

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION

District 17
Simcoe



**OCCASIONAL TEACHERS'
BARGAINING UNIT**
(OTBU)

CONSTITUTION

LAST REVISION MAY 21, 2015

Ontario Secondary School Teachers' Federation
District 17 (Simcoe)
 Occasional Teachers' Bargaining Unit

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ARTICLES

(Numbers # 1 - 8)

ARTICLE 1 - DEFINITIONS

- 1.1 **OSSTF** shall mean the Ontario Secondary School Teachers' Federation.
- 1.2 **District** shall mean the District Organization of OSSTF, District 17 (Simcoe)
- 1.3 **Occasional Teachers' Bargaining Unit** shall mean the Ontario Secondary School Teachers' Federation, District 17 (Simcoe), Occasional Teachers' Bargaining Unit (OTBU).
- 1.4 **OTBU** shall mean the occasional Teachers' Bargaining Unit of District 17 (Simcoe)
- 1.5 **Members** shall mean an active Member of OSSTF.
- 1.6 **Occasional Teacher** shall mean a teacher defined as such by the Education Act of Ontario.
- 1.7 **Articles** shall mean a system of fundamental principles, governing the Membership of OSSTF, District 17 (Simcoe), OTBU.
- 1.8 **Bylaws** shall mean standing rules governing the Membership of OSSTF, D 17 (Simcoe), OTBU.
- 1.9 **Policy** shall mean a stand or position taken by OSSTF, District 17 (Simcoe), OTBU.
- 1.10 **General Meeting** shall mean meeting(s) of the Membership of OSSTF, District 17 (Simcoe), OTBU to conduct the business of the OTBU of District 17 (Simcoe).
- 1.11 **SCDSB** is making reference to the Simcoe County District School Board
- 1.12 **CBC** is a reference to the Collective Bargaining Committee.

ARTICLE 2 - ORGANIZATION

The organization shall be known as "The Ontario Secondary School Teachers' Federation District 17 Occasional Teachers' Bargaining Unit."

ARTICLE 3 - OBJECTIVES

The objects of the OTBU shall be:

- 3.1 To uphold and maintain the objectives of the OSSTF and those of the OSSTF, District 17 (Simcoe), as described in their respective Constitutions.

ARTICLE 4 - MEMBERSHIP

Membership shall consist of all casual or continuous occasional teachers in the secondary panel employed by the Simcoe County District School Board and who are in good standing with the College of Teachers.

ARTICLE 5 - BARGAINING UNIT ORGANIZATION

The OSSTF, District 17 (Simcoe) OTBU Organization shall be as follows:

5.1 EXECUTIVE

- 5.1.1 There shall be an OTBU Executive consisting of the following members:
 - 5.1.1.1 President

- 5.1.1.2 First Vice President
- 5.1.1.3 Second Vice President
- 5.1.1.4 Third Vice President
- 5.1.1.5 Recording Secretary
- 5.1.1.6 Chief Negotiator
- 5.1.1.7 Treasurer
- 5.1.1.8 2 additional OTBU Collective Bargaining Representatives
- 5.1.1.9 Educational Service Officer (non-voting)
- 5.1.1.10 Health and Safety Officer (non-voting)
- 5.1.1.11 Human Rights Officer (non-voting)
- 5.1.1.12 Communications & Political Action Officer (non-voting – *May 21 2015*)
- 5.1.1.13 Status of Women Rep (non-voting)

- 5.1.2 The office of the Chief Negotiator may be held by the President or one of the Vice Presidents, if this position is not filled at the OTBU Annual General Meeting.
- 5.1.3 The members of the Executive shall be elected at the Spring Annual Meeting of the OSSTF, District 17 (Simcoe), OTBU with duties commencing July 1st of the election year.
- 5.1.4 Whenever and for whatever reason a vacancy occurs on the OSSTF, District 17 (Simcoe), OTBU Executive, the OTBU, District 17 (Simcoe) Executive shall appoint a member from the OTBU, District 17(Simcoe) Membership to fill the vacancy for the remainder of the elected term of office.

5.2 **COLLECTIVE BARGAINING COMMITTEE**

The CBC of D 17 OTBU shall consist of the following voting members:

- 5.2.1 The full OSSTF, District 17 (Simcoe), OTBU Executive (*May 31, 2007*)
- 5.2.2 As well, the OTBU, Collective Bargaining Committee may add the following member(s) to the OTBU's Collective Bargaining Committee non-voting resource members:
 - 5.2.2.1 OSSTF, District17 (Simcoe), Teachers' Bargaining Unit, Chief Negotiator, and/or
 - 5.2.2.2 An additional two (2) members from the OSSTF, District 17, TBU CBC.

