

ELEMENTARY TEACHERS' FEDERATION OF ONTARIO

RAINBOW DISTRICT OCCASIONAL TEACHERS' LOCAL

CONSTITUTION

AMENDED MAY 2022
CONSTITUTIONAL ARTICLES

DEFINITIONS

Federation means the provincial Elementary Teachers' Federation of Ontario

Local means the ETFO Rainbow District Occasional Teachers' Local

Ex-officio member means a member who has all the rights, responsibilities and duties of any other member of the committee, including the right to vote. The attendance or non-attendance of the person has no effect on quorum and said person holds the status of ex-officio only so long as the person holds the office that gives the member the right.

ARTICLE I – NAME

1.1 This organization shall be known as the ETFO Rainbow District Occasional Teachers' Local

ARTICLE II – JURISDICTION

2.1 ETFO Rainbow District Occasional Teachers' Local is a local of the Elementary Teachers' Federation of Ontario

2.2 The jurisdiction of the Local shall be the occasional teachers employed by the Rainbow District School Board, in the elementary panel.

ARTICLE III – OBJECTIVES

The objectives of the Local shall be:

- 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 and provide a leadership role in such areas as anti poverty, non-violence and equity;
- 3.6 To promote and protect the interests of all members of the Local and the students in their care;

3.7 To cooperate with other organizations having the same or like objectives; and 3.8

To work in concert with the ETFO Rainbow Teachers and the DECE Local.

ARTICLE IV – MEMBERSHIP

Section 1 – Active Membership

4.1.1 Active members shall be all members of the Federation within the jurisdiction of the Local.

Section 2 – Associate Membership

4.2.1 Associate members of the Local are those members whose applications have been approved by the Local and approved by the Federation Executive and who have paid the annual fee in accordance with the Federation Bylaw.

4.2.2 Eligibility for associate membership in the Local is as defined in Article 4.2.3 of the Federation Constitution.

ARTICLE V – RIGHTS AND PRIVILEGES OF MEMBERSHIP

Section 1 – Rights and Privileges of Active Membership

5.1.1 An active member shall have full rights, privileges and responsibilities of membership in the Federation unless limited by disciplinary action taken in accordance with Article vii of the Federation Constitution.

5.1.2 The rights of the active member shall be:

- (a) to hold office in the Local and in the Federation;
- (b) to attend General Meetings of the Local;
- (c) to participate in the vote on the preliminary submission in the collective bargaining process;
- (d) to participate in all votes related to the collective bargaining process as set out in the Ontario Labour Relations Act;
- (e) to participate in any general membership votes;
- (f) to request Local support in the grievance process;
- (g) to request Local support in any problem directly related to professional duties; and
- (h) to attend Local functions and workshops.

Section 2 – Rights and Privileges of Associate Membership

5.2.1 An associate member may:

- (a) attend Local functions, by invitation, in a non-voting capacity;
- (b) receive such Local communications as the Local decides; and
- (c) serve on the Local task forces and workgroups as the Local decides.

Section 3 – Honorary Life Membership

5.3.1 Honorary Life Membership may be granted to retired members who have given outstanding service to the Local

5.3.2 The rights of an honorary life member shall be:

- to attend Local functions in a non-voting capacity;
- to receive Local publications;
- to serve, by invitation, on Local task forces, committees and workgroups; and

- to attend the annual dinner as a guest of the Local.

ARTICLE VI – LOCAL ORGANIZATION

Section 1 – Local Executive

6.1.1 The Local Executive shall include the following positions:

- (a) President
- (b) Immediate Past President, where the most recent President chooses to continue to serve in an executive capacity
- (c) Vice-President / Treasurer
- (d) Secretary
- (e) Professional Learning Coordinator
- (f) Three (3) Executive members

6.1.2. The Executive of the Local shall be elected at the Annual Meeting.

6.1.3 The term of office for the Executive shall be for two (2) years.

6.1.4 The Executive shall take office July 1st of that year.

6.1.5 The positions of President and Vice President must be filled by individuals who have previously served on the Local OT Executive.

6.1.6 At least five (5) positions on the Executive must be held by women.

6.1.7 Every attempt will be made to have members representing Sudbury, Espanola and Manitoulin Island on the Local Executive

6.1.8 Every attempt will be made to have a new teacher (in their first five (5) years of teaching) as a member of the Local Executive.

