

OSSTF Toronto Teachers' Bargaining Unit



2020 - 2021 CONSTITUTION, BYLAWS, and POLICIES

OSSTF TORONTO TEACHERS' BARGAINING UNIT CONSTITUTION, BYLAWS, and POLICIES

CONSTITUTION

ARTICLE 1	DEFINITIONS	Page 3
ARTICLE 2	NAME	Page 3
ARTICLE 3	BARGAINING UNIT ORGANIZATION	Page 4
ARTICLE 4	ANTI-HARASSMENT AND ANTI-BULLYING POLICY AND PROCEDURE	Page 4
ARTICLE 5	BYLAWS	Page 4
ARTICLE 6	AMENDMENTS	Page 5
ARTICLE 7	LEVY	Page 5
ARTICLE 8	CONCURRENCE	Page 5

BYLAWS

BYLAW 1	BARGAINING UNIT BRANCH	Page 6
BYLAW 2	BARGAINING UNIT COUNCIL	Page 8
BYLAW 3	STANDING COMMITTEES	Page 9
BYLAW 4	EXECUTIVE	Page 13
BYLAW 5	GENERAL MEETING	Page 17
BYLAW 6	AMENDMENTS	Page 17
BYLAW 7	PROVINCIAL COUNCILLORS	Page 18
BYLAW 8	RATIFICATION OF A TENTATIVE AGREEMENT	Page 18
BYLAW 9	LEVY	Page 18
BYLAW 10	RESERVE FUNDS	Page 18

POLICY STATEMENTS

Page 21

OSSTF TORONTO TEACHERS' BARGAINING UNIT CONSTITUTION, BYLAWS, and POLICIES

CONSTITUTION

ARTICLE 1 – DEFINITIONS

- 1.1 “Bargaining Unit” shall mean the TTBU and Continuing Education Teachers’ Bargaining Unit of District 12 OSSTF Toronto.
- 1.2 “Bylaws” shall mean standing rules governing the membership of OSSTF District 12 Toronto Teachers’ Bargaining Unit; made under this Constitution on matters of internal regulations and matters, which are entirely within the control of District 12 Toronto Teachers’ Bargaining Unit.
- 1.3 “Branch” shall mean all of the teachers assigned to a particular school/worksite, or all centrally assigned teachers for each of the Education Offices, all centrally assigned teachers working under the same administrator.
- 1.4 “Council” shall mean the Bargaining Unit Council.
- 1.5 “Days” shall mean instructional days.
- 1.6 “District” shall mean District 12 OSSTF, Toronto.
- 1.7 “Member” shall mean an active member of the Bargaining Unit.
- 1.8 “TTBU” shall mean Toronto Teachers’ Bargaining Unit.
- 1.9 “Time Release” shall mean the secondment of an elected Member to work at the District 12 office to perform work for District 12 TTBU.
- 1.10 “Year” shall mean a Member’s school year.

ARTICLE 2 – NAME

- 2.1 This organization shall be known as District 12 OSSTF, Toronto Teachers’ Bargaining Unit.

ARTICLE 3 – BARGAINING UNIT ORGANIZATION

3.1 Executive

3.1.1 There shall be a Bargaining Unit Executive consisting of

3.1.1.1 voting members as follows:

3.1.1.1.1 the President;

3.1.1.1.2 two Vice Presidents;

3.1.1.1.3 the Treasurer;

3.1.1.1.4 six Executive Officers.

3.1.1.2 Non-voting members as follows:

3.1.1.2.1 Staffing Officer(s);

3.1.1.2.2 Chief Negotiator.

3.2 Council

3.2.1 The voting members of Council shall be the Executive, the Bargaining Unit Health and Safety Inspectors, all Branch Presidents and other elected Branch representatives as specified in the Bylaws.

3.3 Branches

3.3.1 There shall be Bargaining Unit Branches.

3.3.2 A Branch may establish and amend its Branch constitution at a General Meeting of the Branch and such constitution shall not contravene the Constitution or Bylaws of the Bargaining Unit, the District or the Provincial OSSTF.

3.4 Standing Committees

3.4.1 There shall be Standing Committees as determined by the Bylaws.

ARTICLE 4 – ANTI-HARASSMENT AND ANTI-BULLYING POLICY AND PROCEDURE

4.1 The Bargaining Unit shall have an Anti-Harassment and Anti-Bullying Policy and Procedure.

ARTICLE 5 – BYLAWS

5.1 The Bargaining Unit may pass at a General Meeting Bylaws which are not inconsistent with the District and/or the Provincial Constitutions and Bylaws.

ARTICLE 6 – AMENDMENTS

- 6.1 Amendments to this Constitution may be made at a General Meeting
- 6.1.1 by a two thirds vote provided that:
 - 6.1.1.1 notice of the proposed amendment has been given in writing to the Constitution and Steering Committee 20 Days prior to the General Meeting and,
 - 6.1.1.2 such notice has been forwarded to the Members at least 10 Days prior to the General Meeting.
- 6.1.2 By a nine-tenths vote if previous notice has not been given.

ARTICLE 7 – LEVY

- 7.1 There shall be a levy upon Members as described in the Bylaws.

ARTICLE 8 – CONCURRENCE

- 8.1 No part of the Constitution and Bylaws of the District 12 TTBU shall contradict any part of the District 12 or Provincial OSSTF Constitution and Bylaws.

