

CONSTITUTION OF THE ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION

[Amended at Provincial Assembly, March 2008]

Article 1 - Definitions

- 1.1 In this Constitution and Bylaws
- 1.1.1 “AMPA” shall mean Annual Meeting of the Provincial Assembly. (A.96)
- 1.1.1.1 “AMPA Delegate” shall mean a Member at AMPA, chosen in accordance with Bylaw 14.2, who has voting privileges. (A.01)
- 1.1.1.2 “AMPA Alternate” shall mean a Member at AMPA who lacks voting privileges until the Alternate is seated to replace an absent Delegate or is recognized as an accredited voting member of a House Committee. (A.01)
- 1.1.1.3 “AMPA Delegation” shall mean the Delegates and Alternates selected according to the Bylaws. (A.01)
- 1.1.2 “Bargaining Unit” shall mean a Bargaining Unit Organization of the OSSTF. (A.91)
- 1.1.3 “Branch” shall mean a Branch Organization of the OSSTF.
- 1.1.4 “Bylaws” shall mean standing rules governing the membership of OSSTF made under this Constitution on matters of internal regulation and matters which are entirely within the control of OSSTF.
- 1.1.5 “the Chair” when used in a parliamentary sense shall mean that a meeting is or was in progress and statements were made at the time by or to the person presiding over the meeting or that the authority for presiding was transferred for a time to another person. (A.84)
- 1.1.6 “Chairperson” shall mean the Presiding Officer of an official body of OSSTF, and may be used in addition to elected titles such as President. Such title shall be deemed to include the alternate titles which may be used at the preference of the Presiding Officer of each such official body of OSSTF. (A.84)
- 1.1.7 “Constitution” shall mean a system of fundamental principles according to which OSSTF is governed, and the basic organization of OSSTF.
- 1.1.8 “days” shall mean school days as defined in the Education Act unless otherwise stated. (A.95)
- 1.1.9 “District” shall mean a District Organization of the OSSTF.
- 1.1.10 “full-time equivalent membership” for purposes of representation of and fee rebates to a District shall mean a number calculated by May 15th each year that is the sum of: (A.05)
- 1.1.10.1 all members employed full time, such that no full-time member of a bargaining unit counts for less or more than one FTE in that unit; (A.05)
- 1.1.10.2 the pro-rated FTE for members employed on a part-time basis based on the monthly average dues submitted for the bargaining unit during the twelve months ending on the last day of February and who are not included in Article 1.1.10.1; and (A.05)
- 1.1.10.3 The pro-rated FTE for occasional teachers based on the provincial minimum daily rate of pay for short-term occasional teachers, using a work year of 172 days and dues submitted for the bargaining unit during the twelve months ending on the last day of February. (A.08)
- 1.1.10.4 Interim FTE, for the period following Labour Board certification and until the provisions of Articles 1.1.10.1, 1.1.10.2 and 1.1.10.3 can be fully implemented, calculated by multiplying the ratio of provincial FTE membership to the provincial head count by the number of members on the verified list. (A.07)
- 1.1.11 “local organization” shall mean a District or Bargaining Unit. (A.98)
- 1.1.12 “Member” shall mean Active Member except where otherwise stated.
- 1.1.13 “member” shall mean any member of OSSTF as defined in Article 5 of this Constitution unless otherwise stated. (A.87)
[The word “member” or “members” may also be used in context to refer to a person or persons belonging to any sub-group within or outside OSSTF, e.g. “a member of the Provincial Executive” or “a member of a committee.” - Editor 1989]
- 1.1.14 “OSSTF” shall mean the Ontario Secondary School Teachers' Federation.
- 1.1.15 “OTF” shall mean the Ontario Teachers' Federation.
- 1.1.16 “OTPA” shall mean *Ontario Teachers' Pension Act*. (A.96)
- 1.1.17 “Sector” shall mean a grouping of Bargaining Units representing Members who share a community of professional and protective interests. (A.05)
- 1.1.18 “Policy” shall mean a stand or position taken by the OSSTF in accordance with its Bylaws on matters whose resolution is beyond the internal legislative power of OSSTF.
- 1.1.19 “Region” shall mean a Region Organization of the OSSTF.
- 1.1.20 “regulations” shall mean authoritative rules dealing with details of procedures approved by a council, in accordance with its constitution, to assist it in carrying out the duties assigned to it by the Provincial Assembly. (A.84)
- 1.1.21 “TPA” shall mean *Teaching Profession Act*. (A.96)
- 1.1.22 “teacher” shall mean a person employed as a teacher, whether full-time or part-time, permanent or

- probationary, continuing education, or occasional. (A.88)
- 1.1.23 “Trusteeship” shall mean the resumption by OSSTF of those duties delegated to a local organization in accordance with the Bylaws. (A.91)
- 1.1.24 “workplace” shall be any location where an OSSTF Member is employed. (A.91)
- 1.1.25 “province wide bargaining” shall mean any process, with the exception of Provincial Responsibility for Negotiations, whereby one or more representative[s] of Provincial OSSTF meet with the provincial government and/or provincial educational employer representatives with a view to agreeing on collective agreement provisions which will be binding on local bargaining units. (A.08)

Article 2 - Name

- 2.1 This organization shall be known as “The Ontario Secondary School Teachers' Federation.”

Article 3 - Objects

- 3.1 The objects of the OSSTF shall be
- 3.1.1 first and foremost to protect its members, both individually and collectively, in their profession, and to ensure that none of the civil, human and legal rights enjoyed by other Ontario residents shall be denied its members;
- 3.1.2 to secure and maintain for all Active Members of OSSTF equal collective bargaining rights including the right to strike; (A.84)
- 3.1.3 to bargain collectively on behalf of its Active Members;
- 3.1.4 to promote and advance the cause of public education; (A.90)
- 3.1.5 to promote a high standard of professional ethics and a high standard of professional competence;
- 3.1.6 to secure for members active participation in formulating policies and practices affecting education; (A.88)
- 3.1.7 to work toward control of our professional destiny;
- 3.1.8 to promote political action to ensure that legislation regulating educational structures and policies is in the best interests of members, public education, students and the community; (A.90)
- 3.1.9 to support and promote equal opportunity for members, employees, and students; (A.83)
- 3.1.10 to foster and promote the dignity of all persons regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability. (A.97)
- 3.1.11 to associate and unite teachers and other employees of educational institutions, or agencies which provide services to educational institutions, within the Province of Ontario. (A.97)

Article 4 - Ethics

- 4.1 The OSSTF shall maintain under its Bylaws
- 4.1.1 a motto,
- 4.1.2 a pledge,
- 4.1.3 a statement of ethics,

- 4.1.4 principles of professional conduct, (A.78)
- 4.1.5 a bill of rights for members. (A.88)

Article 5 - Membership

- 5.1 Members shall be designated in accordance with the Bylaws as
- 5.1.1 Active Members, (A.91)
- 5.1.2 Active Retired Members, (A.96)
- 5.1.3 Voluntary Members,
- 5.1.4 Associate Members,
- 5.1.5 Honorary Members,
- 5.1.6 Provincial Life Members. (A.84)

Article 6 - Fees

- 6.1 The fee for members shall be as prescribed in the Bylaws. (A.91)
- 6.2 Provided that a three-quarters vote of the Provincial Assembly approves of such action, a supplementary fee or a special assessment may be levied on the members.

Article 7 - Provincial Organization

7.1 Executive Body

- 7.1.1 There shall be a Provincial Executive consisting of
- 7.1.1.1 Voting members as follows:
- (a) the President (Chief Executive Officer),
- (b) two Vice-Presidents,
- (c) the Treasurer,
- (d) three Executive Officers.
- 7.1.1.2 Non-voting members as follows:
- (a) the General Secretary, (A.78)
- (b) the Associate General Secretary. (A.02)
- 7.1.2 The voting members of the Provincial Executive shall be elected or appointed by the Provincial Assembly in the manner prescribed by the Bylaws. (A.78)
- 7.1.3 The General Secretary shall be appointed by the voting members of the Provincial Executive. (A.02)
- 7.1.4 The Associate General Secretary shall be appointed by the voting members of the Provincial Executive. (A.02)

7.2 Secretariat

- 7.2.1 There shall be a Secretariat appointed by the voting members of the Provincial Executive. (A.02)
- 7.2.2 The General Secretary shall recommend to the Provincial Executive appointments to the Secretariat.
- 7.2.3 A member of the Provincial Executive shall be eligible to apply for appointment to the Secretariat only after having resigned from the Provincial Executive.
- 7.2.4 The Pensions Officer shall be selected in accordance with the Bylaws and shall perform the duties which are prescribed in the Bylaws as they relate to the Ontario Teachers' Pension Plan (OTPP) and the Ontario Municipal Employees' Retirement System (OMERS). (A.91)

7.3 Legislative Bodies

7.3.1 Provincial Council

- 7.3.1.1 There shall be a Provincial Council consisting of

- 7.3.1.1.1 Voting members as follows:
 - 7.3.1.1.1.1 Provincial Councillors selected in accordance with the OSSTF Bylaws;
 - 7.3.1.1.1.2 the voting members of the Provincial Executive;
 - 7.3.1.1.1.3 in the case of a tie vote, then the Chairperson shall be deemed a voting member.
- 7.3.1.1.2 Non-voting members as follows:
 - 7.3.1.1.2.1 the General Secretary or his/her representative;
 - 7.3.1.1.2.2 discretionary members such as provincial committee chairpersons as the Provincial Council shall decide;
 - 7.3.1.1.2.3 the Members elected to the OTF Board of Governors;
 - 7.3.1.1.2.4 the Chairperson of Provincial Council except as determined by Article 7.3.1.1.1.3 (c). (A.95)
 - 7.3.1.1.2.5 the OTF Table Officer (A.06)
- 7.3.1.2 The Provincial Council shall elect from its members a Chairperson at the last meeting of the Council in each Federation year, who shall be considered Speaker of the body, and the newly-elected Chairperson's District or Sector shall then select another Member as its Provincial Councillor. (A.88)
- 7.3.1.2.1 A Vice-Chairperson shall be elected at the same meeting of the Council subsequent to the election of the Chairperson. (A.95)
- 7.3.1.2.2 Both the Chairperson and the Vice-Chairperson of Provincial Council shall take office on the first day of July following their election. (A.84)
- 7.3.1.3 In voting on all matters except those in Article 7.3.1.3.1 each Provincial Councillor is entitled to cast one vote.
 - 7.3.1.3.1 In voting on the following matters only, the District's Provincial Councillor(s) is(are) entitled to cast one vote for up to 150 full-time equivalent Members in the District and one additional vote for each additional 150 full-time equivalent Members or major fraction thereof. Where the District has more than one Provincial Councillor, the District's District Provincial Councillor shall submit to the Chair of Provincial Council, in writing, prior to the first Provincial Council meeting of each school year, the District's proposed method of splitting the votes among its Provincial Councillors that the District is entitled to cast under this Article. In voting on matters specified below, each member of the Provincial Executive and each Sector Council Provincial Councillor shall cast one vote each. (A.05)
 - 7.3.1.3.1.1 Policy matters; (A.01)
 - 7.3.1.3.1.2 matters referred to Provincial Council by the Annual Meeting of the Provincial Assembly; (A.01)
 - 7.3.1.3.1.3 election of new officers to fill vacancies on the Provincial Executive in accordance with the Bylaws; (A.01)
 - 7.3.1.3.1.4 secondment of OSSTF members by the Provincial Office in accordance with the Bylaws; (A.01)
 - 7.3.1.3.1.5 acting in the name of the Federation; (A.01)
 - 7.3.1.3.1.6 approval of new guidelines of the Mediation Services Resource Bank and regulations of the

Judicial Council if those proposed guidelines or regulations have been previously approved and submitted by the body to which the proposed guidelines or regulations apply. (A.08)

- 7.3.2 **Provincial Assembly**
- 7.3.2.1 There shall be a Provincial Assembly to represent the membership at large and consisting of
 - 7.3.2.1.1 Voting members as follows:
 - 7.3.2.1.1.1 Delegates to the Provincial Assembly chosen in accordance with the Bylaws, (A.85)
 - 7.3.2.1.1.2 the voting members of the Provincial Executive,
 - 7.3.2.1.1.3 the Members elected to the OTF Board of Governors.
 - 7.3.2.1.1.4 the OTF Table Officer (A.06)
 - 7.3.2.1.2 Non-voting members as follows: (A.91)
 - 7.3.2.1.2.1 the Chairpersons of standing committees,
 - 7.3.2.1.2.2 the Chairpersons of provincial councils,
 - 7.3.2.1.2.3 the Chairperson of Provincial Council,
 - 7.3.2.1.2.4 the Chairpersons of special or ad hoc committees established by the Provincial Assembly,
 - 7.3.2.1.2.5 the members of the Secretariat,
 - 7.3.2.1.2.6 the General Secretary and the Associate General Secretary. (A.02)
- 7.4 **Provincial Committees**
- 7.4.1 There shall be provincial standing committees as designated in the Bylaws and special committees as the Provincial Executive, Provincial Council, or Provincial Assembly may from time to time deem necessary. (A.82)
- 7.4.2 Provincial standing committees shall be responsible to the Provincial Executive and Provincial Council between Annual Meetings of the Provincial Assembly. (A.86)
- 7.4.3 Special and ad hoc committees shall be responsible to their appointing bodies. (A.86)
- 7.4.4 Provincial standing committees, where appropriate, shall have a regional structure as proposed by the Provincial Executive and approved by Provincial Council. (A.92)
- 7.5 **Provincial Councils**
- 7.5.1 There shall be the following Provincial Councils consisting of members to the maxima specified:
 - 7.5.1.1 Judicial Council - 5,
 - 7.5.1.2 Benevolent Council - 8,
 - 7.5.1.3 Certification Council - 10,
 - 7.5.1.4 Parliamentary and Constitution Council - 11, (A.99)
 - 7.5.1.5 Active Retired Members Council - 11. (A.08)
- 7.5.2 Each council shall have a constitution and, where necessary, bylaws and/or regulations. The council constitution, bylaws and regulations shall not contravene the Constitution and Bylaws of OSSTF. (A.85)
- 7.5.2.1 Provincial councils, where appropriate, shall have a regional structure as proposed by the Provincial Executive and approved by Provincial Council. (A.92)
- 7.5.3 Amendments
- 7.5.3.1 The constitution and/or regulations of a provincial council, with the exception of the Certification

- Regulations, shall be maintained in the OSSTF Policy and Procedures Manual. Amendments to the constitution and/or regulations of a provincial council shall be made in the same manner as that prescribed for amendments to the Bylaws. (A.99)
- 7.5.4 Chairpersons of provincial councils shall be elected by their respective councils.
- 7.5.5 Year of Office
- 7.5.5.1 Unless defined otherwise in the constitution of the respective provincial council, a year of office of a provincial council shall commence during the meeting of the council which immediately precedes the June meeting of Provincial Council. (A.85)
- 7.5.6 Co-options (A.88)
- 7.5.6.1 The council shall allow sufficient time for the new membership to recommend co-options for the approval of Provincial Council preferably at its June meeting.
- 7.5.7 Vacancies
- 7.5.7.1 Vacancies which occur in positions held by appointment from the membership at large, and for which the unexpired term does not extend beyond the end of the current year of office, shall be filled by co-option of a member, subject to the approval of Provincial Council, for the balance of the term. (A.88)
- 7.5.7.2 A co-option shall be for a period of up to one year. Repeat co-options are possible. (A.94)
- 7.5.7.3 All other vacancies shall be filled by the same body which appointed the original member, in accordance with the procedures of the appointing body, for the balance of the term. (A.88)
- 7.6 **Certification Appeal Board (A.89)**
- 7.6.1 There shall be a Certification Appeal Board. (A.89)

