

**District 13 OSSTF CONSTITUTION,
BYLAWS AND POLICY**

2022-2023

ARTICLE I – NAME

This organization shall be known as OSSTF District 13 - Durham.

ARTICLE II – DEFINITIONS

In this Constitution:

- a) OSSTF shall mean Ontario Secondary School Teachers' Federation;
- b) The District" shall mean OSSTF District 13 - Durham;
- c) "Members" shall mean active members of District 13;
- d) "The Bylaws" shall mean the bylaws of District 13, OSSTF;
- e) "The District Executive" shall mean the District Executive of District 13, OSSTF;
- f) "TBU" shall mean the Teachers' Bargaining Unit;
- g) "OTBU" shall mean the Occasional Teachers' Bargaining Unit;
- h) "O.T.F." shall mean the Ontario Teachers' Federation.
- i) "PSSP" shall mean the Professional Student Services Personnel
- j) "Executive Officer" shall mean the member hired by the District Executive to be full or part-time release officer to the District.
- k) "Federation Officer" shall mean the TBU President and Executive Officers who are full or part time release officers to the District.

ARTICLE III – OBJECTS

The objects of this District shall be as specified in Article 3 of the Provincial OSSTF Constitution.

ARTICLE IV – MEMBERSHIP

Membership shall be as designated according to the Provincial OSSTF Constitution & Bylaws.

ARTICLE V – FUNDS

- SECTION 1 The District will function using the rebate allotted from Provincial O.S.S.T.F. for expenses incurred in carrying out District business. The complete Provincial rebate will be used according to the District Budget approved by the District Executive.
- SECTION 2 At the discretion of the Executive, charges for special activities will be set, each case being treated individually.
- SECTION 3 By a three-quarters majority vote of the Members present, qualified to vote and voting, at a District Annual Meeting, special fees may be levied from time to time to finance specified projects, each case being treated individually.
- SECTION 4 A District Levy will be collected and used in accordance with Bylaw VII from each Bargaining Unit.
- SECTION 5 Annual Branch rebates, as prescribed in the District and TBU Bylaws, will be paid to each Branch as determined by the FTE at each Branch.

SECTION 6 Resolutions that require District funds must be submitted to the District President four weeks prior to the District Annual Meeting.

SECTION 7 The District may establish such special accounts as it deems necessary.

SECTION 8 At the District Annual Meeting each year, auditors will be appointed by motion.

ARTICLE VI – ORGANIZATION

SECTION 1 This District organization shall consist of those Members covered by Article IV of this Constitution.

SECTION 2 There shall be a District Executive consisting of:

- a) Voting Members as follows:
 - (i) the President;
 - (ii) four Vice-Presidents;
 - (iii) the Secretary-Treasurer, or Secretary and Treasurer;
 - (iv) the Additional Bargaining Unit Provincial Councillor(s);
 - (v) the Chairpersons of Standing Committees;
 - (vi) the Presidents of all bargaining units (or their designates);
 - (vii) the Anti-Oppression and Social Justice Lead.
- b) Non-voting Members as follows:
 - (i) the Executive Officer(s).

Each member of the District Executive will only have one vote even if multiple positions are held by one person.

SECTION 3 There shall be a District Council consisting of:

- a) Voting Members as follows:
 - (i) the District Executive;
 - (ii) the Presidents of the Branches, or their designates;
 - (iii) 4 OTBU representatives
 - (iv) 1 PSSP representative
 - (v) Delegates to the Provincial Assembly;
 - (vi) any Members of District 13 who are members of the Provincial Executive.
- b) Non-voting Members as follows:
 - (i) any Members of District 13 who are members of Provincial Standing Committees or Councils or O.T.F. Board of Governors;
 - (ii) one PSSP representative from each job class not represented by the President and the voting member in a) (iv).

Only one vote per person no matter how many roles

SECTION 4 There shall be a District Annual Meeting. The Membership of the meeting shall be determined by the Bylaws.

SECTION 5 The District shall provide for the election or appointment of officers and committees as specified in the Bylaws.

ARTICLE VII – ELECTRONIC MEETINGS

If circumstances prevent in-person meetings, meetings of the Bargaining Unit membership, executive, or committees may be held electronically with approval from the District President. Under no circumstances can any part of the electronic meeting be recorded.

ARTICLE VIII – BARGAINING UNITS

- SECTION 1 The District shall contain three Bargaining Units. These units are the Teachers’ Bargaining Unit (TBU), the Secondary Occasional Teachers’ Bargaining Unit (OTBU) and the Professional Student Services Personnel (PSSP).
- SECTION 2 Membership in the TBU shall consist of permanent active teachers including facilitators, instructional coaches, teachers at Grove School, and credit-granting Continuing Education Teachers employed by the Durham District School Board.
- SECTION 3 Membership in the OTBU shall consist of Secondary Occasional Teachers as defined in the Education Act of Ontario employed by the Durham District School Board.
- SECTION 4 Membership in the PSSP shall consist of Child and Youth Workers, Interpreters, Intervenors, Psychological Associates, Psychologists, Psychometrists, Social Workers, Speech and Language Pathologists and any other PSSP classification as defined in the recognition clause in the Collective Agreement of the PSSP Bargaining Unit employed by the Durham District School Board.
- SECTION 5 The decision to organize other Bargaining Units within or apart from these Bargaining Units will be at the discretion of the District Executive in accordance with Provincial OSSTF policies and procedures.
- SECTION 6 The structure and rules governing each of the Units shall be established by the Constitution and Bylaws of each Bargaining Unit. The Constitution and Bylaws of a Unit shall not contravene the Constitution and Bylaws of The District or Provincial OSSTF.
- SECTION 7 There shall be a Bargaining Unit Executive consisting of at least the following positions: a President, Vice-President, Secretary, and Treasurer.
- SECTION 8 Funding to each Bargaining Unit shall be determined in the District Budget set each year by the District Executive. Each Bargaining Unit will be expected to fund the operation of the District office.