BYLAWS

BYLAW 1 – BARGAINING UNIT BRANCH

- 1.1 **Branch Executive**
- 1.1.1 Each Branch Executive shall consist of at least
 - 1.1.1.1 a President;
 - 1.1.1.2 a Secretary/Treasurer;
 - 1.1.1.3 a Staff Workload Representative;
 - 1.1.1.4 TTBU Council Representative(s) (where FTE provides for council representation in addition to the branch president).
- 1.1.2 Each Branch Executive may also have
 - 1.1.2.1 a Vice President;
 - 1.1.2.2 a representative for Occupational Health and Safety;
 - 1.1.2.3 a representative for Professional Development and Excellence in Education;
 - 1.1.2.4 a representative for Pensions and Benefits;
 - 1.1.2.5 a representative for the District 12 Status of Women Committee;
 - 1.1.2.6 a representative for the District 12 Political Action Committee;
 - 1.1.2.7 a representative for the District 12 Human Rights Committee;
 - 1.1.2.8 a representative for the District 12 Gay Straight Alliance Committee;
 - 1.1.2.9 a Member representative on the School (Parent) Council;
 - 1.1.2.10 a representative on the TTBU Communications Committee;
 - 1.1.2.11 other officers as may be deemed needed.
- 1.1.3 **Term of Office**
- 1.1.3.1 The Term of Office shall be from July 1 of one calendar year until June 30 of the following calendar year.
- 1.1.4 **Duties:**
- 1.1.4.1 The duties of the President shall be to:
 - 1.1.4.2 furnish the Bargaining Unit with a complete list of all Members of the Branch including mailing address, telephone number and personal e-mail address of each Member, at the beginning of each school year;
 - 1.1.4.3 update the list of Members outlined in 1.1.4.2 in February;
 - 1.1.4.4 conduct Branch elections as stipulated in Bylaw 1.2;
 - 1.1.4.5 attend Council Meetings;
 - 1.1.4.6 provide assistance to Branch Members as required;
 - 1.1.4.7 hold monthly OSSTF Branch Meetings;
 - 1.1.4.8 conduct a Staffing Committee Election;
 - 1.1.4.9 send the results of the Branch Executive Elections to the TTBU office no later than the second Friday of September for the year in which the positions will be held;
 - 1.1.4.10 fulfill duties as prescribed by the Collective Agreement.
- 1.1.5 **Duties of the Staff Workload Representative:**
- 1.1.5.1 fulfill duties as prescribed by the Collective Agreement.

- 1.2 **Branch Executive Elections**
- 1.2.1 **Election Meeting**
- 1.2.1.1 An election meeting for all positions on the Branch Executive shall be held in June of each calendar year where feasible and no later than the Thursday prior to the first Council meeting for the year in which the positions will be held.
- 1.2.2 **Notice of Branch Executive Election**
- 1.2.2.1 A minimum of five Days' notice of the election meeting shall be distributed to each Member of the Branch.
- 1.2.2.2 Notice shall consist of:
 - 1.2.2.2.1 the positions being elected;
 - 1.2.2.2.2 the place of candidate speeches;
 - 1.2.2.2.3 the time of candidate speeches;
 - 1.2.2.2.4 the place and time of balloting;
 - 1.2.2.2.5 the rules for nominations as outlined in Bylaw 1.2.3;
 - 1.2.2.2.6 a nomination form.
- 1.2.3 **Nominations require:**
 - 1.2.3.1 a nominator;
 - 1.2.3.2 a seconder;
 - 1.2.3.3 the consent of the nominee.
- 1.2.3.4 Members may be nominated from the floor of the election meeting.
- 1.2.4 **Candidate speeches**
- 1.2.4.1 Each candidate shall be allowed two (2) minutes at the election meeting in which to speak to the Members of the Branch.
- 1.2.5 **Voting**
- 1.2.5.1 Voting shall be conducted by secret ballot unless there is only one nominee in which case that nominee shall be acclaimed.
- 1.2.5.2 Counting of ballots must be done by OSSTF Members who are not candidates.
- 1.2.5.3 Each candidate may have one scrutineer who is a Member.
- 1.2.5.4 The candidate with the highest vote count for each position shall be declared elected.
- 1.2.5.5 Names of elected Members may be announced at the end of the ballot count, but must be posted on the OSSTF bulletin board the Day after the election is held.
- 1.2.5.6 A motion to recycle the ballots will be entertained at the end of the ballot count, or at the next Branch meeting.
- 1.2.6 **Staffing Committee Elections**
- 1.2.6.1 Election for Staffing Committee representatives shall occur at a Branch meeting with only Members present by the end of October of each Year.
- 1.2.6.2 The date of the upcoming election shall be posted on the OSSTF bulletin board no later than two weeks prior to the Branch meeting at which the election is to occur.
- 1.2.6.3 Nomination forms shall be placed in all Members' mailboxes no later than one week prior to the date of the Branch election date.
- 1.2.6.4 Completed nomination forms shall be returned to the Branch President.
- 1.2.6.5 Nominations shall close at 4:00 p.m. on the Day which is two Days before the Branch election is to be held.