Article 8 - District Organization (A.00)

- 8.1 The OSSTF shall be divided into Districts whose boundaries and designations shall be determined by the Provincial Council.
- 8.1.1 No new District having fewer than 150 Active Members can be created.
- 8.2 A District Organization shall consist of those Members of OSSTF employed within the boundaries of a District.
- 8.3 Provincial Districts are those Districts designated by Provincial Council which:
- 8.3.1 consist of those members of OSSTF employed by one or more employer(s) whose educational institutions operate within the boundaries of the Province of Ontario.
- 8.4 District Executive
- 8.4.1 There shall be a District Executive consisting, at a minimum, of a President (who may be a bargaining unit president), a Vice-President or Vice-Presidents, a Secretary-Treasurer or Secretary and Treasurer, all Presidents of Bargaining Units within the District and a Provincial Councillor(s).
- 8.4.2 The District Executive may also include additional members as determined by the District to fulfil its duties under the bylaws.
- 8.4.3 Members of the District Executive must be Active

Members of OSSTF. (A.01)

- 8.5 A District shall have such constitution and bylaws as are approved by a general meeting of the membership. The District constitution and bylaws shall not contravene the Constitution or Bylaws of the Provincial OSSTF. (A.00)

Article 9 - Bargaining Unit (A.91)

- 9.1 The term "Bargaining Unit" shall be used to designate the OSSTF organization of those members for whom OSSTF holds bargaining rights under the appropriate legislation. (A.91)
- 9.2 A Bargaining Unit shall have such constitution and bylaws as are approved by a general meeting of the membership. The constitution and bylaws of the Bargaining Unit shall not contravene the Constitution and Bylaws of the OSSTF. (A.91)
- 9.3 There shall be a Bargaining Unit Executive consisting, at a minimum, of a President, Treasurer or Secretary/Treasurer and Chief Negotiator. The Executive may also include additional members as determined by the Bargaining Unit Constitution. (A.00)
- 9.4 Members of the Bargaining Unit Executive must be Active Members of OSSTF and of the Bargaining Unit. (A.01)

Article 10 - Branch Organization

- 10.1 A Bargaining Unit may be divided into Branches as determined by the Bargaining Unit. (A.98)
- 10.2 In each Branch there shall be a Branch Executive, including a Branch President as determined by the constitution or bylaws of the Bargaining Unit. (A.98)
- 10.3 Where the Members of the Branch are in more than one workplace, each workplace shall have an OSSTF Representative. (A.91)
- 10.4 Where a Branch Executive exists, the members of the Branch Executive may assume the duties assigned to the OSSTF Representative under this Constitution and the Bylaws made under this Constitution. Assignment of such duties to individual members of the Branch Executive shall be as specified by the Bargaining Unit constitution or bylaws. (A.98)
- 10.5 Where a Branch constitution is approved by a general meeting of the Branch membership, such constitution shall not contravene the constitution or bylaws of the District/Bargaining Unit or of the Provincial OSSTF. (A.98)
- 10.6 Members of the Branch Executive must be Active Members of OSSTF, of the Bargaining Unit and of the Branch. (A.01)

Article 11 - Sector Organization (A.97)

- 11.1 There shall be the following Sectors:
- 11.1.1 ESS Sector
- 11.1.2 PSSP Sector
- 11.1.3 Teacher and Occasional Teacher Sector (A.05)
- 11.2 Sector Council
- 11.2.1 Each Sector shall have a Sector Council. (A.05)

- 11.2.2 A Sector Council shall have a constitution and bylaws which are approved by AMPA. The Sector constitution and bylaws shall not contravene the Constitution and Bylaws of the Provincial OSSTF.
- 11.2.3 A Sector Council shall deal with such matters as are delegated to it by the Annual Meeting of the Provincial Assembly, Provincial Council, Provincial Executive, or Sector membership. (A.97)
- 11.2.4 Members of Sector Councils must be Active Members of OSSTF and of an appropriate Bargaining Unit. (A.01)

Article 12 - Region Organization

- 12.1 A Region Organization shall consist of those Members of the OSSTF employed within the boundaries of two or more Districts which combine together for the purpose of organizing one or more Federation activities. (A.91)
- 12.2 Notwithstanding 12.1, standing committees and councils may have regional structures as proposed by the Provincial Executive and approved by Provincial Council. (A.04)

Article 13 - Bargaining Agent (A.02)

- 13.1 The Ontario Secondary School Teachers' Federation shall be the designated bargaining agent for all OSSTF bargaining units composed of its members. (A.02)

Article 14 - Transfer of Jurisdiction (A.87)

- 14.1 The OSSTF may accept a transfer of jurisdiction of collective bargaining rights from an employee organization representing professional employees working in an educational institution that possesses such bargaining rights. (A.87)
- 14.2 The acceptance of a transfer of jurisdiction shall be subject to the approval of the Provincial Executive and shall be in accordance with the Bylaws. (A.87)

Article 15 - Trusteeship (A.91)

- 15.1 The Provincial Executive may take a local organization under Trusteeship and resume those duties delegated to the local organization by OSSTF in accordance with the Bylaws. (A.91)

Article 16 - Bylaws

- 16.1 The OSSTF in Provincial Assembly may pass Bylaws not inconsistent with the Constitution or existing Bylaws concerning
- 16.1.1 the procedure for the election of its various office holders;
- 16.1.2 the formation of District, Bargaining Unit, Branch, Region, and Sector Organizations; (A.98)
- 16.1.3 the management of its property and its own internal organization and administration;
- 16.1.4 the time, place and conduct of the annual and other meetings of the Federation;
- 16.1.5 the discipline of its members; (A.93)
- 16.1.6 the establishment, amendment or rescission of

- OSSTF Policy;
- 16.1.7 the establishment of special funds in conformity with the Objects of the OSSTF;
- 16.1.8 the investment of funds in the name of OSSTF;
- 16.1.9 the appointment of auditors;
- 16.1.10 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 OSSTF. (A.81)

Article 17 - Amendments

- 17.1 Amendments to this Constitution may be made at the Annual Meeting of the Provincial Assembly
- 17.1.1 by a two-thirds vote of the members qualified to vote, present and voting, provided that
- 17.1.1.1 notice of the proposed amendment shall have been given in writing to the General Secretary on or before January 31, and (A.99)
- 17.1.1.2 such notice shall have been forwarded on or before the second Friday after February 1 of that school year by the General Secretary to each District Secretary and Sector Council Chairperson . (A.05)
- 17.1.2 by a nine-tenths vote of the members qualified to vote, present and voting, previous notice as in Article 17.1.1.1 not having been given. (A.92)
- 17.2 Proposed amendments received by the General Secretary after January 31 will be distributed at AMPA. (A.99)
- 17.3 Amendments to Constitutions adopted at AMPA shall be effective the subsequent July 1, unless stated otherwise in an action motion passed in advance of the amendment(s) being considered. (A.06)

CERTIFICATION COUNCIL CONSTITUTION

CERT Article 5 - Appeal Application and Notice of Hearing

- 5.1 An OSSTF member who decides to appeal a decision of the Certification Department may apply to the Certification Appeal Board provided that: (A.03)
- 5.1.2 the grounds and documentation presented in an appeal to the Certification Appeal Board are the same as those originally submitted to the Certification Department and (A.03)
- 5.1.3 any new information has been reviewed by the Certification Department in advance. (A.03)
- 5.2 Prior to a formal hearing a Preliminary Certification Consultation* shall be held to attempt to reach a resolution. Those present at the Consultation may include the appellant, an OSSTF member advisor for the appellant and evaluator, the Secretariat Liaison to Certification Council and the Chair of the Certification Appeal Board. (A.03)
- 5.2.1 An application for a Preliminary Certification Consultation shall be made in writing to the Secretariat Liaison to Certification Council not later than 30 teaching days after receiving the decision of the Certification Department. (A.03)
- 5.3 Failing resolution at the Preliminary Certification Consultation, an application for a hearing shall be made in writing to the Chair person of CAB not later than 30 teaching days after the Preliminary Certification Consultation stating the grounds for the appeal and the relief being sought from the CAB. (A.03)
- 5.4 The Provincial Office shall forward to the appellant ten days prior to the date set for the hearing: (A.03)
 - 5.4.1 notice of the date set for the hearing; (A.03)
 - 5.4.2 a statement of the Certification Appeal Board's understanding of the basis of the application for a hearing; (A.03)
 - 5.4.3 a copy of all documentation on file that pertains to the appeal; and (A.03)
 - 5.4.4 a copy of the Conduct of Appeal Hearings. (A.03)
- 5.5 The appellant shall be requested to indicate if there is an agreement with the basis of the appeal and documentation. (A.03)
- 5.6 The appellant shall be advised that an OSSTF member may be selected as an advisor to assist with the presentation. (A.03)
- 5.6.1 Upon written request, the General Secretary shall assign a Secretariat member as advisor. (A.03)
- 5.7 An OSSTF member who wishes to appeal the decision of the Certification Appeal Board may appeal to the Appeal Committee of Provincial Council in accordance with Bylaw 9, Appeal Procedures. (A.03)
- 5.8 The Certification Appeal Board may deny the member a hearing on the basis that the Appeal

Committee of Provincial Council has already ruled on the same issue. (A.03)

- 5.8.1 Such a denial may be appealed to the Appeal Committee of Provincial Council. (A.03)
- 5.9 Hearings shall be conducted in accordance with Conduct of Appeal Hearing Regulations. (A.03)

Note: "Consultation may be in the form of electronic communication, conference call, or a personal meeting at the discretion of the Secretariat Liaison to Certification Council." (A.03)

CERTIFICATION REGULATIONS

[Determined under CERT Article 5]

CERT Reg. 1

- 1.1 **Certification Plan**
- 1.1.1 The Plan is the Regulations and prefatory material governing the administration of teacher certification, as published in the Handbook of the Ontario Secondary School Teachers' Federation and based on Ontario qualifications. For a ruling on all qualifications, the relevant documents must be submitted to the Certification Department for evaluation. Teachers who have studied outside the Province of Ontario shall have their qualifications evaluated relative to the years of scholarship and standards required of teachers trained in the Ontario system.
- 1.1.2 Persons will not be evaluated if they are teaching under a Letter of Permission or under any other document which is less than a basic secondary school teaching certificate but which permits the individual to be engaged by a school board in Ontario. (A.06)
- 1.1.2.1 **Certification Rating Statements**
- 1.1.2.1.1 A Certification Rating Statement may be issued only to a Member who holds a valid teaching Certificate issued by the Ontario College of Teachers valid in the secondary schools of Ontario and who is an Active or Voluntary Member of the Ontario Secondary School Teachers' Federation. (A.06)
- 1.1.2.1.2 The "Acknowledgment of Additional Qualification/Additional Basic Qualification" letter from the Ontario College of Teachers may be accepted as equivalent to a valid teaching Certificate issued by the Ontario College of Teachers in order to issue a Certification Rating Statement to a Member provided that all the other requirements for that Group have been successfully completed. (A.06)
- 1.1.2.1.3 A Provisional Rating Statement may be issued for a specified period of time where a Member has completed all the necessary qualifications for a particular group but has not received all necessary documentation. (A.02)
- 1.1.2.2 **Certification Rating Statement with Stamp(s)**
- 1.1.2.2.1 Any course which has been taken towards an extra diploma and/or degree and which has been used by

- the Certification Department in establishing a Member's grouping shall be noted on the Certification Rating Statement by one of the following stamps:
- 1.1.2.2.1.1 Stamp A "This grouping includes recognition of work done towards an extra degree."
 - 1.1.2.2.1.2 Stamp B "This grouping includes recognition of work done towards extra degrees."
 - 1.1.2.2.1.3 Stamp C "This grouping includes recognition of work done towards an acceptable post-secondary diploma."
 - 1.1.2.2.1.4 Stamp D "This grouping includes recognition of work done towards a post-graduate diploma from an accredited post-secondary educational institution. (A.07)
- 1.1.2.3 **Certification Rating Statement with Seal**
- 1.1.2.3.1 The Certification Department may affix a seal to any Certification Rating Statement indicating that one or more acceptable post-graduate degrees (or acceptable post-graduate diplomas) are in excess of the requirements for the grouping in which a Member has been placed. An appropriate seal is affixed provided the following conditions are met:
 - 1.1.2.3.1.1 no course involved in the degree has been used in establishing the Member's grouping, and,
 - 1.1.2.3.1.2 the acceptable post-graduate degree (or acceptable post-graduate diploma) is at least comparable to the normal requirements for a Master's degree in Ontario,
 - 1.1.2.3.1.3 the acceptable post-graduate degree does not contain any teacher training. (A.02)
 - 1.1.2.3.2 This fact will be noted on the Certification Rating Statement by one of the following Seals:
 - 1.1.2.3.2.1 Seal 1 "Holds in addition a graduate degree from an accredited university."
 - 1.1.2.3.2.2 Seal 2 "Holds in addition a second graduate degree from an accredited university."
 - 1.1.2.3.2.3 Seal 3 "Holds in addition a post-graduate diploma from an accredited institution."