6.1.9 No Executive member can serve on the executive of another education affiliate.

Section 2 – Committees

6.2.1 There shall be the following standing committee(s):

- Budget
- Collective Bargaining

Additional standing committees shall be added as required. Standing committees shall be created at the Annual Meeting.

6.2.2 Other ad hoc committees required to carry out the work of the Local may be established by the Executive as necessary.

ARTICLE VII – ORGANIZATIONAL DUTIES

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

Section 1 – Duties of the Executive

The Executive shall:

7.1.1 Uphold the constitution, bylaws and policies of the Federation.

7.1.2 Execute the business of the Local in accordance with the constitution of the Local.

7.1.3 Hold at least three (3) regular Executive meetings. Executive meetings may be held through teleconferencing prior to each General Membership Meeting.

7.1.4 Hold an Executive meeting at the call of the President or three (3) executive members..

7.1.5 Receive a financial report at each Executive meeting.

7.1.6 Forward to provincial office by September 30 of each year, the annual audited financial statement.

7.1.7 Forward to the provincial office each year the Annual Report of the Local.

7.1.8 Recommend committee membership to the General Meeting.

7.1.9 Appoint and develop terms of reference for ad hoc committees.

7.1.10 Appoint two (2) signing officers for the Local.

7.1.11 Appoint when necessary, a successor to complete any unexpired terms of an elected or

appointed Local representative.

7.1.12 Assign additional duties, as necessary.

7.1.13 Select delegates/alternative delegates to attend the Federation Annual General Meeting.

7.1.14 Quorum for an executive meeting shall be fifty percent (50%) plus one (1). Section 2 –

Section 2 - Duties of the Officers

7.2.1 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 of the signing officers;
- (d) to be an ex-officio member of all committees;
- (e) to preside at Executive, General and Annual Meetings;
- (f) to attend the Representative Councils of ETFO when possible;
- (g) to attend the ETFO Annual meeting when possible;
- (h) to serve on the Budget committee;
- (i) to forward the annual report of the Local to the Federation
- (j) to liaise with Contract teacher and DECE locals; and
- (k) attend POTS, when necessary.

7.2.2 The duties of the Vice-President / Treasurer shall be:

- (a) in the President's absence to assume the responsibilities of the President;
- (b) any additional duties assigned by the President and/or Executive; and (c) to act as an alternate signing officer.
- (c) to keep accurate and detailed financial records of the Local;
- (d) to make a financial report to each Executive and General Meeting of the Local;
- (e) to make investments with the approval of the Executive;
- (f) to report investments during each financial report;
- (g) to ensure the audit is completed;
- (h) to forward the annual audited statement of the Local to the Federation by September 30 of each year;
- (i) to act as a signing officer;
- (j) to deposit monies of the Local in its bank account;
- (k) to pay the bills of the Local; and
- (l) to chair the budget committee.

7.2.3 The duties of the secretary shall be:

- (a) to maintain accurate records of all General/Annual meetings of the Local;
- (b) to prepare and circulate minutes of Executive/General/Annual meetings; and

(c) to maintain a motion book to track ongoing motions, beginning July 1, 2018.

Section 3 - Duties of the Committees

7.3.1 The Committees are responsible to the Executive of the Local.

7.3.2 The Budget Committee shall:

- (a) consist of two (2) or more members;
- (b) be elected or appointed by the Executive; and
- (c) be responsible for developing the annual budget.

7.3.3 The Collective Bargaining Committee shall:

- (a) consist of two (2) or more members;
- (b) be appointed by the Executive;
- (c) be responsible for drafting a Preliminary Submission;
- (d) be responsible for bargaining;
- (e) coordinate ratification procedures;
- (f) be governed by Negotiation Procedures as outlined by the Federation; and
- (g) have a Chief Negotiator, who is a member of the Executive.

ARTICLE VIII – MEETINGS

Section 1 – General Meetings

8.1.1 The quorum for a General meeting shall be: fifty percent (50%) of those in attendance plus one (1).

8.1.2 The official authority for conducting all Local meetings shall be the current Roberts Rules of Order.

Section 2 – Local Annual Meeting

8.2.1 An Annual Meeting of the members of the Local shall be held between May 1 and June 30 of each year.

8.2.2 The Annual Meeting shall:

- (a) receive the Annual Reports of the officers and committees of the Local
- (b) elect the officers of the next year
- (c) consider changes to the Local constitution.