- 1.2.6.6 Names of candidates shall be posted on the OSSTF bulletin board upon close of nominations. Should only enough names come forward to fill the vacant positions, then those names shall be posted on the OSSTF bulletin board, with an acclamation declaration and an announcement of the acclaimed Members at the Branch meeting.
- 1.2.6.7 Each candidate shall be allowed two (2) minutes at the election meeting to speak to Members of the Branch.
- 1.2.6.8 Elections shall be conducted by secret ballot.
- 1.2.6.9 Counting of ballots must be done by Members who are not candidates.
- 1.2.6.10 Each candidate may have one scrutineer who is a Member.
- 1.2.6.11 The two Members with the highest vote count shall be declared elected.
- 1.2.6.12 Names of elected Members may be announced at the end of the ballot count, but must be posted on the OSSTF bulletin board the Day after the election is held.
- 1.2.6.13 A motion to recycle the ballots should be entertained at the end of the ballot count or at the next Branch meeting.
- 1.2.6.14 The Branch President will inform the principal in writing of the members of the Staffing Committee no later than November 15 of each school year.

BYLAW 2 – BARGAINING UNIT COUNCIL

- 2.1 **Meetings**
- 2.1.1 There shall be monthly TTBU Council Meetings throughout the Year with the exception of March. A meeting may be called for March at the discretion of the Executive or Council.
- 2.1.2 The meetings shall be called at the request of the Executive.
- 2.1.3 The quorum of the meetings shall be 40% of the members of Council.
- 2.2 **Duties:**
- 2.2.1 It shall be the duty of the Council to:
 - 2.2.1.1 make interim policies and procedures for the Bargaining Unit;
 - 2.2.1.2 approve a conceptual brief prior to the Bargaining Unit=s opening position being tabled in negotiations;
 - 2.2.1.3 provide direction to the Executive and Standing Committees;
 - 2.2.1.4 act in the name of the Bargaining Unit between general meetings of the Bargaining Unit;
 - 2.2.1.5 make recommendations to the general meeting in accordance with Bylaw 5 – General Meetings;
 - 2.2.1.6 hold one election for delegates and alternates to the Annual Meeting of the Provincial Assembly at the December meeting;
 - 2.2.1.7 elect the TTBU Provincial Councillors at the June meeting, for the Year;
 - 2.2.1.8 elect 3 District Executive Officers at large at the September meeting, where nominations have been received at least two weeks prior to Council;
 - 2.2.1.9 approve the Budget.

- 2.3 **Representation at Council**
- 2.3.1 All Branches shall have a minimum representation of one council member per branch.
- 2.3.2 Additional representatives shall be allocated on the basis of one (1) for every thirty (30) full time equivalent members or major part thereof, after the first twenty (20) based on the annual Staffing Allocation provided by the Board.
- 2.3.2.1 These representatives will be elected in accordance with the Branch Executive Election procedures stipulated in Bylaw 1.2.
- 2.3.2.2 Where an elected TTBU Council Representative is unable to attend a Council meeting, the Branch President will submit the name of an alternate from the same Branch to the TTBU Constitution and Steering Committee no later than the day prior to the Council Meeting.
- 2.4 **Rules of Order**
- 2.4.1 The Rules of Order of Council shall be those recommended by the Constitution and Steering Committee and adopted by Council.

BYLAW 3 – STANDING COMMITTEES

- 3.1 There shall be the following Standing Committees:
- 3.1.1 **Collective Bargaining Committee**
- 3.1.1.1 **Membership**
- 3.1.1.1.1 The membership of the Collective Bargaining Committee shall be limited to a maximum of 15 Members, including at least one representative from an Adult Education Centre, one representative from a Junior High School, the Chief Negotiator and the liaison from the Executive.
- 3.1.1.1.2 Notwithstanding Bylaw 3.1.1.1.1, no new members will be accepted on the committee after the close of the first meeting with the exception of fulfilling the committee membership requirements as in 3.1.1.1.1.
- 3.1.1.1.3 The membership of the committee shall remain intact for one complete round of negotiations, including ratification of a new Collective Agreement.
- 3.1.1.1.4 A member of the committee who ceases to be a Member of the District 12 TTBU shall be replaced by election at the next Council meeting.
- 3.1.1.2 **Duties**
- 3.1.1.2.1 With respect to negotiations, the Collective Bargaining Committee shall:
- 3.1.1.2.1.1 read and consider reports from the provincial OSSTF Collective Bargaining Committee and implement any directives;
- 3.1.1.2.1.2 ascertain the negotiating priorities of the membership through the development, distribution and debriefing of a membership survey and collate and summarize the results of the membership survey;
- 3.1.1.2.1.3 provide recommendations to the TTBU Executive regarding negotiating priorities based on the results of the membership survey;
- 3.1.1.2.1.4 create a conceptual brief for presentation to the TTBU Executive not later than sixty Days prior to the expiration of the current Collective Agreement.
- 3.1.1.2.1.5 At the request of the negotiation team, assist with the writing of the opening brief to be presented to the Board.