CERT Reg. 2

- 2.1 For the purposes of Certification (A.84)
 - 2.1.1 **Acceptable**
 - 2.1.1.1 "Acceptable" throughout the Certification Plan refers to courses, degrees, diplomas and certificates which have been evaluated by the Certification Division of the OSSTF and which meet current OSSTF standards.
 - 2.1.2 **Alternate**
 - 2.1.2.1 "Alternate" throughout the Certification Plan refers to courses, degrees, diplomas and certificates which have been evaluated by the Certification Division of the OSSTF and which have been found to meet the intent of the Certification Plan.
 - 2.1.3 **Equivalent**
 - 2.1.3.1 "Equivalent" is the recognition of courses, programs, certificates, diplomas and degrees which are determined by the Certification Division to be of the same value in terms of course time spent, credit value granted and standard achieved. (A.02)

- 2.1.4 **Degrees and Diplomas (A.07)**
 - 2.1.4.1 "Acceptable undergraduate three (3) year university degree" means an undergraduate degree granted by an accredited university upon the successful completion of an approved three (3) year university degree program (minimum 15 full courses) provided that this degree does not contain any teacher training. All degrees will be evaluated by the Certification Division of the OSSTF based upon qualifications of accredited universities in Canada or the United States. (A.07)
 - 2.1.4.2 "Acceptable undergraduate four (4) year university degree" means an undergraduate degree granted by an accredited university upon successful completion of an approved four (4) year university degree program (minimum 20 full courses) provided that this degree does not contain any teacher training. All degrees will be evaluated by the Certification Division of the OSSTF based upon qualifications of accredited universities in Canada or the United States. (A.07)
 - 2.1.4.3 "Acceptable Master's degree" is a post-graduate degree from an accredited university and is a completed program of studies at least comparable to the requirements for a Master's degree in Ontario normally requiring a minimum of one year's work beyond the undergraduate level. It is deemed to be equivalent to seven and one half full university courses provided it does not contain any teacher training. (A.08)
 - 2.1.4.4 "Acceptable Doctoral degree" is a post-graduate degree from an accredited university and it is deemed to be equivalent to ten (10) full university courses. (A.07)
 - 2.1.4.5 "Acceptable post-graduate diploma" is a post-graduate diploma issued by an accredited post-secondary educational institution recognizing completion of a program of studies at least comparable to the normal requirements for a Master's degree in Ontario. (A.07)
- 2.1.5 **Accredited University (A.07)**
 - 2.1.5.1 "Accredited university" means a post-secondary educational institution that (A.07)
 - 2.1.5.1.1 is recognized in Canada as an ordinary member of the Association of Universities and Colleges of Canada as listed in the "Directory of Canadian Universities" published by the Association of Universities and Colleges of Canada (AUCC) as revised from time to time, or (A.07)
 - 2.1.5.1.2 is recognized in the United Kingdom by the Association of Commonwealth Universities as listed in the "Commonwealth Universities Yearbook" published by the Association of Commonwealth Universities as revised from time to time, or (A.07)
 - 2.1.5.1.3 is recognized in the United States by one of the following regional accrediting agencies: Middle States Association of Colleges and Schools, New England Association of Schools and Colleges, North Central Association of Colleges and Schools, Northwest Association of Schools and Colleges, Southern Association of Colleges and Schools,

- Western Association of Schools and Colleges, as listed in the College Handbook, published by the College Board as revised from time to time, or (A.07)
- 2.1.5.1.4 is recognized in a country other than Canada, the United Kingdom and the United States and which is listed as a member institution in the "International Handbook of Universities" published by the International Association of Universities, or in the "Commonwealth Universities Yearbook," and/or the World List of Universities and other Institutions of Higher Education published by the Association of Commonwealth Universities, both as revised from time to time, or is considered equivalent by the Certification Division to a university referred to in CERT Reg. 2.1.5.1.1, or (A.07)
- 2.1.5.1.5 is authorized to grant the degree under an Act of the Assembly, including a person that is authorized to grant the degree under the *Post-secondary Education Choice and Excellence Act, 2000*, or (A.07)
- 2.1.5.1.6 confers a degree that is considered by the Ontario College of Teachers to be equivalent to a degree described in CERT Reg. 2.1.5.1.5. (A.07)
- 2.1.6 **Advanced Academic Accreditation**
- 2.1.6.1 "Advanced Academic Accreditation" is the recognition that a teacher has successfully completed a minimum of 20 full university courses with an acceptable undergraduate university degree. Included in these 20 full university courses must be 15 full university courses (second class average). Concentration of five (5) full university courses (second class average) in one specified subject area (2.1.14.1) or in a single subject area (2.1.14.2) or eight (8) full university courses (second class average) in two specified subject areas (2.1.14.1) or in two subject areas (2.1.14.2), four (4) full university courses in each area, shall be included in the 15 full university courses. A teacher who has graduated from a three (3) year general degree (minimum 15 full university courses) requires five (5) full university courses beyond such a degree. (A.08)
- 2.1.7 **Transcript**
- 2.1.7.1 "Transcript" is an official document containing a complete record of studies undertaken at a post-secondary institution bearing an official signature and the seal of the institution. It must be issued by the registrar's office of the institution.
- 2.1.8 **University Course**
- 2.1.8.1 "University Course" is a course recognized for credit towards the granting of an approved degree. It is a full course when it extends over a period of two semesters or its equivalent in concentration (as in summer school) and is recognized as a full course by the university concerned. A university course is a half course when it extends over a period of one semester or its equivalent in concentration (as in summer school) and is recognized as a half course by the university concerned. Two half courses may be submitted for one full course. For OSSTF Certification purposes two (2) half courses or six (6) semester hours or nine (9) quarter-hours will constitute one full course. (A.07)
- 2.1.8.2 "Additional Qualification" courses shall be considered as acceptable Additional Qualification courses only if they are completed at an Ontario university Faculty of Education and appear on a university transcript showing the grade and credit value. (A.08)
- 2.1.9 **Advanced Standing** (A.02)
- 2.1.9.1 Courses completed at an institution other than an "accredited University" may be considered as university courses provided they appear on an official transcript from an accredited university as advanced standing towards an acceptable undergraduate degree. (A.02)
- 2.1.9.2 If the university does not have the policy or mechanism to capture and record advanced standing courses on an official transcript, a university half course must be completed at that institution. An official transcript of the completed university half course plus a letter from the Registrar's office listing the specific courses accepted as advanced standing will be required for OSSTF Certification purposes. (A.02)
- 2.1.10 **Reasonable Progress**
- 2.1.10.1 "Reasonable progress" means the completion of one full course within a eighteen month period. (A.97)
- 2.1.11 **Second Class Average**
- 2.1.11.1 "Second class average" means an average of the courses involved that meets a B or higher standing as defined by the official grading system of the institution at which courses were taken.
- 2.1.12 **Second Class Standing**
- 2.1.12.1 "Second class standing" in an acceptable four year undergraduate university degree shall be based on 15 full courses having second class average including all the courses comprising the major within the degree, (A.07)
- 2.1.12.2 "Second class standing" in an acceptable three year Technologist Diploma shall be based on seventy-five percent of the courses required for the diploma having second class average including all the courses comprising the major within the diploma.
- 2.1.13 **Date of Entry into the Profession**
- 2.1.13.1 "Date of Entry into the Profession" for certification purposes refers to the date when the Member became and remained a member of the Ontario Teachers' Federation. For the purpose of this part, a Member under contract but on a Leave of Absence approved by a Board of Education in Ontario shall be deemed to be a continuing Member of the OSSTF for certification purposes. (A.88)
- 2.1.14 **Specified Subject Area**
- 2.1.14.1 "Specified subject area" refers to a subject in which an Honour Specialist qualification is indicated on a Certificate of Qualification by the Ontario College of Teachers. (See O. Reg.184/97,

- Schedule E) (A.01)
- 2.1.14.2 “Single subject area” refers to courses bearing the same subject codes or labels as shown on an official transcript issued by the university concerned. (A.07)
- 2.1.15 **Three Session Qualifications** (A.01)
- 2.1.15.1 See O. Reg. 184/97, Schedule D. (A.01)
- 2.1.16 **Technological Qualifications**
- 2.1.16.1 See O. Reg. 184/97 Schedule B (A.01)

CERT Reg. 3

- 3.1 It shall be fundamental to the application of the Certification Plan that no qualification may receive duplicate recognition.

CERT Reg. 4

- 4.1 University courses in Education may be recognized as “university courses” for placement beyond Group 1 provided such courses neither duplicate nor parallel work done towards either professional qualifications or previous group placement. (A.92)

CERT Reg. 5

- 5.1 It is the RESPONSIBILITY OF THE INDIVIDUAL MEMBER to apply using the current application form for an initial Certification Rating Statement and for an updated Certification Rating Statement after the Member has obtained additional qualifications. (A.07)
- 5.2 It is the RESPONSIBILITY OF THE MEMBER to be cognizant of the latest changes in Certification Regulations and to submit, using the current application form, to the Certification Department requests for a re-examination of their academic record based on announced changes. (A.07)

CERT Reg. 6

- 6.1 To obtain a Certification Rating Statement the member must submit the current application form to the Certification Department of the OSSTF and must include: (A.07)
- 6.1.1 originals of all university transcripts, (A.07)
- 6.1.2 a valid teaching Certificate issued by the Ontario College of Teachers. (A.06)
- 6.1.3 official proof that any required additional courses have been successfully completed, (A.88) and
- 6.1.4 proof of OSSTF membership (A.07)
- 6.2 Incomplete applications or unsubstantiated documentation shall not be evaluated by the Certification Department.

CERT Reg. 7

- 7.1 The Certification Division shall evaluate the qualifications of only those Members who are teaching under a valid teaching Certificate issued by the Ontario College of Teachers. (A.06)

CERT Reg. 8

- 8.1 Any Member holding a Certification Rating Statement in any group shall not lose this grouping by virtue of any revisions in the Certification Plan. (A.88)
- 8.2 When a Regulation has changed, the Member may

continue to advance according to the Regulation in place when that Member began to upgrade only for so long as that Member continues to make “reasonable progress.” Should a Member fail to make “reasonable progress,” that Member shall be required to upgrade according to the Regulation presently in place. (A.88)

- 8.3 Course approvals granted by the Certification Division shall be in force for a period of eighteen months from the date of issue of the course approval. (A.97)

CERT Reg. 9

- 9.1 Deficiencies in the requirements for Group 1 must be removed before a Member can proceed towards placement in a higher group.
- 9.2 Before proceeding to a higher group a Member will not be required to pick up additional qualifications for the grouping already held if the requirements have changed since acquiring that grouping.

CERT Reg. 10

- 10.1 The Certification Division shall give an official ruling on the acceptability of any course to be used for upgrading. The acceptability of any specific course shall be determined provided full particulars have been submitted using the current application form well in advance of the commencement date of the course. The Certification Division will not guarantee that a course taken by a Member may be used by the Member for upgrading unless that Member has received written approval prior to the taking of that course. (A.07)

CERT Reg. 11

- 11.1 Where there has not been an acceptable number of years of wage earning experience required for the technological qualification entry on a valid teaching Certificate issued by the Ontario College of Teachers a Member may not proceed to Group 2 or beyond until the deficiency has been removed by trade related experience, acceptable university courses, or acceptable alternate courses. (A.06)

CERT Reg. 12

- 12.1 Where there has not been an acceptable number of courses within a degree required for the Certificate of Qualification issued by the Ontario College of Teachers, a Member may not proceed to Group 2 or beyond until the deficiency has been removed by acceptable university courses. (A.07)

CERT Reg. 13

[Note: CERT Reg. 13 was deleted by the Provincial Assembly, March, 1990 - Editor 1993]

CERT Reg. 14

[Note: CERT Reg. 14 was deleted by the Provincial Assembly, March, 1990 - Editor 1990]

CERT Reg.15

[Note: CERT Reg 15 was deleted by the Provincial Assembly, March, 2006 - Editor 2006]

THE THREE PROGRAMS

CERT Reg. 16 HONOUR SPECIALIST PROGRAM Chart 1 (A.07)

CERT Reg. 16 HONOUR SPECIALIST PROGRAM Chart 1
16 All Members with Primary, Junior, Intermediate and/or Senior Qualifications on their valid teaching Certificate issued by the Ontario College of Teachers will use the following chart: (A.08)

16.1 GROUP 1

16.1.1 Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable three (3) year undergraduate university degree (pass standing) (A.07)

16.2 GROUP 2

16.2.1 (a) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable four (4) year undergraduate university degree, pass standing (excluding teacher training), or (A.07)

16.2.2 (b) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable three (3) year undergraduate degree with a concentration of five (5) full university courses (second class average) in a single subject area** or eight (8) full university courses (second class average) in two (2) subject areas (four (4) full courses in each area) , or (A.07)

16.2.3 (c) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable three (3) year undergraduate university degree (pass standing) plus one of the following: (A.07)

16.2.3.1 (i) three (3) additional full university courses (A.07)

16.2.3.2 (ii) three (3) Additional Qualification courses completed at an Ontario Faculty of Education (A.07)

16.2.3.3 (iii) a combination of (i) and (ii) to a total of three (3) full courses (A.07)

16.2.3.4 (iv) three (3) year Diploma, pass standing (exclusive of the undergraduate degree). An acceptable Diploma includes but is not limited to one completed at a C.A.A.T., Institute of Technology, Chiropractic College. (A.07)

16.3 GROUP 3

16.3.1 (a) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable four (4) year undergraduate university degree, second class standing (excluding teacher training), or (A.07)

16.3.2 (b) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable undergraduate university degree plus an Honour Specialist qualification entry on the Certificate, or (A.08)

16.3.3 (c) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable undergraduate university degree with the Advanced Academic Accreditation with nine (9) full university courses (second class average) in one specified subject area* or 14 full university courses (second class

average) in two specified subject areas* with no fewer than 6 full university courses in each area, or (A.08)

16.3.4 (d) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable four (4) year undergraduate university degree, pass standing (excluding teacher training) plus one of the following: (A.07)

16.3.4.1 (i) five (5) Additional Qualifications completed at an Ontario Faculty of Education (A.07)

16.3.4.2 (ii) five (5) additional full university courses (second class average) (A.07)

16.3.4.3 (iii) a combination of (i) and (ii) to a total of five (5) full courses (A.07)

16.3.4.4 (iv) three (3) year Diploma, pass standing (exclusive of the undergraduate degree). An acceptable Diploma includes but is not limited to one completed at a C.A.A.T., Institute of Technology, Chiropractic College (A.07)

16.3.5 (e) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable three (3) year undergraduate university degree with a concentration of five (5) full university courses (second class average) in a single subject area ** or eight (8) full university courses (second class average) in two (2) subject areas (four (4) full courses in each area) plus one of the following: (A.07)

16.3.5.1 (i) five (5) Additional Qualifications completed at an Ontario Faculty of Education (A.07)

16.3.5.2 (ii) five (5) additional full university courses (second class average) (A.07)

16.3.5.3 (iii) a combination of (i) and (ii) to a total of five (5) full courses (A.07)

16.3.5.4 (iv) three (3) year Diploma, pass standing (exclusive of the undergraduate degree). An acceptable Diploma includes but is not limited to one completed at a C.A.A.T., Institute of Technology, Chiropractic College (A.07)

16.4 GROUP 4

16.4.1 (a) Valid teaching certificate issued by the Ontario College of Teachers with an acceptable four (4) year undergraduate university degree, second class standing (excluding teacher training) plus one of the following: (A.08)

16.4.1.1 (i) Honour Specialist qualification as shown on a valid teaching Certificate from the Ontario College of Teachers (A.08)

16.4.1.2 (ii) Acceptable Master's degree at the post-graduate level (exclusive of teacher training) or PhD, or (A.08)

16.4.2 (b) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable undergraduate university degree with the Advanced Academic Accreditation with nine (9) full university courses (second class average) in one specified subject area* or 14 full university courses (second class average)

