5.2.2, up to 10 percent 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/FEESO 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 Legislative Bodies

11.1 Provincial Assembly

11.1.1 Meetings

- 11.1.1.1 Any Member of OSSTF/FEESO may attend a meeting of the Provincial Assembly and, with the permission of the Chairperson, may participate in discussions, but shall not have the right to vote. (A.16)

- 11.1.1.2 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. (A.16)

- 11.1.1.3 40% of the voting members of the Provincial Assembly shall constitute a quorum. (A.16)

- 11.1.1.4 The Press may or may not be admitted at the discretion of the Assembly to any session of the Provincial Assembly. (A.16)

11.1.2 Duties

- 11.1.2.1 Provincial Assembly is the supreme legislative body of OSSTF/FEESO (A.16)
- 11.1.2.2 Duties of a Provincial Assembly (A.16)

- 11.1.2.2.1 A Provincial Assembly shall have the authority to: (A.16)
- 11.1.2.2.1.1 determine External Policies; (A.16)
- 11.1.2.2.1.2 transact business in the name of the Federation; (A.16)
- 11.1.2.2.1.3 ratify action taken by the Provincial Executive or the Provincial Council in the name of the Federation; (A.16)
- 11.1.2.2.1.4 establish special committees as considered advisable; and (A.16)
- 11.1.2.2.1.5 establish and maintain, at its discretion, special funds for the protection of its Members. (A.16)
- 11.1.2.3 Duties of the Annual Meeting of Provincial Assembly (A.16)
- 11.1.2.3.1 The Annual Meeting of Provincial Assembly shall: (A.16)
- 11.1.2.3.1.1 approve the Strategic Action Plan as based upon the Policies of OSSTF/FEESO; (A.18)
- 11.1.2.3.1.2 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.16)
- 11.1.2.3.1.3 appoint auditors; (A.16)
- 11.1.2.3.1.4 receive the written annual reports of standing committees, councils and boards; (A.16)
- 11.1.2.3.1.5 have the authority to amend the Constitution and Bylaws and Policies and Procedures in accordance with the provisions of the Constitution and Bylaws; and (A.16)
- 11.1.2.3.1.6 prior to the conclusion of its Annual Meeting, approve the OSSTF/FEESO Budget which is to include allocations to the Member Protection Account for the following fiscal year. (A.16)
- 11.1.3 **Representation**
- 11.1.3.1 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.16)
- 11.1.3.2 Notwithstanding 11.1.3.1, representation at AMPA shall be as observers for any newly organized Bargaining Units receiving its Labour Board Certificate within the month prior to the Annual Meeting of the Provincial Assembly. (A.16)
- 11.1.3.3 Notwithstanding 11.1.3.1 each Bargaining Unit shall be entitled to a minimum of one Delegate. (A.16)
- 11.1.3.4 Notwithstanding 11.1.3.1, each District shall have a minimum of 3 Delegates to a Provincial Assembly. (A.16)
- 11.1.3.5 Each Provincial Councillor shall be a Member of the Bargaining Unit's delegation to a Provincial Assembly. (A.16)
- 11.1.3.6 No Delegate shall represent more than one District at a Provincial Assembly. (A.16)
- 11.1.3.7 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.16)
- 11.1.3.8 The number of alternates shall be determined by the General Secretary on the basis of 1/4 of the total number of District Delegates, such fraction to be rounded upwards to the nearest whole number. (A.16)
- 11.1.3.9 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.16)

- 11.1.3.10 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.16)
- 11.1.3.11 Each District may select Alternates to attend the Provincial Assembly. (A.16)
- 11.1.4 **Establishment and Rescission of Internal and External Policy by Provincial Assembly**
- 11.1.4.1 Internal and External Policy, and the amendment or rescission of Internal and External Policy, may be made in Provincial Assembly: (A.16)
- 11.1.4.1.1 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 the third working Tuesday in January of that school year and such Notice of Motion shall have been forwarded on or before third Friday in February of that school year by the General Secretary to the Bargaining Unit Presidents; (A.19)
- 11.1.4.1.2 by a 3/4 vote of the members qualified to vote, present and voting, if previous notice was not given as per Bylaw 11.1.4.1.1. (A.16)
- 11.1.4.2 Proposed amendments received by the General Secretary after January 31 will be distributed at AMPA. (A.16)
- 11.1.4.3 A proper Notice of External Policy Motion for the establishment of External Policy is one which begins with the words, "It is the policy of OSSTF/FEESO that . . ." (A.16)
- 11.1.4.4 Notwithstanding a resolution's adherence to Bylaw 11.1.4.3, it is the duty of the Steering Committee to make a final ruling as to whether or not a resolution is an External Policy resolution. (A.16)
- 11.1.4.5 Any Interim External Policy or interim amendment of External Policy or interim rescission of External 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 11.1.4.1 notwithstanding. (A.16)
- 11.2 **Provincial Council**
- 11.2.1 **Meetings**
- 11.2.1.1 Any Member of OSSTF/FEESO may attend a Provincial Council meeting and, with the permission of the Chairperson, may participate in discussions, but shall not have the right to vote. (A.16)
- 11.2.1.2 The Provincial Council shall meet at least 5 times a year, at a place to be named by the Chairperson in consultation with the General Secretary. (A.19)
- 11.2.1.3 The Provincial Council shall meet within 3 weeks if requested in writing by 40% or more of the Provincial Councillors, or Councillors who represent 40% or more of the membership. (A.16)
- 11.2.1.4 60 percent of the voting members of the Provincial Council who together represent 60 percent or more of the membership shall constitute a quorum. (A.16)
- 11.2.2 **Duties of Provincial Council** (A.16)
- 11.2.2.1 The Provincial Council shall appoint members to provincial standing committees where required by each committee's membership as described in the Policies and Procedures. (A.18)
- 11.2.2.1.1 When appointing members to the Protective Services Committee, criteria, as identified by the Committee, shall be incorporated into the selection process. (A.18)
- 11.2.2.2 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 Policies and Procedures. (A.16)
- 11.2.2.3 The Provincial Council shall receive the reports of its liaison members to the provincial standing committees and provincial councils. (A.16)
- 11.2.2.4 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.16)
- 11.2.2.5 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.16)
- 11.2.2.6 The Provincial Council, on a 3/4 majority vote, shall act in the name of the Federation between meetings of the Provincial Assembly. (A.16)

- 11.2.2.7 The Provincial Council shall have the authority to make Interim Policies. (A.19)
- 11.2.2.8 The Provincial Council shall receive, on time and in writing, for its meeting immediately prior to the December Provincial Office break a draft copy of the Provincial Executive's proposed Strategic Action Plan for discussion in Committee of the Whole. The Provincial Council shall receive, on time and in writing for discussion at its first meeting following the December Provincial Office break, the final copy of the Provincial Executive's proposed Strategic Action Plan. (A.19)
- 11.2.2.9 The Provincial Council, upon the recommendation of the Provincial Executive, may authorize expenditures from the Member Protection Account for Resumption of Bargaining or Resumption of Pay Equity, in a specific Bargaining Unit, including expenditures for negotiations, strikes, lockouts and related activities. (A.19)
- 11.2.2.10 The Provincial Council, upon the recommendation of the Provincial Executive, may authorize the expenditure of funds from the Contingency Account beyond the limits of authority granted to the Provincial Executive. (A.19)
- 11.2.2.11 Bargaining with OSSTF/FEESO Employee Groups
- 11.2.2.11.1 The Provincial Council shall be responsible for participating in negotiating the salaries, benefits, allowances and working conditions for all continuing employees of the Provincial OSSTF/FEESO; (A.17)
- 11.2.2.11.2 The Provincial Council shall approve financial mandates for negotiations with all Provincial employee groups. (A.17)
- 11.2.2.11.3 Notwithstanding 11.2.2.11.1 and 11.2.2.11.2, one Vice-President and Treasurer shall be on the table team for all negotiations with OSSTF/FEESO Provincial Office unionized and non-unionized staff. (A.17)
- 11.2.2.11.4 The Provincial Council shall be responsible for ratifying, in Executive Session, collective agreements with OSSTF/FEESO employees, and terms and conditions of employment for all permanent OSSTF/FEESO employees not covered by a collective agreement, as negotiated or determined by the Provincial Executive. (A.16)
- 11.2.2.11.5 Any terms and conditions of employment for all permanent OSSTF/FEESO 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.16)
- 11.2.2.11.6 Any tentative collective agreements between the negotiators for Provincial OSSTF/FEESO and employees of OSSTF/FEESO 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.16)
- 11.2.2.11.7 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.16)
- 11.2.2.12 Provincial Executive Compensation (A.16)
- 11.2.2.12.1 The Provincial Council shall be responsible of determining and approving the compensation for elected members of the Provincial Executive, subject to the following conditions: (A.16)
- 11.2.2.12.2 the compensation package shall be in force for a minimum period of twelve calendar months; (A.16)
- 11.2.2.12.3 a member who moves to take up residence in the Metro Toronto area shall be enabled to do so in suitable accommodation; (A.16)
- 11.2.2.12.4 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.16)
- 11.2.2.12.5 While the Treasurer and the General Secretary are directly responsible for the proper implementation of the Provincial Executive's compensation, any unusual expenses must be reported, in closed Executive Session, to the PE Compensation Committee, a standing