- 3.1.1.2.1.6 At the request of the TTBU Executive, aid the TTBU Executive in disseminating information to membership and provide information at Branch meetings.
- 3.1.1.2.1.7 Provide information to the membership and Executive about trends in benefits and benefits costing.
- 3.1.1.2.1.8 Organize Pension/Retirement workshops for members.
- 3.1.1.3 **Grievance Appeals**
- 3.1.1.3.1 With respect to grievance procedures the Collective Bargaining Committee shall:
- 3.1.1.3.2 elect three members of the committee to serve as the Grievance Appeal Committee.
- 3.1.1.3.3 The Grievance Appeal Committee members are to be elected by the Collective Bargaining Committee from within its current membership.
- 3.1.1.4 **Grievance Appeals Process**
- 3.1.1.4.1 Member(s) wishing to appeal a decision of the Executive not to carry forward a grievance shall do so in writing to the Executive Liaison to the Collective Bargaining Committee within 20 Days of being informed of the decision.
- 3.1.1.4.2 The Executive Liaison shall inform the Chair of the Collective Bargaining Committee and the TTBU Executive of the appeal.
- 3.1.1.4.3 The Chair of the Collective Bargaining Committee shall inform the members of the Grievance Appeal Committee of the request for an appeal.
- 3.1.1.4.4 The Grievance Appeal Committee shall convene a hearing within 20 Days of the appeal being submitted.
- 3.1.1.4.5 At the hearing the Member(s) appealing the decision and a member(s) of the Executive will each be given an opportunity to state their case to the Appeal Committee.
- 3.1.1.4.6 A written decision to either uphold or deny the appeal will be provided by the Appeal Committee to the Member(s) and the Executive within 10 Days of the hearing.
- 3.1.2 **Professional Development Committee**
- 3.1.2.1 The Committee shall consist of those Members who have an expressed interest in the work of the committee and/or Members appointed by the TTBU Executive.
- 3.1.2.2 **Duties:**
- 3.1.2.2.1 advise the TTBU Executive and Council on professional development activities;
- 3.1.2.2.2 assist with the planning of professional development activities;
- 3.1.2.2.3 may perform other duties as requested by either the Executive or Council.
- 3.1.3 **Budget Committee**
- 3.1.3.1 This committee shall include the Treasurer, three Members appointed by the Executive, and up to three additional Members elected by Council at the April Council meeting.
- 3.1.3.2 The membership of the committee shall remain intact from the time of the appointment and elections of its members to the April Council meeting of the following year.
- 3.1.3.2 **Duties:**
- 3.1.3.2.1 to prepare a draft budget for the Federation year for presentation to the Bargaining Unit Executive prior to the date of the TTBU Annual General Meeting;

- 3.1.3.2.2 to advise the Bargaining Unit Executive on matters related to the budget;
- 3.1.3.2.3 to periodically review the purposes and practices concerning any and all TTBU funds and to report its findings to the TTBU Executive;
- 3.1.3.2.4 to monitor all special TTBU accounts.
- 3.1.3.3 **Filling of Committee Vacancy**
- 3.1.3.3.1 Any vacancy on the committee shall be filled.
- 3.1.3.3.2 If the vacant position had been held by an appointed Member, the vacancy shall be filled by the Executive immediately following the occurrence of the vacancy.
- 3.1.3.3.3 If the vacant position had been held by an elected Member, the vacancy shall be advertised to the membership as soon as possible after the occurrence of the vacancy.
- 3.1.3.3.4 The vacancy shall be filled by election by Council at the first Council meeting after a five Day notification of the vacancy.
- 3.1.4 **Constitution and Steering Committee**
- 3.1.4.1 The committee shall consist of those Members who have an expressed interest in the work of the Committee and who have applied for membership on the Committee prior to the first meeting of the Committee each Year, or Members appointed by the Executive.
- 3.1.4.2 **Duties**
- 3.1.4.2.1 propose amendments to this Constitution and Bylaws and Policies and report to the Council;
- 3.1.4.2.2 provide advice and assistance to the Bargaining Unit including the Bargaining Unit Executive and Members on matters related to Constitution, Bylaw and Policy amendments upon request;
- 3.1.4.2.3 review & monitor this Constitution, Bylaws and Policies annually;
- 3.1.4.2.4 make recommendations on constitutional issues of the Bargaining Unit upon Request;
- 3.1.4.2.5 act as a steering committee and provide a Chair for all Council Meetings and general meetings.
- 3.1.5 **Communications Committee**
- 3.1.5.1 The committee shall consist of those Members who have an expressed interest in the work of the committee and any additional Members elected or appointed by the Bargaining Unit Executive.
- 3.1.5.1.2 The committee may invite a representative from each of the other District 12 Bargaining Units.
- 3.1.5.2 **Duties**
- 3.1.5.2.1 It will be the duty of the committee to:
 - 3.1.5.2.1.1 promote the dissemination of information within the Bargaining Unit and between District 12 Members, Provincial OSSTF Members, and the wider community through methods including but not limited to newsletters, emails, and social media;
 - 3.1.5.2.1.2 provide expertise and advice in improving communication techniques;
 - 3.1.5.2.1.3 make recommendations for long-term communications strategies;
- 3.1.5.3 The TTBU Executive shall have ultimate responsibility for the newsletter.