- (3) year undergraduate university degree plus Parts 1 and 2 of a Three Session Program leading to a Specialist qualification plus one of the following: (A.08)
- 17.3.2.1 (i) five (5) Additional Qualifications completed at an Ontario Faculty of Education (A.07)
- 17.3.2.2 (ii) five (5) additional full university courses (second class average) (A.07)
- 17.3.2.3 (iii) a combination of (i) and (ii) to a total of five (5) full courses (A.07)
- 17.3.2.4 (iv) three (3) year Diploma, pass standing (exclusive of the undergraduate degree). An acceptable Diploma includes but is not limited to one completed at a C.A.A.T., Institute of Technology Chiropractic College, or (A.07)
- 17.3.3 (b) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable three (3) year undergraduate university degree, pass standing plus a Three Session Specialist qualification plus two (2) additional full university courses, second class average, or (A.07)
- 17.3.4 (c) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable three (3) year undergraduate university degree with a concentration of five (5) full university courses (second class average) in a single subject ** area or eight (8) full university courses (second class average) in two (2) subject areas (four (4) full courses in each area) plus a Three Session Specialist qualification, or (A.07)
- 17.3.5 (d) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable four (4) year undergraduate university degree, pass standing (excluding teacher training) plus a Three Session Specialist qualification (A.07)
- 17.4 GROUP 4
- 17.4.1 *At least four (4) full university courses in the discipline of the Three Session Specialist qualification must be included for Group 4*
- 17.4.2 (a) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable four (4) year undergraduate degree, second class standing (excluding teacher training) plus a Three Session Specialist qualification, or (A.07)
- 17.4.3 (b) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable undergraduate university degree with the Advanced Academic Accreditation with a concentration of five (5) full university courses in a single subject area** or eight (8) full university courses in two (2) subject areas (4 full courses in each area) plus a Three Session Specialist qualification, or (A.08)
- 17.4.4 (c) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable three (3) year undergraduate university degree with a concentration of five (5) full university courses (second class average) in a single subject area** or eight (8) full university courses (second class average) in two (2) subject areas (4 full courses in each area) plus a Three Session Specialist qualification plus one of the following: (A.08)
- 17.4.4.1 (i) three (3) year Diploma, pass standing (exclusive of the undergraduate degree). An acceptable Diploma includes but is not limited to one completed at a C.A.A.T., Institute of Technology Chiropractic College (A.07)
- 17.4.4.2 (ii) a second Three Session Specialist qualification, or (A.07)
- 17.4.4.3 (iii) five (5) Additional Qualification courses completed at an Ontario university Faculty of Education. (A.08)
- 17.4.4.4 (iv) five (5) additional full university courses (second class average) (A.08)
- 17.4.4.5 (v) a combination of (iii) and (iv) to a total of five (5) full courses, or (A.08)
- 17.4.5 (d) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable three (3) year undergraduate degree (pass standing) plus a Three Session Specialist plus one of the following: (A.07)
- 17.4.5.1 (i) two (2) full university courses (second class average) plus an acceptable three (3) year Diploma pass standing (exclusive of the undergraduate degree). An acceptable Diploma includes but is not limited to one completed at a C.A.A.T., Institute of Technology, Chiropractic College (A.07)
- 17.4.5.2 (ii) two (2) full university courses (second class average) plus a second Three Session Specialist (A.07)
- 17.4.5.3 (iii) two (2) full university courses (second class average) plus five (5) Additional Qualifications completed at an Ontario Faculty of Education or five (5) additional university courses (second class average) or a combination of Additional Qualifications and university courses (second class average) to a total of five (5) full courses (A.07)
- 17.4.6 (e) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable four (4) year undergraduate degree with the Advanced Academic Accreditation with a concentration of five (5) full university courses (second class average) in a single subject area ** or eight (8) full university courses (second class average) in two (2) subject areas (4 full courses in each area) plus a Three Session Specialist qualification (A.07)
- 17.4.7 (f) Valid teaching Certificate issued by the Ontario College of Teachers with an acceptable four (4) year undergraduate university degree (pass standing) plus a Three Session Specialist qualification plus one of the following: (A.08)

- 17.4.7.1 (i) a second Three Session Specialist qualification (A.08)
- 17.4.7.2 (ii) three (3) year Diploma, pass standing (exclusive of the undergraduate degree). An acceptable Diploma includes but is not limited to one completed at a C.A.A.T., Institute of Technology, Chiropractic College (A.08)
- 17.5 **Notes FOR CHART 2** (A.08)
ACCEPTABLE ALTERNATE COURSES FOR THE THREE SESSION SPECIALIST PROGRAM (A.07)
- 17.5.1 There may be acceptable alternate courses which meet the discipline course requirements for Chart 2. However, they may not be considered to be university courses as defined in CERT Reg. 2.1.8.1. For a course to be acceptable, it must meet the following conditions: (A.08)
- 17.5.1.1 the course must have been accepted by the Certification Council after submission of the course criteria; (A.07)
- 17.5.1.2 the grade obtained must be of at least second class standing; (A.07)
- 17.5.1.3 the course must have a minimum of ninety hours duration for full credit or forty-five hours duration for half credit; (A.07)
- 17.5.1.4 a formalized evaluation of the participant's achievement must be part of each course; (A.07)
- 17.5.1.5 the credit value and grade of the course must be indicated by an official transcript or diploma from the institution offering the course; (A.07)
- 17.5.1.6 the course must be offered by a recognized educational institution and must form part of an accepted program of studies leading to a post-secondary diploma or certificate; (A.07)
- 17.5.1.7 the course should contribute to the teacher's professional improvement within the parameters of the secondary school curriculum; (A.07)
- 17.5.2 enquiries regarding the acceptability of alternate courses must be made in writing to the Certification Division of OSSTF. (A.07)
- 17.5.3 It shall be the responsibility of Certification Council to provide lists of acceptable discipline courses for use with Chart 2. These will be published from time to time in a manner accessible to the Membership. (A.07)
- 17.5.4 "University course" shall be as defined in CERT Reg.2.1.8.1 (A.08)
**See CERT Reg.2.1.14.2 (A.08)

CERT Reg. 18 HONOUR TECHNOLOGICAL STUDIES SPECIALIST PROGRAM Chart 3 (A.07)

- 18 All Members in possession of Technological Studies qualifications on a valid teaching Certificate issued by the Ontario College of Teachers will use the following chart: (A.07)
- 18.1 GROUP 1 (A.07)
- 18.1.1 A Technological Studies qualification entry on a valid teaching Certificate issued by the Ontario College of Teachers (A.07)
- 18.2 GROUP 2 (A.07)

- 18.2.1 A Technological Studies qualification entry on a valid teaching Certificate issued by the Ontario College of Teachers plus one of the following: (A.07)
- 18.2.1.1 (i) three (3) acceptable full courses* exclusive of courses taken at a C.A.A.T. used towards the Certificate of Apprenticeship** (A.07)
- 18.2.1.2 (ii) a Certificate of Qualification** with Red Seal (for interprovincial standing) see Notes for Chart 3 (A.07)
- 18.3 GROUP 3 (A.07)
- 18.3.1 (a) Group 2 plus one of the following: (A.07)
- 18.3.1.1 (i) three (3) acceptable full courses* exclusive of courses taken at a C.A.A.T. used towards the Certificate of Apprenticeship** (A.07)
- 18.3.1.2 (ii) a Certificate of Qualification** with Red Seal (for interprovincial standing) see Notes for Chart 3, or (A.07)
- 18.3.2 (b) A Technological Studies qualification entry on a valid teaching Certificate issued by the Ontario College of Teachers plus the following: (A.07)
- 18.3.2.1 (i) an acceptable Professional Appellation (A.07)
- 18.4 GROUP 4
- 18.4.1 (a) A Technological Studies qualification entry on a valid teaching Certificate issued by the Ontario College of Teachers plus Group 3 (a) or 3 (b) and one of the following: (A.08)
- 18.4.1.1 (i) Honour Technological Studies Specialist as shown on a valid teaching Certificate from the Ontario College of Teachers (A.08)
- 18.4.1.2 (ii) Three Session Specialist (A.08)
- 18.4.2 (b) A Technological Studies qualification entry on a valid teaching Certificate issued by the Ontario College of Teachers with an acceptable four (4) year undergraduate university degree, second class standing (exclusive of teacher training) plus an acceptable Master's degree at the post-graduate level (exclusive of teacher training) or PhD, or (A.08)
- 18.4.3 (c) A Technological Studies qualification entry on a valid teaching Certificate issued by the Ontario College of Teachers with an acceptable undergraduate university degree with the Advanced Academic Accreditation with nine (9) full university courses (second class average) in one specified subject area* or 14 full university courses (second class average) in two specified subject areas* with no fewer than six (6) full university courses in each area plus an acceptable Master's degree at the post-graduate level (exclusive of teacher training) or PhD, or (A.08)
- 18.4.4 (d) A Technological Studies qualification entry on a valid teaching Certificate issued by the Ontario College of Teachers with an acceptable three (3) year undergraduate university degree with a concentration of five (5) full university

- courses (second class average) in a single subject area** or eight (8) full university courses (second class average) in two subject areas** (four (4) full courses in each area) excluding teacher training, plus the following: (A.08)
- 18.4.4.1 (i) Acceptable Master’s degree at the post-graduate level (exclusive of teacher training) or PhD (A.08)
- 18.4.4.2 (ii) two (2) additional full university courses (second class average) which may include Additional Qualification courses from an Ontario university Faculty of Education. (A.08)
- 18.5 ***REQUIREMENTS FOR COURSES FOR CHART 3** (A.07)
- 18.5.1 The course must meet the following conditions: (A.07)
- 18.5.1.1 the course must have been accepted by the Certification division after submission of the course criteria; (A.07)
- 18.5.1.2 the course must have a minimum of seventy-five hours duration for full credit or forty hours duration for half credit; (A.07)
- 18.5.1.3 a formalized evaluation of the participant must be part of each course; (A.07)
- 18.5.1.4 the credit value and grade of a course must be indicated by an official transcript or diploma from the institution offering the course; (A.07)
- 18.5.1.5 the course must be offered by a recognized educational institution and must form part of an accepted program of studies leading to a post-secondary diploma or post-secondary Certificate. (A.07)
- 18.6 **ACCEPTABLE ALTERNATE COURSES FOR THE HONOUR TECHNOLOGICAL STUDIES SPECIALIST PROGRAM** (A.07)
- 18.6.1 Acceptable Professional Appellations applicable to this Chart are: R.C.A. (Associate of the Royal Canadian Academy of Arts) and P.Eng. (Professional Engineer). (A.07)
- 18.6.2 Additional Basic Qualifications completed at an Ontario Faculty of Education may be considered for Groups 2, 3 or 4 but any used for admission to the Honour Technological Studies Specialist must be replaced with equivalent courses before using the Specialist for Group 4. (A.07)
- 18.6.3 Additional qualifications may be considered for upgrading provided they are completed at an Ontario Faculty of Education and an official transcript is submitted. (A.07)
- 18.6.4 Ontario Academic Course credits may be considered for upgrading provided they are in addition to the Ontario Secondary School Diploma. (A.07)
- 18.6.5 Ontario Grade 13 courses and/or Grade 12 U/M courses may be considered for upgrading purposes. (A.07)
- 18.6.6 A Certificate of Qualification** with a Red Seal (for interprovincial standing) shall be deemed equivalent to 3 full courses. Individually, a Certificate of Apprenticeship** is equivalent to 1

full course and a Certificate of Qualification is equivalent to 1 full course. (A.07)

18.6.7 “University course” shall be as defined in CERT Reg 2.1.8.1 (A.08)

**Issued by the Ministry of Training Colleges and Universities (A.07)

CERT REG. 19 TRANSFER INTO THE CERTIFICATION PLAN

19 Notwithstanding Certification Regulations 16, 17, and 18, teachers involuntarily transferred to the Ontario Secondary School Teachers' Federation will have their previous qualification evaluation rating statements moved laterally on to the OSSTF certification plan and will at this time be expected to progress through the charts currently in effect. (A.90)

Sector Council Constitution (A.05)

Article 1 Name (A.05)

- 1.1 The name of the Sector council shall be the
 - 1.1.1 Teacher and Occasional Teacher Sector Council;
 - 1.1.2 Education Support Staff Sector Council;
 - 1.1.3 Professional Student Services Personnel Sector Council.
- 1.2 Each Sector Council may also be referred to as the “Council of Presidents” for its respective sector.

Article 2 Objects (A.05)

- 2.1 to deal with issues relating to their specific Sector jobs and job classifications;
- 2.2 to provide input to the Provincial Executive and Provincial Council regarding legislative changes;
- 2.3 to provide advice to their Bargaining Units on professional standards;
- 2.4 to communicate Sector issues to their Sector members on a provincial basis;
- 2.5 to provide advice and direction on issues of a professional and protective nature;
- 2.6 to promote Sector issues to all Members.
- 2.7 to report from time to time to Provincial Council through its Provincial Councillor;
- 2.8 to deal with matters referred to it by AMPA, the Provincial Executive or Provincial Council.

Article 3 Members (A.05)

- 3.1 Voting members of each Sector Council shall be
 - 3.1.1 the current President or designate from each identified Bargaining Unit within the Sector.
 - 3.1.1.1 If a Bargaining Unit President or designate is unable to attend a Sector Council meeting, then the Bargaining Unit Executive/Council may appoint a substitute from within their Bargaining Unit as a voting alternate for that meeting.
 - 3.1.2 Each voting member of a Sector Council shall have one vote.
- 3.2 Non-voting members shall include:
 - 3.2.1 One member from each combined bargaining unit which has a voting representative on another Sector; and (A.06)
 - 3.2.2 One member of the Provincial Executive, designated by the President and
 - 3.2.3 One member of the Secretariat, designated by the General Secretary.
- 3.3 The duties of a member of a Sector Council are
 - 3.3.1 to attend Sector Council meetings;
 - 3.3.2 to report concerns of their respective bargaining units to Sector Council;
 - 3.3.3 to report on the activities of Sector Council to their respective Bargaining Unit Executives.

Article 4 Executive (A.05)

- 4.1 Each Sector Council Executive shall include the following Officers:
 - 4.1.1 The Sector Council Chair;
 - 4.1.2 The Sector Council Vice-Chair;
 - 4.1.3 The Sector Council Provincial Councillor.
 - 4.1.3.1 Notwithstanding 4.1.3, for the Teacher and

Occasional Teacher Sector, there shall be a Teacher Provincial Councillor who shall be a teacher elected by members who represent teachers and an Occasional Teacher Provincial Councillor who shall be an occasional teacher elected by members who represent occasional teachers.

- 4.1.3.1.1 For the purposes of the Provincial Councillor elections under 4.1.3.1, a Sector Council member representing an integrated bargaining unit may cast a vote for each Provincial Councillor position.
- 4.2 All Officers of each Sector Council must be an active member of that Sector Council.
- 4.3 The Executive will be elected at the first meeting of the Federation year for each Sector Council.
- 4.4 The term of office shall be one year.
 - 4.4.1 The officer shall remain in office until a successor has been elected or a vacancy has been declared.
- 4.5 Any vacancy in an Executive position shall be filled by election at the next regular meeting of Sector Council.
- 4.6 The duties of the Sector Council Executive are:
 - 4.6.1 to meet between Sector council Meetings as necessary to prepare for meetings;
 - 4.6.2 to perform such other duties as are designated by Sector Council.

Article 5 Meetings (A.05)

- 5.1 The Sector Councils shall meet regularly four (4) times per year.
- 5.2 The dates for all regular meetings shall be established annually by the Provincial Executive.
- 5.3 Meetings shall normally be one day in length.
- 5.4 Sector Councils may meet together.

Article 6 Subcommittees (A.05)

- 6.1 A Sector Council may choose to organize itself into subcommittees or workgroups as necessary.

Article 7 Amendments (A.05)

- 7.1 Amendments to the Sector Council Constitution may be made at the Annual Meeting of the Provincial Assembly.
 - 7.1.1 by a two-thirds vote provided that notice of the proposed amendment shall have been given in writing to the General Secretary on or before January 31; and
 - 7.1.2 by a nine-tenths vote if such prior notice was not given.

