

## **CONSTITUTION**

### **ETFO Algoma Occasional Teacher Local**

#### **Definitions**

*Board* means the Algoma District School Board.

*ETFO* means the Elementary Teachers' Federation of Ontario.

*Local* means the Algoma Occasional Teacher Local.

#### **Article 1 - Name**

- 1.1 This organization shall be known as the Elementary Teachers' Federation of Ontario -- Algoma Occasional Teacher Local.

#### **Article 2 - Jurisdiction**

- 2.1 The Local is a bargaining unit of ETFO.
- 2.2 The jurisdiction of the Local shall be all occasional teachers employed by the Board on the elementary occasional teacher roster.

#### **Article 3 - Objects**

- 3.1 To represent the members of the Local.
- 3.2 To secure, through collective bargaining, the best possible terms and conditions of employment.
- 3.3 To advance the cause of education and the status of occasional teachers in the Local.
- 3.4 To promote a high standard of professional ethics and a high standard of professional competence.
- 3.5 To foster a climate of social justice.
- 3.6 To promote and protect the interests of all members in the Local.
- 3.7 To promote and defend the health and safety of members in the workplace.
- 3.8 To collaborate with ETFO Locals and other organizations having the same or like objectives.

#### **Article 4 - Membership**

- 4.1 Active members shall be all members of ETFO within the jurisdiction of the Local who are in good standing with ETFO and the Ontario College of Teachers, and who have paid dues to the Local within the last one hundred twenty (120) working days.
- 4.2 Each member of the Local shall pay union dues, as determined by the ETFO Annual Meeting, based on a percentage of salary, through payroll deduction.
- 4.3 Each member of the Local shall pay a Local levy, as determined by the membership, based on a percentage of salary, through payroll deduction.

#### **Article 5 - Rights, Privileges, and Responsibilities of Membership**

- 5.1 An active member shall have full rights, privileges and responsibilities of membership in the Local unless limited by disciplinary action taken in accordance with Article VII of the ETFO Constitution.
- 5.2 The rights of an active member shall be:
  - (a) to hold office in the Local and in ETFO;

- (b) to attend general meetings of the Local;
  - (c) to participate in all votes related to the collective bargaining process;
  - (d) to participate in any general membership votes;
  - (e) to request Local support in the grievance process;
  - (f) to request Local support in any problem related to professional duties.
- 5.3 The responsibilities of an active member shall be:
- (a) to recognize the Local as the official voice of all members of the Local;
  - (b) to adhere to the Local constitution;
  - (c) to honour the terms of the collective agreement;
  - (d) to strive to achieve and maintain a high degree of professionalism and to uphold the honour, dignity, and ethical standards of the teaching profession.

## **Article 6 - Local Organization**

- 6.1 The Local Executive shall include the following positions:
- (a) President
  - (b) Vice-President
  - (c) Treasurer
  - (d) Secretary
  - (e) Member at Large
- 6.2 There shall be at least one woman on the Local Executive.
- 6.3 The Executive shall be elected at the Spring Annual Meeting.
- 6.4 The term of office shall be for two (2) years.
- 6.5 The Executive shall take office on July 1.
- 6.6 There shall be the following standing committees:
- (a) Budget
  - (b) Collective Bargaining
  - (c) Equity and Status of Women
  - (d) Member Engagement
  - (e) Professional Learning
- 6.7 Ad hoc committees required to carry out the work of the Local may be established by the Executive or by the membership at general meetings.

## **Article 7 - Organizational Duties**

The Local, its officers, and committees, shall carry out their duties and responsibilities in accordance with the Local and the Federation policies, procedures, and resolutions.