- 3.1.6 **Task Forces and AD HOC Committees**
- 3.1.6.1 All District 12 TTBU task forces and ad hoc committees shall:
- 3.1.6.1.1 be created and approved by D12 TTBU Council or D12 TTBU Executive;
- 3.1.6.1.2 have at least one formal organizational meeting within one school month of that creation and approval;
- 3.1.6.1.3 not exceed four months in duration from the date of that creation and approval unless an extension is mandated by D12 TTBU Council or D12 TTBU Executive;
- 3.1.6.1.4 furnish a written report to both the D12 TTBU Council and the D12 TTBU Executive within the mentioned four-month period unless 3.1.6.1.3 is invoked.
- 3.1.7 **Election Commission Committee**
- 3.1.7.1 An election commission, consisting of members of Council, shall be established by November 1 of an election year and shall stay in existence for 2 years. It shall operate for both regular biennial May elections and by-elections that may occur during this 2-year period.
- 3.1.7.2 **Duties**
- 3.1.7.2.1 review and publish the rules governing TTBU Executive elections each election year as defined in Bylaw 4.2 that shall include but not be limited to appropriate timing of candidate speeches and question periods;
- 3.1.7.2.2 receive nominations for all elected positions;
- 3.1.7.2.3 monitor the fair and equitable treatment of all candidates;
- 3.1.7.2.4 monitor the campaign literature of all candidates, and its distribution;
- 3.1.7.2.5 chair the elections portion of the AGM;
- 3.1.7.2.6 conduct the election;
- 3.1.7.2.7 examine the election procedure and present a report, with any recommended changes, on time and in writing no later than the September Council following an election;
- 3.1.7.2.8 perform other duties as assigned by Council.
- 3.1.7.3 A member of the Election Commission Committee shall resign from the Commission Committee upon the submission of his/her nomination for election to the TTBU Executive.
- 3.1.7.4 A chief electoral officer, who may be a retired member, will be appointed by the Executive in consultation with the Election Commission.
- 3.2 **Committee Chairpersons**
- 3.2.1 Unless otherwise provided for in these Bylaws, the members of each standing committee shall elect one of the members of their committee to serve as chairperson.
- 3.3 **Committee Meetings**
- 3.3.1 Meetings shall be at the call of the Committee chairperson or as determined by the Executive and/or Council.
- 3.4 **General Duties of Committees**
- 3.4.1 It shall be the duties of the committees to:
- 3.4.1.1 advise the Executive and/or Council;
- 3.4.1.2 act at the direction of the Executive and/or Council.

BYLAW 4 – EXECUTIVE

4.1 Duties

- 4.1.1 It shall be the duty of the Executive to:
 - 4.1.1.1 carry out the policies, procedures, and duties assigned to it by the Constitution and the Bylaws;
 - 4.1.1.2 be responsible for the ongoing activities of the Bargaining Unit;
 - 4.1.1.3 appoint the Bargaining Unit Staffing Officer(s) and Chief Negotiator;
 - 4.1.1.4 call meetings as outlined in the Bylaws;
 - 4.1.1.5 provide basic agenda materials wherever and whenever possible (including, but not limited to, an agenda, minutes from previous meeting(s), on-time motions, committee reports, etc.) to Members in their Branches at least 5 days prior to the meeting;
 - 4.1.1.6 publish the approved minutes of TTBU Executive Meetings on the TTBU Website;
 - 4.1.1.7 make recommendations to the AGM regarding items of concern to the Bargaining Unit;
 - 4.1.1.8 publish and distribute to all Branch Presidents, as soon as possible in each school year, a list of all branches and Branch Presidents and their school telephone numbers, when and if legally available in accordance with relevant privacy legislation as amended from time to time;
 - 4.1.1.9 publish the approved minutes of TTBU Council meetings on the TTBU Website;
 - 4.1.1.10 call a meeting of the Annual General Meeting.
- 4.1.2 In addition, it shall be the duty of the voting members of the Executive to:
 - 4.1.2.1 constitute the Steering Committee for collective bargaining;
 - 4.1.2.2 serve as the Bargaining Unit's Grievance Committee;
 - 4.1.2.3 serve as TTBU representatives on the District 12 Executive;
 - 4.1.2.4 ensure that, prior to any changes to seniority provisions in the collective agreement, the proposed changes be distributed to all Members prior to the opening of negotiations and that the proposals be submitted to an every Member vote;
 - 4.1.2.5 appoint the Bargaining Unit Occupational Health & Safety Officer;
 - 4.1.2.6 appoint the Bargaining Unit Occupational Health & Safety Inspectors;
 - 4.1.2.7 appoint an executive liaison to all TTBU Committees;
 - 4.1.2.8 develop the Anti-Harassment and Anti-Bullying Policy and Procedure.
 - 4.1.2.9 distribute at the September Council the number of Councillors of each Branch and the corresponding number of full time equivalent members;
 - 4.1.2.10 ensure that all Council voting badges include the name of the Branch.

4.2 Executive Elections

- 4.2.1 The Membership shall be informed of the election date by November 30 of the Year in which the election falls.

4.2.2 Nominations

- 4.2.2.1 Nomination forms shall be distributed in each Branch no later than 30 days prior to the election date.

- 4.2.2.2 Any Member may be nominated for up to two (2) different elected positions on the Executive, one of which shall be considered as a drop down.
- 4.2.2.3 The nominee and two Members must sign a valid nomination form.
- 4.2.2.4 Nominations must be submitted to the Union Office 15 Days prior to the Annual General Meeting.
- 4.2.3 **Voting**
- 4.2.3.1 Voting shall be done by secret ballot no sooner than the week following the Annual General Meeting.
- 4.2.3.2 There shall be a single ballot.
- 4.2.3.3 The ballot shall consist only of the names of the positions, the names of the candidates for each position and instructions about how to mark the ballot.
- 4.2.3.4 Votes will be counted in the order of: President, Vice President, Treasurer and Executive Officer.
- 4.2.3.5 For the Office of President:
- 4.2.3.5.1 voters may vote for one candidate;
- 4.2.3.5.2 one to be elected.
- 4.2.3.6 For the Office of Vice President:
- 4.2.3.6.1 voters may vote for up to the total of two (2) plus the number of drop-downs for Vice President;
- 4.2.3.6.2 two to be elected.
- 4.2.3.7 For the Office of Treasurer:
- 4.2.3.7.1 voters may vote for one (1) plus the number of drop-downs for Treasurer;
- 4.2.3.7.2 one to be elected.
- 4.2.3.8 For the Office of Executive Officer:
- 4.2.3.8.1 voters may vote for up to the total of six (6) plus the number of drop-downs for Executive Officer;
- 4.2.3.8.2 six to be elected.
- 4.2.3.9 For the purpose of counting ballots, candidates elected to office shall have their names removed from any subsequent vote tally for other offices.
- 4.2.4. **Declaration of elected officers**
- 4.2.4.1 President: the candidate with the highest vote count.
- 4.2.4.2 Vice President: the two candidates with the two highest vote counts;
- 4.2.4.2.1 the candidate with the highest vote count shall be declared First Vice President.
- 4.2.4.3 Treasurer: the candidate with the highest vote count.
- 4.2.4.4 Executive Officer: the six candidates with the six (6) highest vote counts.
- 4.2.5 All candidates shall have an opportunity to present a speech and to answer questions at the Annual General Meeting for the most senior office that he/she is contesting.
- 4.3 **Filling Mid-Term Executive Vacancies**
- 4.3.1 A vacancy in an Executive position, or the potential of a vacancy in an Executive position, shall be announced at a regularly scheduled Council meeting.
- 4.3.2 A mid-term vacancy on the Executive shall be filled by Council vote at a regularly scheduled Council meeting.
- 4.3.3 The date of an election to fill a vacancy shall be announced at a regularly scheduled Council meeting no later than the Council meeting prior to the meeting at which the election to fill the vacancy will occur.