BYLAWS

[Amended at Provincial Assembly, March 2008]

Bylaw 1 - Federation Year

- 1.1 The Federation fiscal and membership year shall be from July 1 to the following June 30. (A.90)

Bylaw 2 - Membership

2.1 Types of Membership

2.1.1 Active Members

- 2.1.1.1 Active Members are those members employed by district school boards or other educational institutions, or agencies which provide service to educational institutions within the province of Ontario, and who pay active member fees to OSSTF in accordance with the Constitution and Bylaws; (A.99)

- 2.1.1.2 Where a new Bargaining Unit is organized, members shall be deemed to be Active Members with a waiver of payment of dues until or unless a collective agreement is in force. (A. 99)

- 2.1.1.3 Members on a paid leave of absence shall be deemed to maintain their Active Membership status and shall continue to pay membership fees and dues. (A.99)

- 2.1.1.4 Members on an unpaid leave of absence of one year or less in duration which is recognized by the collective agreement shall be deemed to maintain their Active membership status without payment of membership fees and dues. (A.01)

- 2.1.1.5 Members on an unpaid leave of absence of more than one year in duration which is recognized by the collective agreement shall be deemed to maintain their Active Membership status and shall pay fees after one year at the same rate as Voluntary Members. (A.01)

2.1.2 Voluntary Members

- 2.1.2.1 Voluntary Members shall include:

- 2.1.2.1.1 those members whose applications have been approved by a District Executive and accepted by the Provincial Executive; (A.91)

- 2.1.2.1.1.1 Where the appropriate District body dealing with the approval of Voluntary Members does not approve an applicant on an initial vote, the applicant will be notified of the decision and reasons stated. The District Executive shall provide for a hearing on the request of the applicant prior to a final decision on approval being forwarded to the Provincial Executive. (A.90)

- 2.1.2.1.2 Members of the Secretariat and Organizers employed by OSSTF on a full-time basis. (A.03)

2.1.3 Associate Members

- 2.1.3.1 Associate members shall include:

- 2.1.3.1.1 teachers in training at the Ontario Faculties of Education;

- 2.1.3.1.2 unemployed members who were formerly Active Members, who do not request to have their names removed from the list of members; (A.90)

- 2.1.3.1.3 all exchange teachers qualified to become

2.1.4

2.1.4.1

2.1.4.2

2.1.4.3

2.1.5

2.1.5.1

2.1.6

2.1.6.1

2.1.6.2

2.1.6.3

2.2

2.2.1

2.3

2.3.1

2.3.2

OSSTF Members in publicly-supported secondary schools.

Honorary Members

Honorary Members shall include Members who have retired after having performed outstanding service and commitment to OSSTF and on whom Honorary Membership has been conferred by the Provincial Executive on the recommendation of a District. (A.06)

An Honorary Membership may be approved from any District in any one year for every 500 members or greater portion thereof. (A.06)

Notwithstanding 2.1.4.2 every District shall be allowed to apply for a minimum of two Honorary Memberships each year. (A.06)

Provincial Life Members

Provincial Life Members shall include Members who, in the opinion of the Provincial Executive, have rendered meritorious and outstanding service to the OSSTF at the provincial level, and on whom the Provincial Executive has conferred Provincial Life Membership.

Active Retired Members

Active Retired Members shall include Members formerly defined under the terms of Bylaw 2.1.1 and former employees of OSSTF, who have retired from their employment and have paid the appropriate fee under Bylaw 11 for Active Retired Members. (A.01)

Associate Active Retired Members are retired former employees of an Ontario district school board who do not qualify to be Active Retired Members under Bylaw 2.1.6 but have applied and paid the appropriate fee under Bylaw 11 for Active Retired Members. (A.01)

Notwithstanding 2.1.6.1 a retired member who returns to work may retain both Active Member and Active Retired Member status unless the person returns to employment in education within the province of Ontario for a period of more than 95 days in a school year. (A.06)

Bargaining and Membership

No person shall retain membership in the OSSTF for the purposes of being represented by the OSSTF as bargaining agent if the statute under which that person would be represented excludes him/her from collective bargaining rights following a decision by the responsible tribunal.

Term of Membership

The membership of Members who are employed on a casual basis shall continue for a period of ninety-five school days after the date of the last day employed. (A.05)

The membership of Members who are employed on a limited term basis shall continue for a period of sixty school days after the date of the last day employed. (A.92)

- 2.3.3 Notwithstanding 2.3.1 and 2.3.2, if a person qualifies for membership again during the same membership year, such membership shall be deemed to have been continuous. (A.91)

Bylaw 3 - Federation Logo

- 3.1 The chief identifying logotype of the OSSTF shall be the Lamp of Learning surrounded by a rectangle having rounded corners. (A.98)
- 3.1.1 The OSSTF logo is protected by trademark. (A.02)
- 3.2 The OSSTF logo shall only be used in official OSSTF provincial, District, Bargaining Unit, Sector and Branch materials, communications and publications, including electronic and print media. (A.02)



Bylaw 4 - Ethics

- 4.1 The OSSTF shall maintain a motto, pledge, statement of ethics, a bill of rights, and principles of professional conduct. (A.80)
- 4.2 Amendments to items in Bylaw 4.1 shall be made in the same manner as that prescribed for amending the Bylaws of OSSTF. (A.80)

ETHICS [Determined under Bylaw 4]

ETH Section 1

THE MOTTO

- 1.1 NE SIBI QUISSUE CONSULAT, SED INTER NOS AUXILIO SIMUS
(Let us not take thought for our separate interests, but let us help one another). (A.91)

ETH Section 2

THE PLEDGE

- 2.1 I solemnly dedicate myself to promote and advance the cause of education.
- 2.2 I will strive to achieve and maintain the highest degree of professional competence and will always uphold the honour, dignity, and ethical standards of my profession.
- 2.3 I pledge my loyalty and support to the Ontario Secondary School Teachers' Federation and will comply with the Constitution, Bylaws, Policies, and established practices which govern its members.

ETH Section 3

A STATEMENT OF ETHICS

- 3.1 The member should present a practical illustration of scholarship and self-discipline and should maintain the utmost respect for the rights and dignity of each individual and for the environment in which the individual lives. (A.91)
- 3.2 The member should endeavour to foster a regard for law, an appreciation of freedom, a respect for human dignity, a respect for the global environment, and the ideal of public service. (A.91)
- 3.3 The member's professional conduct should be

characterized by courtesy and good faith, and should imply the obligation to refrain from public criticism of the member's colleagues. (A.88)

- 3.4 The member should promote anti-racist education.
- 3.5 The member should endeavour to eliminate any behaviour that undermines the dignity or self-esteem of an individual, or which creates an intimidating, hostile or offensive environment. (A.07)

ETH Section 4

PRINCIPLES OF PROFESSIONAL CONDUCT

- 4.1 A member of OSSTF shall recognize the supreme importance of effective learning and teaching in the continuing development of students as individuals and citizens. To this end, the member shall endeavour to develop in students an appreciation of standards of excellence, an appreciation of the principles of democracy, an appreciation of the need to be just and considerate in human relations, an appreciation of the need to develop a positive self-image, an appreciation of Canada's rich multicultural heritage and an appreciation of intellectual freedom. (A.87)
- 4.2 A member of OSSTF also shall recognize the unique responsibility to society which is inherent in the teaching process. Consequently, the member shall endeavour at all times to enhance public regard for the teaching profession and to discourage untrue, unfair or exaggerated statements with regard to teaching. In all relationships with colleagues, students, parents and other members of the community, the member shall strive to uphold the honour, dignity and ethical standards of the profession.
- 4.3 A member of OSSTF shall strive to help each student realize his or her potential as a worthy and effective member of society. The member therefore shall endeavour to stimulate in students the spirit of inquiry, the acquisition of knowledge and understanding, the appreciation of standards of excellence, and the thoughtful formulation of worthy goals.
- 4.4 A member of OSSTF shall exert every effort to raise professional standards, to promote a climate that encourages the free exercise of professional judgment, to foster co-operative relationships among colleagues, and to assist in preventing the practice of a profession by unqualified persons. (A.96)
- 4.5 A member of OSSTF shall recognize that responsibility to colleagues is best expressed through compliance with the Constitution and Bylaws of OSSTF through positive criticism of those policies and practices which in his/her professional opinion are seriously detrimental to the interests of the Federation, and through the use of proper channels within the Federation in seeking changes. The member shall recognize a further responsibility to offer a reasonable

- amount of individual service to the Federation in the pursuit of its aims and objectives, while retaining the right to determine the manner in which to serve. (A.78)
- 4.6 A member of OSSTF shall strive to eliminate discrimination based on race, creed, ethnicity, sex, sexual orientation, age, socioeconomic status, marital status, mental or physical ability. (A.07)
- 4.7 A member of OSSTF shall strive to eliminate all forms of harassment directed at, and offensive to, another individual that the member knows, or ought reasonable to know, would cause offence or harm. (A.07)
- 4.8 A member of OSSTF shall endeavour at all times to enhance public regard for all members and for the various services which they offer to the educational system. (A.90)
- 4.9 A member shall endeavour to ensure equity and inclusiveness for all individuals in the workplace.
- 4.10 A member shall recognize and respect the diversity of students and colleagues, and the goals of anti-racist education.

ETH Section 5

BILL OF RIGHTS (A.88)

- 5.1 A member has all the civil and political rights which accrue to citizens in a free and open democratic society, including all those rights stated in Canada's *Bill of Rights*, the *Human Rights Code of Ontario*, and the *Canadian Charter of Rights and Freedoms*. (A.88)
- 5.2 A teacher has the right to exercise professional judgment in professional relationships with students including, but not necessarily limited, to the following:
- 5.2.1 the right to take appropriate measures to correct and discipline students;
- 5.2.2 the right to give advice to students and parents considering the welfare of the students;
- 5.2.3 the right to choose and advise in the choice of appropriate instructional materials;
- 5.2.4 the right to employ appropriate teaching methods;
- 5.2.5 the right to evaluate students' progress and to make recommendations concerning students' progress and potential for progress;
- 5.2.6 the right to choose and advise on the choice of appropriate topics for class discussions in keeping with Ministry guidelines. (A.92)
- 5.3 A member has the right to fair and equitable treatment from the member's employer, officials of the member's employer and from the Ministry of Education and Ministry of Education officials. (A.87)
- 5.4 A member has the right to be evaluated fairly according to an objective process which has been approved by Ontario Secondary School Teachers' Federation. (A.88)
- 5.5 A member has the right to a review by an objective, neutral authority of all administrative decisions which could negatively affect the

- member materially or professionally which are deemed to be arbitrary or unfair. (A.88)
- 5.6 A member has the right to fair representation by the representatives of Ontario Secondary School Teachers' Federation empowered to bargain collectively on his/her behalf. (A.88)
- 5.7 A member has the right to a workplace and union environment free from harassment and bullying. (A.07)

Bylaw 5 - Rights, Privileges and Duties

5.1 Rights and Privileges

- 5.1.1 Active Members shall have all the rights and privileges of membership, unless limited by disciplinary measures taken in accordance with the Bylaws. (A.84)
- 5.1.2 Voluntary Members shall be entitled to receive all routine information and official communications from OSSTF, and to attend in a non-voting capacity OSSTF meetings which are open to the general membership. (A.01)
- 5.1.3 Associate Members shall be entitled to receive routine information, and official communications at the discretion of the Provincial Executive.
- 5.1.4 Honorary Members shall have all the rights and privileges of Associate Members.
- 5.1.5 Provincial Life Members, who would otherwise be Active Members, shall have all the rights and privileges of Active Members.
- 5.1.5.1 Provincial Life Members, who would not otherwise be Active Members, shall have all the rights and privileges of Voluntary Members. (A.01)
- 5.1.5.2 Provincial Life Members shall be entitled to a refund of the OSSTF fee. (A.00)
- 5.1.6 Members shall have the right to seek the advice of the OSSTF on any matter of professional relationship between the Member and a fellow Member, board of education, the Ministry of Education, student, parent or the public in general.
- 5.1.7 An Active Member shall have the automatic right to representation in a professional difficulty with a board of education or other external agency; such representation may include provision of legal counsel subject to approval by the Provincial Executive.
- 5.1.7.1 The nature and extent of representation for a Member shall be determined by the Provincial Executive. (A.84)
- 5.1.8 Active Retired Members shall have all the rights and privileges of Voluntary Members and all rights prescribed in the ARM Council Constitution. (A.01)
- 5.1.9 Associate Active Retired Members shall have the right to participate in the ARM Benefits Plan and to participate in the activities of a local ARM Chapter. (A.01)
- 5.2. **Duties of Members to Other Members**
- 5.2.1 A member shall:
- 5.2.1.1 avoid interfering in an unwarranted manner between other members and pupils;

- 5.2.1.2 on making an adverse report on another member, furnish that member with a written statement of the report at the earliest possible time and not later than three days after making the report;
- 5.2.1.2.1 Notwithstanding 5.2.1.2., on matters related to the *Child and Family Services Act*, this obligation shall not apply.
- 5.2.1.3 prior to registering a complaint of harassment or bullying against another member, inform the member, either personally or through a representative, that the actions are unwelcome and must cease; (A.07)
- 5.2.1.4 refuse to accept employment with an employer whose relations with the Federation are unsatisfactory;
- 5.2.1.5 where the Member is in an administrative or supervisory position, make an honest and determined effort to help and counsel a Member before subscribing to the dismissal of that member;
- 5.2.1.6 not attempt to gain an advantage over other Members by knowingly underbidding another Member, or knowingly applying for a position not properly declared vacant, or by negotiating for salary independently of the Member's Bargaining Unit;
- 5.2.2 Any member making an adverse report on another member under 5.2.1.2 shall include in the written statement the relevant date, details and alleged incidents that were related in the adverse report to the member and address and deliver the written statement to the member. (A.96)
- 5.2.3 It shall be the duty of every member whose duties include the making of recommendations affecting the tenure or position of responsibility of another member to provide the said member with copies of all reports submitted or filed concerning him/her, no later than 72 hours after the submission or filing of the report; and before making a recommendation for termination or non-renewal of a member's contract, or demotion on the grounds of unsatisfactory performance, to warn the member in writing, to provide or offer assistance and to allow a reasonable time for improvement, and when placing a member under formal review to inform the Field Secretary assigned to the member's District or Bargaining Unit. (A.98)
- 5.2.4 It shall be the duty of every Member not to deliberately and repeatedly breach the rules of order at any meeting called by an OSSTF Bargaining Unit, District, Sector, a Resumption of Bargaining Team, the Provincial Executive or a provincial committee or council. (A.05)
- 5.3 **Duties of Members to OSSTF**
- 5.3.1 It shall be the duty of every member to comply with the Constitution and Bylaws of OSSTF, and to seek to change the Constitution, Bylaws or Policies only through the proper procedures of the Federation. (A.83)
- 5.3.2 Where a member's actions are not constrained by agencies external to the OSSTF, it shall be the duty of every Member to act in accordance with the established Policies of the OSSTF. (A.83)
- 5.3.3 It shall be the duty of every Member to uphold the OSSTF Pledge and Statement of Ethics. (A.78)
- 5.3.4 It shall be the duty of every Member to act in accordance with Principles of Professional Conduct prescribed under Bylaw 4. (A.78)
- 5.3.5 It shall be the duty of a Member who is being represented by the Federation in a professional difficulty with a board of education or other external agency to honour the commitments made on his/her behalf by the Federation, if those commitments are made with his/her written consent. (A.78)
- 5.3.6 It shall be the duty of every Member to check with OSSTF before accepting a position to ensure that the board is in good standing. (A.88)
- 5.3.7 It shall be the duty of every Member who holds elected or appointed office with OSSTF to refrain from holding or seeking office with another union where the interests of the union are in conflict, or appear to be in conflict, with the interests of OSSTF. (A.91)
- 5.3.8 It shall be the duty of every Member who is seeking office in OSSTF and who is also a member of another union to declare such dual membership. (A.91)
- 5.3.9 It shall be the duty of a Member serving on the Provincial Executive, Provincial Council, a Provincial Committee, Council, Sector Council or as OTF Governor to resign from that office when the member retires to a pension or its equivalent. (A.06)
- 5.3.10 It shall be the duty of a Member on an unpaid leave of absence recognized by the collective agreement, who works in any employment situation where the Member would not otherwise be a Member of OSSTF, to resign from any elected or appointed OSSTF office(s) for the period of employment. (A.06)
- 5.3.11 It shall be the duty of each member to support a modified work environment for members with disabilities. (A.99)
- 5.3.12 It shall be the duty of a Member of OSSTF to support the Federation's Constitution, Bylaws and Policies while representing or being sponsored by OSSTF at any external convention, conference or other decision-making bodies. (A.02)
- 5.4 **Duties of Members During Negotiations/Sanctions**
- 5.4.1 It shall be the duty of every member to refrain from undertaking or supporting actions which undermine any established negotiating procedures during a collective bargaining process. (A.78)
- 5.4.2 It shall be the duty of every Member that, where a strike occurs in accordance with the results of a membership ballot, the Member, unless forbidden by law or requested otherwise by the local District/Bargaining Unit Executive, shall join in such sanctions as have been decided on

