

OSSTF DISTRICT 35
COLLEGES and UNIVERSITIES

CONSTITUTION & BYLAWS



Amended March 2015

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ARTICLE 1 – Definitions

- 1.1 “AMPA” shall mean the Annual Meeting of the Provincial Assembly.
- 1.2 “Annual Meeting of the District Assembly” shall mean the meeting held by the District in March of each year. (A.15)
- 1.3 “Bargaining Unit” shall mean a Bargaining Unit organization within District 35.
- 1.4 “Bylaw” shall mean a standing rule governing the membership of the District, made under this constitution, on a matter within the control of the District.
- 1.5 “Constitution” shall mean the fundamental principles governing the District.
- 1.6 “Day” shall mean working day.
- 1.7 “District” shall mean District 35 of the OSSTF.
- 1.8 “District Assembly” shall mean a duly constituted meeting of the District as outlined in the Bylaws. (A.15)
- 1.9 “DEC” shall mean District Executive Council. (A.14)
- 1.10 “District Executive Councillor” shall mean a Member of a D35 Bargaining Unit that represents their membership in matters concerning the District. (A.15)
- 1.11 “Member” shall mean a member of OSSTF District 35 as defined by the Provincial OSSTF Constitution and Bylaws, unless otherwise stated.
- 1.12 “OSSTF” shall mean Ontario Secondary School Teachers’ Federation.
- 1.13 “Policy” shall mean a stand or position taken by the District in accordance with its bylaws on matters whose resolution is beyond the internal legislative powers of the District.
- 1.14 “Year” shall mean a Federation year, commencing on July 1 and ending on the following June 30.

ARTICLE 2 – Name

- 2.1 The name of the District shall be OSSTF District 35 – Colleges and Universities.

ARTICLE 3 – Objects

- 3.1 The object of OSSTF District 35 – Colleges and Universities is to associate all OSSTF Bargaining Units whose members fall into the Colleges and Universities job classes and to allow them to be part of the OSSTF organizational structures.
- 3.2 Each new Bargaining Unit certified according to Article 3.1, shall become a part of the District 35 organizational structures as defined in this Constitution and these Bylaws, with the rights and responsibilities as specified therein, effective the date of certification as a OSSTF Bargaining Unit.
- 3.3 Each Bargaining Unit shall be responsible, recognizing the role of the OSSTF as Bargaining Agent, for its own collective bargaining, grievances, management of its own affairs and funds as assigned by the District, subject to the OSSTF Constitution and Bylaws and accepted OSSTF practices.
- 3.4 No Bargaining Unit Member or Bargaining Unit of OSSTF District 35 – Colleges and Universities shall interfere in the affairs of another Bargaining Unit. All issues or matters that lead to an allegation of a breach of this provision shall be brought before the DEC to attempt a resolution. If the alleged breach cannot be resolved by the DEC then the District President and/or the Bargaining Unit President shall seek the assistance of the OSSTF Provincial Office to resolve the matter.

ARTICLE 4 – Organization

- 4.1 There shall be a District Executive Council.
- 4.1.1 The DEC shall consist of the following voting members:
 - 4.1.1.1 District President,
 - 4.1.1.2 District Vice President Internal,
 - 4.1.1.3 District Vice President External,
 - 4.1.1.4 District Executive Officer,
 - 4.1.1.5 District Secretary,
 - 4.1.1.6 In addition to the following District positions, (District President, District Vice President Internal, District Vice President External, District Executive Officer, District Secretary), each Bargaining Unit shall have representation on the District Executive through the position of Executive Officer, such that each unit will have at least one (1) representative on the District Executive.
 - 4.1.1.7 Should a Bargain Unit President hold one of the positions in Article 4.1.1.1, 4.1.1.2, 4.1.1.3, 4.1.1.4 or 4.1.1.5, the Bargaining Unit shall not be entitled to an additional member on the District Executive Council.
 - 4.1.1.8 District Executive Councillors
 - 4.1.1.9 There shall be one (1) District Executive Councillor per Bargaining Unit.
 - 4.1.1.10 Notwithstanding Article 4.1.1.9, any unit that has more than 1,000 FTE shall be entitled to one (1) additional District Executive Councillor. (A.14)
- 4.1.2 Each voting member of the DEC shall be entitled to one vote.
- 4.2 There shall be a District Financial Committee consisting of the following voting members:
 - 4.2.1 The Treasurers of each of the Bargaining Units of the District.