- committee of Provincial Council at its meeting following the submission of the expense. At the next Provincial Council meeting, the standing committee shall report its recommendations in Executive Session. (A.16)
- 11.2.2.12.6 The Chairperson of the Provincial Council shall report, in Executive session, the Provincial Executive compensation package to the Provincial Assembly each year. (A.16)
- 11.2.3 **Representation**
- 11.2.3.1 Each Bargaining Unit President shall be a member of Provincial Council. (A.16)
- 11.2.3.2 The Bargaining Unit shall submit the name of the Bargaining Unit President to the General Secretary by July 1 of each year. (A.16)
- 11.2.3.3 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.16)
- 11.2.3.4 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.16)
- 11.2.3.5 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.16)
- 11.2.3.6 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.16)
- 11.2.3.7 Notwithstanding 11.2.3.5 and 11.2.3.6, 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.16)
- 11.2.4 **Duties of Provincial Councillors**
- 11.2.4.1 Members of Provincial Council shall bring forward resolutions passed by Districts/Bargaining Units and directed to Provincial Council; (A.16)
- 11.2.4.2 provide input to the Provincial Executive regarding the Strategic Action Plan; (A.18)
- 11.2.4.3 assist in the implementation of the Strategic Action Plan; (A.19)
- 11.2.4.4 present a written report to the Bargaining Units, following each meeting of the Provincial Council; (A.16)
- 11.2.4.5 ensure that the membership is aware of decisions taken in accordance with the provision of Bylaw 11.3; (A.16)
- 11.2.4.6 assist in the implementation of decisions taken in accordance with the provisions of Bylaw 11.3; and (A.16)
- 11.2.4.7 assist the Provincial Executive in translating policy into effective administrative action. (A.16)
- 11.2.4.8 comply with the duties outlined in the Provincial Council Handbook. (A.16)
- 11.2.5 **Establishment and Rescission of External Policy by Provincial Council**
- 11.2.5.1 Interim External Policy, amendment or rescission of Interim External Policy, and interim amendment or interim rescission of existing External Policy may be made at any meeting of the Provincial Council: (A.16)
- 11.2.5.1.1 by a 3/4 majority of the weighted vote of the members qualified to vote, present and voting, provided that a proper Notice of External Policy Motion was given to the Provincial Council on or before the date of the previous meeting of the Provincial Council; (A.16)
- 11.2.5.1.2 by a 9/10 majority of the weighted vote of the members qualified to vote, present and voting, if previous notice was not given as per Bylaw 11.2.5.1.1. (A.16)
- 11.2.5.2 A proper Notice of External Policy Motion for the establishment of Interim External Policy is one which begins with the words, "It is the policy of OSSTF/FEESO that..." (A.16)
- 11.2.5.3 Notwithstanding a resolution's adherence to Bylaw 11.2.5.2, it is the duty of the Steering Committee to make a final ruling as to whether or not a resolution is an External Policy resolution. (A.16)
- 11.2.5.4 The Chairperson of the Provincial Council shall present to the Provincial Assembly

for ratification, revision, or amendment all matters of Interim External Policy passed by the Provincial Council since the previous Provincial Assembly. (A.16)

11.3 **Mass Meetings**

11.3.1 Any Member of OSSTF/FEESO may attend a Mass Meeting and, with the permission of the Chairperson, may participate in discussions, but shall not have the right to vote. (A.16)

11.3.2 A Provincial Mass Meeting of the OSSTF/FEESO may be called at any time at the discretion of the Provincial Executive (A.16)

11.4 **Common Council Procedures**

11.4.1 Amendments (A.16)

11.4.1.1 The constitution and/or regulations of a provincial council, shall be maintained in the OSSTF/FEESO Policies and Procedures. 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.16)

11.4.2 **Year of Office** (A.16)

11.4.2.1 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 Provincial Council's final meeting of the Federation year. (A.16)

11.4.3 Chairperson (A.16)

11.4.3.1 Chairpersons of provincial councils shall be elected by their respective councils. (A.16)

11.4.4 Co-options (A.16)

11.4.4.1 The council shall allow sufficient time for the new membership to recommend co-options for the approval of the Provincial Council preferably at its final meeting of the Federation year. (A.16)

11.4.5 Vacancies (A.16)

11.4.5.1 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 made by the council, subject to the approval of the Provincial Council, for the balance of the term. (A.16)

11.4.5.2 Repeat co-options are possible. (A.16)

11.4.5.3 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.16)

Bylaw 12 Provincial Committees and Advisory Work Groups

12.1 **Duties of Standing Committees**

12.1.1 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. (A.16)

12.1.2 To undertake research in its own area.

12.1.3 To report in writing to the Provincial Assembly on its activities. (A.16)

12.1.4 To work in conjunction with the member of the Provincial Executive with the corresponding portfolio to implement the OSSTF/FEESO Strategic Action Plan as approved for the current year by AMPA. (A.18)

12.1.5 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. (A.16)

12.1.6 To report to each meeting of the Provincial Council through the member appointed as liaison by the Provincial Council. (A.16)

12.1.7 To report to the Provincial Executive as needed through the member appointed by the Provincial Executive. (A.16)

12.1.8 To reflect and represent the diversity of OSSTF/FEESO membership. (A.16)

12.1.9 To comply with the Terms of Reference as approved by the Provincial Assembly. (A.16)

12.2 **Chairpersons**

12.2.1 Chairpersons of provincial standing committees shall be elected as per Procedure 10.1.1(A.16)

12.2.2 Chairpersons of special or ad hoc committees shall be elected by their committee unless the body creating the committee directs otherwise. (A.16)

12.2.3 The Chairperson of a standing or special committee shall be responsible for: (A.16)

12.2.3.1 the calling of meetings of the committee; (A.16)