5.3 **TABLE TEAM**

The Table Team of the OSSTF D 17 (Simcoe), OTBU shall consist of:

- 5.3.1 The Chief Negotiator of the OSSTF, D17 (Simcoe), OTBU, who shall serve as Chair.
- 5.3.2 The President of the OSSTF, D17 (Simcoe), OTBU.
- 5.3.3 Two (2) additional members elected by the OSSTF, District 17 (Simcoe), OTBU's CBC.
- 5.3.4 The TBU Chief Negotiator of the OSSTF, D 17 may be added.

5.4 **STANDING COMMITTEES**

The OSSTF, D17 (Simcoe), OTBU may elect one (1) representative to each of the following OSSTF, D17 (Simcoe), Standing Committees:

- 5.4.1 Educational Services' Officer (*May 20, 2010*)
- 5.4.2 Human Rights' Officer (*May 20, 2010*)
- 5.4.3 Health and Safety Officer
- 5.4.4 Communications & Political Action Representative (*May 21, 2015*)

5.4.5 Status of Women Committee Representative

5.5 OSSTF - ANNUAL MEETING OF THE PROVINCIAL ASSEMBLY (AMPA):

5.5.1 The OSSTF, D17 (Simcoe), OTBU may elect at the OTBU AGM the prescribed number of OTBU Delegates to the OSSTF, D 17 (Simcoe) Delegation to AMPA

5.5.2 Should the number of OTBU Delegates and/or alternates elected at the OTBU AGM be fewer than the prescribed number, the OTBU Executive shall appoint OTBU Members to fill the positions by the end of November of the following school year.

5.6 OSSTF PROVINCIAL COUNCIL MEETINGS

5.6.1 The OTBU President will attend all Provincial Council Meetings as the OTBU Representative. *(May 24, 2012)*

5.6.2 In June, of each year, the OTBU Executive will appoint an alternate Delegate to replace the President, if he/she is unable to attend Provincial Council. *(May 24, 2012)*

ARTICLE 6 - AMENDMENTS

6.1 Amendments to the OSSTF, D17 (Simcoe), OTBU's Constitution may be made at the Spring Annual Meeting of the OSSTF, D17.

6.1.1 Resolutions, to amend the OSSTF, D17 OTBU's Constitution must be received, in writing by the Recording Secretary of the OTBU at least twenty (20) working days before the Spring Annual Meeting of the OTBU to be considered "on-time".

6.1.2 Notice of the proposed amendment(s) shall be posted/mailed/emailed to the Membership of the OSSTF, D17 (Simcoe), OTBU ten working days (10) prior to the Spring Annual Meeting of the OSSTF, D 17 (Simcoe), OTBU

6.1.3 If due notice has been given to the Membership of the OSSTF, D 17 (Simcoe), OTBU, Article Amendments require the support of two-thirds (2/3) of the membership present and qualified to vote.

6.1.3 If due notice has not been given to the Membership of the OSSTF, D17 (Simcoe), OTBU. Article Amendments require the support of nine-tenths (9/10) of the membership present, qualified to vote, and voting.

6.1.4 If due notice has been given to the Membership of the OSSTF, D 17 (Simcoe), OTBU, Bylaw Amendments require the support of a simple majority of the membership who are present, qualified to vote, and voting.

6.1.6 If due notice has not been given to the Membership of the OSSTF, D 17 (Simcoe), OTBU, Bylaw Amendments require the support of three-quarters (3/4) of the membership who are present, qualified to vote, and voting.

6.1.5 Any action or policy resolution, given to the Membership of the OSSTF, D 17 (Simcoe), OTBU, requires the support of a simple majority ($\frac{1}{2} + 1$) of the membership who are present, qualified to vote, and voting. *(May 27, 2008)*

6.2 Amendments made to this Constitution shall be consistent with the District Constitution D 17 and the current Provincial OSSTF Handbook.

ARTICLE 7 - LOCAL FEDERATION DUES/LEVY

7.1 The OTBU Membership has the right to assess a local Federation Dues/Levy on its membership.

7.2 Increases and decreases will be approved at the OSSTF, District 17 (Simcoe), OTBU AGM.

- 7.3 Funds collected as the Local Federation Dues/Levy are to be used expressly or the purpose of funding time release.