ARTICLE 5 – Bylaws

- 5.1 The District may pass Bylaws consistent with the Constitution and existing Bylaws concerning:
 - 5.1.1 the procedures for selection of its various office holders,
 - 5.1.2 the management of its finances and its own internal organization and administration,
 - 5.1.3 the time, place and conduct of its various meetings,
 - 5.1.4 the establishment, amendment or rescission of Policy,
 - 5.1.5 the appointment of auditors,
 - 5.1.6 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 6 – Amendments

- 6.1 Amendments to the Articles or the Constitution may be made:
 - 6.1.1 at any duly constituted meeting of the District Assembly, by a two-thirds (2/3) affirmative vote of the Members qualified to vote, present and voting, provided that notice of the proposed amendment(s) shall have been given in writing to each Delegate of the District Assembly at least ten (10) days in advance of the meeting of the District Assembly at which the motion to amend is to be presented.
 - 6.1.2 at any duly constituted meeting of the District Assembly, by a nine-tenths (9/10) affirmative vote of the Members qualified to vote, present and voting, previous notice as in Article 6.1.1 not having been given.

- 6.2 Amendments to the Bylaws may be made:
- 6.2.1 at any duly constituted meeting of the District Assembly, by a simple majority of the Members qualified to vote, present and voting, provided that notice of the proposed amendment shall have been given in writing to each Delegate of the District Assembly at least ten (10) days in advance of the meeting of the District Assembly at which the motion to amend is to be presented.
- 6.2.2 at any duly constituted meeting of the District Assembly, by a three-quarters (3/4) affirmative vote of the Members qualified to vote, present and voting, previous notice as in Article 6.2.1 not having been given.

ARTICLE 7 – Compliance with Provincial OSSTF

- 7.1 No part of the Constitution or Bylaws of District 35 shall contravene the Constitution or Bylaws of OSSTF.

BYLAWS

Bylaw 1 – Duties

- 1.1 Duties of the District Executive
- 1.1.1 **District President**
- 1.1.1.1 It shall be the duty of the District President:
 - 1.1.1.1.1 to be the spokesperson for the District,
 - 1.1.1.1.2 to act as a signing authority for District documents,
 - 1.1.1.1.3 to organize, prepare an agenda for and call meetings of the DEC and District Membership,
 - 1.1.1.1.4 to ensure District representation on all applicable Federation and other associated committees,
 - 1.1.1.1.5 to be an ex-officio member of all District committees,
 - 1.1.1.1.6 to consult with the District Treasurer and District Finance Committee during the preparation of the proposed budget for the next fiscal year,
 - 1.1.1.1.7 to act as a co-signer for the financial transactions of the District,
 - 1.1.1.1.8 to maintain Provincial Executive, Provincial Council, and Secretariat liaison,
 - 1.1.1.1.9 to name, each year, the following officers of the District:
 - 1.1.1.1.9.1 Communications/Excellence in Education Officer,
 - 1.1.1.1.9.2 Health and Safety Officer,
 - 1.1.1.1.9.3 Educational Services Officer,
 - 1.1.1.1.9.4 Human Rights Officer,
 - 1.1.1.1.9.5 Status of Women Officer.
 - 1.1.1.2 Should the District President be temporarily unable to act, the Bargaining Unit to which the President belongs shall name a replacement, who shall assume the responsibilities and authority of the District President until the District President is able to resume his/her duties.
- 1.1.2 **District Vice President Internal**
- 1.1.2.1 It shall be the duty of the District Vice President Internal:
 - 1.1.2.1.1 to perform additional duties assigned by the District President,
 - 1.1.2.1.2 to assume the duties of the District President when the District President is temporarily unable to act and a replacement has not been named in accordance with Bylaw 1.1.1.2,
 - 1.1.2.1.3 to be responsible for ongoing communication with the Bargaining Units of D35,
 - 1.1.2.1.4 to act as delegation leader of D35 for AMPA, (A.14)
- 1.1.3 **District Vice President External**
- 1.1.3.1 It shall be the duty of the District Vice President External: (A.15)
 - 1.1.3.1.1 to perform additional duties assigned by the District President,
 - 1.1.3.1.2 to be responsible for ongoing communication with other OSSTF Districts.
- 1.1.4 **District Executive Officer**
- 1.1.4.1 It shall be the duty of the District Executive Officer:
 - 1.1.4.1.1 to perform additional duties assigned by the District President,
 - 1.1.4.1.2 to be responsible for ongoing communication with other coalitions or partners in the labour movement outside of OSSTF.
- 1.1.5 **District Treasurer**
- 1.1.5.1 It shall be the duty of the District Treasurer:
 - 1.1.5.1.1 to act as a signing officer for all cheques authorized by the District,
 - 1.1.5.1.2 to requisition funds from the Provincial Treasurer on a regular basis,
 - 1.1.5.1.3 to requisition funds from the Provincial Treasurer for extraordinary expenditures,
 - 1.1.5.1.4 to submit the approved District budget and audited financial statements to the Provincial Treasurer,

