

Resolutions to Amend the TBU Constitution, Bylaws and Policy of District 13 OSSTF 2020

PROC 01 -20

BIRT: TBU CON 01-20, TBU CON 02-20, TBU CON 03-20, TBU CON 08-20, TBU CON 09-20, TBU CON 10-20, TBU CON 11-20, ~~TBU BYL 01-20~~, TBU BYL 02-20, TBU BYL 07-20, TBU BYL 16-20, TBU BYL 17-20, TBU BYL 18-20, TBU BYL 19-20 be considered en bloc.

Mover: Shane Stagg

Secunder: Jacqueline Hill

Rationale: Name changes

Note: TBU BYL 01-20 has been withdrawn.

PROC 02 -20

BIRT the resolutions in PROC 01-20 be approved

Mover: Jacqueline Hill

Secunder: Shane Stagg

PROC 03-20

BIRT: TBU CON 04-20, TBU CON 05-20, TBU CON 07-20, TBU BYL 04-20, TBU BYL 05-20, TBU BYL 06-20, TBU BYL 08-20, TBU BYL 10-20, TBU BYL 12-20, TBU BYL 13-20, TBU BYL 14-20, TBU BYL 15-20 be considered en bloc.

Mover: Ruth Kam

Secunder: Nicole Bléau

Rationale: Update to reflect current practice

PROC 04-20

BIRT the resolutions in PROC 03-20 be approved

Mover: George Chaktsiris

Secunder: Richard McCormack

PROC 05-20

BIRT: TBU CON 06-20, TBU BYL 09-20, TBU BYL 11-20 be considered en bloc.

Mover: Nicole Bléau

Secunder: Ruth Kam

Rationale: Separating and updating to reflect TBU Chief Negotiator

PROC 06-20

BIRT the resolutions in PROC 05-20 be approved

Mover: Ryan Gordon

Second: Ruth Kam

TBU CON 01-20

[Included in bloc 01]

BIRT Article I be amended to read:

This organization shall be known as OSSTF, District 13, Permanent Teachers' Bargaining Unit (TBU).

Mover: Shane Stagg

Second: Ryan Gordon

Rationale: Update of name

TBU CON 02-20

[Included in bloc 01]

BIRT Article II be amended to read:

The objects of this Bargaining Unit shall be as specified in the District Constitution of OSSTF District 13 - Durham.

Mover: Shane Stagg

Second: Richard McCormack

Rationale: Update of name

TBU CON 03-20

[Included in bloc 01]

BIRT Article III be amended to read:

Membership shall be as designated according to the OSSTF District 13 – Durham Constitution and Provincial OSSTF Constitution & Bylaws.

Mover: George Chaktsiris

Second: Nicole Bléau

Rationale: Update name

TBU CON 04-20

[Included in bloc 02]

BIRT Article IV, Section 4 be amended to read:

Annual rebates, as prescribed in both the District and TBU Bylaws will be paid to each Branch in the District as determined by the FTE at each Branch.

Mover: Nicole Bléau

Second: Shane Stagg

Rationale: Aligns with the actual process used to disperse branch rebates

TBU CON 05-20

[Included in bloc 02]

BIRT Article V, Section 1 be amended to read:

The Permanent Teachers' Bargaining Unit shall consist of the dues-paying permanent teachers, facilitators, and centrally hired academic coaches employed by the Durham District School Board, including teachers at Grove School, credit granting Continuing Education teachers and those teachers on an approved leave such as LTD.

Mover: George Chaktsiris

Second: Nicole Bléau

Rationale: Adds academic coaches and updates title of LTD

TBU CON 06-20

[Included in bloc 03]

BIRT Article 5, Section 3 be deleted

Mover: Richard McCormack

Second: Jacqueline Hill

Rationale: To align with district constitution. There is no District Chief Negotiator. It is a bargaining unit position.

TBU CON 07-20

[Included in bloc 02]

BIRT Article VI, Section 2 be amended to read:

There shall be a Branch Executive consisting of the Immediate Past Branch President (if still a member of the TBU), the Branch President, the Branch Vice-President or Branch Vice-Presidents, the Branch Secretary-Treasurer or Branch Secretary and Branch Treasurer, two Collective Bargaining Committee representatives, and a representative for each other standing committee in the District

Mover: Shane Stagg

Second: George Chaktsiris

Rationale: Update to confirm that the past-branch president is still a member of the TBU

TBU CON 08-20

[Included in bloc 01]

BIRT Article VI, Section 4c be amended to read:

the transaction of Branch business in accordance with Branch Bylaws provided that such Bylaws do not contravene Provincial OSSTF, OSSTF District 13 - Durham or OSSTF District 13 - Durham TBU Constitutions or Bylaws.