ARTICLE 8 - APPEAL PROCEDURES

- 8.1 This Appeal Procedure will deal with any complaint not allegedly dealt with by the OTBU President/Grievance Officer of OSSTF, D 17 (Simcoe). If the above occurs, the following procedures will be followed:
- 8.1.1 The OSSTF OTBU Member will contact, in writing, the OSSTF, D 17 (Simcoe) OTBU First Vice President within ten (10) days of any alleged infraction.
 - 8.1.2 The Member must supply the 1st VP with full documentation as to why they wish to file an appeal/complaint.
 - 8.1.3 The 1st VP will duly call an OSSTF, D 17 (Simcoe) OTBU Executive Meeting through the President. After notification, the OTBU President shall call this meeting within five (5) days working days.
 - 8.1.4 At this meeting, the Member(s) asking for an appeal will be given the opportunity to speak and explain why they are appealing a decision made by either the President or the Grievance Officer. Likewise, at this meeting, the President or the Grievance Officer will be given an opportunity to respond.
 - 8.1.5 Once both parties have had the opportunity to speak and the OTBU Executive had had an opportunity to ask questions, the Member and President or Grievance Officer will be asked to leave the meeting.
 - 8.1.6 The 1st VP will have the OTBU Executive vote by secret ballot.
 - 8.1.7 The decision made by the OTBU Executive to uphold or deny the appeal will be conveyed to the Member and the President or the Grievance Officer by the 1st VP.
 - 8.1.8 If the Executive upholds the appeal it will be carried forward. Likewise, if the appeal is denied by the OTBU Executive, it will be dropped. *(May 24, 2012)*

BYLAWS

(Numbers # 1 to 9)

BYLAW 1 - DUTIES OF MEMBERS

- 1.1 It shall be the duty of every member to comply with the duties of members of the OSSTF as defined in the current OSSTF Handbook.
- 1.2 Unless forbidden by law, it shall be the duty of every member to refrain from undertaking and supporting actions which undermine or attempt to undermine any sanction imposed by any other Bargaining Unit(s) of OSSTF under the provisions of the Ontario Labour Relations Act.

BYLAW 2 - DUTIES OF OCCASIONAL TEACHERS' BARGAINING UNIT EXECUTIVE

- 2.1 It shall be the duty of the OSSTF, D 17 OTBU Executive to do the following:
 - 2.1.1 Administer the business of the OSSTF, District 17 (Simcoe), OTBU between AGMs
 - 2.1.2 Establish interim policies and amend existing policies in order to facilitate the business of the OSSTF, D17 (Simcoe), OTBU and present those interim policies and amendments to the membership for ratification at the Spring AGM of the OSSTF, D17 (Simcoe), OTBU.
 - 2.1.3 Communicate regularly with the OSSTF, D17 (Simcoe) District Office and the OSSTF, D17 (Simcoe), OTBU Membership regarding the management of D17 (Simcoe), OTBU business.
 - 2.1.4 Prepare, in conjunction with the OSSTF, D17 Treasurer, a Projected budget for presentation at the Spring Annual Meeting of OSSTF D17 (Simcoe), OTBU.
 - 2.1.5 To appoint a replacement for the OTBU President, if she/he is unable to attend a Provincial Council Meetings. *(May 24, 2012)*

BYLAW 3 – INDIVIDUAL DUTIES OF THE OTBU UNIT EXECUTIVE

3.1 DUTIES OF THE PRESIDENT

- 3.1.1 Be the presiding officer and official representative of the OSSTF D 17 (Simcoe), OTBU.
- 3.1.2 Maintain regular liaison with the District and TBU President of OSSTF, D 17
- 3.1.3 Plan for and call the Spring Annual Meeting of the OSSTF, D 17 OTBU.
- 3.1.4 Call all Executive and General Meeting(s) of the OTBU, D 17 (Simcoe) as required.
- 3.1.5 Submit a report each year to the Spring Annual Meeting of the OSSTF, D 17
- 3.1.6 Act as Grievance Officer for the Members of the OSSTF, D17 (Simcoe), OTBU. If the OTBU President is unable to perform this duty, the OTBU Executive will appoint a Member from the presently elected Members of the OTBU Executive.
- 3.1.7 Represent the Members of OSSTF, D17 (Simcoe), OTBU at all D17 (Simcoe) Executive Council and Teachers' Council Bargaining Unit Meetings. If the OTBU President is unable to attend such a meeting, a designate will be appointed by the OTBU Executive. *(June 1, 2006)*
- 3.1.8 Be a Member of the OSSTF D17 (Simcoe), Occasional Teachers' Collective Bargaining Committee and OTBU Table Team. *(May 31, 2007)*