- 1.1.5.1.5 to maintain accurate financial records for the District for submission to the Provincial Treasurer,
- 1.1.5.1.6 to communicate with the Provincial Treasurer when the need arises,
- 1.1.5.1.7 to caution against unnecessary and wasteful expenditures of OSSTF funds,
- 1.1.5.1.8 to submit to the DEC, for approval, all expenditures of an unusual nature, (A.14)
- 1.1.5.1.9 to be a member of the Finance Committee,
- 1.1.5.1.10 to present a draft District budget for the coming year to the DEC meeting immediately following the release of the annual funding master for discussion and input, (A.14)
- 1.1.6 **District Secretary**
- 1.1.6.1 It shall be the duty of the District Secretary:
 - 1.1.6.1.1 to take and keep the minutes of District Executive Council meetings.
- 1.1.7 **Bargaining Unit Presidents**
- 1.1.7.1 It shall be the duty of Bargaining Unit Presidents:
 - 1.1.7.1.1 to be the official representatives of their Bargaining Units in matters concerning the District,
 - 1.1.7.1.2 to provide liaison between the DEC and their Bargaining Units.
- 1.1.8 **District Executive Councillors**
- 1.1.8.1 It shall be the duty of the District Executive Councillors:
 - 1.1.8.1.1 to provide liaison between the DEC and their Bargaining Units,
 - 1.1.8.1.2 to represent the Members of their Bargaining Units in matters concerning the District.
- 1.2 **Duties of the District Executive Council**
- 1.2.1 It shall be the duty of the DEC:
 - 1.2.1.1 to promote within the District, the aims and objectives of the OSSTF,
 - 1.2.1.2 to deal with all matters brought before it from Bargaining Units and which in its opinion require action before the next regular District Membership Meeting.
 - 1.2.1.3 to keep the District Membership informed of its activities,
 - 1.2.1.4 to take appropriate action on issues arising from DEC Meetings,
 - 1.2.1.5 to receive from the District Treasurer, the District financial statements,
 - 1.2.1.6 to authorize and supervise payment of expenses and accounts incurred in the conduct of business of the District,
 - 1.2.1.7 to receive the budget for the next year as submitted by the Finance Committee with power to amend before its presentation to the first DEC meeting in the new Federation year for approval, (A.14)
 - 1.2.1.8 to forward motions to AMPA on behalf of the District,
 - 1.2.1.9 to appoint the three (3) members of the District Appeals Committee prior to September 30 of each year,
 - 1.2.1.10 to form and authorize whatever ad hoc committees might be necessary to conduct the business of the District,
 - 1.2.1.11 to establish a schedule of regular meeting dates for each Federation year.
- 1.3 **Duties of Bargaining Units**
- 1.3.1 It shall be the duty of each Bargaining Unit:
 - 1.3.1.1 to submit to the District President, by June 30 of each year, the names of their representatives on DEC for the following year.
 - 1.3.1.1.1 When a representative of a Bargaining Unit is unable to attend a meeting of DEC, the Bargaining Unit President shall inform the District President of the name of the replacement.
- 1.4 **District Finance Committee**
- 1.4.1 It shall be the duty of the District Finance Committee:
 - 1.4.1.1 to review the financial records of the District in January and June of each year and report, with prejudice, to the DEC,

