

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION

DISTRICT 4, NEAR NORTH CONSTITUTION



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Article 1: Name

1.1 The name of the District shall be known as District 4, Near North, Ontario Secondary School Teachers' Federation.

Article 2: Definitions

2.1 In addition to those definitions listed in this article, the definitions of this Constitution shall be as specified in the Provincial OSSTF Constitution.

2.2 "District" shall mean District 4 of the OSSTF.

2.3 "Membership" of the District shall be:

2.3.1 all employees of the Near North District School Board for whom OSSTF receives dues and who fulfill the requirements of the Provincial OSSTF Constitution;

2.3.2 those members assigned to it by the provincial organization;

2.3.3 life members

2.4 "By-laws" shall mean by-laws made under this Constitution.

2.5 "District Executive Meeting" shall mean a meeting of the District 4 Executive.

Article 3: Repugnancy

3.1 All former constitutions of this District are hereby declared null and void.

3.2 All existing regulations and by-laws of this District, insofar as they may be repugnant to any part of this Constitution, are hereby declared null and void.

Article 4: Objects

4.1 The objects of District 4 Near North OSSTF shall be as specified in Article 3 of the Provincial OSSTF Constitution.

4.2 Further to 4.1, District 4 Near North OSSTF's objects shall be:

4.2.1 protection of its members on employment issues;

4.2.2 assistance in promoting the goals of OSSTF, particularly within its boundaries.

Article 5: Organization

5.1 There shall be a District Executive consisting of the following voting members:

Immediate Past President Bargaining Unit Presidents

President/Chair Provincial Councillor

Vice-President Treasurer

Secretary

5.2 a) The positions of President, Vice-President, Treasurer and Secretary shall be elected for a one year term at the Annual Resolutions Meeting.

b) When a President is not re-elected, that person shall hold the position of Immediate Past President for a one-year term provided that that person is a member of District 4.

c) The position of District Provincial Councillor will be filled by either the TBU Provincial Councillor or the EA/PSSP Provincial Councillor on a yearly rotational basis as determined by the District Executive.

5.3 All members of the District Executive must be active members of District 4."

5.4 The tenure of acting committees will be established by the Executive.

Article 6: DUTIES OF THE EXECUTIVE

- 6.1 It shall be the duty of the District Executive to:
- a) translate Federation policy into effective administrative action,
 - b) promote within District 4 the aims and objectives of OSSTF,
 - c) meet at the call of the President or at the written request of three members of the Executive,
 - d) carry out the instructions of the membership as expressed at meetings in accordance with the manner prescribed by this Constitution,
 - e) keep the membership informed of its activities,
 - f) ensure that all District obligations for AMPA are satisfied,
 - g) appoint substitutes for representatives or delegates, who are unable to act,
 - h) authorize payment of expenses incurred by the authorized representatives of the District,
 - i) determine standing and/or special committees, and dissolve special committees,
 - j) collect input from each bargaining unit prior to establishing its budget for the year,
 - k) ensure that each bargaining unit is represented at any meeting at which the yearly budget is passed,
 - l) to regularly report to each bargaining unit regarding the actions and spending of the District Executive.”
 - m) to develop, operate and maintain an OSSTF District 4 website which provides information from and for all OSSTF District 4 Bargaining Units.
 - (n) to appoint five (5) members to the District 4 Appeals Committee prior to September 3 of each year.

Article 7: Meetings

- 7.1 The District Executive meetings shall be called by the District President.
- 7.2 Executive meetings shall be chaired by the President or President designate.
- 7.3 District Committee Chairs may be invited to Executive meetings at the discretion of the President.
- 7.4 Only members of Executive shall have the right to vote at Executive meetings.
- 7.5 A majority of the Executive shall constitute a quorum.
- 7.6 A secret ballot vote, or a recorded vote, may be demanded, on any issue, by any Executive member.
- 7.7 The District Executive shall meet in September and the meeting shall include the approval of the District Budget.
- 7.8 Additional Executive meetings shall be called at the discretion of the District President or a majority of the Executive.
- 7.9 There shall be an Annual General meeting in December to approve motions and elect delegates to the Annual Provincial Assembly.
- 7.10 An Annual General Resolutions Meeting will be held in May to consider amendments to the district Constitution and hold elections for Executive Officers to take office the following September.
- 7.11 Notice of the December and May Meetings shall be given at least one month in advance.
- 7.12 Other General District Meetings shall be called by the District President upon receipt of resolutions requesting such meetings from a Bargaining Unit.

Article 8: Elections and Voting, Appointments and Replacement of Officers

- 8.1 Nominations for District President/Chair; Provincial Councillor, District Treasurer; and Vice-president must be submitted, in writing, to the District Executive at least one week prior to the Annual Resolutions meeting by a bargaining unit, or on the day of the Annual Resolutions Meeting, by three members representing at least two bargaining units.
- 8.2 All elections are to be by secret ballot.
- 8.3 Elections for the following officers will be held at the Annual Resolutions Meeting, and in the following order.
- President: to be elected annually for a one-year term.
 - Vice-president: to be elected annually for a one-year term.
 - Treasurer: to be elected annually for a one-year term.
 - Secretary: to be elected annually for a one-year term.”
- 8.4 Elected officers who are temporarily unable to perform their duties or who resign before the expiration of their term of office are to be replaced as follows:
- a) the President will be replaced by the Vice-president
 - b) the Vice-president will be replaced by the Executive from amongst the Bargaining Unit Presidents.
 - c) a replacement for the Treasurer will be appointed by the Executive.
 - d) a replacement for the Provincial Councillor for up to four regularly scheduled and consecutive Provincial Council meetings will be chosen by the District Executive.
 - e) if the District Provincial Councillor resigns, or is unable to perform his/her duties for a period longer than four consecutive regularly scheduled Provincial Council meetings, the District Executive will appoint an interim District Councillor. The successor would serve for the remaining term of office.