- 12.2.3.2 the functioning of the committee in accordance with instructions of the Provincial Executive, the Provincial Council or the Provincial Assembly; (A.16)
- 12.2.3.3 the making of a report to the Provincial Executive, the Provincial Council and the Provincial Assembly as required; (A.16)
- 12.2.3.4 reviewing the detailed expenditure report for the committee's budget line. (A.16)
- 12.3 **Provincial Committee Meetings**
- 12.3.1 A provincial committee shall meet at the call of its Chairperson. (A.16)
- 12.3.2 Fifty percent of the voting members of a provincial committee shall constitute a quorum. (A.16)
- 12.4 **Year of Office**
- 12.4.1 A year of office of a provincial committee shall commence during the meeting of the committee which immediately precedes the Provincial Council's final meeting of the Federation year. (A.16)
- 12.5 **Provincial Committees' Findings and Reports**
- 12.5.1 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. (A.16)
- 12.5.2 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. (A.16)
- 12.6 **Advisory Work Groups**
- 12.6.1 The Provincial Executive shall establish and appoint members to the following advisory work groups: (A.16)
- 12.6.1.1 Faculty of Education Advisory Work Group; (A.16)
- 12.6.1.2 Ontario Municipal Employees Retirement System Advisory Work Group; (A.16)
- 12.6.1.3 Environmental Advisory Work Group; (A.16)
- 12.6.1.4 First Nations, Métis and Inuit Advisory Work Group; (A.16)
- 12.6.1.5 New Member Engagement Advisory Work Group; (A.16)
- 12.6.1.6 Central Bargaining Advisory Work Groups; (A.16)
- 12.6.1.7 Employee Life and Health Trust Advisory Work Group; (A.16)
- 12.6.1.8 Provincial OSSTF/FEESO LTD Advisory Work Group; (A.16)
- 12.6.1.9 Equity Advisory Work Group; and (A.17)
- 12.6.1.10 Such other advisory work groups as deemed necessary by the Provincial Executive. (A.16)
- 12.6.2 Any member of the Provincial Executive may be a member of an advisory work group. (A.16)
- 12.6.3 Each advisory work group shall meet as required. (A.16)
- 12.6.4 The Provincial Executive shall report annually to AMPA on the status and activity of the Advisory Work Groups. (A.16)
- 12.6.5 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.16)
- 12.6.6 Equity-seeking Advisory Work Groups shall consist, where possible, of a majority of members who self-identify as belonging to the equity-seeking group(s) represented by that Work Group. (A.16)
- 12.6.7 **Faculty of Education Advisory Work Group**
- 12.6.7.1 The Advisory Work Group shall have, from among its members, members assigned to the OTF Teacher Education Liaison Committee, as determined by the rotation established by OTF. (A.16)
- 12.6.7.2 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.16)
- 12.6.7.3 The Advisory Work Group shall administer the OSSTF/FEESO Faculty of Education Award for each publicly-supported Ontario faculty of education with an Intermediate/Senior and/or Technological Education pre-service program, and make recommendations to the Provincial Executive as to the recipient of each award. (A.16)

- 12.6.8 **Ontario Municipal Employees Retirement System Advisory Work Group**
- 12.6.8.1 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.16)
- 12.6.9 **Environmental Advisory Work Group**
- 12.6.9.1 The Environmental Advisory Work Group shall advise the Provincial Executive on any matters related to environmental matters within the Federation and as well as any other matters as may be referred to it by the Provincial Executive. (A.16)
- 12.6.10 **First Nations, Métis and Inuit Advisory Work Group**
- 12.6.10.1 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.16)
- 12.6.11 **New Member Engagement Advisory Work Group**
- 12.6.11.1 **Membership**
- 12.6.11.1.1 The New Member Engagement Advisory Work Group shall consist of up to 8 members appointed by the Provincial Executive. (A.18)
- 12.6.11.1.2 The term of the appointment shall be 2 years. If a member leaves during the term, a new member may be appointed for the remainder of the two-year term. (A.18)
- 12.6.11.1.3 Members of the New Member Engagement Advisory Workgroup must have been a member of OSSTF/FEESO for 8 years or less. If a member of the workgroup exceeds that criteria during their term, they will have to resign from the workgroup and a new member may be appointed to fill the remainder of their time. (A.18)
- 12.6.11.2 **Duties**
- 12.6.11.2.1 The New Member Engagement Advisory Work Group shall advise the Provincial Executive on matters related to new member engagement such as resources, workshops, outreach and information and any other matters as may be referred to it by the Provincial Executive. (A.18)
- 12.6.12 **Central Bargaining Advisory Work Groups**
- 12.6.12.1 **Membership**
- 12.6.12.1.1 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.16)
- 12.6.12.1.2 Each Central Bargaining Advisory Work Group shall consist of: (A.18)
- 12.6.12.1.2.1 The 10 designated members who sit on the Protective Services Committee. (A.18)
- 12.6.12.1.2.2 4 additional members. (A.18)
- 12.6.12.1.3 The term of the appointment shall expire with the ratification of the central bargaining agreement. (A.16)
- 12.6.12.2 **Duties**
- 12.6.12.2.1 Each Central Bargaining Advisory Work Group shall advise the Provincial Executive on matters related to the central bargaining process. (A.16)
- 12.6.12.3 **Meetings**
- 12.6.12.3.1 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.16)
- 12.6.12.3.2 The Central Bargaining Advisory Work Groups shall meet during central bargaining negotiation meetings at the discretion of the Provincial Executive. (A.16)
- 12.6.13 **ELHT Advisory Work Group**
- 12.6.13.1 The ELHT Advisory Work Group shall advise the OSSTF/FEESO ELHT on any matters related to the provincial benefits plan. (A.16)
- 12.6.14 **Provincial OSSTF/FEESO LTD Advisory Work Group**
- 12.6.14.1 The Provincial OSSTF/FEESO LTD Advisory Work Group shall advise the Provincial Executive on any matters related to the Provincial OSSTF/FEESO LTD Plan and such other matters as may

be referred to it by the Provincial Executive. (A.16)

12.6.15 **Equity Advisory Work Group**

12.6.15.1 The Equity Advisory Work Group shall advise the Provincial Executive on any matters related to inclusion and equity within the Federation and any other matters as may be referred to it by the Provincial Executive. (A.17)

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/FEESO members in good standing may be nominated. (A.14)

13.2.2 Only Members who are contributors to the OTPP may be nominated for OTF Table Officer. (A.16)

13.2.3 Nominations for elected positions outlined in Bylaw 13.1.1 shall be submitted in accordance with the Elections Procedures found in OSSTF/FEESO 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/FEESO 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/FEESO 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/FEESO Policies and Procedures." (A.14)

Bylaw 14 Policy

14.1 The purpose of an external policy statement is to guide all OSSTF/FEESO Members in making public statements, in forming action plans, and in carrying out OSSTF/FEESO activities. (A.17)

14.2 The purpose on an internal policy statement is to guide all OSSTF/FEESO Members in their professional work and in their involvement with other Federation Members. (A.17)

14.3 No District, Bargaining Unit or Branch has the right to advocate the contravention of established OSSTF/FEESO Policy or practice. (A.12)

Bylaw 15 Negotiations

15.1 **Collective Bargaining**

15.1.1 OSSTF/FEESO 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/FEESO Bargaining Unit executive. (A.14)

15.1.4 An individual Active Member shall not negotiate independently of the OSSTF/FEESO Bargaining Unit any adjustments to items specified in the collective agreement. (A.02)

15.1.5 Active members of OSSTF/FEESO shall not serve as members of, or observers to, any management negotiation team of an employer of OSSTF/FEESO members. (A.02)

15.1.6 A person or persons selected to negotiate on behalf of an OSSTF/FEESO Bargaining Unit shall be responsible to the OSSTF/FEESO Bargaining Unit

- Executive and shall keep the OSSTF/FEESO 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 (or designate(s) from the same Bargaining Unit as determined by the Bargaining Unit) of all affected Bargaining Units. The members of the Protective Services Committee will also be invited to attend this meeting. (A.18)
- 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 (or designate(s) from the same Bargaining Unit as determined by the Bargaining Unit) only. (A.15)
- 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 (or designate(s) from the same Bargaining Unit as determined by the Bargaining Unit) for endorsement for ratification. (A.15)
- 15.3.1.2 Presidents and Chief Negotiators will be provided with a minimum of 2 hours between the presentation of the Central Tentative Agreement and their vote to recommend it for ratification by Members. (A.18)
- 15.3.1.3 Presidents and Chief Negotiators (or designate(s) 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(s) 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.15)
- 15.3.1.4 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/FEESO in the affected Bargaining Units shall be conducted or coordinated by the Provincial Office of OSSTF/FEESO. All Active Members of OSSTF/FEESO in the Bargaining Units to be covered by the centrally bargained agreement shall have the right to vote regardless of employment status in the following year. (A.16)
- 15.3.1.5 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/FEESO Bargaining Unit is submitted to the membership for ratification, all Active Members of OSSTF/FEESO in that OSSTF/FEESO Bargaining Unit to be covered by the Agreement shall have a right to vote on such matters, regardless of employment status in the following year. (A.16)