ARTICLE IX – BYLAWS

- SECTION 1 The District Annual Meeting may pass Bylaws not inconsistent with The District Constitution or the Constitution & Bylaws of Provincial OSSTF concerning:
- a) the procedure for the election of the elected District Executive positions and Delegates to the Provincial Assembly;
 - b) the formation of Branch organizations;
 - c) the management of its property and its own internal organization and administration;
 - d) the time, place and conduct of the Annual and other meetings of the District;

- e) all other matters as are deemed necessary or convenient for the promotion of the welfare of the Members or the conduct of the business of the District.

ARTICLE X – AMENDMENTS TO THE CONSTITUTION

- SECTION 1 Amendments to this Constitution may be made at the District Annual Meeting by a two-thirds vote of the Members present, qualified to vote and voting, provided that:
- a) written notice of the proposed amendment shall have been given to the District President at least eight weeks in advance of the next District Annual Meeting;
 - b) such notice shall be published to the membership at least five weeks in advance of the next District Annual Meeting by the District President.

If section a) is not met, amendments to this constitution will be deemed late and require a 9/10 majority vote at the District Annual Meeting.

- SECTION 2 If a resolution at the District Annual Meeting is deemed to require constitutional amendment to be in order, such resolutions and required amendments shall be accepted as notice of motion to the next District Annual Meeting.

ARTICLE XI – COMPLIANCE

No part of this constitution may contravene any of the constitutions or bylaws of the Provincial OSSTF. If any parts are found to contravene the constitutions or bylaws of the Provincial OSSTF, then the provincial constitutions and bylaws shall apply.

BYLAWS

BYLAW I – MEETINGS

- SECTION 1
- a) The District Executive shall meet at the call of the District President or at the written request of two Members of the District Executive.
 - b) A quorum for meetings of the District Executive shall be fifty percent of those qualified to vote at such meetings; this shall include at least three (3) of the President, Vice-Presidents, Secretary, Treasurer, and Additional Bargaining Unit Provincial Councillor(s).
 - c) When a vote is taken, the collective will of the District Executive shall be decided by simple majority vote of the District Executive as long as quorum is achieved.
- SECTION 2
- a) The District Council shall have fall, winter and spring meetings, and shall meet at such other times as may be determined by the District Executive, the District Annual Meeting, or the District Council.
 - b) A quorum for meetings of the District Council shall be fifty percent of the voting members of the District Council.
 - c) When a vote is taken, the collective will of the District Council shall be decided by simple majority vote of the District Council as long as quorum is achieved.
- SECTION 3 The District Annual Meeting shall be held in the month of May. Notification of the meeting will be announced to the membership by the end of February.

SECTION 4 District mass meetings other than the District Annual Meeting may be called at any time at the discretion of the District Executive. Except in the case of a strike vote conducted at a mass meeting, the results of which are binding, the purpose of such meetings can be consultative, but not legislative; any decision on matters discussed at these meetings must be taken by referendum at the Branch level.

SECTION 5 A District Committee shall meet at such times as its Chairperson shall direct, or at the discretion of the District Executive.

SECTION 6

- a) Membership of the District Annual Meeting shall consist of all Members in attendance.
- b) A quorum for the District Annual Meeting shall be those members in attendance at the District Annual Meeting when any vote is taken.

SECTION 7 Executive Session

- a) District Executive, District Council, or a District Committee shall move into Executive Session whenever it must consider either matters relating to personnel or matters of serious importance to the body.
- b) The TBU/PSSP/OTBU Executive or a TBU/PSSP/OTBU committee shall move into Executive Session whenever it must consider either matters relating to personnel or matters of serious importance to the body.
- c) The standard resolution to move into Executive Session should be worded as follows: "Be it resolved that this House move into Executive Session, with the Chairperson in the Chair, minimal staff present, and the doors tyled."
- d) All matters discussed in Executive Session shall remain absolutely confidential to those members present during the Session. Violation of this provision of confidentiality is punishable under the disciplinary procedures of OSSTF. The Minutes of an Executive Session shall be read and acted upon only in an Executive Session.
- e) The Minutes of an Executive Session shall be kept in a secure location for a period of seven years, whereafter they shall be destroyed.
- f) Within Executive Session, the standard rules of order shall be followed unless the Executive specifically directs otherwise.
- g) A resolution to rise from Executive Session shall be moved at the end of the Session.
- h) The resolutions directing the Executive to move into and rise from Executive Session are the only public record of the Executive Session.
- i) Any resolution arising from Executive Session which requires public action shall be reported in the resolution to rise from Executive Session."

BYLAW II - STANDING COMMITTEES

SECTION 1 There shall be the following District Standing Committees:

- a) Health and Safety;
- b) Communications;
- c) Public Relations;
- d) Educational Issues/Political Action;
- e) Professional Development/Ed Services;
- f) Human Rights;
- g) Constitution Committee.