### *Duties of the Executive*

- 7.1 The Executive shall:
- (a) uphold the Constitution, Bylaws and Policies of ETFO and the Constitution of the Local;
  - (b) execute the business of the Local in accordance with the constitution and the decisions of the membership at general meetings of the Local;
  - (c) appoint members to committees after soliciting interest from Local members;
  - (d) appoint and develop terms of reference for ad hoc committees;
  - (e) appoint three signing officers of the Local;

- (f) appoint a Health and Safety representative after soliciting interest from Local members;
- (g) appoint, when necessary, a successor to complete any unexpired term of an elected or appointed Local representative;
- (h) recommend a proposed budget and develop a financial policy;
- (i) ensure an up-to-date copy of the Local Constitution is available to members;
- (j) determine the time and location of the Local's general meetings;
- (k) approve the minutes of the Local's general meetings;

### Duties of Officers

7.2 The duties of the President shall be:

- (a) to be the spokesperson of the Local;
- (b) to be the official representative of the Local and its members;
- (c) to be one (1) of the signing officers;
- (d) to be an ex-officio member of all committees;
- (e) to preside at Executive meetings, general meetings, and the Annual Meeting;
- (f) to advise and inform members on issues concerning ETFO and education;
- (g) to attend ETFO Representative Council;
- (h) to represent the Local at the ETFO Annual Meeting;
- (i) to transact the business of the Local between Executive meetings subject to ratification by the Executive;
- (j) to monitor and enforce the collective agreement through the grievance procedure;
- (k) to prepare and forward to ETFO the annual report of the Local;
- (l) to delegate, if necessary, any of the above duties.

7.3 The duties of the Vice-President shall be:

- (a) to assume the responsibilities of the President in the President's absence;
- (b) to be one (1) of the signing officers;
- (c) to be responsible for additional duties as assigned by the President and/or Executive.

7.4 The duties of the Treasurer shall be:

- (a) to keep accurate and detailed financial records of the Local;
- (b) to make a financial report to each Executive and general meeting of the Local;
- (c) to make investments with the approval of the Executive and include a status update in each financial report;
- (d) to ensure the audit is completed;
- (e) to forward the annual Local audited financial statement to the ETFO Provincial office by September 30;
- (f) to sit on the Budget committee and present the proposed draft budget to the membership at the Fall General Meeting;
- (g) to be one (1) of the signing officers;

7.5 The duties of the Secretary shall be:

- (a) to prepare, circulate, and maintain accurate minutes of all Local meetings and distribute them electronically to the membership within thirty (30) days;
- (b) to maintain accurate records of correspondence received by and sent on behalf of the Local;

7.6 The duties of the Member at Large shall be:

- (a) to carry out duties as assigned by the President and/or Executive.

Duties of Committees

- 7.7 Committees are responsible to and shall take direction from the Local Executive.
- 7.8 All committee appointments shall be for a term from July 1 to June 30, unless otherwise stated.
- 7.9 Terms of reference for committees shall be created by the Local Executive and reviewed by the committee's members each year.
- 7.10 Each committee shall keep a clear and complete record of its operation.
- 7.11 Each committee shall submit a written report for the Local Spring Annual Meeting.

**Article 8 - Meetings**

- 8.1 The parliamentary authority for conducting all Local meetings shall be the current *Robert's Rules of Order Newly Revised*. The rules contained therein shall govern the Local in all cases to which they are applicable and in which they are not inconsistent with this constitution and any special rules of order the Local may adopt.

General Meetings

- 8.2 A minimum of two (2) general meetings will be held each year, one in the fall and one in the spring, with notification to members at least one (1) month in advance.
- 8.3 A quorum for general meetings shall be those members in attendance.
- 8.4 The Fall General Meeting shall:
  - (a) be held within the month of October;
  - (b) receive the local audited financial statement for the previous year;
  - (c) approve the budget for the current year;
  - (d) pass resolutions to the ETFO Annual Meeting.
- 8.5 The Spring Annual Meeting shall:
  - (a) be held within the month of May;
  - (b) receive the annual reports of the officers and committees of the Local;
  - (c) elect the officers for the next term, if it is an election year;
  - (d) approve changes to the Local Constitution in accordance with Article 13.

Executive Meetings

- 8.6 A minimum of five (5) regular Executive meetings shall be held each year.
- 8.7 Executive meetings shall be held at the call of the President, or any other Executive member should there not have been a meeting in the previous sixty (60) days.
- 8.8 A quorum for Executive meetings shall be a majority of the Executive members.