15.4	Information Bulletins	15.5.4.2	one member of the Provincial Secretariat, who shall act as Chief Negotiator; (A.16)
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/FEESO Bargaining Units. (A.90)	15.5.4.3	the Bargaining Unit President; (A.16)
15.4.2	The Provincial Executive, when requested by an OSSTF/FEESO Bargaining Unit, can issue an Information Bulletin (Pink Letter) on behalf of the OSSTF/FEESO Bargaining Unit without resuming responsibility for the negotiations. (A.02)	15.5.4.4	the Bargaining Unit Chief Negotiator or designate; and (A.16)
15.5	Terms of Provincial Responsibility for Negotiations	15.5.4.5	one other member selected by the Bargaining Unit. (A.16)
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)	15.5.5	No contract negotiations between OSSTF/FEESO 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)
15.5.2	When the Provincial Executive is responsible for negotiations, the OSSTF/FEESO 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)	15.5.6	Prior to a final settlement, the Provincial Executive is required to report its recommended settlement to the membership of that Bargaining Unit. (A.02)
15.5.3	When the Provincial Executive is responsible for negotiations, the Provincial Executive will meet with the OSSTF/FEESO Bargaining Unit executive and determine the terms under which they will negotiate and such terms shall be set out in a Provincial Responsibility for Negotiations (PRN) Manual. (A.16)	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)
15.5.3.1	The PRN Manual 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.16)	15.5.8	No later than 120 days after the Provincial Responsibility for Negotiations Team has ceased to be involved in negotiations for an OSSTF/FEESO Bargaining Unit, the Provincial Responsibility for Negotiations Team shall submit to the Treasurer, a confidential statement of expenses for their involvement in the negotiations. The Treasurer shall report to each Provincial Council a list, by Bargaining Unit, of the total expenses incurred for the Bargaining Units under Provincial Responsibility for Negotiations. (A.16)
15.5.4	When the Provincial Executive has resumed responsibility for bargaining, the Resumption of Bargaining Provincial Responsibility for Negotiations Team shall be composed of: (A.16)	15.5.9	All correspondence with the Ministry of Labour regarding negotiations, including conciliation, shall be issued by Provincial OSSTF/FEESO and directed to Provincial OSSTF/FEESO. (A.16)
15.5.4.1	one member of the Provincial Executive, who shall act as Chair; (A.16)	15.6	Contract Maintenance, Grievance and Arbitration
		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/FEESO Bargaining Unit. (A.02)
		15.6.2	Notwithstanding Bylaw 15.6.1, no OSSTF/FEESO Bargaining Unit shall forward a grievance to arbitration without the prior approval of OSSTF/FEESO. (A.02)

15.6.3 All correspondence with the Ministry of Labour regarding contract maintenance processes, including expedited arbitration, shall be issued by Provincial OSSTF/FEESO and directed to Provincial OSSTF/FEESO. (A.16)

15.7 **Pay Equity**

15.7.1 The Provincial Executive may delegate the responsibility for pay equity or pay equity maintenance to the respective OSSTF/FEESO 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 Director 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.16)

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/FEESO 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/FEESO 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/FEESO 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/FEESO and directed to OSSTF/FEESO. (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/FEESO 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 Strategic Action Plan; (A.18)
- 16.1.1.3.7 administer the Strategic Action Plan for the current year; (A.18)
- 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* and/or on the OSSTF/FEESO website; (A.17)
- 16.1.1.3.9 take, in accordance with the Bylaws and Procedures, any District or Bargaining Unit of OSSTF/FEESO into Trusteeship and resume those duties delegated to that organization by OSSTF/FEESO; (A.17)
- 16.1.1.3.10 notify the membership of changes in Certification Regulations, through publication in *Update* and on the OSSTF/FEESO website, within three months of such changes being enacted; (A.17)
- 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/FEESO 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/FEESO 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/FEESO 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, in accordance with Bylaw 2.1.5.1.1 and Procedure 12, confer Provincial Life Membership Awards; (A.12)
- 16.1.1.3.20 at its discretion, call mass meetings of provincial OSSTF/FEESO; (A.13)
- 16.1.1.3.21 appoint the Trustees of the Employee Life and Health Trust; and (A.16)
- 16.1.1.3.22 be responsible for appeals from a decision to initiate Trusteeship of a local organization and/or removal of an officer as a result of a Trusteeship investigation. (A.17)
- 16.1.1.4 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)
- 16.1.1.5 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)
- 16.1.1.5.1 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)
- 16.1.1.6 **Pensions**
It shall be the duty of the Provincial Executive:
- 16.1.1.6.1 to provide those Members, who are contributors to the Ontario Teachers' Pension Plan (OTPP), 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)
- 16.1.1.6.2 to ensure that when a valuation is filed for the OTPP, any changes to benefits and/or

- contribution rates, and the rationale for such, be detailed to the membership and sent as soon as possible to the affected members in an information package; (A.17)
- 16.1.1.6.3 to appoint a representative to the Teachers' Pension Plan (TPP) Adjudication Committee, who must be a contributor to the TPP Fund; (A.17)
- 16.1.1.6.4 to appoint OSSTF/FEESO representatives for the OMERS Administration Corporation and the OMERS Sponsors Corporation; and (A.13)
- 16.1.1.6.5 to ensure that OTF Governors representing OSSTF/FEESO are consulted when developing OTPP pension education for OSSTF/FEESO members. (A.15)
- 16.1.1.7 **Provincial Office Staffing**
The Provincial Executive shall:
- 16.1.1.7.1 be responsible for the interview and selection process; (A.12)
- 16.1.1.7.2 define the duties of the General Secretary; (A.12)
- 16.1.1.7.3 assign duties to the Associate General Secretaries in conjunction with the General Secretary; (A.12)
- 16.1.1.7.4 be responsible for the implementation of a plan of action to ensure that OSSTF/FEESO is an equal opportunity employer; (A.12)
- 16.1.1.7.5 ensure that any person hired by OSSTF/FEESO is not otherwise employed in a capacity where there is a conflict of interest with OSSTF/FEESO. (A.12)
- 16.1.1.7.6 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)
- 16.1.1.7.7 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)
- 16.1.1.7.8 report to each meeting of Provincial Council on the general status and progress of negotiations with OSSTF/FEESO employee groups while such negotiations are ongoing. (A.17)
- 16.1.1.7.9 resign from the Provincial Executive in order to be eligible to apply for appointment to the Secretariat. (A.13)
- 16.1.1.7.10 **Interns**
- 16.1.1.7.10.1 OSSTF/FEESO, as an organization, shall not use unpaid interns, unless the internships are part of an accredited educational program leading to a credential such as a university degree or college diploma. (A.17)
- 16.1.1.8 **Negotiations**
It shall be the duty of the Provincial Executive to:
- 16.1.1.8.1 exercise provincial responsibility for negotiations in accordance with Bylaw 15.5; (A.17)
- 16.1.1.8.2 exercise provincial responsibility for negotiations in accordance with Bylaw 15.7 and Bylaw 15.8; (A.17)
- 16.1.1.8.3 issue Information Bulletins (Pink Letters) in accordance with Bylaw 15.4; (A.17)
- 16.1.1.8.4 recommend negotiating priorities that should be obtained for Members through the process of local collective bargaining, subject to the approval of the Provincial Council; (A.17)
- 16.1.1.8.5 present the negotiating priorities to Provincial Council for its information at the meeting prior to the meeting where they are presented for approval; (A.17)
- 16.1.1.8.6 encourage local negotiating units to strive to obtain the negotiating priorities recommended under Bylaw 16.1.1.8.4, acting primarily through the Protective Services Committee through the dissemination of information and the process of consultation; (A.18)
- 16.1.1.8.7 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/FEESO Members; (A.17)
- 16.1.1.8.8 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/FEESO Members; (A.17)