Article 9: Bargaining Agent

- 9.1 The District Executive shall be the agent of record for all collective bargaining in the District unless otherwise decided by Bargaining Unit.

Article 10: Powers and Duties of the Executive

- 10.1 The Executive shall establish such Committees as may be necessary to carry out the objects of the District.
- 10.2 The District Executive will assign release time to the officers of the District in an amount to be determined by the Executive.

Article 11: Bargaining Unit Executive

- 11.1 Each Bargaining Unit shall establish an Executive.

Article 12: Rules of Order

- 12.1 The rules of order which govern the District shall be the Rules of Order contained in the current edition of the OSSTF Handbook and the most recent available edition of Robert's Rules of Order Newly Revised.

Article 13: Amendments and By-laws

- 13.1 By-laws may be established by the District Executive, and such By-laws shall be ratified at the Annual Resolutions Meeting.
- 13.2 Other than as provided for in 13.1, only the Annual Resolutions Meeting may establish, amend, or rescind this Constitution.
- 13.3 Amendments to the Constitution may be made at the Annual General resolutions Meeting
 - 13.3.1 by a two-thirds majority of all members who are present, eligible to vote and voting on any motion provided that due notice of motion was given, or
 - 13.3.2 by three-quarters majority of all members who are present, eligible to vote and voting if due notice of motion was not given.
- 13.4 Amendments to the By-Laws may be made at the Annual General Resolutions Meeting
 - 13.4.1 by a simple majority of all members who are present, eligible to vote and voting on any motion provided that due notice of motion was given, or
 - 13.4.2 by two-thirds majority of all members who are present, eligible to vote and voting if due notice of motion was not given.”
- 13.5 Due notice of motion shall have been given when:
 - 13.5.1 the Secretary receives written notice of the proposed amendments or resolutions at least two weeks prior to the meeting; and,
 - 13.5.2 information is distributed to all worksites of the proposed amendments at least one week prior to the meeting.

Article 14: Committees

- 14.1 The Status of Women/Human Rights Committee consists of at least three members representing each bargaining unit.
 - 14.1.1 The Chair of the committee shall be elected by the Committee.
 - 14.1.2 The members of this committee shall have first chance at being the District representative to any OSSTF provincial Status of Women/Human Rights conferences.
 - 14.1.3 This committee shall be responsible for recommending to the District Executive any actions to be taken by the District with respect to the Status of Women or Human Rights issues.
- 14.2 The Political Action Committee consists of a least three members representing each of the bargaining units.
 - 14.2.1 The Chair of the committee shall be elected by the committee.
 - 14.2.2 The members of this committee shall have first chance at being the District representative to any OSSTF provincial Political Action conferences.
 - 14.2.3 This committee shall be responsible for recommending to the District Executive any actions to be taken by the District with respect to Political Action issues, including actions to be taken during municipal, provincial or federal elections.

Article 15: Reserves

15.1 The District Executive shall maintain two Reserve Accounts as follows:

15.1.1 Contingency Account: This reserve account shall

15.1.1.1 be used by authorization of the District Executive to fund any deficit that may occur in any budget year as a result of unexpected expenses,

15.1.1.2 be funded yearly by adding 10% of the surplus monies from the preceding budget year,

15.1.1.3 never exceed \$5000.

15.1.2 Capital Account: This reserve account shall

15.1.2.1 be used by authorization of the District Executive to purchase capital items such as furniture and District office equipment,

15.1.2.2 be funded yearly by adding 10% of the surplus monies from the preceding budget year,

15.1.2.3 never exceed \$5000.

Article 16: District Labour Council

16.1 District 4 remain a member in good standing of the North Bay and District Labour Council and that the District 4 Executive annually pay the North Bay and District Labour Council dues as required.

Article 17 Anti-Harassment and Anti-Bullying Policy

District 4 shall have an Anti-Harassment and Anti-Bullying Policy and Procedure to be followed at all OSSTF workplaces and functions. The Anti-Bullying and Anti-Harassment Policy and Procedure and any amendments to it shall be approved by the District 4 Executive Council.

Section 1 - Anti-Harassment and Anti-Bullying Appeals Procedure

1. Members of District 4 affected by a decision resulting from a complaint under the District 4 Anti-Harassment and Anti-Bullying Procedure may appeal this decision using the following procedure:

1.1 Within five days of the decision, the affected member (herein called the Appellant) shall submit a request in writing to the District 4 President for an Appeal Hearing.

1.2 Within two days of receiving the request, the District 4 President shall appoint three members of the District 4 Appeals Committee to consider the appeal.

1.3 Within three days, the District 4 Appeal Committee shall meet to consider the appeal.

1.3.1 The District 4 Appeal Committee shall review the complaint, the investigation process and findings, and the decision.

1.3.2 Following the review, the Committee shall either confirm or modify the decision.

1.3.3 The decision of the District 4 Appeal Committee shall be consistent with the District 4 TBU Anti-Harassment and Anti-Bullying Policy and Procedures.

1.4 The District 4 Appeal Committee shall report the decision on the Appeal to the District 4 President within five (5) days after meeting at which the Appeal is considered.

1.5 Within two days of receiving the decision of the District 4 Appeal Committee, the District 4 President shall communicate the decision to the Appellant in writing.

1.6 The decision of the District 4 TBU Committee shall be considered final and not subject to any appeal.