- SECTION 2 Each District Standing Committee shall have a mandate approved by District Executive, and reviewed annually by the members of the Committee.
- a) Any Member of The District is eligible for any elected position except:
 - Additional Bargaining Unit Provincial Councillor which is restricted to members of that Bargaining Unit.
 - b) Executive Officers may only hold the following elected positions and only in a non-voting capacity at District Executive and District Council:
 - Treasurer or Secretary/Treasurer
 - Additional Bargaining Unit Provincial Councillor
 - AMPA Delegate
 - i. In the event where an Executive Officer runs and is elected for a position that is not included in the list above, the Executive Officer will vacate their Executive Officer position upon taking office.
 - ii. In the event where a member holding an elected position not listed in (2b) earns an Executive Officer position, the member will vacate the elected position upon the start of the hired term.
 - c) A candidate may hold more than one elected position.

SECTION 3 Each Branch of the Bargaining Units or, where a Bargaining Unit does not contain Branches, the Bargaining Unit Executive, will elect or appoint the members of these committees.

- SECTION 4
- a) The District Executive shall arrange for the election or appointment of the Chairpersons of Standing Committees.
 - b) These positions are for one year terms.

SECTION 5 The Chairpersons of the District Standing Committees shall be considered voting members of the District Executive at all District Executive Meetings. Where the position of chairperson is shared by two or more people, any or all may attend District Executive Meetings, but only one representative of a committee may vote.

SECTION 6 The District Executive may appoint an Executive Officer to each Standing Committee as a District Liaison. This Executive Officer shall then be a voting member of the Committee to which he or she is appointed.

BYLAW III – NOMINATION, CAMPAIGN AND ELECTION PROCEDURES

SECTION 1 At the District Annual Meeting, elections shall be held for the following positions of the District Executive: District President, District Vice-Presidents (4), District Secretary, District Treasurer, and Delegates to the Provincial Assembly, the number of the last being determined by the Constitution and Bylaws of Provincial OSSTF.

- SECTION 2
- a) Any Member of The District is eligible for any elected position except:
 - Additional Bargaining Unit Provincial Councillor which is restricted to members of that Bargaining Unit.
 - b) Executive Officers may only hold the following elected positions and only in a non-voting capacity at District Executive and District Council:

- Treasurer or Secretary/Treasurer
 - Additional Bargaining Unit Provincial Councillor
 - AMPA Delegate
- i. In the event where an Executive Officer runs and is elected for a position that is not included in the list above, the Executive Officer will vacate their Executive Officer position upon taking office.
 - ii. In the event where a member holding an elected position not listed in (2b) earns an Executive Officer position, the member will vacate the elected position upon the start of the hired term.

c) A candidate may hold more than one elected position.

SECTION 3 If a Bargaining Unit has enough FTE to generate Additional Bargaining Unit Provincial Councillor(s) then their election may occur at the District Annual Meeting with the procedures determined by that Bargaining Unit and elected by only members of that Bargaining Unit.

SECTION 4 Nomination

- a) A nominating committee, appointed by the District Executive, shall
- b) prepare a list of nominees for all open elected offices for presentation to the District Annual Meeting.
- c) This committee will accept, with the consent of the nominee, any
- d) nominations for office signed by at least two Members of The District, up to four weeks prior to the District Annual Meeting.
- e) After this deadline, nominations will BE deemed closed for all positions unless there is no nominee for a given position, in which case that position will remain open, with subsequent nominations being accepted.
- f) The committee will forward to the Branch Presidents or Bargaining Unit Presidents the list of nominees no later than three weeks prior to the District Annual Meeting.
- g) It is the duty of each Branch President or Bargaining Unit President to ensure that the Membership of his or her Branch is aware of these nominations.
- h) Nominations for any position from the floor of the District Annual Meeting, with the consent of the nominee and signed by at least two Members of the District, shall only be accepted for open positions.

SECTION 5 Campaign Rules

- a) Candidates for elected positions may only distribute copies of a single information sheet or pamphlet to each school not earlier than 3 weeks prior to the District Annual Meeting. Campaigning will not be allowed through electronic communication with the exception of InPrint13 and/or the District 13 website.
- b) Each candidate may place only information sheets or pamphlets on the tables at the District Annual Meeting. Each information sheet or pamphlet may not exceed 8.5" x 11" and may include photographs and information about the candidate.
- c) Candidates may publish an advertisement in the April issue of the District newsletter in accordance with newsletter rules and deadlines. Ad size maximums are a full page for President, half page for Vice-President and quarter page for all other elected positions.
- d) If an all-candidates meeting is held, all candidates must be invited to attend. Such a meeting must be held at a time that is outside of the regular school day. Rules for the

all-candidates meeting will be provided by the Nomination Committee to the candidates at least one week in advance of the meeting and must include the opportunity for opening and closing statements from all candidates as well as a question and answer session where each candidate has the opportunity to respond.

- e) Attendance at all-candidates meetings is restricted only to members of the District.
- f) Candidates may only visit schools at times that are outside of the regular school day.