- 16.1.1.8.9 keep the membership informed, through the local leadership and other appropriate means, of provincial dialogue and/or discussions that impact local bargaining; and (A.17)
- 16.1.1.8.10 review, at least every two years, the appropriate relief payments to Members who may be on strike or locked out. (A.17)
- 16.1.1.8.11 be responsible for negotiations on each occasion that central bargaining takes place. (A.17)
- 16.1.1.9 **Federation Finances**
The Provincial Executive shall:
- 16.1.1.9.1 have authority and responsibility over federation finances in accordance with Bylaw 9.1.2; (A.12)
- 16.1.1.9.2 approve any over-expenditures in accordance with the requirements in Bylaw 9.1.3; (A.12)
- 16.1.1.9.3 determine the use of the Contingency Fund in accordance with Bylaw 9.2; (A.12)
- 16.1.1.9.4 authorize or recommend the use of the Member Protection Account in accordance with Bylaw 9.3; (A.12)
- 16.1.1.9.5 be responsible for the General Account Surplus in accordance with Bylaw 9.4; (A.16)
- 16.1.1.9.6 determine, as necessary, the asset allocation in the Internal Investment Fund in accordance with Bylaw 9.5.2; and (A.17)
- 16.1.1.9.7 be responsible for administration of finances and be individually responsible for fulfilling their fiduciary obligations under the *Corporations Act*. (A.12)
- 16.1.1.9.8 Notwithstanding Bylaw 16.1.1.9.7, take to the Finance Committee for advice and then to Provincial Council for approval, any decision to buy or sell a capital asset of more than \$500,000 other than District and/or Bargaining Unit properties, that is not set out in the budget approved by AMPA. (A.12)
- 16.1.1.9.9 present and clearly indicate as part of the proposed budget to AMPA any proposal to increase the number of Secretariat. (A.13)
- 16.1.1.10 **Committees and Work Groups**
The Provincial Executive shall:
- 16.1.1.10.1 where appropriate to propose to Provincial Council a regional structure for standing committees in accordance with Article 12.2; (A.12)
- 16.1.1.10.2 appoint ad hoc committees and work groups; (A.12)
- 16.1.1.10.3 be responsible for all bodies whose terms of reference direct reporting to the Provincial Executive; (A.12)
- 16.1.1.10.4 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)
- 16.1.1.10.5 report and make recommendations to the Provincial 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/FEESO; (A.12)
- 16.1.1.10.6 appoint members to the Mediation Services Resource Bank. (A.12)
- 16.1.1.11 **Judicial Procedures**
- 16.1.1.11.1 The Provincial Executive will exercise its authority and responsibility in relation to judicial procedures in accordance with Bylaw 6.3.4. (A.12)
- 16.1.1.11.2 It shall be the responsibility of the Provincial Executive to approve a list of active and/or retired OSSTF/FEESO 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.17)
- 16.1.2.2 The term of office for elected members of the Provincial Executive shall be two years or until their successors take office. (A.17)
- 16.1.2.3 Re-election is possible. (A.17)
- 16.1.3 **President**
The President shall:
- 16.1.3.1 serve as the Presiding Officer and the official representative of the Federation;
- 16.1.3.2 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;
- 16.1.3.3 notwithstanding 16.1.3.2, designate for each standing committee a member of the Provincial Executive to act as a liaison between the Provincial Executive and that committee;
- 16.1.3.4 serve on the OTF Executive and act as Chairperson of the OTF Governors representing OSSTF/FEESO; (A.13)
- 16.1.3.5 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**
- It shall be the duty of the Treasurer to:
- 16.1.5.1 be responsible for the oversight of the administration of all OSSTF/FEESO finances; (A.09)
- 16.1.5.2 be responsible for the oversight of key financial relationships; (A.09)
- 16.1.5.3 be responsible for the safeguarding of OSSTF/FEESO assets; (A.09)
- 16.1.5.4 be a voting member of the Finance Committee; (A.09)
- 16.1.5.5 ensure Districts/Bargaining Units receive assistance with financial matters; (A.09)
- 16.1.5.6 caution against unnecessary and wasteful expenditures of OSSTF/FEESO funds; (A.09)
- 16.1.5.7 submit to the Provincial Executive for approval all expenditures of an unusual nature not relating to Provincial Executive compensation; (A.17)
- 16.1.5.8 submit to Provincial Council for approval all expenditures of an unusual nature relating to Provincial Executive compensation; (A.17)
- 16.1.5.9 act as liaison between the Provincial Executive and the Finance Committee and other committees or work groups as deemed necessary; (A.09)
- 16.1.5.10 present annually at AMPA an audited financial report for all OSSTF/FEESO funds and accounts for the preceding fiscal year; (A.13)
- 16.1.5.11 present an audited statement of the Member Protection Account at AMPA; (A.12)
- 16.1.5.12 present financial reports on the status of OSSTF/FEESO finances to the Provincial Executive and to each meeting of Provincial Council; (A.09)
- 16.1.5.13 present an audited statement of the Internal Investment Fund at AMPA; (A.12)
- 16.1.5.14 provide annually to each Provincial Councillor a concise summary of the financial statement which shows the receipts and expenditures of the Provincial OSSTF/FEESO. (A.12)
- 16.1.5.15 provide annually to all Members in *Update* a concise financial report listing the services provided for Members by OSSTF/FEESO. (A.12)
- 16.1.5.16 provide annually, to all Members, via the "Members Only" website, a concise summary, including each level of compensation and benefits of the Provincial Executive, management, and all unionized employee groups. (A.17)
- 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/FEESO 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 their 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 1.1.15 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 Camp Reg. 3; (A.13)
- 16.1.7.1.12 to assign an Election Coordinator to perform duties as provided in CAMP Reg. 4; and (A.13)
- 16.1.7.1.13 to ensure that an Anti-Harassment Officer is appointed and announced at meetings of the OSSTF/FEESO Provincial Assembly and Provincial Council, and for all meetings of and events organized by OSSTF/FEESO advisory work groups, provincial standing or ad hoc committees or provincial councils. (A.17)
- 16.1.7.2 The General Secretary shall be responsible for the assignment of the Secretariat, including those appointed to act as the Pensions Officer(s) and Equity Officer(s), after prior consultation with the President and Provincial Executive. (A.16)
- 16.1.7.3 The General Secretary shall be designated as Secretary-Treasurer of OSSTF/FEESO 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**
It shall be the duty of the Associate General Secretaries to:
 - 16.1.8.1 be responsible for performing the duties of the General Secretary when the General Secretary is absent; (A.11)
 - 16.1.8.2 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**
It shall be the duty of the Chief Financial Officer to:
 - 16.1.9.1 be responsible for the administration of all OSSTF/FEESO finances; (A.09)
 - 16.1.9.2 be responsible for the management of key financial relationships; (A.09)
 - 16.1.9.3 be responsible for the safeguarding of OSSTF/FEESO assets; (A.09)
 - 16.1.9.4 be responsible for the preparation of financial reports; (A.09)
 - 16.1.9.5 be a non-voting member of the Finance Committee; (A.09)
 - 16.1.9.6 assist Districts/Bargaining Units with financial matters; (A.09)
 - 16.1.9.7 caution against unnecessary and wasteful expenditures of OSSTF/FEESO funds; (A.09)
 - 16.1.9.8 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)
 - 16.1.9.9 refer to the Provincial Council all unusual expenses, unusual accounts and/or unusual authorization of expenditures which relate to Provincial Executive compensation; (A.09)
 - 16.1.9.10 be responsible for the system of internal controls; (A.09)
 - 16.1.9.11 be responsible to the Provincial Executive through the Treasurer; (A.09)

- 16.1.9.12 invest OSSTF/FEESO funds within the investment guidelines approved by the Provincial Executive; (A.09)
- 16.1.9.13 borrow money on behalf of OSSTF/FEESO when so directed by the Provincial Executive; (A.09)
- 16.1.9.14 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 5 of the 7 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**
Members of the Secretariat shall:
- 16.2.1 implement Federation programs and carry out duties as assigned by the General Secretary; (A.04)
- 16.2.2 be responsible to the Provincial Executive through the General Secretary; (A.02)
- 16.2.3 inform the District/Bargaining Unit President prior to any action taken related to that District's/Bargaining Unit's business. (A.02)
- 16.2.4 **Pensions Officer**
It shall be the Pensions Officer's duty to:
- 16.2.4.1 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)
- 16.2.4.2 conduct and participate in workshops on pensions and related matters; including retirement planning in Districts, Bargaining Units and Branches and work sites; (A.10)
- 16.2.4.3 act as a resource person for other Secretariat members, the Provincial Executive and pension-related advisory work groups; (A.02)
- 16.2.4.4 assist in the preparation of materials relating to pensions; (A.02)
- 16.2.4.5 advise the Provincial Executive through the General Secretary on the implications of communications related to members' pensions, (A.02)
- 16.2.4.6 perform other duties relating to pensions as assigned by the General Secretary; (A.02)
- 16.2.4.7 report, when requested, to the Provincial Executive and to the Provincial Council and submit a written report to AMPA; (A.02)
- 16.2.4.8 evaluate, prepare, and present appeal cases on behalf of Members appealing decisions of the OTPP and OMERS and other pension plans staff. (A.10)
- 16.2.5 **Equity Officer**
It shall be the Equity Officer's duty to:
- 16.2.5.1 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)
- 16.2.5.2 conduct and participate in training and workshops on equity and related matters; (A.11)
- 16.2.5.3 act as an advisor and resource person for other Secretariat members, the Provincial Executive, and equity-related advisory groups; (A.11)
- 16.2.5.4 assist in the preparation of materials relating to equity; (A.11)
- 16.2.5.5 advise the Provincial Executive through the General Secretary on human rights and equity issues within the organization; (A.11)
- 16.2.5.6 perform other duties relating to equity as assigned by the General Secretary; (A.11)
- 16.2.5.7 report, when requested, to the Provincial Executive and to the Provincial Council and submit a written report to AMPA; (A.11)
- 16.2.5.8 serve as a resource for the purposes of vetting of OSSTF/FEESO policy, bylaws, events, communications, and processes from an equity perspective; (A.11)
- 16.2.5.9 coordinate equity initiatives within OSSTF/FEESO. (A.11)
- 16.3 **OTF Governors**
Term
- 16.3.1 The term of office for elected OSSTF/FEESO representatives on the Board of Governors of the OTF and the OTF Table Officer shall be one year. These representatives will be deemed to be re-elected by acclamation for an additional one-year term. (A.17)