- by the majority vote of the Members in the body undertaking the sanction. (A.98)
- 5.4.3 It shall be the duty of every Member not to attend, organize, convene, or participate in any manner whatsoever in, any extracurricular school activities, events or tournaments involving a school or schools from another District whose Members have instituted a withdrawal of voluntary activities. (A.99)
- 5.4.4 Unless forbidden by law, it shall be the duty of every Member to refrain from undertaking or supporting actions which undermine or attempt to undermine any sanction imposed by any OSSTF Bargaining Unit. (A.98)
- 5.4.5 It shall be the duty of every Member whenever the Provincial Executive has issued an Information Bulletin to refuse to accept employment of the kind described in the Bulletin. (A.87)
- 5.4.6 In the event of a lock-out or strike and upon the return to normal duties, it shall be the duty of every member not to undertake any unusual duties or alter any standards except as agreed by the OSSTF bargaining unit, and the Provincial Executive of OSSTF. (A.90)
- 5.4.7 Unless a union-to-union agreement has been made or forbidden by law, it shall be the duty of every Member not to cross picket lines while on educational field trips. (A.90)
- 5.5 **Violations**
- 5.5.1 No Member shall be deemed to be in violation of this duty where it can be shown that the Member might reasonably be ignorant of the amended section(s), additions to, or deletions from the Constitution, Bylaws, and established Policies of OSSTF. This exemption shall not apply to any violations occurring
- 5.5.1.1 more than thirty days after the distribution of an amended Handbook, or
- 5.5.1.2 after the next consecutive Provincial Council meeting which established, amended, or rescinded the Policy, on an interim basis, or
- 5.5.1.3 after distribution to every Member of notification of an amendment, or addition to, or deletion from the Constitution, Bylaws, and established Policies of OSSTF. (A.80)
- 5.6 **Members Other Than Active Members**
- 5.6.1 Voluntary Members, Associate Members, Honorary Members and Provincial Life Members shall be subject to the same Duties of Members as Active Members. (A.01)
- Bylaw 6 - Representation of and Support for a Member in a Professional Difficulty with a Board of Education or Other External Agency**
- 6.1 For the purposes of this Bylaw, a professional difficulty shall mean any matter directly arising from the employment relationship which adversely affects a Member's human rights, tenure, remuneration, pension benefits, conditions of work, professional status, or the

- free exercise of professional duties. (A.99)
- 6.1.1 A Member who requests advice from the OSSTF on any matter of professional difficulty shall be referred to a Secretariat member, who shall counsel the Member. (A.93)
- 6.1.2 No written report will be filed on such a request, except that the Secretariat member may report to the General Secretary the date or dates on which advice was given.
- 6.2 An investigation into a professional difficulty will be initiated only when a written request with documentation has been received by the General Secretary.
- 6.2.1 Notwithstanding Bylaw 6.2, any matter of professional difficulty for which a procedure for resolution is provided in the collective agreement of the Bargaining Unit shall be submitted to the local Grievance Officer or Committee. (A.93)
- 6.2.2 Upon receipt of a proper request as indicated in Bylaw 6.2, the General Secretary shall:
- 6.2.2.1 recommend to the Provincial Executive the nature and extent of the representation to be provided to a Member; or
- 6.2.2.2 recommend to the Provincial Executive that the Member be supported or not supported; or
- 6.2.2.3 authorize a full investigation of the matter by one or more Secretariat members, and shall inform the Member in writing of the action taken. (A.93)
- 6.2.3 Where, under Bylaw 6.2, another Member is directly involved, the Member shall receive notification in writing of the request for investigation with copies of any documentation or evidence which accompanied the request, and shall be notified of the Member's right to seek the advice and aid of the Federation on the matter. (A.93)
- 6.2.4 Where, under Bylaw 6.2.2.3, an investigation is conducted by the Secretariat and where the matter cannot be resolved, the General Secretary shall: (A.93)
- 6.2.4.1 recommend to the Provincial Executive the nature and extent of the representation to be provided to a Member; or (A.93)
- 6.2.4.2 recommend to the Provincial Executive that the Member be supported or not supported; and (A.93)
- 6.2.4.3 submit to the Provincial Executive a report of the Secretariat investigation, and send a copy of the report to the Member or Members directly involved. (A.93)
- Bylaw 7 - Counselling and Mediation Procedures for Dealing with Disputes Affecting the Professional Relationships between Members**
- 7.1 A Member(s) having a dispute affecting that Member(s)' professional relationship with another Member(s) may report such a matter to: that Member(s)' Field Personnel (the elected or appointed District/Bargaining Unit President or Officer or the Field Secretary).

7.1.2	The Field Secretary may refer the matter to the Chair of Mediation Services Resource Bank. (A.06)		of Bylaw 5.2 and/or 5.4 and Rule of Order 5.10.3 where either the Complainant(s) or Respondent(s) represents a District, Bargaining Unit, Committee, Council or elected officer of OSSTF, shall be submitted to the Chair of Judicial Council with a copy to the General Secretary. The complaint shall be signed by the Complainant or an authorized representative if the complaining Members are a group. The complaint shall clearly indicate those things listed in Bylaws 8.1.1, 8.1.2 and 8.1.3. (A.04)
7.1.2.1	Notwithstanding Bylaw 7.1, any matter of professional difficulty which involves a grievance, a matter under the Ontario Labour Relations Act, a College of Teachers case, or other professional college case shall not be referred to Mediation Services Resource Bank. (A.06)		
7.2	When a Member reports a dispute to Field Personnel, and the matter is not referred directly to Mediation Services Resource Bank the Field Personnel shall: (A.06)	(b)	Formal complaints alleging contravention of the Constitution or Bylaws by a member(s) of a Bargaining Unit or District Executive, Provincial Council or the Provincial Executive arising from the performance of the duties of their office shall be submitted to the Chair of Judicial Council with a copy to the General Secretary. The complaint shall be signed by the Complainant or an authorized representative if the complaining members are a group. The complaint shall clearly indicate which Bylaw(s) has been violated and those things listed in Bylaws 8.1.2 and 8.1.3. (A.98)
7.2.1	counsel the Members and/or attempt resolution of the dispute; (A.01)		
7.2.2	keep on file only meeting dates, whether the dispute was resolved, and records of agreements reached between the parties, and (A.01)		
7.2.3	in the event that resolution by Field Personnel has been unsuccessful, advise the Member(s) of the right to: (A.01)		
7.2.3.1	discontinue any further proceedings or (A.01)		
7.2.3.2	proceed, as would be appropriate, to one of:		
7.2.3.2.1	a request to the Field Secretary to refer the matter to Mediation Services Resource Bank (for a Member(s) having a dispute affecting that Member(s)' professional relationship with another Member(s)); (A.06)	8.1.1	which Duties of Members (from Bylaw 5.2 and/or 5.4) are alleged to have been violated; (A.04)
7.2.3.2.2	Judicial Council (for a matter involving a dispute between the Member(s) and OSSTF or an Officer(s) of OSSTF); or	8.1.2	the facts (concisely stated) of the incident giving rise to the complaint; and
7.2.3.2.3	another venue.	8.1.3	that a copy of the complaint has been sent to the Member(s) complained against. (Hereinafter referred to as the "Respondent")
7.3	When the Member's dispute is referred by the Field Secretary to the Chair of Mediation Services Resource Bank, (A.06)	8.2	A Member(s) submitting a formal complaint under 8.1 must make such submission no later than
7.3.1	the Chair of Mediation Services Resource Bank shall acknowledge receipt of the request for mediation, forthwith and in writing, and shall ensure that all relevant parties consent to mediation and are advised of the procedures to be followed in the mediation process. (A.06)	8.2.1	sixty days of the incident giving rise to the complaint or
7.4	Within forty-five (45) working days of the Field Secretary's referral of the request for mediation, the Chair of Mediation Services Resource Bank shall report to the Field Secretary, in writing, the outcome of the attempted mediation, including agreements reached, if any; or, where there are extenuating circumstances, as approved by the Field Secretary, provide an interim report on the progress of the mediation. (A.07)	8.2.2	sixty days of the Member(s)' becoming aware of the incident giving rise to the complaint, in which case the Member(s) shall include a written explanation for the delay between the occurrence of the incident and the Member(s)' becoming aware of it;
7.4.1	Copies of this report shall be sent to the parties and to the General Secretary. (A.01)	8.2.3	sixty days after the end of the sanction, for complaints dealing with alleged violations of Bylaw 5.2 and/or 5.4. (A.04)
7.5	No written records related to the mediation shall be kept on file except the original letter requesting mediation and the final report. (A.01)	8.3	The Chair of Judicial Council shall acknowledge receipt of the complaint, forthwith and in writing, with a copy to the General Secretary.
7.6	All records shall be destroyed ninety days after the final report has been sent. (A.01)	8.4	When the Complainant is advised in writing by the Chair of Judicial Council that the complaint will not be dealt with because one or more of the conditions in 8.2.1, 8.2.2 or 8.2.3 have not been met, the Complainant may appeal such decision in writing within fifteen days to the Appeals Committee of Provincial Council. (A.06)
		8.5	The Chair of Judicial Council shall notify in writing all parties concerned of their rights and responsibilities with respect to procedures of Judicial Council.
		8.6	The General Secretary shall provide a Secretariat member or a retired Secretariat
Bylaw 8 - Judicial Procedures			
8.1 (a)	Formal Complaints concerning alleged violation		

- member to the Complainant and to the Respondent to assist in the preparation for hearings before Judicial Council. (A.03)
- 8.7 The Complainant may withdraw the complaint at any time.
- 8.8 **Formal Hearings before Judicial Council**
- 8.8.1 Judicial Council shall review questions referred to it by the Provincial Executive for clarification.
- 8.8.2 On receipt of a complaint filed in accordance with Bylaw 8, Judicial Council shall conduct a preliminary investigation into the details of each incident in the charges, and either hold a hearing or dismiss the case in accordance with its regulations. (A.06)
- 8.8.3 Where the Respondent expressly states that he/she will not defend himself/herself against the charge(s) set forth in the complaint, Judicial Council shall make such decision as it deems appropriate on the basis of the complaint and evidence received from the Complainant.
- 8.8.4 In the case of hearings by Judicial Council, the Judicial Council shall:
- 8.8.4.1 consider the allegations, hear the evidence and ascertain the facts of the case;
- 8.8.4.2 determine whether, upon the facts so ascertained, the allegations have been proved;
- 8.8.4.3 determine whether, in respect of the allegations so proved, the Member is guilty of a breach of the Duties of Members and either:
- 8.8.4.3.1 dismiss the complaint with or without assignment of costs or
- 8.8.4.3.2 determine the penalty to be imposed.
- 8.8.5 Where the Judicial Council finds a Member guilty of a breach of the Duties of Members, the Judicial Council may decide:
- 8.8.5.1 that the Member be reprimanded;
- 8.8.5.2 that the Member be suspended from any OSSTF office;
- 8.8.5.3 that the Member be declared ineligible to hold any OSSTF office for a specified period of time;
- 8.8.5.4 that a fine not to exceed the gross salary for 21 working days be imposed; and/or
- 8.8.5.5 that the Member be declared ineligible, for a specified period of time, to participate in any OSSTF meetings except for those called for the purpose of taking strike votes or for ratifying a collective agreement. (A.05)
- 8.8.5.6 that no action be taken or no penalty be imposed.
- 8.9 A copy of Judicial Council's decision, including reasons, shall be forwarded to the Provincial Executive for implementation. Judicial Council shall advise the Provincial Executive on the implementation of the decision.
- 8.9.1 Where appropriate, the name of the Member(s), the charge(s), and the penalty(s) will be published in a regular OSSTF publication.
- 8.10 **Authority**
- 8.10.1 The Provincial Executive shall ensure that Judicial Council follows the judicial procedures as outlined in Bylaw 8 and JC Regulations and applies such procedures to members in a fair and

- impartial manner. (A.06)
- 8.10.2 The Provincial Executive shall forward a copy of Judicial Council's decision, including reasons, by prepaid registered mail, to the last known address of the parties.
- 8.10.3 The Provincial Executive has sole authority to implement all decisions of Judicial Council.
- 8.10.4 The implementation of Judicial Council's decision shall be stayed pending an appeal or the exhaustion of the appeal taken under Bylaw 9, whichever occurs first.
- 8.10.5 The original Complainant(s) or the Respondent may request Leave to Appeal any decision of Judicial Council within fourteen days of the date the decision appealed from was served.
- 8.11 **Referrals** (A.03)
- 8.11.1 The Chairperson of Judicial Council may refer a dispute under Bylaw 8 to Mediation Services Resource Bank for mediation. (A.06)
- 8.11.2 The Chairperson of Judicial Council may refer a dispute under Bylaw 8 to the Provincial Executive for investigation and resolution under Bylaw 24. (A.03)
- Bylaw 9 - Appeal Procedures** (A.06)
- 9.1 **Appeal Committee**
- 9.1.1 A request for Leave to Appeal a decision of the Certification Appeal Board or the Judicial Council lies to the Appeal Committee of Provincial Council. (A.06)
- 9.1.2 An appeal from a decision on the timeliness of a petition or complaint lies to the Appeal Committee of Provincial Council. (A.06)
- 9.1.3 An appeal from a decision to initiate Trusteeship of a local organization lies to the Appeal Committee of Provincial Council. (A.06)
- 9.1.4 The Appeal Committee shall be composed of a Chair, Vice-Chair, and eight additional members to be appointed by Provincial Council. (A.06)
- 9.1.5 Members of the Appeal Committee shall, at the time of their appointment, be voting members of Provincial Council. (A.06)
- 9.1.6 No member of the Provincial Executive and no Provincial Council liaison members to Certification Appeal Board shall be appointed as a member of the Appeal Committee. (A.06)
- 9.1.7 All decisions taken on appeal require the approval of a majority of the members of the panel consisting of at least three members of the Appeal Committee assigned to that case by the Chair of the Committee. (A.06)
- 9.2 **Application for Leave to Appeal a Judicial Council Decision** (A.06)
- 9.2.1 A Request for Leave to Appeal a decision of the Judicial Council shall be submitted to the Chair of the Appeal Committee within fourteen days of the date the decision appealed from was served, with copies of the Request to the original Complainant or Respondent, to the Chair of Judicial Council, and to the General Secretary. (A.06)