SECTION 6 Election

- a) The election for District President will be held near the beginning of the meeting. When three or more candidates are running for the office of District President, or any other single office, the voter will rank the candidates in order of preference, 1,2,3, etc. and the ballots will be counted as in the Australian Preferential Ballot, the candidate first gaining a majority of the votes cast being elected. As soon as the counting of the ballots for President is complete, the result will be announced. The defeated candidates for President can then agree or decline to have their names added to the list of nominees for District Vice-President.
- b) The election for four District Vice-Presidents will then be held. The voter will mark one, two, three or four candidates with no preference indicated. The candidate with the greatest number of votes shall be the District First Vice-President; the candidate with the second greatest number of votes shall be the District Second Vice-President, the candidate with the third greatest number of votes will be the District Third Vice-President and the candidate with the fourth greatest number of votes will be the District Fourth Vice-President. An election must be held to determine the order of office.
- c) In the event of a tie when voting for the office of Vice-President, where the results of breaking the tie will determine if an individual will be part of the District Executive or will impact the ranking order of the Vice-Presidents, a run-off vote of the tied candidates shall be taken by the membership at the District Annual Meeting.
- d) In the event of a tie after the run-off vote, the chairperson shall cast a ballot to break the tie.
- e) A single ballot for the remaining elected District Executive Positions will be held. Single offices will be determined as for the District President. Delegates to the Provincial Assembly will be determined in a similar way to the District Vice-Presidents, except that no ranking of delegates will result. The successful candidate(s) for Additional Bargaining Unit Provincial Councillor(s) (along with the Bargaining Unit Presidents) will be automatically named as delegates to the Provincial Assembly and the number elected may vary from year to year.
- f) At the District Annual Meeting, candidates for the office of District President shall be allowed five (5) minutes to speak; candidates for the office of District Vice-President shall be allowed three (3) minutes to speak; candidate(s) for the positions of District Treasurer, Additional Bargaining Unit Provincial Councillor(s) and District Secretary shall be allowed two (2) minutes to speak; candidates for the position of Delegate to the Provincial Assembly shall be allowed one (1) minute to speak.
- g) All elections shall be conducted by secret ballot.
- h) Each candidate may name a scrutineer to observe the counting of the ballots.

SECTION 7 All terms of office shall be for one year from July 1 following the election.

SECTION 8 The District President-elect shall be made a member (supernumerary) of the District Executive immediately following his or her election.

BYLAW IV – DUTIES

SECTION 1 It shall be the duty of the District President:

- a) to call and preside at all meetings of the District Executive, the District Council and other District Meetings;
- b) to maintain contact with all District work, and to be an ex-officio voting Member of each District Committee;
- c) to supervise the function of the District 13 Office and the Executive Officers;
- d) to keep the Provincial Executive informed of federation activities within the District;
- e) to act as co-signing authority for District cheques and electronic payments;
- f) to act as Education Issues / Political Action Co-Chair;
- g) to act as the Chair of the District Constitution Committee.

SECTION 2 It shall be the duty of the District First Vice-President:

- a) to perform the duties of the District President in their absence, or at the President's request;
- b) to act as chairperson of the Resolutions Committee prior to and at the District Annual Meeting;
- c) be part of the TBU Collective Bargaining Committee as a voting member provided they are a member of the TBU;
- d) to act as coordinator of the District Annual Meeting.

SECTION 3 It shall be the duty of the District Second Vice-President:

- a) to perform the duties of the District First Vice-President in their absence;
- b) to perform duties as assigned by the District Executive;
- c) to act as a liaison to Durham Regional Labour Council.

SECTION 4 It shall be the duty of the District Third Vice-President:

- a) to perform the duties of the District Second Vice-President in their absence;
- b) to perform duties as assigned by the District Executive;
- c) to act as a liaison to the Provincial Human Rights Committee.

SECTION 5 It shall be the duty of the District Fourth Vice-President:

- a) to perform the duties of the District Third Vice-President in their absence;
- b) to perform duties as assigned by the District Executive;
- c) to act as a liaison to the Provincial Status of Women Committee.

SECTION 6 It shall be the duty of the District Secretary:

- a) to record all minutes;
- b) to ensure the receipt, answering and keeping of all District correspondence;
- c) to ensure the retention of all records of District Annual Meeting, District Council and District Executive minutes;
- d) to ensure the forwarding of those resolutions and recommendations of the District which should be brought to the attention of the Provincial Federation;
- e) e) to act as co-signing authority for District cheques and electronic payments.

SECTION 7 It shall be the duty of the District Treasurer:

- a) to ensure the retention of an accounting of all monies received and disbursed according to the appropriate accounting procedures of the Provincial OSSTF;

- b) to ensure the deposit of all monies received in a chartered bank or trust company in the name of OSSTF, District 13 – Durham;
- c) to issue receipts for all monies received;
- d) to submit a financial statement, at least quarterly, to the District Executive and District Council;
- e) to pay all authorized accounts by cheque or electronic means in accordance with the Bylaws of the District;
- f) to present annually to the District Annual Meeting, a detailed and duly audited financial statement for the preceding fiscal year;
- g) to prepare a draft budget to present to the District Executive for consultation and approval each year;
- h) to present the current year’s budget to District Council after approval by the District Executive;
- i) to establish a petty cash fund for the use of the District 13 Office not to exceed two hundred dollars (\$200.00);
- j) to establish and maintain a credit card for the use of the District 13 Office with an available credit limit not to exceed three thousand dollars (\$3,000);
- k) to act as co-signing authority for District cheques and electronic payments.

SECTION 8 It shall be the duty of the District 13 Executive:

- a) to promote within the District the objects of the OSSTF Constitution;
- b) to meet before all District meetings and at other times at the call of the President or at the written request of two or more Members of the Executive;
- c) arrange for the election or appointment of the Chairpersons of Standing Committees;
- d) to arrange for the appointment of an Anti-Oppression and Social Justice Lead;
- e) to ensure that the arrangements for meetings of the District Council and District Membership occur;
- f) to report to the District Members at their District Annual Meeting;
- g) to give full consideration to any recommendation from the District Council;
- h) to carry out the instructions of the District Annual Meeting;
- i) to instruct the Bargaining Unit Presidents, Additional Bargaining Unit Provincial Councillor(s) and District Delegates to the Provincial Assembly on matters to come before the Provincial Council and Provincial Assembly;
- j) to deal with matters which, in its opinion, require action between meetings of the District Membership and District Council;
- k) to keep the District Members informed of its activities;
- l) to appoint a successor to complete the unexpired term of a Chairperson of a Standing Committee if they are unable to complete their term of office;
- m) to appoint a successor to complete the unexpired term of a Member of the District Executive holding a position which is normally filled through elections at the District Annual Meeting if they are unable to complete their term of office, provided that such unexpired term is less than sixty (60) calendar days;
- n) to ensure the appointment of District Alternates to the Provincial Assembly;
- o) to authorize payment of expenses and accounts incurred in the conduct of approved business of the District;
- p) to inform the Provincial Executive of any alleged unprofessional conduct within the District;
- q) to inform the Provincial Executive of any matter adversely affecting the welfare of the federation or one or more of its Members;