- 3.1.9 The OTBU President will attend all OSSTF, Provincial Council Meetings and report details of these meetings back to the OTBU Executive. (May 24, 2012)
- 3.1.10 To ensure that an Anti-Harassment Officer is appointed at all OTBU Executive Meetings, CBC Meetings, and at the Annual General Meeting (May 27, 2008)
- 3.1.11 To attend AMPA as the OTBU Provincial Councillor. If unable to attend, Bylaw 7 titled "**Elections**" will come into effect. (May 24, 2012)

DUTIES OF THE FIRST VICE PRESIDENT

- 3.2 It shall be the duty of the 1st VP of the OSSTF, D 17 OTBU to:
 - 3.2.1 Perform the duties of the OSSTF, District 17 (Simcoe), OTBU President in his/her absence.
 - 3.2.2 Carry out any duties as may be delegated by the OSSTF, D 17 (Simcoe), OTBU President.
 - 3.2.3 Be a Member of the OSSTF, D17 (Simcoe), OTBU's Collective Bargaining Committee.
 - 3.2.4 To attend all OSSTF, D17 (Simcoe) District Executive Council Meetings (6/2006)
 - 3.2.5 To chair and call (through the OTBU President) any appeal requests received by a Member (See Article 8). (May 24, 2012)

DUTIES OF THE SECOND VICE PRESIDENT

- 3.3 It shall be the duty of the 2nd VP of the OSSTF, District 17 (Simcoe) OTBU to:
 - 3.3.1 To assume the duties of the 1st VP if for any reason the 1st VP is unable to carry out his/her duties. (May 27, 2008)
 - 3.3.2 Be a Member of the OSSTF D17 (Simcoe) OTBU CBC Committee (May 20, 2010)

DUTIES OF THE THIRD VICE PRESIDENT

- 3.4 It shall be the duty of the 3rd VP of the OSSTF, D 17 OTBU to:
 - 3.4.1 Act as Educational Services Representative for D17 (Simcoe) OTBU. (5/27/2008)
 - 3.4.2 It shall be the duty of the 3rd VP to assume the duties of the 2nd VP if for any reason the 1st VP is unable to carry out his/her duties. (May 27, 2008)
 - 3.4.3 Be a Member of the OSSTF, D17 (Simcoe) OTBU's CBC. (May 20, 2010)

DUTIES OF THE RECORDING SECRETARY

- 3.5 It shall be the duty of the Recording Secretary of the OSSTF's D17 (Simcoe), OTBU to:
 - 3.5.1 Receive correspondence on behalf of the OSSTF, District 17, and OTBU.
 - 3.5.2 Record the minutes of all OSSTF, D17 (Simcoe), OTBU Meetings (Annual, General, Executive, and CBC).
 - 3.5.3 Retain all pertinent records and data pertaining to the OSSTF, D 17 OTBU.
 - 3.5.4 Be a member of the OSSTF, D17 (Simcoe), OTBU's CBC.

DUTIES OF THE TREASURER

- 3.6 It shall be the duty of the OSSTF, OTBU Treasurer to:
 - 3.6.1 Perform all duties of a financial nature representing OSSTF D17 (Simcoe), OTBU which will include monthly written fiduciary reports to the OTBU Executive and a

full fiduciary report to the Membership at the OTBU AGM. (May 21 2009)

- 3.6.2 Be a member of the OSSTF, D 17 (Simcoe), OTBU's CBC.

DUTIES OF THE CHIEF NEGOTIATOR

- 3,7 It shall be the duties of the Chief Negotiator of the OSSTF, D17 (Simcoe) to:
- 3.7.1 Act as chairperson of the OTBU Collective Bargaining Committee.
 - 3.7.2 Be the D17 (Simcoe) OTBU spokesperson at all joint negotiating meetings with the SCDSB.
 - 3.7.3 Keep the OTBU Executive informed on all matters related to negotiations.
 - 3.7.4 Be the OTBU spokesperson at any and all OTBU Collective Bargaining Committee Unit Ratification Meetings.
 - 3.7.5 Attend all Provincial and Regional Collective Bargaining Meetings. If unable to attend any such meetings, inform the OTBU President so that the OTBU Executive may appoint another delegate. (June 1, 2006)
 - 3.7.6 To attend all OSSTF, D17 (Simcoe) Teachers' Collective Bargaining Unit Meetings and act as the liaison officer between the OTBU Executive and the TBU CBC. If unable to attend, such meetings, the Chief Negotiator is to report this matter to the OTBU President, so that another member of the OTBU Executive may be appointed.