Mover: Nicole Bléau

Second: George Chaktsiris

Rationale: Update name of district and bargaining units

TBU CON 09-20

[Included in bloc 01]

BIRT Article VII be amended by the deletion of District 13 and the insertion of OSSTF District 13 – Durham.

Mover: Shane Stagg

Seconder: Nicole Bléau

Rationale: Update name

TBU CON 10-20

[Included in bloc 01]

BIRT Article VIII, Section 1 be amended to read:

Amendments to this Constitution may be made at the District Annual Meeting by a two-thirds vote of the TBU Members present, qualified to vote and voting, provided that:

- a) written notice of the proposed amendment shall have been given to the TBU 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 TBU President

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

Mover: Shane Stagg

Seconder: Jacqueline Hill

Rationale: Information is published to members directly and not required at a branch meeting

TBU CON 11-20

[Included in bloc 01]

BIRT Article IX be amended to read:

No part of this constitution may contravene any of the constitutions or bylaws of the Provincial OSSTF or OSSTF District 13 - Durham. If any parts are found to contravene the constitutions or bylaws of the Provincial OSSTF or OSSTF District 13 - Durham, then the Provincial or District constitutions and bylaws shall apply.

Mover: Shane Stagg

Seconder: George Chaktsiris

Rationale: Adds district constitution as superseding bargaining unit constitutions

TBU BYL 01-20 - withdrawn

[Included in bloc 01]

~~BIRT Bylaw II, Section 2 be amended to read:~~

~~The TBU Annual Meeting shall be held in the month of May to permit the newly elected TBU Executive to prepare to take office at the prescribed time.~~

~~Mover: _____ Seconder: _____~~

TBU BYL 02-20

[Included in bloc 01]

BIRT Bylaw II, Section 4a be amended to read:

The Membership of the TBU at the District Annual Meeting shall consist of all TBU Members of OSSTF in attendance at the District Annual Meeting.

Mover: Nicole Bléau

Seconder: Jacqueline Hill

Rationale: Remove unnecessary language

TBU BYL 03-20

BIRT Bylaw III, Section 3 be amended to read:

Any Member of the TBU is eligible for any elected position except:

Executive Officers may only hold the following elected positions and only in a non-voting capacity at TBU Executive:

- Treasurer or Secretary/Treasurer
- Additional Bargaining Unit Provincial Councillors
- AMPA Delegate
- i. In the event that 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 that a member holding an elected position not listed above earns an Executive Officer position, the member will vacate the elected position upon the start of the hired term.

A candidate may hold more than one elected position.

Mover: Richard McCormack

Seconder: Shane Stagg

Rationale: The same as change to district constitution. This ensures that decisions are made by elected members of the Executive. This aligns with the practice at Provincial OSSTF and government structures.

TBU BYL 04-20

[Included in bloc 02]

BIRT Bylaw III, Section 6a be amended to read:

The District nominating committee, appointed by the District Executive, shall prepare a list of nominees for all open elected TBU offices for presentation to the-TBU Annual Meeting.

Mover: Richard McCormack

Second: George Chaktsiris

Rationale: Clarifies that TBU executive positions must be TBU members.

TBU BYL 05-20

[Included in bloc 02]

BIRT Bylaw IV, Section 1b be amended to read:

To liaise with other bargaining units and keep current with District activities.

Mover: Shane Stagg

Second: Nicole Bléau

Rationale: Updating the language to reflect current practice

TBU BYL 06-20

[Included in bloc 02]

BIRT Bylaw IV, Section 1h be amended to read:

to act as Grievance Officer and chairperson of the TBU Grievance Committee

Mover: Shane Stagg

Second: Nicole Bléau

Rationale: Updating the language to reflect current practice

TBU BYL 07-20

[Included in bloc 01]

BIRT Bylaw IV, Section 6 be amended to read:

It shall be the duty of the TBU Secretary:

- a) to record all minutes;
- b) to ensure the retention of all records of TBU correspondence and minutes;
- c) to ensure the forwarding of those resolutions and recommendations of the TBU membership which should be brought to the attention of the Provincial Federation;

Mover: Richard McCormack

Second: Nicole Bléau

Rationale: Updating the language to reflect current practice

BIRT Bylaw IV, Section 7 be amended to read:

It shall be the duty of the TBU Treasurer to work with 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 submit a financial statement, as needed, to the TBU Executive and TBU members of District Council;
- d) to pay all authorized accounts by cheque or electronic means in accordance with the Bylaws of the District;
- e) to present annually to the District Annual Meeting, a detailed and duly audited financial statement for the preceding fiscal year;
- f) to prepare a draft budget to present to the District Executive for consultation and approval each year;
- g) to present the current year's budget to District Council after approval by the District Executive;

Mover: Richard McCormack Second: Nicole Bléau

Rationale: Updating the language to reflect current practice

BIRT Bylaw IV, be amended by the addition of a new section to read:

It shall be the duty of the Chief Negotiator to:

- a) act as chair of the TBU Collective Bargaining Committee;
- b) act as chair of the Collective Bargaining Team;
- c) act as a member of the TBU Grievance Committee;
- d) develop a bargaining brief;
- e) run a negotiations priority survey;
- f) meet informally with other chief negotiators in the District as needed
- g) communicate as needed with District Council and District Executive regarding the progress of negotiations;
- h) ensure maintenance of the collective agreement

Mover: Shane Stagg

Second: Ryan Gordon

Rationale: Defines role of TBU Chief Negotiator

TBU BYL 10-20**[Included in bloc 02]**

BIRT Bylaw IV, Section 8 be amended by the addition of subsection c to read:

to share information received at provincial council with the bargaining unit as appropriate.

Mover: Nicole Bléau

Seconder: Richard McCormack

Rationale: Adds role of reporting back from provincial council

TBU BYL 11-20**[Included in bloc 03]**

BIRT Bylaw IV, Section 9n be amended to read:

to appoint a TBU Chief Negotiator;

Mover: Shane Stagg

Seconder: Jacqueline Hill

Rationale: Update responsibility of TBU Executive to appoint a TBU Chief Negotiator

TBU BYL 12-20**[Included in bloc 02]**

BIRT Bylaw IV, Section 10 be amended by the deletion of the words “his/her” and the insertion of the word “their”.

Mover: Ruth Kam

Seconder: Jacqueline Hill

Rationale: Inclusive language

TBU BYL 13-20**[Included in bloc 02]**

BIRT Bylaw V, Section 1 be amended by the deletion of the word “District” and the insertion of the word “TBU”.

Mover: Nicole Bléau

Seconder: Richard McCormack

Rationale: Update to reflect TBU Chief Negotiator instead of District

TBU BYL 14-20

[Included in bloc 02]

BIRT Bylaw VIII, Section 1 be amended by the addition of subsections to read:

(x) the District 13 Anti-Harassment Statement and the identification of the Anti-Harassment Officer;

(xx) the Land Acknowledgement Statement.

Mover: Ruth Kam

Seconders: Ryan Gordon

Rationale: Update to reflect current practice

TBU BYL 15-20

[Included in bloc 02]

BIRT Bylaw VIII, Section 2c be amended to read:

Members may speak to a resolution according to Robert's Rules of Order.

Mover: Ruth Kam

Seconders: Jacqueline Hill

Rationale: Reflects current practice

TBU BYL 16-20

[Included in bloc 01]

BIRT Bylaw VIII, Section 4 be amended to read:

Questions not covered in the TBU District 13 Constitution and TBU 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.

Mover: Nicole Bléau

Seconders: Shane Stagg

Rationale: Removes reference to a specific provincial bylaw # which is subject to change

TBU BYL 17-20

[Included in bloc 01]

BIRT Bylaw IX, Section 5 be amended to read:

A record of the TBU Policy shall be kept with the TBU Constitution and Bylaws of district 13, OSSTF.

Mover: Ryan Gordon

Seconders: Shane Stagg

Rationale: Update of name

TBU BYL 18-20**[Included in bloc 01]****BIRT Bylaw X, Section 1, subsection a)ii be amended to read:**

such notice shall be published to the membership at least five weeks in advance of the next District Annual Meeting by the TBU President.

Mover: Nicole Bléau**Seconder: George Chaktsiris****Rationale: Update to reflect publishing to membership**

TBU BYL 19-20**[Included in bloc 01]****BIRT Bylaw X, Section 2 be amended to read:**

If any plan is proposed to District 13, OSSTF to restructure the terms of office of the TBU Executive, and/or to alter the financial compensation provided to a member 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 Annual Meeting.

Mover: Nicole Bléau**Seconder: George Chaktsiris****Rationale: Update to reflect publishing to membership**