- r) to refer to the Provincial Executive or its representatives all questions requiring legal advice;
- s) to appoint Executive Officers in accordance with Bylaw VI Section I;
- t) to ensure that the District 13 Anti-Harassment and Anti-Bullying Policy and Procedure is followed at all OSSTF District 13 workplaces, meetings and functions;
- u) to adjust, if needed, and approve the District Budget prepared by the District Treasurer.

SECTION 9 It shall be the duty of District Council:

- a) to receive and pass upon reports from the District Executive and District Committees;
- b) to advise the District Executive on any matter of concern to the District Membership;
- c) to establish interim policy where needed, with instructions to the District Executive provided:
 - (i) no previous policy on the matter has been determined by the District;
 - (ii) the policy resolution carries at a District council meeting by a two-thirds majority of those Members present, qualified to vote and voting;
 - (iii) the policy resolution is to be presented to the next District Annual Meeting for approval or rejection;
- d) to elect an individual to complete the unexpired term of a Member of the District Executive holding a position which is normally filled through elections at the District Annual Meeting if they are unable to complete their term of office, provided that such unexpired term is at least sixty (60) calendar days; as notice of the extended vacancy must be provided to the membership in a timely fashion, the following elections rules would apply:
 - (i) until a replacement is duly elected, the District Executive will take responsibility for the exercise of duties of the vacant position;
 - (ii) written notification of the vacancy and the election process to fill that vacancy must be provided to the membership within two (2) weeks of the vacancy (should the vacancy occur during a non-work period, within two (2) weeks of the return to work);
 - (iii) an election for the vacant position shall be held at a meeting of District Council which must occur within four (4) weeks of the vacancy (should the vacancy occur during a non-work period, within four (4) weeks of the return to work);
 - (iv) two (2) members of Executive not running for the vacant position shall be designated as the nominating committee and shall run the election according to the rules outlined in Bylaw III.
- e) to maintain, and amend as needed, the District 13 Procedure Manual

SECTION 10 It shall be the duty of the District Membership at its District Annual Meeting:

- a) to elect the District President, District Vice-Presidents, District Secretary-Treasurer or District Secretary and District Treasurer, and District Delegates to the Provincial Assembly;
- b) to receive any communication and reports of Federation Officers, Auditors and Committees;
- c) to receive any communications and resolutions from the Branches of the District, the District Executive and the Bargaining Units;
- d) to receive communications and reports from Provincial OSSTF and O.T.F.;
- e) to determine the action to be taken in regard to the reports received and to instruct the Executive and committees thereon;

- f) to consider matters of general interest to education as they affect OSSTF and the District;
- g) to vote on any proposed resolutions or amendments deemed to be in order;
- h) to establish, amend, or rescind policy for the District.

SECTION 11 It shall be the duty of Chairpersons of District Committees:

- a) to convene and direct the work of their committees in accordance with the instructions of the District Executive;
- b) to work in cooperation with the appropriate Provincial bodies;
- c) to report to the District Annual Meeting and to the District Executive and District Council;
- d) to keep the Membership informed on matters affecting the welfare of the District;
- e) in the case of Standing Committees, to attend as full Members, or be represented at meetings of the District Executive and the District Council;
- f) to operate within their committees' allocated budget line(s);
- g) to bring a motion to District Executive for approval of an anticipated over expenditure beyond their committees' budget line(s).

SECTION 12 It shall be the duty of Delegates to the Provincial Assembly to attend the Annual Meeting of the Provincial Assembly during their term of office.

SECTION 13 It shall be the duty of Bargaining Unit Presidents and Additional Bargaining Unit Provincial Councillor(s):

- a) to ensure that any District Council motion that is on-time and in order is moved at the Annual Meeting of the Provincial Assembly;
- b) to act as Delegates to the Provincial Assembly;
- c) to communicate with the District Executive and Delegates on matters to come before Provincial Council and Provincial Assembly;
- d) to consult with each other on specific issues going on in the District as needed.

SECTION 14 It shall be the duty of the Executive Officers:

(Hiring and compensation outlined in Bylaw VII):

- a) to take responsibility for all matters relating to negotiations for all bargaining units, including but not limited to the surveying of the membership regarding educational issues and bargaining priorities, and preparing the negotiating brief upon request of the Bargaining Unit;
- b) to take responsibility for contract maintenance, including but not limited to the surveying of members regarding class size and workload;
- c) to assist members with matters related to leaves of absence, extended illness, and the benefits and Long-Term Disability plans;
- d) to undertake District staff allocation responsibilities;
- e) to act in the role of the certified worker(s) on the Joint Health and Safety Committee and to liaise with the District Health and Safety Committee;
- f) to act as co-signing authority for District cheques and electronic payments.

BYLAW V – FEDERATION OFFICERS' LEAVE & SALARY AND DISTRICT LEVY

SECTION 1

- a) The District President shall not be a paid seconded position.
- b) Each bargaining unit shall have a Chief Negotiator.
- c) Total release time for the Executive Officer(s) of the District shall not exceed 3 full time equivalent positions. Each Executive Officer shall be relieved of a specific

amount of teaching/working duties without loss of salary, allowances, benefits, sick leave credits or seniority.