DUTIES OF THE GRIEVANCE OFFICER

- 3.8 It shall be the duties of the Grievance Officer of the OSSTF, D 17 (Simcoe) to:
- 3.8.1 Handle all OSSTF, D17 (Simcoe), OTBU Grievances with the SCDSB.
 - 3.8.2 Consult with and keep the OTBU Exec informed of all OSSTF D17 Grievances.
 - 3.8.3 Attend a meeting with the OTBU Executive when called following a written appeal by an OTBU Member appealing the Grievance Officer's decision(s) and/or procedure(s); and explain his/her decisions prior to the Executive's ruling on the appeal.

DUTIES OF THE OTBU DISTRICT COMMITTEE REPRESENTATIVES AND OFFICERS

- 3.9 The following duties are assigned to OTBU District Committee Representative and Officers:
- 3.9.1 **Educational Services' Officer/Representative**
 - 3.9.1.1 To attend all D17 Executive Meetings as a non-voting member.
 - 3.9.1.2 To attend and act as the liaison between the OTBU Executive and the OSSTF, D17 District Educational Services' Committee.
 - 3.9.1.3 To make all his/her reports to the OTBU Executive in writing.
 - 3.9.2 **Health and Safety Officer/Representative**
 - 3.9.2.1 To attend all D17 OTBU Executive Meetings as a non-voting member.
 - 3.9.2.2 To attend and act as the OTBU Representative at all official SCDSB Joint H&S Meetings (JHSC) and to keep OSSTF, D17 (Simcoe), OTBU Executive informed of all major changes being proposed by the SCDSB JHSC and to act as the liaison between this body and the D17 (Simcoe) OTBU Executive.
 - 3.9.2.3 To act as the OTBU Representative at all OSSTF, D17 (Simcoe) District Health and Safety Meetings
 - 3.9.2.4 To make all his/her reports to the OTBU Executive in writing.

3.9.3 Human Rights' Officer/Representative

3.9.3.1 To attend all D17 OTBU Executive Meetings as a non-voting member.

3.9.3.2 To attend and act as the liaison between the OTBU Executive and the OSSTF, D17 District Human Rights' Committee.

3.9.3.3 To make all his/her reports to the OTBU Executive in writing.

3.9.4 Communications and Political Action Officer

3.9.4.1 To attend all D17 OTBU Executive Meetings as a non-voting member.

3.9.4.2 To attend and act as the liaison between the OTBU Executive and the OSSTF D17 District Communications and Political Action Committee.

3.9.4.3 To make all his/her reports to the OTBU Executive in writing.

3.9.5 Status of Women Officer/Representative

3.9.5.1 To attend all D17 OTBU Executive Meetings as a non-voting member.

3.9.5.2 To attend and act as the liaison between the OTBU Executive and the OSSTF, D17 District Status of Women Committee.

3.9.5.3 To make all his/her reports to the OTBU Executive in writing.

BYLAW 4 - DUTIES OF OTBU COLLECTIVE BARGAINING COMMITTEE

4.1 DUTIES:

It shall be the duty of the OSSTF, D17 (Simcoe), OTBU's CBC Committee to:

4.1.1 Represent the membership in negotiations for a collective agreement with the SCDSB.

4.1.2 Solicit input, from the members, of the OSSTF, D17 OTBU's Executive.

4.1.3 Prepare a negotiating brief for the OSSTF, District 17 (Simcoe), OTBU.

4.1.4 Carry out negotiations with the Simcoe County District School Board.

4.1.5 Distribute information concerning negotiations to the OSSTF, D17 (Simcoe), OTBU's Membership.

4.1.6 Arrange for information and ratification meetings.

4.1.7 To attend regularly scheduled D17 (Simcoe) OTBU Meetings.

4.2 RATIFICATION

Ratification of the OSSTF, D17 (Simcoe), OTBU's Collective Agreement shall be at a specially called General Meeting of the OTBU Members.

BYLAW 5 - MEETINGS

5.1 OTBU EXECUTIVE MEETINGS

The OSSTF, D17 (Simcoe), OTBU's Executive shall meet at the call of the President or on request of two (2) members of the OTBU Executive.