- 1.4.1.2 to prepare the annual District budget for presentation to the DEC. (A.14)
- 1.4.1.2.1 Amounts to be transferred to Bargaining Units shall be determined based on Bargaining Unit full-time equivalent (FTE) membership as shown on the District Funding Master or as subsequently amended on appeal to the FTE/Interim FTE Appeal Committee.
- 1.4.1.3 to discuss such financial matters as may be recommended from time to time by the DEC and to make recommendations concerning these to the DEC,
- 1.4.1.4 to select from its Members, prior to June 30, the District Treasurer for the following year.

Bylaw 2 – Meetings

- 2.1 **District Executive Council**
- 2.1.1 The DEC shall meet a minimum of four (4) times each year at the call of the District President.
- 2.1.1.1 DEC meetings shall be scheduled in conjunction with provincial meetings wherever possible.
- 2.1.2 The DEC shall meet at other times at the written request of 25% of the Members of the DEC to the District President.
- 2.1.2.1 Meetings called in accordance with Bylaw 2.1.2 shall occur within ten (10) working days of the receipt of the request.
- 2.1.3 Quorum for a DEC shall be a majority of the membership of the DEC.
- 2.2 **Annual Meeting of the District Assembly**
- 2.2.1 There shall be an Annual Meeting of the District Assembly held in March of each year.
- 2.2.2 Bargaining Unit representation at the Annual Meeting of the District Assembly shall be on a delegate basis.
- 2.2.2.1 The number of delegates to which a Bargaining Unit is entitled shall be the number of AMPA delegates allocated to the Bargaining Unit in accordance with the OSSTF Constitution and Bylaws.
- 2.2.2.2 The delegates representing each Bargaining Unit at the Annual Meeting of the District Assembly shall be the Bargaining Unit AMPA delegates.
- 2.2.3 Quorum for the Annual Meeting of the District Assembly shall be two-thirds (2/3) of the delegates eligible to attend.
- 2.3 **AMPA (A.14)**
- 2.3.1 Each Bargaining Unit in the District is entitled to a minimum of one (1) District alternate for AMPA, (A.14)
- 2.3.2 Where there are more alternates than units, additional alternates will be offered to the largest unit in the District first, then the next largest, then the next largest, until all alternates have been assigned. (A.14)
- 2.3.3 In the case where a unit cannot use their assigned alternate, the above procedure will also be used to assign remaining alternates. (A.14)

Bylaw 3 – Terms and Selection of DEC

- 3.1 All positions on the DEC shall have a term of one (1) year.
- 3.2 The positions of President, Vice President Internal, Vice President External, Executive Officer and Secretary shall rotate through the Bargaining Units of the District.
- 3.2.1 The order of rotation shall be such that a Bargaining Unit President shall serve as District Secretary for one (1) year, followed by District Executive Officer for one (1) year, followed by District Vice President External for one (1) year, followed by District Vice President Internal for one (1) year, followed by District President for one (1) year.

- 3.2.2 A Bargaining Unit President who has completed the rotation under Bylaw 3.2.1 shall be placed at the end of the rotation.
- 3.2.3 New Bargaining Units shall be added to the end of the rotation according to the date on which they are certified.
- 3.2.4 Should a Bargaining Unit President not have adequate release time to fulfill the role of District President, the order of rotation will move to the next Bargaining Unit President. (A.14)
- 3.3 District Executive Councillors shall be selected by their respective Bargaining Units.
- 3.4 The District Treasurer shall be chosen by the Finance Committee from among its Members.
- 3.5 Vacancies on the DEC shall be filled by the Bargaining Unit for which the vacancy exists.
- 3.6 Notwithstanding Bylaw 3.5, a vacancy in the position of District Treasurer shall be filled by the Finance Committee.