- d) The Federation Officers shall each receive an additional stipend equivalent to the Department Head Allowance in the TBU Collective Agreement prorated to their FTE status.

SECTION 2 Permanent Teachers of District 13, OSSTF, shall be assessed a District levy not to exceed \$126.50 (one hundred and twenty-six dollars and 50 cents) per year for full time Members. The District levy for part-time Members shall be 50% of the levy for full time Members. The monies collected from the permanent teachers for this levy will be first used to pay for the TBU President's salary and benefits, and then as per Section 6.

SECTION 3 Members of the Secondary OTBU, shall be assessed a District levy of 0.15% of gross salary, to be used as per Section 6.

SECTION 4 Members of the PSSP Bargaining Unit, shall be assessed a District levy of 0.15% of gross salary, to be used as per Section 6.

SECTION 5 The District shall arrange with the Durham District School Board to collect this levy by payroll deduction in accordance with the collective agreements between the Durham District School Board and the District.

SECTION 6 Monies collected through the District levy shall be used to pay Federation Officers' salaries and benefits costs, as outlined in the collective agreements, and the running of the District.

SECTION 7 If the monies collected through the levy exceed the amount required to pay for the District's share of salary and benefits for Federation Officers, then the District Executive will determine the amount of the levy to be assessed for the following school year in accordance with Bylaw VI.

BYLAW VI – HIRING AND WORKING CONDITIONS OF EXECUTIVE OFFICERS

SECTION 1 Hiring Executive Procedures for Officers

- a) a hiring team will be struck, composed of the District President, one District Vice-President and one other District Executive member appointed by the District Executive;
- b) Should a member of the hiring team apply for the vacant position or recuse themselves due to a conflict of interest, the District Executive will appoint from amongst its members a replacement(s) and report this appointment to District Council;
- c) a posting approved by the District Executive will be displayed at work sites for at least one week prior to closing;
- d) the hiring team may short-list candidates to be interviewed;
- e) the hiring team will make a recommendation to the District Executive, which must be ratified by the District Executive in order to take effect;
- f) where it is known that there will be a vacant Executive Officer position for the next school year, hiring shall be conducted between the District Annual Meeting and the end of June of the current school year. A vacancy at another time will be filled on an interim basis, by appointment through the District Executive, until the end of that school year.

SECTION 2 Working Conditions for Executive Officers

- a) Executive Officer positions shall be 0.5 full time equivalent which may be hired separately or combined, at the discretion of the District Executive, such that no person shall be assigned more than 1.0 full time equivalency.
- b) a probationary period ending January 1st will apply to all newly appointed Executive Officer positions commencing in September of the school year; the Executive Officer may leave the appointment or the District President may recommend to Executive to terminate the appointment at the end of this period with no reason given; the Executive Officer on probation shall meet with the District President at regular intervals at the discretion of the President during this period.
- c) after the probationary period, termination of an Executive Officer's appointment shall be for just cause, as determined by the District Executive.
- d) a terminated Executive Office shall be paid on leave until an appropriate opportunity arises to return to regular bargaining unit work.
- e) Executive Officers may request one regular work day off during the school year in lieu of time spent working on weekends and during the summer. This request must be submitted to the District Executive for consideration at the Executive meeting prior to the requested date and then reported to the District Council.

BYLAW VII - DISTRICT 13 RESERVE FUNDS

SECTION 1 The District 13 Property Fund

- a) Capital from the District 13 Property Fund shall be used for major costs necessitated by the purchase, lease, repair and/or renovations of office space and facility for the use of the District.
- b) Any monies expended from this fund shall be approved by the District Executive and such approval be reported to District Council.
- c) The District 13 Property Fund shall not exceed \$150,000.
- d) On June 30th of each year, if the balance of the District 13 Property Fund does not meet the maximum amount of the fund, additional funds shall be transferred from the general operating funds of the District to the District 13 Property Fund as available.

SECTION 2 The District 13 Capital Equipment Fund

- a) Capital from the District 13 Capital Equipment Fund is to provide for the purchase, replacement, rental or repair of capital equipment for the use of the District.
- b) Any monies expended from this fund shall be approved by the District Executive and such approval be reported to District Council.
- c) The District 13 Capital Equipment Fund shall not exceed \$50,000.
- d) On June 30th of each year, if the balance of the District 13 Capital Equipment Fund does not meet the maximum amount of the fund, additional funds shall be transferred from the general operating funds of the District to the District 13 Capital Equipment Fund as available.

SECTION 3 The District 13 Negotiations Expenses Fund

- a) Capital from the District 13 Negotiations Expenses Fund is to provide for any expenses arising from negotiations.
- b) Any monies expended from this fund shall be approved by the District Executive and such approval be reported to District Council.
- c) The District 13 Negotiations Expenses Fund shall not exceed \$200,000.
- d) On June 30th of each year, if the balance of the District 13 Negotiations Expenses Fund does not meet the maximum amount of the fund, additional funds shall be

transferred from the general operating funds of the District to the District 13 Negotiations Expenses Fund as available.

SECTION 4 The District 13 Professional Development Fund

- a) Capital from the District 13 Professional Development Fund is to provide for the training and professional development of school reps, committee reps, District Office personnel and leadership of the District.
- b) Any monies expended from this fund shall be approved by the District Executive and such approval be reported to District Council.
- c) The District 13 Professional Development Fund shall not exceed \$50,000.
- d) On June 30th of each year, if the balance of the District 13 Professional Development Fund does not meet the maximum amount of the fund, additional funds shall be transferred from the general operating funds of the District to the District 13 Professional Development Fund as available.