- 16.3.2 The OTF Governors shall assume their duties after the Ontario Teachers' Federation annual meeting. (A.17)
- 16.3.3 **Chairperson**
- 16.3.3.1 It shall be the duty of the President of OSSTF/FEESO to act as Chairperson of the Governors representing OSSTF/FEESO. (A.17)
- 16.3.4 **Duties**
- It shall be the duty of the OTF Governors representing OSSTF/FEESO to:
- 16.3.4.1 notify, in writing, all affected Members of OSSTF/FEESO of any proposed change in OTF Bylaws that may affect their membership in OSSTF/FEESO; (A.17)
- 16.3.4.2 adhere to the results of a vote on a negotiated pension settlement by the OSSTF/FEESO membership who are contributors to the TPP; (A.17)
- 16.3.4.3 represent OSSTF/FEESO at the OTF and to carry forward and report back on such business as the Provincial Council and/or the Provincial Assembly requires; (A.17)
- 16.3.4.4 meet prior to all regular meetings of the OTF Board of Governors; (A.17)
- 16.3.4.5 prepare and forward resolutions to the OTF; (A.17)
- 16.3.4.6 fulfill the duties of the Board of Governors as outlined in the OTF By-laws; (A.17)
- 16.3.4.7 support the Constitution, By-Laws and Policies of OSSTF/FEESO while representing OSSTF/FEESO at the OTF; (A.17)
- 16.3.4.8 monitor pension and related issues that impact on active and retired members of the OTPP; (A.17)
- 16.3.4.9 monitor the communication of pension information to OSSTF/FEESO members; and
- 16.3.4.10 advise and make recommendations to the Provincial Executive on any matters related to the OTPP and such other matters as may be referred to it by the Provincial Executive. (A.17)
- 16.3.5 **OTF Committees**
- The OTF Governors representing OSSTF/FEESO shall:
- 16.3.5.1.1 review applications for the OTF committees; (A.17)
- 16.3.5.1.2 recommend OSSTF/FEESO nominees to OTF committees to the Provincial Executive, as applicable; and (A.17)
- 16.3.5.1.3 be nominated to OTF committees by the Provincial Executive. (A.17)

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 either a permanent or temporary 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.16)

Bylaw 18 Districts

- 18.1 The District shall provide for: (A.16)

18.1.1 District Executive

- 18.1.1.1 the formation of a District Executive and/or Council, and (A.16)
- 18.1.1.2 the designation of its duties, and
- 18.1.1.3 the designation of its voting members; (A.16)
- 18.1.2 the appointment or election of the following District Officers, who shall be subject to the authority of the District Executive: (A.16)
- 18.1.2.1 a Communications/Excellence in Education Officer; (A.16)
- 18.1.2.2 a Constitutional Officer; (A.16)
- 18.1.2.3 an Educational Services Officer; (A.16)
- 18.1.2.4 a Health and Safety Officer(s); (A.16)
- 18.1.2.5 a Human Rights Officer; (A.16)
- 18.1.2.6 a Labour Council Liaison; (A.16)
- 18.1.2.7 a Political Action Officer; (A.16)
- 18.1.2.8 a Status of Women Officer; (A.16)
- 18.1.2.9 the Chairpersons of District standing committees; (A.16)

- 18.1.2.10 other Officers of the District according to the District constitution; (A.16)

- 18.1.3 the establishment of appropriate procedures to ensure the election or appointment of alternates, and to fill any vacant delegate positions, to the Provincial Assembly; (A.16)

- 18.1.4 the establishment of appropriate, democratic procedures to ensure the integration of all Bargaining Units; (A.16)

- 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.16)
- 18.1.6 the representation of its Active Members to the District Executive/Council; (A.16)
- 18.1.7 the establishment of procedures to ensure representation from all Bargaining Units on the District Council and/or other bodies, as appropriate; (A.16)
- 18.1.8 the establishment of anti-harassment, anti-bullying and anti-sexual harassment policies and procedures that are followed for all OSSTF/FEESO members and employees for both the office as a workplace and for OSSTF/FEESO sponsored functions; (A.16)
- 18.1.9 communication with the membership by means of a newsletter, memorandum or communiqué, issued from time to time; and/or a District website to inform and receive feedback from the membership. (A.16)
- 18.1.9.1 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.16)
- 18.2 The District shall:
- 18.2.1 endeavour to co-operate with the Provincial Executive to co-ordinate effectively negotiation strategies among Bargaining Units; (A.16)
- 18.2.2 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 Occupational Health and Safety Act; (A.16)
- 18.2.3 endeavour to achieve provincial goals as approved by the Provincial Council; and
- 18.2.4 assist in the achievement of policies and priorities as approved by a Provincial Assembly. (A.16)
- 18.3 **Duties of District Executive**
The District Executive shall:
- 18.3.1 ensure that the OSSTF/FEESO Constitution or Bylaws are not contravened in the process of transacting District business; (A.16)
- 18.3.2 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.16)
- 18.3.3 forward to the Parliamentary and Constitution Council a copy of the District constitution together with all amendments thereto; (A.16)
- 18.3.4 where the District is a member of a local labour council, distribute copies of the labour council's newsletter to the District membership; (A.16)
- 18.3.5 promote OSSTF/FEESO scholarships and awards to the District membership; (A.16)
- 18.3.6 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.16)
- 18.4 **District President**
The District President shall:
- 18.4.1 be the official representative and Chief Executive Officer of the District; (A.16)
- 18.4.2 be a member ex-officio of all District committees; (A.16)
- 18.4.3 be a signing authority for the District. (A.16)
- 18.5 **District Treasurer**
The District Treasurer shall: (A.16)
- 18.5.1 submit one copy of the District Annual Financial Report to the Provincial Office by November 1 of the following federation year; (A.16)
- 18.5.2 submit each year one copy of the District budget for the current year to the Provincial Treasurer, no later than November 1; (A.16)
- 18.5.3 ensure that information in the Financial Handbook is communicated to the appropriate District and Bargaining Unit Officers; (A.16)
- 18.5.4 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; and (A.16)
- 18.5.5 be responsible for all District Funds (whether allocated by the Provincial Office, raised by voluntary levy, or

received from other sources) and be accountable to the District membership. The disposition of such funds is to be reflected in the required Annual Financial Report of the District. (A.16)

18.6 District Finances

- 18.6.1 Each District shall make available, upon notice of no fewer than five working days, its financial records for audit by the Provincial Office. (A.16)
- 18.6.2 Each District constitution must contain language, where applicable, that stipulates a reasonable level of operating reserves and designates the purpose of restricted reserves, if any. (A.16)
- 18.6.3 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. (A.16)
- 18.7 A District or Region of OSSTF/FEESO 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.16)