Bylaw 4 – Anti-harassment and Anti-bullying Policy

- 4.1 The District shall have an Anti-harassment and Anti-bullying Policy and procedure to be followed at all OSSTF workplaces and functions.
- 4.2 The Anti-harassment and Anti-bullying Policy and Procedure and any amendments to it shall be approved by the DEC.

Bylaw 5 – Appeals Procedures

- 5.1 Members of the District affected by a decision resulting from a complaint under the Districts Anti-harassment and Anti-bullying Policy and Procedure may appeal this decision using the following procedure:
 - 5.1.1 within five (5) days of the decision, the affected Member (herein called the Appellant) shall submit a request in writing to the District President for an Appeal Hearing.
 - 5.1.2 within five (5) days of receiving the request, the District President shall appoint the three (3) Members of the District Appeals Committee to consider the appeal. (A.15)
 - 5.1.3 within five (5) days, the District Appeals Committee shall meet, including by electronic means such as teleconference, to consider the appeal.
 - 5.1.3.1 The District Appeal Committee shall review the complaint, the investigation process and findings, and the decision.
 - 5.1.3.2 Following the review, the Committee shall either confirm or modify the decision.
 - 5.1.3.3 The decision of the District Appeals Committee shall be consistent with the District Anti-harassment and Anti-bullying Policy and Procedures.
 - 5.1.4 The District Appeals Committee shall report the decision on the Appeal to the District President within five (5) days after the meeting at which the Appeal is considered and a decision reached. (A.15)
 - 5.1.5 Within two (2) days of receiving the decision of the District Appeals Committee, the District President shall communicate the decision to the Appellant in writing.
 - 5.1.6 The decision of the District Appeals Committee shall be considered final and not subject to any appeal.

Bylaw 6 – Delegates to Canadian Labour Congress/Ontario Federation of Labour (CLC/OFL) Conventions

- 6.1 The District delegate(s) to a Canadian Labour Congress/Ontario Federation of Labour (CLC/OFL) convention shall be selected in accordance with the District and Provincial Constitutions, Bylaws and Policies.

- 6.2 Each Bargaining Unit in the District is entitled to a minimum of one (1) District delegate to attend the convention where the delegates provided from the Provincial organization allow for it. (A.15)
- 6.3 In cases where there are more Bargaining Units than convention delegates available, eligible units shall put forward the member(s) for election.
- 6.3.1 The elections for District delegates shall occur at the regularly scheduled DEC meeting immediately prior to the deadline for submitting delegate names to the appropriate body, namely OSSTF Provincial, Canadian Labour Congress (CLC), or Ontario Federation of Labour (OFL).
- 6.4 All expenses not covered by OSSTF Provincial will be paid for by the District, for each duly elected District delegate.

APPENDIX A – Policies (A.15)

- 1. Donations Policy (A.15)**
- 1.1 Unions (A.15)**
- 1.1.1 DEC may grant a maximum yearly amount ranging between \$100 to \$200 to a bargaining unit of OSSTF/FEESO that is on a legal strike or lockout. (A.15)**
- 1.2 Charitable groups and non-profit organizations (A.15)**
- 1.2.1 DEC may grant a maximum yearly amount ranging between \$100 to \$200 to designated charities of OSSTF/FEESO and groups advocating humanitarian causes sponsored by OSSTF/FEESO in Ontario. (A.15)**
- 1.3 Requests and decision-making process (A.15)**
- 1.3.1 All requests for donations, or gifts, must be made through a motion to DEC with the following criteria:**
 - a) Name and address of the organization,**
 - b) Reasons for the request and rationale for the donation. (A.15)**
- 1.3.2 All requests for donations will be voted on by DEC and recorded in the minutes. Donations are not automatic and may be denied. (A.15)**
- 1.4 The total amount of donations and gifts must not exceed \$500 per fiscal year. (A.15)**
- 1.5 Donations to registered political parties or political campaigns are forbidden. (A.15)**