SECTION 5 The District 13 Legal Counsel Fund

- a) Capital from the District Legal Counsel Fund is to provide for the hiring of legal counsel to represent the District President in any case brought against District 13 where Provincial Office is unable to provide legal assistance because it is dealing with an employer/employee conflict within OSSTF.
- b) Any monies expended from this fund shall be approved by the District Executive and such approval be reported to District Council.
- c) The District 13 Legal Counsel Fund shall not exceed \$50,000.
- d) On June 30th of each year, if the balance of the District 13 Legal Counsel Fund does not meet the maximum amount of the fund, additional funds shall be transferred from the general operating funds of the District to the District 13 Legal Counsel Fund as available.

SECTION 6 The District 13 Staff Replacement Fund

- a) Capital from the District 13 Staff Replacement Fund shall be used to pay the costs of replacing any of the District Federation Officers (not including permanent employees) during an extended Sick Leave absence of more than 10 days.
- b) Any monies expended from this fund shall be approved by the District Executive and such approval be reported to District Council.
- c) The District 13 Staff Replacement Fund shall not exceed \$120,000.
- d) On June 30th of each year, if the balance of the District 13 Staff Replacement Fund does not meet the maximum amount of the fund, additional funds shall be transferred from the general operating funds of the District to the District 13 Staff Replacement Fund as available.

SECTION 7 The District 13 Permanent Employee Sick Leave Reserve Fund

- a) Capital from the District 13 Permanent Employee Sick Leave Reserve Fund shall be used to pay the costs of replacing permanent employees during an extended absence of more than 20 days.
- b) Any monies expended from this fund shall be approved by the District Executive and such approval be reported to District Council.
- c) The District 13 Permanent Employee Sick Leave Reserve Fund shall be of an amount equaling 90 (ninety) days' salary for each permanent employee.

- d) On June 30th of each year, if the balance of the District 13 Permanent Employee Sick Leave Reserve Fund exceeds the maximum payout to eligible employees, excess funds shall be transferred to the general operating funds of the District.
- e) On June 30th of each year, if the balance of the District 13 Permanent Employee Sick Leave Reserve Fund does not meet the maximum payout to eligible employees, additional funds shall be transferred from the general operating funds of the District to the District 13 Permanent Employee Sick Leave Reserve Fund as available.

SECTION 8 The District 13 Permanent Employee Severance Gratuity Fund

- a) Capital from the District 13 Permanent Employee Severance Gratuity Fund shall be used to pay permanent employees a gratuity on leaving the employ of the District.
- b) Any monies expended from this fund shall be approved by the District Executive and such approval be reported to District Council.
- c) The gratuity paid shall be as outlined in the current *Agreement on Salary, Benefits and Conditions of Work* of the permanent employees of the District. It is understood that only those employees of the District who do not accrue gratuity credits with The Durham District School Board are eligible for this severance gratuity.
- d) The payout to a permanent employee will be 2% for every complete year of employment with the District to a maximum of 50% of the annual salary of the employee at the time of leaving the employ of the District.
- e) On June 30th of each year, if the balance of the District 13 Permanent Employee Severance Gratuity Fund exceeds the maximum payout to eligible employees, excess funds shall be transferred to the general operating funds of the District.
- f) On June 30th of each year, an amount equaling the accrued percentage of the total annual salaries of eligible permanent employees in effect for that current fiscal year shall be added to the District 13 Employee Severance Gratuity Fund as available.

SECTION 9 The District 13 Credit Card Security Fund

- a) Capital from the District 13 Credit Card Security Fund is to ensure that the cardholder of the District 13 credit card is not personally liable for the balance on the credit card.
- b) The District 13 Credit Card Security Fund shall be held in a separate bank account with the financial institution issuing the credit card.
- c) Any monies expended from this fund shall be reported to the District Executive and District Council.
- d) The District 13 Credit Card Security Fund shall maintain an amount of \$3,000.
- e) If the balance of the District 13 Credit Card Security Fund does not meet the full amount of the fund, additional funds shall be transferred from the general operating funds of the District to the District 13 Credit Card Security Fund immediately.

BYLAW VIII – PROCEDURE

SECTION 1

- a) District Executive and Council Meetings shall be conducted according to an agenda which must be approved as the first item of business after the meeting is called to order.
- b) This agenda must include:
 - (i) at the first meeting of the school year, and then at the discretion of the Chairperson, the reading of the OSSTF Pledge;
 - (ii) the minutes of the previous meeting and business arising there from;
 - (iii) the appointment of necessary temporary committees;
 - (iv) the reports of the District President and the District Treasurer;

- (v) the reports of committees where appropriate;
- (vi) the Branch or Bargaining Unit resolutions;
- (vii) the provision for any new business;
- (viii) the District 13 Anti-Harassment Statement and the identification of the Anti-Harassment Officer;
- (ix) the Land Acknowledgement Statement.

- SECTION 2
- a) Any resolution on the floor, by a time to be specified at the beginning of the resolutions period of the District Annual Meeting, is to be voted on at that time and all remaining resolutions are to be referred to the District Council for further action.
 - b) If mover and seconder, or their appointed spokesperson, are not present the motion will be dropped.
 - c) Members may speak to a resolution according to Robert’s Rule of Order.

SECTION 3 The regular order of business at the District Annual Meeting may be suspended by a two-thirds vote of those present, qualified to vote and voting.

SECTION 4 Questions not covered in the District 13 Constitution and District 13 Bylaws shall be determined by reference to the Rules of Order determined by the Constitution and Bylaws of Provincial OSSTF for the current year.