- 4.3.4 Notwithstanding Bylaw 4.3.2, should the position of President become vacant, the vacancy shall be filled by the Vice President who received the highest number of votes in the previous election or,
- 4.3.4.1 in the event that the Vice Presidents were acclaimed, received the same number of votes in the previous election, or were elected in accordance with this Bylaw, Council shall fill the vacancy by an election with only the Vice Presidents eligible to be candidates.
- 4.3.5 Council shall fill a vacancy in the position of Treasurer with only the Vice Presidents and Executive Officers eligible to be candidates.
- 4.3.6 Council shall fill a vacancy in the position of Vice President with only the Executive Officers eligible to be candidates.
- 4.3.7 Council shall fill a vacancy in the position of Executive Officer with all Members eligible to be candidates.
- 4.3.8 In all cases, nominations of those eligible who wish to be considered as candidates to fill a vacancy must be received at the Union Office no later than two weeks prior to the Council at which the election is to be held.
- 4.3.9 Names of nominated candidates will be made available to Members in the on-time Council package for the meeting at which the election will be held.
- 4.3.10 Candidates will be given a list of fax numbers for each Branch and may distribute one 8.5"x 11" piece of literature to each Branch with a request of the Branch President that he/she distribute the literature to Council members at the Branch. The Branch President will post the literature on the OSSTF bulletin board in their Branch.
- 4.3.11 Candidates may distribute the same, or one additional 8.5" x 11" piece of literature at the Council Meeting at which the election is to be held.
- 4.3.12 Candidates who provide an electronic copy of their literature by the deadline set by the Executive will have their literature posted on the TTBU website.
- 4.3.13 A majority vote (50% +1) will be required in order to declare a candidate elected.
- 4.3.14 Should there be more than two (2) candidates remaining on the ballot and a subsequent ballot(s) is required, the candidate with the lowest vote count will be dropped from subsequent ballots.
- 4.3.1.5 In the event of a tie vote to declare the winner, another ballot will take place. Voting will continue until a candidate is declared elected.
- 4.4 **Filling Temporary Executive Absences for illness or statutory leave**
- 4.4.1 In the event that a Member of the Executive requires a statutory leave or a sick leave where the TDSB agrees to place that person on the Board's sick leave plan, the following process will be used when it is deemed necessary to replace the Member of the Executive for the duration of the vacancy.
- 4.4.2 In the event the President requires statutory/sick leave, the vacancy shall be filled by the Vice President who received the highest number of votes in the previous election or
- 4.4.3 In the event that the Vice Presidents were acclaimed or received the same number of votes in the previous election the vacancy shall be filled by the Vice President who, by virtue of length of time on the Executive is the senior Vice President.
- 4.4.4 In the event the Treasurer requires a statutory/sick leave, the vacancy shall be filled by one of the Vice Presidents or Executive Officers as recommended by the Executive and approved by Council.

- 4.4.4 In the event one of the Vice Presidents requires a statutory/sick leave, or is replacing the Treasurer or President in accordance with this Bylaw, the Vice President shall be replaced by the Executive Officer who received the highest number of votes in the previous election or
- 4.4.5 In the event that the top Executive Officers received the same number of votes, or all Executive Officers were acclaimed, by the Executive Officer who has served the longest on the Executive.
- 4.4.6 In the event that an Executive Officer requires a statutory/sick leave or is replacing the Treasurer or a Vice President in accordance with this Bylaw, the vacancy shall be filled from among the Members as recommended by the Executive and approved by Council.
- 4.4.7 Any position filled in accordance with this Bylaw is subject to the Term of Office.
- 4.5. **Meetings**
- 4.5.1 Meetings of the Executive shall be held at the call of the President or a majority of the voting members of the Executive.
- 4.6. **Quorum**
- 4.6.1 A majority of the voting members of the Executive shall constitute a quorum.
- 4.7. **Term**
- 4.7.1 The term of office shall be two years commencing July 1 and ending June 30.
- 4.8. **Duties of the President**
- 4.8.1 It shall be the duty of the President to:
- 4.8.1.1 act as the Chief Executive Officer for all matters;
- 4.8.1.2 call meetings of the Executive;
- 4.8.1.3 act as ex-officio member of Committees;
- 4.8.1.4 chair meetings of the Executive;
- 4.8.1.5 undertake such additional duties as shall be required to ensure that the membership is adequately served;
- 4.8.1.6 report at meetings of the Executive, Council and General Meetings;
- 4.8.1.7 delegate duties to the voting members of the Executive and to members at large;
- 4.8.1.8 be a signing authority of the bank account.
- 4.9. **Duties of the Vice Presidents**
- 4.9.1 It shall be the duty of the Vice Presidents to:
- 4.9.1.1 perform duties as assigned by the President;
- 4.9.1.2 report at meetings of the Executive, Council and General Meetings on these assigned duties;
- 4.9.1.3 be a signing authority for the bank account;
- 4.9.1.4 be the TTBU Grievance Officers in consultation with the TTBU Executive.
- 4.10. **Duties of the Executive Officers**
- 4.10.1 It shall be the duty of the Executive Officers to:
- 4.10.1.1 perform the duties as assigned by the President;
- 4.10.1.2 report at Council Meetings on these assigned duties;
- 4.11. **Duties of the Treasurer**
- 4.11.1 It shall be the duty of the Treasurer to:
- 4.11.2 perform duties as assigned by the President;