- 9.2.2 The Request for Leave to Appeal shall state, in writing, the grounds and rationale for the appeal and the relief sought. (A.06)
- 9.2.2.1 The Appeal Committee will request submissions from the Chair of Judicial Council and from the original Complainant or Respondent with respect to whether Leave to Appeal should be granted. (A.06)
- 9.2.2.2 Representatives previously assigned to the Complainant and Respondent pursuant to Bylaw 8.6 will continue to be assigned if possible. (A.06)
- 9.2.2.3 Notwithstanding Bylaws 9.2.2.1 and 9.2.2.2, for requests for Leave to Appeal a decision of Judicial Council to dismiss a case without a hearing, the following shall apply: (A.08)
- 9.2.2.3.1 The Respondent to the request for Leave to Appeal shall be the Chairperson of Judicial Council. (A.08)
- 9.2.2.3.2 The original Respondent named in the complaint submitted under Bylaw 8.1 shall have the opportunity to have third-party status at the Appeal Hearing, should Leave to Appeal be granted. (A.08)
- 9.2.2.3.3 Notwithstanding Bylaw 9.2.2.1, the Appeal Committee shall request submissions from the Complainant and the Respondent as defined in Bylaw 9.2.2.3.1 with respect to whether Leave to Appeal should be granted. (A.08)
- 9.2.2.3.4 The General Secretary shall provide a Secretariat member or retired Secretariat member to the Complainant, the Respondent, and any other parties granted status under Bylaw 9.2.2.3.2 to assist in the preparation of hearings before the appeal committee. (A.08)
- 9.2.3 Leave to Appeal may be granted by the Appeal Committee if it is satisfied that the appeal raises matters of importance to the Federation involving the interpretation or application of its Constitution and/or Bylaws, and the member seeking leave to appeal demonstrates an arguable case. (A.06)
- 9.2.4 The Appeal Committee of Provincial Council shall render a decision to grant or deny Leave to Appeal not later than fifteen days after receipt of a Request for Leave to Appeal, with copies to interested parties as in 9.2.1. (A.06)
- 9.3 **Documentation for an Appeal Hearing** (A.06)
- 9.3.1 When a Leave to Appeal is granted, the Chair of the Appeal Committee shall request the Appellant, Respondent, and parties granted status under Bylaw 9.2.2.3.2 to submit their arguments within fifteen days. (A.08)
- 9.3.2 The Chair of Judicial Council shall ensure that a transcript is made if a hearing is the source of the appeal. (A.06)
- 9.3.3 The Chair of the Appeal Committee shall ensure that the hearing panel and all parties receive copies as soon as possible of all submissions and transcripts relevant to the appeal. (A.06)
- 9.4 **Appeals from a Decision of the Certification Appeal Board.** (A.06)
- 9.4.1 Within five days of receipt of a request for an

- Appeal of a decision of the Certification Appeal Board, the Chair of the Appeal Committee shall request the representatives of the Appellant and Respondent to submit their arguments within fifteen days. (A.06)
- 9.4.2 No Appeal from a decision of the Certification Appeal Board may be granted if a prior decision has been made by the Appeal Committee on a similar issue within the previous five-year period. (A.06)
- 9.4.3 The Appeal Committee cannot rule in any manner that would change or amend the regulations made under the Certification Plan. (A.06)
- 9.5 **Appeal Hearing and Decision** (A.06)
- 9.5.1 The Appeal Hearing shall not proceed in the absence of the Appellant or the Appellant's representative. If, however, after one adjournment, and on the next date set for the hearing, the Appellant or representative does not appear or provide reasonable grounds for not appearing, the appeal shall be dismissed. (A.06)
- 9.5.2 Hearings shall be conducted in accordance with rules approved by AMPA or Provincial Council. (A.06)
- 9.5.3 Within five days after the Hearing, the Appeal Committee of Provincial Council shall: (A.06)
- 9.5.3.1 confirm the decision of the body appealed from; (A.06)
- 9.5.3.2 vary the original decision of the body appealed from, in whole or in part; (A.06)
- 9.5.3.3 give such decision that ought to have been pronounced; or (A.06)
- 9.5.3.4 refer the matter back to the body appealed from. (A.06)
- 9.5.4 Any decision taken by the Appeal Committee of Provincial Council under Bylaw 9 shall be final and binding and without further right of appeal. (A.06)
- 9.5.5 The Chair of the Appeal Committee shall forward the decision to all parties within five days of the release of the decision. (A.06)
- 9.5.6 When the matter is referred back to the body appealed from, it shall be without prejudice to a party appealing a subsequent decision of the body. (A.06)

Bylaw 10 - Scholarships and Awards

- 10.1 **Award of Merit**
- 10.1.1 An Award of Merit may be conferred by the Provincial Executive upon a Member, who, in the opinion of a District Executive or the Provincial Executive, has rendered meritorious and outstanding service to the OSSTF at the District/Bargaining Unit level, or at both the District/Bargaining Unit and Provincial levels. The District Executive shall make application to the Provincial Executive. An Award of Merit may be approved from any District in any one year for every 500 members or greater portion thereof. Notwithstanding the above, every District shall be allowed to apply for a minimum of two Awards of Merit in any one

- year. (A.98)
- 10.2 **Scholarships and Other Awards**
- 10.2.1 Scholarships and other monetary awards may be created and awarded by the OSSTF in the following manner:
- 10.2.1.1 Terms of reference shall be determined by the Provincial Council;
- 10.2.1.2 The scholarships and awards shall be administered by the Scholarship Committee in accordance with the monies provided by the Provincial Assembly. (A.06)

Bylaw 11 - Fees

- 11.1 **Active Members** (A.91)
- 11.1.1 The fee for Active Members shall be 1.3% of total annual salary earned through an OSSTF-employer collective agreement. (A.02)
- 11.1.2 Total annual salary shall include all monies earned by Members through an OSSTF collective agreement while in the employ of their employer from July 1 to the following June 30. (A.91)
- 11.1.3 Amendments to the fee structure for Members must be approved by the Provincial Assembly through such vote count as that prescribed for amending the Bylaws. (A.98)
- 11.2 **Active Retired Members** (A.99)
- 11.2.1 The annual fee for Active Retired Members shall be \$50.00. (A.99)
- 11.3 **Voluntary Members**
- 11.3.1 The annual fee for Voluntary Members who qualify as such under Bylaw 2.1.2.1.1 shall be \$50. If certification services are required, an additional charge shall be made for each Certification Rating Statement. Certification services for Voluntary Members are limited to the issuance of Certification Rating Statements and reviews by the Certification Board. (A.91)

Bylaw 12 - Payment of Fees

- 12.1 **Active Members** (A.91)
- 12.1.1 Members shall remit their fees in accordance with the terms of their collective agreements or upon direction of the Treasurer. (A.98)
- 12.1.2 Active Retired Members shall remit their fees to the Treasurer of OSSTF. (A.96)
- 12.2 **Voluntary Members**
- 12.2.1 The fee for Voluntary Members who qualify as such under Bylaw 2.1.2.1.1 shall be remitted to the Treasurer of OSSTF before March 1 of each school year.
- 12.2.2 Fifty percent of the OSSTF fee for Voluntary Members shall be rebated to the District which approved the voluntary membership. (A.81)

Bylaw 13 - Federation Finances

- 13.1 **General Account** (A.96)
- 13.1.1 Preparation of the Budget
- 13.1.1.1 The OSSTF spending authorities shall meet with the Chair, Vice-Chair and/or designates of the provincial Finance Committee prior to the end of

October to submit and review initial budget requests for all accounts under their authority. (A.05)

- 13.1.1.2 The Finance Committee shall submit a written report, including the submitted budget requests of the spending authorities, to the Provincial Council, for its information, at the February meeting. (A.92)
- 13.1.1.3 The General Account Budget shall not differ by plus or minus one-quarter of one percent the net figure obtained after deducting from the Gross Fee Income the OTF portion and the Member Protection Account allocation. The Finance Committee shall be guided by this rule in preparing its written report to the Delegates of the Annual Meeting of the Provincial Assembly. (A.04)
- 13.1.1.4 Proposals regarding expenditures not already included in the Budget outlined above must first be referred to the Finance Committee before presentation to the Provincial Assembly. The Finance Committee, in order to discharge its duties, shall be present at the Provincial Assembly. (A.82)
- 13.1.1.6 The Budget shall include the following line items:
- 13.1.1.6.1 Provincial Executive - Salaries
- 13.1.1.6.2 Provincial Executive - Benefits
- 13.1.1.6.3 Provincial Executive - Expenses
- 13.1.1.6.4 Provincial Executive - Dislocation Allowances
- 13.1.1.6.5 Provincial Executive - Training (A.91)
- 13.1.1.6.6 Secretariat - Salaries
- 13.1.1.6.7 Secretariat - Benefits
- 13.1.1.6.8 Secretariat - Field Service Expenses
- 13.1.1.6.9 Secretariat - Expenses
- 13.1.1.6.10 Secretariat - Training Program
- 13.1.1.6.11 Office Staff - Salaries
- 13.1.1.6.12 Office Staff - Benefits (A.81)
- 13.1.2 Election Readiness Reserve (A.06)
- 13.1.2.1 Notwithstanding Bylaw 13.1, an annual amount shall be allocated within the General Account budget to an Election Readiness Reserve. (A.06)
- 13.1.2.2 The purpose of the Election Readiness Reserve is to spread the cost of OSSTF activities related to municipal, provincial and/or federal elections through all budget years rather than concentrate the cost in any single annual budget. (A.06)
- 13.1.3 **Finance Committee Role**
- 13.1.3.1 The Finance Committee shall have the authority to and shall review the detailed authorized expenditures of the spending authorities of the Federation and shall prepare and present a written report to Provincial Assembly Delegates expressing the judgment of the Finance Committee as to whether or not the figures shown in the proposed Budget are reasonable figures for the service provided. (A.82)
- 13.1.4 **Administration of the Budget**
- 13.1.4.1 The final amended Budget report approved by the Annual Meeting of the Provincial Assembly

	shall be a maximum expenditure, and shall reflect the Annual Action Plan as approved and/or amended by the Provincial Assembly.		Account Budget, which, in the opinion of the Provincial Executive, is warranted in light of current costs.
13.1.4.2	Responsibility for the initial approval of expenditures for any approved budget may be delegated to the authorized signing authority for that account.	13.2.2	Operation
13.1.4.3	Notwithstanding Bylaw 13.1.4.2, the Provincial Executive shall have the authority to require that each expenditure be subject to their prior approval and shall be responsible for satisfying themselves as to the immediate value and economic wisdom of the expenditure. The Provincial Executive shall have complete authority in the matter of approving expenditures or reducing costs within the limits of the Budget.	13.2.2.1	Any expenditure for special projects authorized by the Provincial Executive which is not provided for in the General Account Budget shall be paid for out of the Contingency Account.
13.1.4.4	All expenditures which are not provided for in the General Account Budget shall be charged to the Contingency Account.	13.2.2.2	The Provincial Executive shall have the sole authority for expenditures from the Contingency Account in any one fiscal year up to 50 percent of the value of the account at the beginning of that year. Any expenditure beyond this limit of the authority granted to the Provincial Executive shall require the prior approval of the Provincial Council.
13.1.4.5	The Provincial Executive shall allocate the surplus from the General Account to the Member Protection Account and/or to Working Capital. (A.01)	13.2.2.3	The Contingency Account shall be budgeted at not more than 4 percent of the General Account Budget annually.
13.1.5	Approval for Overspending	13.2.2.4	The excess of revenue over expenses in the Contingency Account shall be transferred to the Member Protection Account at the fiscal year end. (A.01)
13.1.5.1	Provincial Executive Accounts	13.2.2.5	The Finance Committee shall, in the preparation of the Budget, recommend the amount to be allocated to the Contingency Account for the approval of the Annual Meeting of the Provincial Assembly. (A.85)
13.1.5.1.1	Any expenditures beyond the budgets approved by the Provincial Assembly shall require the prior approval of the Provincial Council.	13.3	Member Protection Account (A.04)
13.1.5.2	Other Accounts	13.3.1	Objects (A.04)
13.1.5.2.1	Any expenditures in all accounts other than those of the Provincial Executive beyond the budgets approved by the Provincial Assembly shall require the prior approval of the Provincial Executive, which shall then report all such approvals, in writing, at the next Provincial Council meeting. (A.78)	13.3.1.1	to negotiate and defend the priorities of OSSTF, including, but not limited to job security, working conditions, fringe benefits, pension and salary; (A.04)
13.1.5.3	Any overexpenditure of General Accounts which has had the prior approval of the Provincial Executive may, with the approval of the Provincial Council, be covered by the General Account surplus of that fiscal year. (A.85)	13.3.1.2	to assist in securing and maintaining satisfactory salary schedules and other negotiable items not contrary to Policy; (A.04)
13.1.5.4	Total Budget	13.3.1.3	to assist in maintaining and improving security of tenure; (A.04)
13.1.5.4.1	Notwithstanding Bylaw 13.1.4.1, any expenditures beyond the total amount of the Budget approved by the Provincial Assembly shall require the prior approval of the Provincial Council. (A.82)	13.3.1.4	to ensure complete and adequate investigation of cases of professional difficulty and to pay for expenses of investigation, legal advice, or other expenses connected therewith as authorized by the Provincial Executive; (A.04)
13.2	Contingency Account	13.3.1.5	to assist financially a Member who, through loyalty to the profession and Policy, and who, acting on the instructions of the Provincial Executive, suffers loss of position or salary; (A.04)
13.2.1	Objects	13.3.1.6	to assist a District or Bargaining Unit in a dispute with a District School Board or other employer; (A.04)
13.2.1.1	The objects of the Contingency Account shall be:	13.3.1.7	to make loans to Members for retraining purposes in accordance with resolutions adopted by a Provincial Assembly; (A.04)
13.2.1.1.1	to provide funds to finance special projects which were not provided for in the General Account Budget approved by the previous meeting of the Provincial Assembly, and which, in the opinion of the Provincial Executive, are of sufficient benefit to the Federation that they should not be delayed until the following Annual Meeting of the Provincial Assembly for approval;	13.3.1.8	to pay the necessary expenses of parties to an appeal before the Certification Appeal Board. (A.06)
13.2.1.1.2	to provide for overspending of the General	13.3.1.9	to pay the necessary expenses of members of Mediation Services Resource Bank to conduct investigations/mediation as required by the Bylaws;(A.06)

- 13.3.1.10 to pay the necessary personal expenses of a Member appearing before the Appeal Committee of Provincial Council or Judicial Council; and (A.04)
- 13.3.1.11 to make grants on the recommendation of the Benevolent Council to Members experiencing extreme financial difficulty. (A.04)
- 13.3.1.12 To secure for all Members legal collective bargaining rights which shall include the right to strike; (A.04)
- 13.3.1.13 To provide for the payment of contributions to the appropriate pension plan on behalf of Members who have been locked out or on legal strike conducted by OSSTF. (A.04)
- 13.3.2 **Management** (A.04)
- 13.3.2.1 The portion of the annual fee of a Member which shall be assigned to the Member Protection Account shall be as determined from time to time by AMPA in accordance with the Constitution. (A.04)
- 13.3.2.2 Any funds transferred or assigned from time to time to the Member Protection Account shall be invested in the Internal Investment Fund. (A.04)
- 13.3.2.3 Expenditures from the Member Protection Account pursuant to Bylaw 13 - Federation Finances shall be made by the Treasurer of OSSTF as approved by resolution of the Provincial Council or AMPA upon recommendation of the Provincial Executive. (A.04)
- 13.3.2.4 The Treasurer of OSSTF shall present an audited statement of the Member Protection Account at AMPA. (A.04)
- 13.3.2.5 If the annual audit reveals that the level of liquid assets in the Member Protection Account is less than that year's fee income, the Finance Committee must bring a motion to deal with the situation to the following AMPA. (A.06)
- 13.3.2.6 An interim statement shall be submitted by the Treasurer of OSSTF to each regular meeting of Provincial Council." (A.04)
- 13.4 **Working Capital** (A.96)
- 13.4.1 **Object**
- 13.4.1.1 The object of the Working Capital shall be solely to provide the needed funds between the periods of receipt of fees.
- 13.4.2 **Operation**
- 13.4.2.1 Working Capital shall be maintained at not more than 15% of the General Account budget. (A.91)
- 13.4.2.2 Working capital shall be funded from the General Account Surplus as determined by the auditors each June 30 or by a direct allocation from the Member Protection Account as approved by the Provincial Assembly. (A.01)
- 13.4.2.3 Working capital shall be controlled solely by the Provincial Executive and shall be used to meet short-term cash requirements.
- 13.4.2.4 The status of the Working Capital at the end of each month shall be reported to the Provincial Council at each regular meeting. (A.81)