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; (A.16)
 - 19.1.3 an OSSTF/FEESO representative in each workplace; (A.16)
 - 19.1.4 the formation of procedures to represent its members under the appropriate legislation; (A.16)
 - 19.1.5 the election or appointment of an Executive, the designation of its duties and its voting members, and procedures for the filling of vacancies; (A.16)
 - 19.1.6 the election or appointment of:
 - 19.1.6.1 a representative negotiating team; (A.16)
 - 19.1.6.2 a Chief Negotiator; (A.16)
 - 19.1.6.3 a Grievance Officer; (A.16)
 - 19.1.6.4 representatives to the District Executive;
 - 19.1.6.5 a Provincial Councillor(s), where appropriate; (A.16)

- 19.1.6.6 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.16)
- 19.1.6.7 a Communications and Political Action Officer. (A.16)
- 19.1.6.8 a Constitution Officer; (A.16)
- 19.1.6.9 an Educational Services Officer; (A.16)
- 19.1.6.10 a Health and Safety Officer; (A.16)
- 19.1.6.11 a Pay Equity Officer, where Pay Equity negotiations and maintenance are required; (A.16)
- 19.1.6.12 any additional personnel to carry out its obligations and duties under the Constitution and Bylaws; (A.16)
- 19.1.7 the establishment of appropriate structures to ensure the negotiation of collective agreements for the Bargaining Unit; (A.16)
- 19.1.8 regular meetings of bargaining representatives; (A.16)
- 19.1.9 the mutual support of, co-operation with, and assistance to other Bargaining Units within the District; (A.16)
- 19.1.10 the formation of procedures to secure and maintain pay equity for its members; (A.16)
- 19.1.11 the formation of procedures to ensure that all Members have fair representation with due regard to the terms of the applicable collective agreement; (A.16)
- 19.1.12 the selection of Bargaining Unit delegates to the Provincial Assembly; and (A.16)
- 19.1.13 the establishment and implementation of anti-harassment policies and procedures which shall be followed by all OSSTF/FEESO Members and employees at the office as a workplace and at all OSSTF/FEESO sponsored functions. (A.16)
- 19.2 The Bargaining Unit shall:
 - 19.2.1 co-operate with the District to appoint or elect Health and Safety Representatives to the joint Occupational Health and Safety Committees provided for in the Occupational Health and Safety Act; (A.16)
 - 19.2.2 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; (A.16)

- 19.2.4 ensure that the Bargaining Unit Constitution contains language, where applicable, that stipulates a reasonable level of operating reserves and designates the purpose of restricted reserves, if any; and (A.16)
- 19.2.5 ensure that the Bargaining Unit constitution contains language allowing for statutory leaves for individuals in elected positions and requiring procedures to fill temporary vacancies arising from such leaves. (A.17)
- 19.3 A Bargaining Unit or Branch of OSSTF/FEESO 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.16)
- 19.4 **Negotiations**
- 19.4.1 The Bargaining Unit shall be responsible for: (A.16)
- 19.4.1.1 the preparation of a local negotiating brief in accordance with the Bargaining Unit's Constitution and/or Bylaws; (A.16)
- 19.4.1.2 the approval of the negotiating brief by the Executive of the Bargaining Unit; (A.16)
- 19.4.1.3 the submission of the negotiating brief to the Director of Negotiations and Contract Maintenance for approval; (A.16)
- 19.4.1.4 communication with members of the Bargaining Unit regarding the progress of negotiations; (A.16)
- 19.4.1.5 joint meetings with other Bargaining Unit representatives from the District in order to co-ordinate bargaining issues and strategies; (A.16)
- 19.4.1.6 establishing a procedure for a 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.16)
- 19.4.1.7 informing the Provincial OSSTF/FEESO of progress in negotiations on a regular basis and shall endeavour to co-operate with the Provincial Executive to effectively co-ordinate negotiation strategies among Bargaining Units. (A.16)
- 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 informed at all times of the progress of negotiations. (A.16)
- 19.5 **Communications**
- 19.5.1 The Bargaining Unit shall provide for communication with the membership by means of a newsletter, memorandum, or communiqué, issued from time to time by the Bargaining Unit or the Bargaining Unit President. (A.16)
- 19.6 **Duty of Fair Representation**
- 19.6.1 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. No complaint alleging a breach of this Bylaw shall be made to, or filed with, the Judicial Council. (A.16)
- 19.6.2 The Bargaining Unit shall provide fair representation for its members with due regard to the terms of the applicable collective agreement. (A.16)
- 19.7 **Bargaining Unit Executive**
- 19.7.1 The Bargaining Unit Executive shall:
- 19.7.1.1 ensure that the OSSTF/FEESO Constitution or Bylaws are not contravened in the process of transacting Bargaining Unit business;
- 19.7.1.2 ensure that the OSSTF/FEESO Workplace or Branch Representatives and/or Branch Executives are (A.16)
- 19.7.1.2.1 elected by the members before the end of June each year; (A.16)
- 19.7.1.2.2 informed of their duties at the start of their term of office; (A.16)
- 19.7.1.2.3 given assistance throughout their term of office in carrying out these duties, including the duty to act as a liaison officer between the Branch or workplace and the Bargaining Unit, District and Provincial Executives and to carry out such additional duties as are from time to time required by the District or Bargaining Unit's Constitution and/or Bylaws or by the

- Provincial Executive to foster the objects of OSSTF/FEESO; (A.16)
- 19.7.1.3 forward to the Parliamentary and Constitution Council a copy of the Bargaining Unit's Constitution and of Branch Constitutions where they exist, together with all amendments thereto; (A.16)
- 19.7.1.4 ensure that no materials, in either print or digital format, which contain the Bargaining Unit's name and/or Federation logo, are published or circulated without prior authorization of the Bargaining Unit Executive; (A.16)
- 19.7.1.5 gather information and provide updates on Pay Equity as requested by OSSTF/FEESO Provincial Office, and (A.16)
- 19.7.1.6 forward to the Director – Member Protection for consideration by the MPWG, any grievance that the Bargaining Unit proposes for advancement to arbitration. (A.18)
- 19.8 **Bargaining Unit President**
- 19.8.1 The President of a Bargaining Unit shall be the Chief Executive Officer of that Bargaining Unit for collective bargaining purposes. (A.16)
- 19.8.2 The Bargaining Unit President shall be a member ex-officio of all Bargaining Unit Committees. (A.16)
- 19.9 **Bargaining Unit Treasurer**
- The Bargaining Unit Treasurer shall:
- 19.9.1 be accountable to the Bargaining Unit membership; (A.16)
- 19.9.2 be responsible for all Bargaining Unit funds whether allocated by the district or raised by a voluntary levy or received from other sources, and report on such funds to the district Treasurer for inclusion in the required Annual Financial Report of the District; (A.16)
- 19.9.3 at least semi-annually provide to the Bargaining Unit Executive /Council financial reports which include expenses to date for each budget line and the financial position of the Bargaining Unit, including all Bargaining Unit assets, and forward the reports to the District Treasurer; and (A.16)
- 19.9.4 make available, upon notice of no fewer than five working days, its financial

records for audit by the Provincial Office. (A.16)

Bylaw 20 Rules of Order and Procedures

20.1 Rules of Order

20.1.1 Meetings of the OSSTF/FEESO Provincial Assembly and Provincial Council, and of District, Branch or Staff organizations and of provincial standing committees, special or ad hoc committees and councils shall be conducted in accordance with Rules of Order adopted by the Annual Meeting of the Provincial Assembly (1974), and as amended from time to time by the Provincial Council or the Annual Meeting of the Provincial Assembly. (A.12)

20.2 Provincial Assembly

20.2.1 Resolutions to be printed in the material for debate and published prior to the meeting of the Provincial Assembly (A.90)

20.2.1.1 must be submitted by one or more of the following:

20.2.1.1.1 Provincial Executive;

20.2.1.1.2 Provincial Council;

20.2.1.1.3 provincial committees;

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)

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)

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 must have received the prior approval of the submitting body, except for a notice of Motion in accordance with Bylaw 20.2.1.1.6. (A.15)

20.2.1.4 must be received by the General Secretary by the 3rd working Tuesday in January; (A.19)