5.2 ANNUAL MEETING OF THE OTBU

5.2.1 The Annual Meeting of the OSSTF, District 17 (Simcoe), OTBU's Membership shall be held in the Spring at the call of the OSSTF, D 17

OTBU President. There must be twenty (20) working days written notice given to the OTBU Membership. *(June 2, 2005)*

5.2.2 "On-Time" Constitution, Bylaw, and Policy Resolutions to the OSSTF, District 17 OTBU Annual Meeting shall be: *(June 1, 2006)*

5.2.2.1 Posted in each secondary school within the SCDSB jurisdiction and/or

5.2.2.2 Mailed/Emailed to all Members of the OSSTF, D17 (Simcoe), OTBU Membership; and/or

5.2.2.3 On-time proposed resolutions, for the Spring Annual Meeting of the OSSTF, District 17 (Simcoe), OTBU, shall be available to the Membership at the OSSTF, D17 (Simcoe) OSSTF Office at least ten (10) days prior to the OTBU Annual Meeting. *(June 2, 2005)*

5.2.3 At the Spring Annual Meeting of the OSSTF, D17 (Simcoe), OTBU, the following duties shall be performed by the Membership of the OTBU:

5.2.3.1 Elect officers to the OSSTF, D 17 (Simcoe) OTBU Executive as outlined in Article 4.1 of this Constitution

5.2.3.2 Elect representatives to the OSSTF, D 17 (Simcoe) OTBU's Collective Bargaining Committee as outlined in Article 4.2.2.1 of this Constitution.

5.2.3.3 Elect one representative to each of the OSSTF D17 (Simcoe) District Standing Committees as outlined in Article 4.4 of this Constitution.

5.2.3.4 Elect the OSSTF, D17 (Simcoe) OTBU's entitled delegate(s) to the OSSTF Annual Meeting of the Provincial Assembly as outlined in Article 4.5 of this Constitution.

5.2.3.5 Approve the projected OSSTF, D 17 (Simcoe) OTBU's Budget for the upcoming federation year.

5.2.3.6 To determine the amount of the OTBU Local Federation Dues/Levy.

5.3 GENERAL MEETINGS OF THE OCCASIONAL TEACHERS' BARGAINING UNIT

5.3.1 A General Meeting of the OSSTF, D17 (Simcoe) OTBU may be held at the call of the OTBU President, if fourteen (14) calendar days of written notice is served.

5.3.2 General Meeting(s) of the OSSTF, D17 (Simcoe) OTBU Membership shall require the following to occur: *(May 13, 2004)*

5.3.2.1 The OSSTF, D17 (Simcoe), OTBU President or the D17 (Simcoe) President, receives written notice from at least ten (10) members of the OTBU that they are requesting such a meeting.

5.3.2.2 This request for a general meeting must be in written form and signed by each of the OTBU Members requesting that a General Meeting of OTBU take place.

5.3.2.3 The above General Meeting, as outlined in 5.3.2.1 shall be held within twenty one (21) calendar days of the written request being received.

5.4 REPRESENTATION AT DISTRICT 17 (Simcoe) DEC MEETINGS

Representatives at D 17 (Simcoe) District Executive Council Meetings shall be as prescribed in the OSSTF, District 17 (Simcoe) Constitution.

BYLAW 6 - PROCEDURE AT MEETINGS

6.1 RULES OF ORDER

Meetings of the OSSTF, D17 OTBU shall be conducted in accordance with the Rules of Order set out in the current OSSTF Handbook

6.2 QUORUM

6.2.1 A quorum of the OSSTF, D 17 (Simcoe), OTBU Executive shall be four (4) voting members of the OTBU Executive. *(May 13, 2004)*

6.2.2 A quorum of the OSSTF, D17 (Simcoe), OTBU Collective Bargaining Committee shall consist of four (4) members of the OSSTF, District 17 OTBU, Collective Bargaining Committee.

6.2.3 A quorum for all other OSSTF, D17 (Simcoe), OTBU Meetings, including the Annual or any General Membership Meeting(s) of the OTBU shall consist of 50 % of those members present and qualified to vote at the time the meeting is called to order. *(May 13, 2004)*

BYLAW 7 - ELECTIONS

7.1 OFFICES

7.1.1 Elections for the OSSTF, D17 (Simcoe), OTBU Executive shall take place at the Spring Annual Meeting of the OSSTF D 17 OTBU.

7.1.2 Elections for the OSSTF, D17 (Simcoe), OTBU Collective Bargaining Committee Representatives and District Standing Committees shall take place at the Spring Annual Meeting of the OSSTF, D 17 OTBU.

7.2 OCCASIONAL TEACHERS' BARGAINING UNIT AMPA DELEGATE(S)

7.2.1 Elections for the OSSTF, D17 (Simcoe), OTBU, AMPA delegate(s), shall take place at the OTBU Spring AGM of the OSSTF, D17 OTBU.