BYLAW IX – ELECTRONIC MEETINGS

SECTION 1 Electronic Meeting: Platform

- a) The platform in which electronic meetings can be held is designated by the President.
- b) The designated platform must support the needs of the meeting such as anonymous voting, visible displays identifying those participating, identifying those seeking recognition to speak, showing the text of pending motions, and showing results of votes.
- c) The designated platform must require members, participating in the electronic meeting, to be identified by name in order to satisfy the process of verification of membership of meeting participants.
- d) Electronic meetings shall be subject to all rules adopted by the Bargaining Unit membership, executive, or committees, or by OSSTF rules of orders.

SECTION 2 Electronic Meeting: Quorum

- a) Quorum for Electronic Meetings shall be the same as for in-person meetings.

SECTION 3 Electronic Meeting: Voting

- a) An anonymous vote conducted through the designated platform shall be deemed a ballot vote fulfilling any requirement in the bylaws or rules that a vote be conducted by ballot.
- b) Voting on the designated platform can only occur for motions pertaining to the business of the District or Bargaining Unit Membership, Executive, or Committees. Election voting must be set up through Provincial OSSTF in the “Voting Centre”.

SECTION 4 Electronic Meeting: Platform Features

- a) The Public Chat function must be turned off. Private Chat function can be turned on if it is being used as a mechanism for members to be recognized in debate.
- b) The Voting or Polling System can be used as long as it displays the results of a vote.
- c) The use of video display should be used to present motions and/or documents to the

membership.

- d) The mute-all function should be turned on so that the chair can recognize who has assignment of the floor.

SECTION 5 Electronic Meeting: Rules

- a) Proper notice of meeting and meeting information (link, login, agenda, minutes, time and date) shall be sent out to members as per the constitution bylaw.
- b) The meeting link should open prior to the start of the meeting.
- c) Members shall join the online meeting, identify themselves, and maintain attendance throughout the meeting but shall exit the meeting upon any departure prior to adjournment.
- d) The chair can mute or force a disconnection of a member if the member is causing interference with the meeting.
- e) Members seeking recognition of the floor shall notify the chair by a method announced to the participants at the meeting. For larger online meetings, it is advised that someone be assigned to assist the chair by creating a Spotter's List.
- f) Motions (and/or any other documents) should be displayed to the membership until it is disposed of.
- g) Votes shall be conducted via the platform designated for the electronic meeting. When ordered or required, other methods of voting can be used as per the constitution bylaw.

BYLAW X – POLICY

SECTION 1 District 13, OSSTF Policy shall be defined in the same manner as is policy in the Constitution and Bylaws of Provincial OSSTF.

SECTION 2 District 13 Policy shall have the same status within the District as OSSTF Policy has within OSSTF.

SECTION 3 District 13 Policy may be established, amended or rescinded by the Membership at the District Annual Meeting under the same conditions as provided in these Bylaws for amendments to the Bylaws.

SECTION 4 The District Council may establish interim policy as provided for in the Duties of District Council. Such interim policy shall exist until the District Annual Meeting immediately following the passage of such interim policy and during that period of time shall have the same status as policy passed at the District Annual Meeting.

SECTION 5 A record of District 13, OSSTF Policy shall be kept with the Constitution and Bylaws of District 13, OSSTF.

BYLAW XI - AMENDMENTS TO THE BYLAWS

SECTION 1 Amendments to these Bylaws may be made at the District Annual Meeting:

- a) by a majority vote of those Members present, qualified to vote and voting provided that:
 - (i) written notice of the proposed amendment shall have been given to the District President not less than six weeks prior to the next District Annual Meeting;

- (ii) such notice shall be published to the membership at least 5 weeks in advance of the next District Annual Meeting by the District President.
- b) by a three-quarters vote of those present, qualified to vote and voting, previous notice as in a) not having been given.

SECTION 2 If any plan is proposed to the District to restructure the terms of office of the District Executive, and/or to alter the financial compensation provided to Federation Officer(s) on release from regular school duties with remuneration from District 13, OSSTF funds, such a proposal must be submitted to the District Annual Meeting, requiring a two-thirds majority of those present, qualified to vote and voting, prior to implementation. The essentials of the plan must be published to the membership at least five weeks in advance of the District Annual Meeting.

DISTRICT 13 OSSTF POLICY

1. It is the policy of District 13 OSSTF that the separate identity of District 13 OSSTF should be maintained when there is liaison with other O.T.F. affiliates.
2. It is the policy of District 13 OSSTF that any further development of standardized testing in Durham Secondary Schools be done only after consultation with and the approval of the teachers of District 13 OSSTF.
3. It is the policy of District 13 OSSTF that department headships should not be term appointments.
4. It is the policy of District 13 OSSTF that the membership of District 13 support initiatives to retain existing staffing levels by encouraging, whenever possible, students in Durham Secondary Schools to maintain full time equivalency status as defined by the Ministry of Education.
5. It is the policy of District 13 OSSTF that all secondary schools should institute a parental involvement model that uses a graduated return of students with parents by grade level in the first week of school.
6. It is the policy of District 13 OSSTF that the addition of portable classrooms to schools be opposed. If portables are used temporarily, a covered walkway should be installed to attach them to the main building and to each other.
7. It is the policy of District 13 to support a scent-reduced environment both in the workplace and at all OSSTF meetings and functions.
8. It is the policy of District 13 OSSTF that all members should assist and co-operate with any member who is being accommodated in a school or worksite due to disability.

District 13, OSSTF District Constitution, Bylaws & Policy 2021 – 2022