- 4.11.3 report at meetings of the Executive, Council and General Meetings on these assigned duties;
- 4.11.4 be a signing authority for the bank account;
- 4.11.5 serve as chairperson of the Budget Committee.
- 4.12 **Duties of the Chief Negotiator**
- 4.12.1 It shall be the duty of the Chief Negotiator to:
- 4.12.1.1 perform duties as outlined by the President and/or Executive;
- 4.12.1.2 report at meetings of the Executive, Council and General Meetings on these assigned duties.
- 4.13 **Duties of the Staffing Officer(s)**
- 4.13.1 It shall be the duty of the Staffing Officer(s) to:
- 4.13.1.1 perform the duties as assigned by the President;
- 4.13.1.2 attend Board wide and Regional Transfer/Surplus meetings;
- 4.13.1.3 report at meetings of the Executive and Council Meetings on these assigned duties.

BYLAW 5 – GENERAL MEETING

- 5.1 **Representation**
- 5.1.1 All Members.
- 5.2 **Duties**
- 5.2.1 It shall be the duty of the General Meeting to:
- 5.2.1.1 establish policies and procedures;
- 5.2.1.2 amend the Constitution and Bylaws.
- 5.3 **Meetings**
- 5.3.1 General Meetings shall be called at the request of the Executive and/or Council.
- 5.3.2 There shall be a minimum of one General Meeting per year that shall be the Annual General Meeting.
- 5.4 **Quorum**
- 5.4.1 There shall be a quorum of 200 Members.
- 5.5 **Rules of Order**
- 5.5.1 The Rules of Order of a General Meeting shall be those recommended by the Constitution and Steering Committee and adopted by the General Meeting.

BYLAW 6 –AMENDMENTS

- 6.1 Amendments to these Bylaws may be made at the General Meeting by a majority vote provided that:
- 6.1.1 notice of the proposed amendment has been given in writing to the Constitution and Steering Committee twenty (20) Days prior to the General Meeting;
- 6.1.1.2 such notice shall have been forwarded to the Members at least 10 Days prior to the General Meeting.
- 6.1.2.1 By a three-quarters vote if previous notice has not been given.

BYLAW 7 – PROVINCIAL COUNCILLORS

- 7.1 Provincial Councillors shall be the leaders of the AMPA Delegation and shall have delegate status.

BYLAW 8 – RATIFICATION OF A TENTATIVE SETTLEMENT

- 8.1 Within five (5) days of reaching a tentative settlement of a collective agreement, the Executive will:
- 8.1.1 set a ratification vote date, post it on the TTBU website, and notify all Branches of the date;
 - 8.1.2 call a special Council meeting to discuss the settlement and inform the Members of the meeting by posting the details on the TTBU website and notifying all of the Branches;
 - 8.1.3 provide at the special Council meeting complete written copies of the tentative settlement;
 - 8.1.4 distribute at least one complete, written copy of the tentative settlement to each worksite;
 - 8.1.5 distribute a written summary of the tentative settlement to each member in each worksite;
 - 8.1.6 either recommend acceptance, rejection, or make no recommendation to the membership on the tentative settlement.
 - 8.1.7 Ratification shall be by a full Membership vote by secret ballot with each Member receiving one vote.
- 8.2 In the event that a tentative settlement of a collective agreement is achieved during a full walk out/lock out the Executive will:
- 8.2.1 hold up to four (4) general information meetings to present a summary of the terms of a tentative agreement;
 - 8.2.2 hold an all Member ratification vote at a special Council meeting the day immediately after the final general information meeting.

BYLAW 9 – LEVY

- 9.1 The levy for TTBU Members shall be 0.1% of each payment earned through the Collective Agreement with the Toronto District School Board.
- 9.2 Amendments to the TTBU levy for Members must be approved by the Annual General Meeting through such vote count as prescribed for amending the Bylaws.
- 9.3 Any TTBU levy shall be used to defray the costs of time release of the elected Executive.

BYLAW 10 – RESERVE FUNDS

- 10.1 Reserve Funds shall be placed in the following Reserve Fund Accounts in the name of OSSTF District 12 Toronto Teachers' Bargaining Unit.