7.3 NOMINATIONS

7.3.1 Written nominations, for the OSSTF, D17 OTBU Executive, Collective Bargaining Committee, District Standing Committees, and OTBU AMPA Delegate(s), shall be given to the OSSTF, D17 (Simcoe), District President or his/her designate at the Annual Meeting in Spring of the OSSTF, D17 OTBU.

7.3.2 Any nominations received prior to ten (10) working days before the Spring Annual Meeting of the OTBU shall be mailed/delivered to OSSTF, D17 Office. *(May 12, 2003)*

7.3.3 The names of those who have been nominated for election prior to the AGM shall be made available to any member of the OSSTF, D17 OTBU. The names of all nominees will be announced at the AGM prior to the elections to be held there. *(May 12, 2003)*

7.4 BALLOTING

7.4.1 Balloting for OSSTF D17 OTBU Executive, Collective Bargaining Committee Representative(s), District Standing Committees, Occasional Teachers' Bargaining Unit AMPA Delegate(s), and any other elected/appointed position shall be carried out by the OTBU President or his/her designate.

7.4.2 Persons elected to offices (Bylaw 7.4.1) at the Spring AGM must have a majority of the ballots cast to win. If there is no majority, the person with the least votes must

withdraw and a further ballot must take place. This procedure continues until there is a majority vote.

7.5 TERM OF OFFICE

The term of office of the OSSTF D17 OTBU Executive, Collective Bargaining Committee Representative(s), District Standing Committees Representative(s), and the OTBU AMPA Delegate(s) shall commence July 1st of the election year. *(May 2014)*

7.6 VACANCIES

Vacancies, which occur on the OSSTF D17 OTBU Executive, Collective Bargaining Committee, District Standing Committees, and OTBU AMPA Delegate(s), during their term of office shall be filled by appointment by the OSSTF D17 OTBU Executive. *(May 12, 2003)*

BYLAW 8 - DUES/LOCAL LEVY

8.1 PROVINCIAL OSSTF DUES

Annual Provincial OSSTF dues are prescribed in the current OSSTF Handbook.

8.2 PAYMENT OF LOCAL LEVY

8.2.1 The collection of OSSTF D17 OTBU Local Levy shall be made through the SCDSB.

8.2.2 Written notice of the above deductions will be supplied monthly to the OSSTF D17 OTBU Treasurer. In this notification the Member's Name will be listed alphabetically along with the total local levy deduction for the month followed by a total at the end of the document.

8.2.3 In the above notification, the SCDSB will include a cheque made out to OSSTF D17 District Treasurer for the full amount listed on the above document.

8.2.4 The above method of payment of the local levy is as prescribed in the OSSTF D17 OTBU's Collective Agreement made between the OSSTF, D17 OTBU and the SCDSB.

BYLAW 9 - RELEASE TIME

9.1 Federation paid release time for OTBU Executive Members shall be available for the carrying out of OTBU business, subject to the following limits:

9.1.1 For the OTBU President; This compensation is to be calculated with the maximum being the equivalent of 70 (seventy) times the SCDSB daily rate for casual work during any given school year. *(May 27, 2014)*

9.1.2 For the OTBU Secretary; This compensation is to be calculated with the maximum being the equivalent of 10 (ten) times the SCDSB daily rate for casual work during any given school year. *(May 27, 2014)*

9.1.3 For the OTBU Treasurer; This compensation is to be calculated with the maximum being the equivalent of 15 (fifteen) times the SCDSB daily rate for casual work during any given school year. *(May 27, 2014)*

9.1.4 For the OTBU Chief Negotiator/Grievance Officer; this compensation is to be calculated with the maximum being the equivalent of 25 (twenty five) times the SCDSB daily rate for casual work during any given school year. *(May 27, 2014)*.

9.1.5 That the Health & Safety Officer; this compensation is to be calculated with the maximum being the equivalent of 12 (twelve) times the SCDSB daily rate for casual work during any given school year. *(May 27, 2014)*. This Bylaw will be rescinded upon the SCDSB accepting the H&S officer's

role as a representative on their Board wide Health & Safety Committee.
(May 21, 2015)

9.1.6 For the 1st VP; this compensation is to be calculated with the maximum being the equivalent of 10 (ten) times the SCDSB daily rate for casual work during any given school year. (May 27, 2014)

9.1.7 In the event that further release time is needed by the OTBU Executive Members, the money for this release time will be taken from the OTBU Levy Account. (May 27, 2008)

POLICIES

POLICY #1 – OTBU ANTI-HARASSMENT POLICY

1.1 Anti-Harassment Statement

Let us not take thought for our separate interests, but let us help one another.