**Article 9 - Elections**

Eligibility

- 9.1 An active member in good standing may be nominated to stand for elected office.

Nominations

- 9.2 Members shall be notified of the request for nominations at least twenty-eight (28) days prior to the Spring Annual Meeting in which elections will take place.
- 9.3 The deadline for receipt of nominations shall be fourteen (14) days prior to the meeting in which elections will take place.
- 9.4 Nominations shall include a mover and a seconder.
- 9.5 Nominations must be given by active members in good standing.

- 9.6 A list of duly nominated candidates will be made available one (1) day after the deadline to receive nominations.
- 9.7 Nominations from the floor shall be accepted for a position if and only if there is no duly nominated candidate for the position.

#### Election Procedures

- 9.8 The order of elections shall be President, then Vice-President, then Treasurer, then Secretary, then Member at Large.
- 9.9 Candidates shall have three (3) minutes to address the Annual Meeting before the election.
- 9.10 The vote shall be by secret ballot.
- 9.11 Notwithstanding 9.10, in an uncontested election the assembly shall dispense with balloting and the candidate shall be elected by acclamation.
- 9.12 Each candidate may appoint one scrutineer to observe the counting of the ballots for that candidate's election.
- 9.13 The vote count for all elected positions shall be released to the members present following each ballot and be recorded in the minutes.
- 9.14 A successful candidate in each election must achieve a simple majority of the votes cast. In the event of a tie, a new ballot shall be cast.
- 9.15 In the case of more than two nominees for any office, and failing a simple majority for any candidate on the first ballot, the candidate with the least votes will have his or her name removed from the ballot and a new ballot shall be cast. This process shall repeat until one candidate receives a simple majority of the votes.
- 9.16 The election shall be chaired by a designate appointed by the Executive who is not running for office. If a designate is not found, the President shall chair.
- 9.17 Notwithstanding 9.3, an unsuccessful candidate may seek another position on the Executive for which the member is eligible. If there is not already a duly nominated candidate for the position, the drop-down candidate shall not preclude other members from submitting nominations from the floor.
- 9.18 The ballots will be destroyed by a motion of the membership immediately following the election.

#### **Article 10 - Delegates to the ETFO Annual Meeting**

- 10.1 Delegates of the Local will be the President and the Vice-President, or their designates.
- 10.2 An active member in good standing may submit his/her name to the President to be considered as an alternate.
- 10.3 Alternates shall be appointed by the Executive.
- 10.4 The number of delegates and alternates shall be determined by ETFO Provincial office.

#### **Article 11 - Resolutions to the ETFO Annual Meeting**

- 11.1 Members shall be notified that the submission of resolutions should be forwarded to the Executive two (2) weeks prior to the Fall General meeting.
- 11.2 Resolutions shall be submitted to ETFO subject to approval of the membership at the Fall General meeting.

#### **Article 12 - Finances**

- 12.1 The Executive of the Local shall develop a financial policy.

- 12.2 All cheques shall be signed by two signing officers.
- 12.3 At no time will blank cheques be signed by any signing offer.
- 12.4 The fiscal year for the Local shall be from July 1 to June 30.
- 12.5 The Local shall retain its financial records for a period of six years plus the current year.
- 12.6 The Local Executive shall receive the following responsibility allowance per year:

President	3.000% of A4 Max
Vice President	1.500% of A4 Max
Chief Negotiator	0.750% of A4 Max
Treasurer	0.500% of A4 Max
Secretary	0.250% of A4 Max
Member at Large	0.125% of A4 Max

### **Article 13 - Amendments to the Local Constitution**

- 13.1 Proposed amendments to the Local Constitution must be submitted to the Executive no later than one (1) month prior to the Spring Annual Meeting.
- 13.2 The Executive shall publish electronically all proposed amendments to the membership no later than fourteen (14) days prior to the Spring Annual Meeting.
- 13.3 The Constitution shall be amended if at least two-thirds (66.7%) of the members present at the Spring Annual Meeting vote in favour of the proposed amendment.

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