- 10.2 **General Fund**
- 10.2.1 The General Fund may be used to account for general operating activities of the Bargaining Unit. The fund balance shall not exceed \$50,000. Any excess will be transferred to other reserve funds, during the fiscal year, at the discretion of the Bargaining Unit Executive.
- 10.2.2 For the current fiscal year, all surplus funds from the previous fiscal year may be allotted to the General Fund. Interest earned from the fund may be used for legal fees, for grievances and/or the Bargaining Unit's share of replacement costs for Time Release, if necessary, before being retained in a specified reserve fund.
- 10.3 **Negotiations Fund**
- 10.3.1 The Negotiations Fund may be used to finance any special expenses arising from negotiations involving members of the TTBU. The Treasurer may make expenditures on a motion of the Bargaining Unit Executive. Interest earned from this fund may be used for legal fees, for grievances and/or the Bargaining Unit's share of replacement costs for Time Release, if necessary, before being retained in this reserve fund. The Annual General Meeting of the Bargaining Unit must be informed of all transfers from this fund.
- 10.4 **Capital Equipment Fund**
- 10.4.1 The Capital Equipment Fund may be used for the purchase, replacement or repair of the Bargaining Unit's office equipment. The Treasurer may make expenditures on a motion of the Bargaining Unit Executive. Interest earned from this fund may be used for legal fees, for grievances and/or the Bargaining Unit's share of replacement costs for Time Release, if necessary, before being retained in this reserve fund. The Annual General Meeting of the Bargaining Unit must be informed of all transfers from this fund.
- 10.5 **Property Fund**
- 10.5.1 The Property Fund may be used for the purchase and/or upkeep of the Bargaining Unit's property. Capital expenditures shall be made with the approval of the Bargaining Unit Executive. Interest earned from this fund may be used for legal fees, for grievances and/or the Bargaining Unit's share of replacement costs for Time Release, if necessary, before being retained in this reserve fund. The Annual General Meeting of the Bargaining Unit must be informed of all transfers from this fund.
- 10.6 **Professional Development Fund**
- 10.6.1 The Professional Development Fund may be used to provide additional funds for professional development activities in the Bargaining Unit. Expenditures from this fund shall be limited to 10% of the balance of the account at August 1 of that fiscal year. Interest earned from this fund may be used for legal fees, for grievances and/or the Bargaining Unit's share of replacement costs for Time Release, if necessary, before being retained in this reserve fund. The Annual General Meeting of the Bargaining Unit must be informed of all transfers from this fund.
- 10.7 **Employee Sick Leave Gratuity Fund**
- 10.7.1 An amount equivalent to 2% of the dollar value of each unused sick day shall be deposited for each employee who is eligible for a sick leave gratuity upon retirement, death or resignation shall be deposited to the fund on August 1st of the next fiscal year. Interest earned from this fund may be used for legal fees, for

grievances and/or the Bargaining Unit's share of replacement costs for Time Release, if necessary, before being retained in this reserve fund. The Annual General Meeting of the Bargaining Unit must be informed of all transfers from this fund.

10.8 **Camille Natale Fund**

10.8.1 The Camille Natale Fund may be used to provide a bursary to honour a Toronto District secondary school student. This student award is in memory of Camille Natale, a dedicated OSSTF activist who passed away in 2000. The award will go to one Toronto District School Board secondary student who exemplifies the qualities that made Camille such a valuable and beloved member of OSSTF. Interest earned from this fund in excess of the amount of the bursary must be turned back into the fund. The Annual General Meeting of the Bargaining Unit must be informed of all transfers from this fund.

10.9 **Strike Assistance Fund**

10.9.1 Moneys from the Strike Assistance Fund shall be used only to benefit members of OSSTF, other OTF affiliates, or other TDSB employee Bargaining Units who are engaging in a legal strike or who have been locked out. Expenditures from the account shall be subject to the approval of the TTBU Executive by a simple majority vote. The Executive may recommend a donation of up to five dollars (\$5.00) per member of the affected unit. Interest earned from the investment of this fund must be turned back into the fund. The annual general meeting of the Bargaining Unit must be informed of all transfers from this fund.

POLICY STATEMENTS

- 1 Policy shall mean a stand or position taken by the Bargaining Unit in accordance with the Bylaws on matters whose resolution is beyond the power of the Bargaining Unit. The purpose of a policy statement is to guide all Bargaining Unit members in making public statements, in forming action plans, and in carrying out Bargaining Unit activities.
- 1.1 It is the Policy of District 12 TTBU that:
 - 1.1.1 Teachers declared surplus should be given first consideration to teach in a quadrant of their choice, where this accommodation is possible.
 - 1.1.2 A teacher's record of experience and qualifications should be the primary basis for the short listing selection of a candidate for promotion within the bargaining unit, and that the subsequent interview should be focused solely towards the demands of the job specified in the job description advertised.
 - 1.1.3 Members should assist and co-operate with any Member who is being accommodated in a school or work site due to disability.
 - 1.1.4 Freedom to debate issues raised by Members at OSSTF District 12 and OSSTF District 12 TTBU meetings in accordance with the established rules of those meetings is a basic function of OSSTF District 12 TTBU as a democratic organization.
 - 1.1.5 Members should have the right to take part in debate and discussion at OSSTF District 12 and OSSTF District 12 TTBU meeting without fear of intimidation or interference from outside organizations.
 - 1.1.6 Debate between Members at OSSTF District 12 and OSSTF District 12 TTBU meetings should allow for freedom of expression of opinion by Members, without fear of harassment, intimidation or reprisal for expressed opinions.