A member of OSSTF has the right to a workplace and union environment free from harassment and bullying.

Harassment and discrimination are not joking matters. They have a destructive effect on the workplace environment, individual well-being, and union solidarity. Such actions are not only destructive, they can be illegal.

Harassment and discrimination can take many forms and may be verbal and physical or psychological. They can involve a wide range of actions including comments, gestures or looks, pictures, messages, touching, or more aggressive actions. These acts may be indirect or overt. They may be isolated or repeated.

However, acts of harassment and discrimination are always degrading, unwelcome, and coercive. They are always unacceptable.

As members of OSSTF, our goal must be to protect human rights, to promote mutual respect and trust, and to foster inclusion. We cannot condone or tolerate intimidating, demeaning, hostile and aggressive behaviour against another member. We cannot condone these behaviours when we witness them. As OSSTF members, we must speak out against this conduct and stand together to protect human rights. We must take action.

OSSTF is committed to strengthening solidarity and in addition to representing members' interest in the workplace and takes seriously its own responsibility to ensure that members are treated with respect and dignity at bargaining unit sponsored events.

Any member who feels targeted by harassment or discrimination must be able to speak up and know that their concerns will be responded to immediately in accordance with OSSTF Policies and Bylaws.

1.2 Resolution and Complaint Procedure

A member who believes s/he has been the target of harassment or discrimination at an Occasional Teachers' Bargaining Unit (OTBU) sponsored OSSTF meeting or event is encouraged to take immediate action to ensure that this behaviour is stopped.

1.2.1 Informal Procedure

1.2.1.1 As a first step, the member should make it clear to the perpetrator that s/he finds the behaviour offensive, and ask that it be stopped. This can be done personally, either verbally or in writing, or with the assistance of a third party.

1.2.1.2 If the behaviour recurs or persists, or if the member does not feel safe in approaching the perpetrator directly, s/he should speak with the designated Anti-Harassment Officer and ask

him/her to act, If no officer has been assigned, the member should speak to the Chair of the Meeting or the Member in charge of the event to have an Anti-Harassment Officer appointed.

- 1.2.1.3 The appointed Anti-Harassment Officer will investigate the complaint promptly, including separately interviewing the parties involved and any witnesses, with a view to resolving the problem informally. During this process, the designated officer, with the approval of the individual in charge of the meeting or event, remove the respondent temporarily from the meeting or event if circumstances warrant it.
- 1.2.1.4 The investigation shall be handled confidentially, however, all complaints will be reported by the designated officer to the bargaining unit president.

1.3.1 **Formal Procedure**

Formal complaints will be handled using the following guidelines:

- 1.3.1.1 If the complaint cannot be resolved informally, the complainant will be asked to put the complaint and all relevant information in writing to and present it to the designated Anti-Harassment Officer.
- 1.3.1.2 The designated Anti-Harassment Officer will submit the above written report to the OTBU Ad Hoc Harassment Committee. This OTBU Ad Hoc Committee will be appointed by the OTBU Executive and will consist of two Members from the OTBU Executive. The Ad Hoc Committee will be appointed in June for the following federation year.
- 1.3.1.3 The OTBU Ad Hoc Committee will conduct an investigation to determine if the behaviour falls under the definition of harassment. They may ask for assistance from the assigned District Liaison Provincial Executive Assistant.
- 1.3.1.4 Once the investigation is completed and a determination is made, the OTBU Ad Hoc Committee will report their findings to the OTBU Executive who will decide on the appropriate remedial action to be taken.
- 1.3.1.5 The parties (complaint(s)\respondent(s) involved will receive a written report stating the findings and any action(s) to be taken.
- 1.3.1.6 Resolutions may include, but are not limited to, apologies, mediation, warnings, temporarily limiting access, or removal/exclusion from OTBU Meeting(s) or Event(s) for an appropriate time period.
- 1.3.1.7 If a decision is made to remove or exclude the OTBU Member, a confidential letter will be filed with the OTBU President outlining the reason(s) for the above action(s).

1.4 **Appeal Process**

Decisions may be reviewed by the OSSTF, Provincial Judicial Council. The process for such action is outlined in the OSSTF, Provincial Handbook.

1.5 **Rights of Members**

None of the above actions restricts a member's right to file a complaint with the Ontario Human Rights Commission or make a complaint to the police.

1.6 **Storage of Written Investigation Reports and Decisions**

The storage of all written materials will be in a locked filing cabinet located in the OTBU President's Office at the District Office. (May 19, 2011)