20.2.1.5 must be accompanied by a reasonable estimate of the cost, should the

- 20.2.1.6 resolution require the expenditure of funds for implementation; (A.90) 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; and (A.83)
- 20.2.1.7 shall be accompanied by a maximum 150 word rationale. (A.19)
- 20.2.2 A miscellaneous action resolution passed by the Provincial Assembly must be completed within three years unless the action terminates at a time definite, or the resolution is rescinded by a meeting of the Provincial Assembly. (A.17)
- 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)
- 20.2.4 Excepting those amendments proposed by the Finance Committee on the final day of AMPA to balance the budget, any resolution submitted to AMPA after the 3rd working Tuesday in January, that would result in an amendment to the General Account Budget in excess of 0.1% of the budgeted fee income, shall require a 3/4 vote of the members qualified to vote, present and voting, with the exception of resolutions subject to Article 17.1.2. (A.19)

Bylaw 21 Amendments

- 21.1 Amendments to these Bylaws may be made at the Annual Meeting of the Provincial Assembly
- 21.1.1 by a majority vote of the members qualified to vote, present and voting, provided that
- 21.1.1.1 notice of the proposed amendment shall have been given in writing to the General Secretary on or before the 3rd working Tuesday in January of that school year, and (A.19)
- 21.1.1.2 such notice shall have been forwarded on or before the 3rd Friday in February in both French and English of that school year by the General Secretary to the Bargaining Unit Presidents; (A.19)
- 21.1.2 by a three-quarters vote of the members qualified to vote, present and voting, previous notice as in Bylaw 21.1.1.1 not having been given. (A.92)

- 21.2 Proposed amendments received by the General Secretary after the 3rd working Tuesday in January will be distributed at AMPA. (A.19)
- 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)

Bylaw 22 Mediation Services Resource Bank

- 22.1 The Mediation Services Resource Bank shall upon request and in accordance with the procedures as outlined in the OSSTF/FEESO Policies and Procedures, assist with dispute resolution between members where the dispute affects the professional relationship of those members. (A.12)
- 22.2 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 in situations where their vote would change the outcome of the vote. (A. 15)

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/FEESO group should decide at the outset of the federation year whether Rule 2.16 applies to them. (PC.04)

RULE 3 Meetings

3.1 Order of Meetings

- 3.1.1 At meetings of the OSSTF/FEESO Provincial, District, and Branch jurisdictions

the structure of meetings may be established according to the following order:

- 3.1.1.1 Call to Order;
- 3.1.1.2 At the first meeting of the jurisdictional year, and then at the discretion of the Chair, the reading of the OSSTF/FEESO Pledge and the OSSTF/FEESO Anti-Harassment Policy or Anti-Harassment & Equity Declaration; (A.16)
- 3.1.1.3 Appointment and announcement of the Anit-Harassment Officer. (A.16)
- 3.1.1.4 Registration, or roll call, of members;
- 3.1.1.5 Appointment of Steering, Credential, and other temporary committees;
- 3.1.1.6 Procedural resolutions;
- 3.1.1.7 Adoption of the Agenda;
- 3.1.1.8 Minutes of the previous meetings and business arising therefrom;
- 3.1.1.9 Report of the Treasurer;
- 3.1.1.10 Communications and business arising therefrom;
- 3.1.1.11 Action items, including reports of officers and/or committees containing recommendations for immediate decision;
- 3.1.1.12 Items of concern to recognized units within the jurisdiction;
- 3.1.1.13 Information items, including reports of officers and/or committees not requiring immediate decision;
- 3.1.1.14 Unfinished business;
- 3.1.1.15 New business;
- 3.1.1.16 At the Annual Meeting, appointment of auditors and installation of officers;
- 3.1.1.17 Adjournment.
- 3.1.2 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. (A.15)

3.2 Minutes (PC.02)

- 3.2.1 The Minutes of an OSSTF/FEESO meeting constitute the official record of the proceedings of the meeting. (PC.02)
- 3.2.2 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/FEESO 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 Prior to the vote, all main resolutions and amendments shall be written and presented to the Presiding Officer or to the Resolutions Committee. (A.15)
- 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". (A.15)
- 5.7 A time limit may be set on debate if the assembly so decides.

5.8 Committee of the Whole

- 5.8.1 The assembly may move into Committee of the Whole when free debate on a topic is desirable without the necessity of having a resolution on the floor, or if free debate of a resolution or resolutions is required. (A.15)
- 5.8.2 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. (A.15)
- 5.8.3 A Committee of the Whole may not, even by unanimous consent: (A.15)
 - 5.8.3.1 appoint a subcommittee, (A.15)
 - 5.8.3.2 refer the matter to another body, (A.15)
 - 5.8.3.3 table or postpone indefinitely, (A.15)
 - 5.8.3.4 reconsider or rescind action already taken, (A.15)

- 5.8.3.5 extend its own time limit (A.15)
- 5.8.3.6 recess or adjourn. (A. 15)
- 5.8.4 However, a Committee of the Whole may recommend such options (Rule 5.8.3) to the assembly. (A.15)
- 5.8.5 Resolutions in a Committee of the Whole require a simple majority to carry. (A.15)
- 5.8.6 A resolution to "rise and report" is neither debatable nor amendable and may be moved at any time. (A.15)
- 5.8.7 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. (A.15)
- 5.8.8 After the Committee of the Whole rises and reports, any resolutions passed in the Committee of the Whole, except procedural resolutions, or any resolutions or amendments recommended by the Committee of the Whole, shall be proposed as resolutions. Such resolutions shall be put and decided without debate or amendment. (A.15)
- 5.8.9 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. (A.15)
- 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 House Committees shall be selected by the House. Voting and non-voting members shall be clearly indicated in the resolution establishing the House Committee. (A.15)
- 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 subcommittee.
- 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", or at the House's final adjournment. It cannot extend the time of its existence, even by a unanimous vote.(A.15)
- 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 in the assembly as main resolutions without debate or amendment and shall require the same vote count as the original resolutions. The vote on such recommendations shall be the decisions of the House on the resolutions referred to the House Committee. (A.15)
- 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 Executive Session occurs whenever the proceedings are secret or confidential, such as when a body must consider matters relating to personnel or matters of serious importance to the body. (A.15)
- 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 Speaker in the Chair, and members of OSSTF/FEESO and minimal staff present." (PC 91) (A.19)

- 5.10.2.2 Minimal staff shall be as defined in the constitution, bylaws, standing rules or handbook of the body or as limited by the standard resolution. (A.15)
- 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/FEESO. 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. (A.15)
- 6.1.2 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. (A.15)
- 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 their vote up to the time the result is finally announced. (A.15)

- 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 vote, a recount of the teller's tabulations can be ordered to assure that the count is precisely correct as reported. In the case of a roll call vote, a recapitulation may be conducted. (A.15)

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 and insertion, (A.15)
- 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 The first amendment to a resolution is the primary amendment. There may be a secondary amendment to the primary amendment, but a secondary amendment cannot be amended. (A.15)
- 7.4 The sequence of voting on amendments is as follows:
 - 7.4.1 the secondary amendment, (A.15)
 - 7.4.2 the primary amendment, (A.15)
 - 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 "Notice of Motion" appears as an agenda item;
 - 8.2.1 The resolution appears in print, or is read into the record;
 - 8.2.2 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 Inquiries (must be recognized in the order of debaters) (A.15)
 - 9.2.1 A Parliamentary Inquiry is a question to the Presiding Officer relating to procedure or to

the meaning or effect of the impending resolution. (A.15)

9.2.2 A Request for Information is a question to the debater or proposer of the resolution about the pending resolution.(A.15)

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/FEESO 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** (most recent edition).
- 11.1.3 **Sturgis Standard Code of Parliamentary Procedure** (most recent edition). (A.15)
- 11.1.4 **Bourinot's Rules of Order** (most recent edition). (A.15)

OSSTF/FEESO 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)*.

	INTERRUPT?	SECOND?	DEBATE?	AMEND?	VOTE?	RECONSIDER?
PRIVILEGED MOTIONS						
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
Calls for the Orders of the Day	Yes	No	No	No	(19)	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 (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
INCIDENTAL MOTIONS OR POINTS RAISED DURING THE MEETING						
<i>Incidental Motions</i> 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
Request for 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 <i>Reconsider</i>) 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 (20)	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. Unlike Robert's, 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) Unlike Robert's, 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)
- (19) Upon a call by a single member, the orders of the day must be enforced. (A.15)
- (20) This motion can be used to amend an agenda that had already been adopted. (A.15)

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