ARTICLE IX – ELECTIONS

Section 1 – Eligibility

9.1.1 An active member in good standing may be nominated to stand for office.

Section 2 – Nominations

9.2.1 Members shall be notified of the request for nominations 30 days prior to the Local Annual

Meeting.

9.2.2 The deadline for receipt of nominations shall be 10 days prior to the meeting. 9.2.3 Should the number of nominations for a position be less than or equal to the number of vacancies for that position, immediately after the closing of the nomination period, the nominated candidates will be acclaimed to those positions. Elections will then be held for any vacancies still remaining for that position. (For example, there are 2 executive member positions available. Should there be 1 nomination received during the nomination period, then that member will be acclaimed and there will be nominations from the floor and a vote for the remaining vacancy if more than one nomination comes from the floor.)

9.2.4 Should the number of nominations for a position be greater than the number of vacancies for that position, there will be an election for all of the vacancies for that position. (For example, there are 2 executive member positions available. Should there be 5 nominations received during the nomination period, then there will be a vote for both vacancies for executive members.)

Section 3 – Election Procedures

9.3.1 The Executive shall be elected at the Annual Meeting.

9.3.2 Candidates shall have the opportunity to address the Annual Meeting.

9.3.3 The election shall be by secret ballot.

9.3.4 Unopposed candidates shall be acclaimed.

9.3.5 A successful candidate in each election must achieve a simple majority. A simple majority consist of fifty percent (50%) plus one (1). In the case of more than two nominations and failing a majority for any candidate, the candidate with the least number of votes will be dropped from the second and succeeding ballots until one of the candidates achieves a majority.

9.3.6 An unsuccessful candidate may seek another position on the Executive for which the member is eligible.

9.3.7 The ballots will be destroyed by a motion of the Annual Meeting.

9.3.8 The Executive will appoint an Electoral Officer to conduct elections and collect nominations.

9.3.9 After a vote occurs, two (2) general members who are not involved in the elections, will count the votes. One (1) of the general members could be the Electoral Officer. Each candidate can appoint one (1) scrutineer.

9.3.10 The vote count will be announced to the membership and put into the meeting minutes before the ballots can be destroyed.

ARTICLE X – ETFO ANNUAL MEETING DELEGATES

10.1 An active member of the Local may be nominated as a delegate to the ETFO Annual Meeting.

10.2 (a) The first delegate will be the Local President.

(b) The second delegate will be an executive member.

(c) Additional delegates will be from the general membership meeting. 10.3 The membership shall decide the number of alternate delegates sent to the Annual Meeting.

10.4 If the number of people interested in an alternate position is more than the number of seats,

each member will have an opportunity to address the group and a vote will be taken.

ARTICLE XI – ANNUAL MEETING RESOLUTIONS

11.1 Resolutions of the ETFO Annual Meeting must be accepted at the General Meeting to be held prior to March 1.

ARTICLE XII – CONSTITUTIONAL AMENDMENTS

12.1 Proposed amendments to the Local constitution must be approved by the Executive thirty (30) days prior to the Local Annual Meeting.

12.2 The Executive shall present a copy of all proposed amendments to members present at the Local Annual Meeting.

12.3 The Constitution shall be amended if sixty (60%) of the members present at the Local Annual Meeting vote in favor of the proposed amendment.

12.4 Notice of motion will be indicated to membership ten (10) days prior to the meeting.

ARTICLE XIII – FINANCES

13.1 The fiscal year of the Local shall be the period from July 1 of the current calendar year to

June 30 of the succeeding calendar year.

13.2 The Local shall collect a levy of 0.5% of the salary of each member to carry out the administration and duties of the Local.

13.3 Expenditures in excess of \$500 must be approved by the Executive, with the exception of items included in the annual budget.

13.4 x (placeholder)

13.5 Two credit cards to be used for local expenses, reconciled each month. One in possession of the President and one in possession of the Treasurer.

ARTICLE XIV – CODE OF CONDUCT

14.1 Honour the terms of the Collective Agreement and support Collective Bargaining initiatives, including a strike authorized by a legal vote.

14.2 Strive to achieve and maintain, a high degree of professionalism and to uphold the ethical standards of the teaching profession.