- 13.5 **Internal Investment Fund**
- 13.5.1 **Objects**
- 13.5.1.1 To provide a common investment vehicle for all internal OSSTF investments including, but not limited to, the General Account, Member Protection Account, and Working Capital. (A.04)
- 13.5.2 **Management**
- 13.5.2.1 Funds from time to time transferred or assigned to the Internal Investment Fund shall be invested in securities in which pension funds are authorized to invest money pursuant to the Pension Benefits Act of Ontario (R.S.O. 1980, Chapter 373, and R.R.P. 1980, Regulation 746) as amended from time to time provided that the amount of funds that may be invested in common shares shall be established by the Provincial Executive from time to time and in real property.
- 13.5.2.2 The net income of the Internal Investment Fund shall be prorated among the OSSTF accounts in accordance with the amount of capital each account has in the Internal Investment Fund.
- 13.5.2.3 No part of the Internal Investment Fund shall enure to the specific benefit of any member.
- 13.5.2.4 The Treasurer of OSSTF shall present an audited statement of the Internal Investment Fund at AMPA. (A.96)
- 13.5.2.5 Notwithstanding 13.5.2.2, up to 10% of the net income of the Internal Investment Fund shall be allocated to the General Account, unless to do so would reduce the Member Protection Account balance to less than \$50 million. (A.04)

Bylaw 14 - Representation at Provincial Meetings

- 14.1 **Provincial Council**
- 14.1.1 Each District shall elect a District Provincial Councillor. (A.98)
- 14.1.1.1 The District shall submit the name of the District Provincial Councillor to the General Secretary by July 1 of each year. (A.01)
- 14.1.2 Each Sector shall elect its Provincial Councillor(s) in accordance with the Sector council Constitution. (A.06)
- 14.1.3 Where the District Provincial Councillor is a Part X *Education Act* member, those members of the District who are not such members shall be entitled to elect a Provincial Councillor when their total FTE/Interim FTE membership is 150 or more. (A.07)
- 14.1.4 Where the District Provincial Councillor is not a Part X *Education Act* member, those members of the District who are Part X *Education Act* members shall be entitled to elect a Provincial Councillor when the total FTE/Interim FTE membership is 150 or more. (A.07)
- 14.1.5 In Districts where the total FTE/Interim FTE membership in either the Part X *Education Act* Bargaining Unit(s) or the combined other Bargaining Units exceed 1,500, the Unit[s]

which exceed(s) 1,500 shall be entitled to elect additional Provincial Councillors on the basis of one Provincial Councillor for each 1,500 FTE members. (A.07)

14.1.6 If a Provincial Councillor is unable to attend all or part of a Council meeting, then the District or Sector Council Executive shall be empowered to appoint a substitute from the District or Sector as an Alternate for all or a part of that meeting. (A.98)

14.1.6.1 An Alternate who has been authorized by the District or Sector Council Executive to substitute for the Provincial Councillor for all of a Council meeting shall be seated as a voting member of Provincial Council upon presentation of written authorization from the District Secretary or Sector Council Chairperson.(A.05)

14.1.6.2 An Alternate who has been authorized by the District or Sector Council Executive to substitute for the Provincial Councillor for a part of a Council meeting shall be seated as a voting member of Provincial Council upon presentation of written authorization from the District Secretary or Sector Council Chairperson subject to majority vote of Provincial Council. (A.05)

14.1.6.3 Notwithstanding the above, if on short notice a Provincial Councillor is unable to attend all or part of a Council meeting, the Provincial Council may authorize an Alternate from the same District or Sector to be seated as a voting member by unanimous vote.(A.05)

14.2 **Provincial Assembly**

14.2.1 The number of Delegates to a Provincial Assembly from each District shall be determined by the General Secretary by May 15 of the previous school year on the basis of the number of full-time equivalent members in its bargaining units and Interim FTE calculations for newly organized bargaining units. The District Delegates to a Provincial Assembly shall be the sum of the Delegates selected by the Bargaining Units within the District. Each Bargaining Unit shall be entitled to one Delegate to a Provincial Assembly for each one hundred (or major fraction thereof) of the Bargaining Unit's full-time equivalent members/interim full-time equivalent members. (A.07)

14.2.1.1 Notwithstanding the above, representation at AMPA shall be as observers for any newly organized Bargaining Units receiving their Labour Board Certificate within the month prior to the Annual Meeting of the Provincial Assembly. (A.07)

14.2.2 Notwithstanding 14.2.1, each Bargaining Unit with 25 or more full-time equivalent Members shall be entitled to a minimum of one Delegate.

14.2.2.1 Bargaining Units with fewer than 25 full-time equivalent Members may apply to the General Secretary to combine the Members within a District or within a Sector in order to be

entitled to a Delegate at Large in accordance with the Bylaws.

14.2.2.2 The General Secretary shall make provision for these Bargaining Unit Members to select Delegates at Large to a Provincial Assembly on the basis of the total full-time equivalent membership of all the combined Bargaining Units.

14.2.2.3 Notwithstanding 14.2.1, each Provincial Councillor from a Sector shall be a Delegate to a Provincial Assembly. (A.05)

14.2.2.4 Notwithstanding the above, each District shall have a minimum of three Delegates to a Provincial Assembly.

14.2.3 The District's Provincial Councillor(s) shall be (a) Member(s) of the District's delegation to a Provincial Assembly. (A.95)

14.2.4 No Delegate shall represent a District and a Sector, more than one District, or more than one Sector at a Provincial Assembly.

14.2.5 The General Secretary's determination of the FTE/Interim FTE numbers used to determine the number of Delegates and used in the calculation of District fee rebates may be appealed in writing with reasons no later than May 1 of each year. (A.07)

14.2.5.1 Preliminary FTE/Interim FTE calculations will be shared with Provincial Councillors before the end of February each year. (A.07)

14.2.5.2 That by Mid February, OSSTF Provincial Office will provide each bargaining unit with information (average monthly dues and a list of members paying less than the average monthly dues) to verify those members who are less than full time. (A.08)

14.2.5.3 If a delayed pay schedule is identified by the bargaining unit, all dues received by Provincial Office will be credited to the month that the work was performed. (A.08)

14.2.5.4 The FTE/Interim FTE Appeal Committee shall consist of the Chair of the Finance Committee, the Chair of the Provincial Council and the General Secretary. (A.08)

14.2.5.5 Bargaining Units shall have the opportunity to present their appeal to the FTE/Interim FTE Appeal Committee. (A.08)

14.2.6 Alternates may be seated in the sessions of a Provincial Assembly only to replace Delegates who are absent from the session or part thereof. The total number of Delegates and/or Alternates seated by a District or as Delegates at Large may not exceed the total number of Delegates determined by the General Secretary in accordance with the Bylaws.

14.2.6.1 The number of alternates shall be determined by the General Secretary on the basis of one quarter of the total number of District Delegates, such fraction to be rounded upwards to the nearest whole number. (A.01)

14.2.7 When a matter is referred to a House Committee, an Alternate may be seated in the House to replace the Delegate serving on the House Committee. Only Delegates or

- Alternates seated in the House may cast ballots in the elections for Provincial Officers. The total number of Delegates and/or Alternates seated by a District or as Delegates at Large may not exceed the total number of Delegates determined by the General Secretary in accordance with the Bylaws.
- 14.2.8 The term of office of Delegates to a Provincial Assembly shall begin at the time of selection by the Bargaining Unit(s) and shall continue for one year or until their successors are selected by the Bargaining Unit(s).
- 14.2.9 Each District may select alternates to attend the Provincial Assembly. (A.01)
- 14.3 **Attendance at Provincial Meetings**
- 14.3.1 Any Member of the OSSTF may attend a Provincial Council Meeting, the Annual Meeting of the Provincial Assembly or the Provincial Mass Meeting, and, with the permission of the Chairperson, may participate in discussions but shall not have the right to vote.
- Bylaw 15 - Provincial Meetings**
- 15.1 **Provincial Executive**
- 15.1.1 The Provincial Executive shall meet at the call of the President or on the request of two members of the Provincial Executive.
- 15.1.2 A quorum shall be five of the seven voting members of the Provincial Executive. (A.78)
- 15.2 **Provincial Council**
- 15.2.1 The Provincial Council shall meet at least six times a year, at a place to be named by the Chairperson in consultation with the General Secretary. (A.83)
- 15.2.2 The Provincial Council shall meet within three weeks if requested in writing by 40 percent or more of the Provincial Councillors, or Councillors who represent 40 percent or more of the membership.
- 15.2.3 Sixty percent of the voting members of the Provincial Council shall constitute a quorum.
- 15.3 **Provincial Assembly**
- 15.3.1 The Provincial Assembly shall hold its Annual Meeting at a time and place to be arranged by the Provincial Executive and, in case of emergency, may hold other meetings at such times as may be determined by the Provincial Executive or the Provincial Council.
- 15.3.2 Forty percent of the voting members of the Provincial Assembly shall constitute a quorum.
- 15.4 **Mass Meetings**
- 15.4.1 A Provincial Mass Meeting of the OSSTF may be called at any time at the discretion of the Provincial Executive.
- Bylaw 16 - Provincial Committees and Advisory Work Groups**
- 16.1 **Standing Committees**
- 16.1.1 There shall be the following protective services committees, consisting of members up to the maxima specified:
- 16.1.1.1 Collective Bargaining - 28 (A.02)

- 16.1.2 There shall be the following professional services committees, consisting of members up to the maxima specified:
- 16.1.2.1 Educational Services - 24
- 16.1.2.2 Comité des services en langue française - 10
- 16.1.3 There shall be the following additional standing committees, consisting of members up to the maxima specified: (A.00)
- 16.1.3.1 Finance - 10
- 16.1.3.2 Communications and Political Action - 24 (A.03)
- 16.1.3.3 Status of Women - 11
- 16.1.3.4 Human Rights - 11 (A. 08)
- 16.2 **General Objectives of Standing Committees**
- 16.2.1 To recommend priorities to the Provincial Executive and policies to the Provincial Assembly or Provincial Council on items encompassed by the specific objectives of the committee.
- 16.2.2 To undertake a research in its own area.
- 16.2.3 To submit a budget to the Finance Committee.
- 16.2.4 To report in writing to the Provincial Assembly on its activities.
- 16.2.5 To work in conjunction with the member of the Provincial Executive with the corresponding portfolio to implement the OSSTF Annual Action Plan as approved for the current year by the Provincial Assembly. (A.04)
- 16.2.6 Except where the Provincial Assembly or the Provincial Council gives specific direction, any committee may, with the approval of the Provincial Executive, reorient its projects in the light of changing circumstances.
- 16.2.7 To co-opt such members as necessary for a period of up to one year. Repeat co-options are possible.
- 16.2.8 To report to each meeting of Provincial Council through the member appointed as liaison by the Provincial Council. (A.99)
- 16.2.9 To report to the Provincial Executive as needed through the member appointed by the Provincial Executive. (A.99)
- 16.2.10 To reflect and represent the diversity of OSSTF membership. (A.99)
- 16.2.11 To comply with the Terms of Reference as approved by Provincial Assembly. (A.01)
- 16.3 **Election of Chairpersons**
- 16.3.1 Chairpersons of provincial standing committees shall be elected by their respective committee after the year of office of the new committee has begun. (A.87)
- 16.3.2 Chairpersons of special or ad hoc committees shall be elected by their committee unless the body creating the committee directs otherwise.
- 16.4 **Provincial Committee Meetings**
- 16.4.1 A provincial committee shall meet at the call of its Chairperson.
- 16.4.2 Fifty percent of the voting members of a provincial committee shall constitute a quorum.
- 16.4.3 The Chairperson of a standing or special committee shall be responsible for
- 16.4.3.1 the calling of meetings of the committee;
- 16.4.3.2 the functioning of the committee in accordance

with instructions of the Provincial Executive, the Provincial Council or the Provincial Assembly;

16.4.3.3 the making of a report to the Provincial Executive, the Provincial Council and the Provincial Assembly as required;

16.4.3.4 the spending from the accounts assigned to the committee. (A.91)

16.5 **Year of Office**

16.5.1 A year of office of a provincial committee shall commence during the meeting of the committee which immediately precedes the June meeting of Provincial Council. (A.82)

16.6 **Co-options (A.88)**

16.6.1 The committee shall allow sufficient time for the new membership to recommend co-options for the approval of Provincial Council at its June meeting.

16.7 **Vacancies in Provincial Standing Committees**

16.7.1 Vacancies which occur in positions held by appointment from the membership at large, and for which the unexpired term does not extend beyond the end of the current year of office, shall be filled by co-option of a member, subject to the approval of Provincial Council, for the balance of the term. (A.88)

16.7.2 All other vacancies shall be filled by the same body which appointed the original member, in accordance with the procedures of the appointing body, for the balance of the term. (A.88)

16.8 **Provincial Committees Findings and Reports**

16.8.1 It shall be the duty of a provincial committee to report to the Provincial Executive and to the appointing body, its findings, suggested policies and recommended courses of action with regard to those matters referred to it.

16.8.2 The decision to publish findings, to implement suggested policies, or to embark upon courses of action recommended by a provincial committee shall be the responsibility of the Provincial Assembly, the Provincial Council, or the Provincial Executive.

16.9 **Advisory Work Groups (A.95)**

16.9.1 The Provincial Executive shall establish and appoint members to the following Advisory Work Groups: (A.95)

16.9.1.1 Faculty of Education Advisory Work Group; (A.95)

16.9.1.2 Funding and Investment Advisory Work Group

16.9.1.3 Teachers' Pension Plan Advisory Work Group (A.02)

16.9.1.4 Ontario Municipal Employees Retirement System Advisory Work Group (A.02)

16.9.1.5 Local Benefits Advisory Work Group (A.07)

16.9.1.6 Such other Advisory Work Groups as deemed necessary by the Provincial Executive. (A.95)

16.9.2 Any member of the Provincial Executive may be a member of an Advisory Work Group. (A.95)

16.9.3 The Advisory Work Groups shall meet as

required. (A.95)

16.9.4 **Faculty of Education Advisory Work Group (A.95)**

16.9.4.1 The Advisory Work Group shall have, from among its members, two members assigned to the OTF Teacher Education Committee. (A.95)

16.9.4.2 The Advisory Work Group shall advise the Provincial Executive on any matters related to teacher education pertaining to Active or Associate Members and such other matters as may be referred to it by the Provincial Executive. (A.95)

16.9.5 **Funding and Investment Advisory Work Group (A.99)**

16.9.5.1 The Advisory Work Group shall advise the Provincial Executive, through the Treasurer, on the management of all OSSTF funds and investments, including properties; on matters pertaining to District funding; and on such other matters as may be referred to it by the Provincial Executive. (A.99)

16.9.6 **Teachers' Pension Plan Advisory Work Group (A.02)**

16.9.6.1 The Teachers' Pension Plan Advisory Work Group shall advise the Provincial Executive on any matters related to the Ontario Teachers' Pension Plan and such other matters as may be referred to it by the Provincial Executive.

16.9.7 **Ontario Municipal Employees Retirement System Advisory Work Group (A.02)**

16.9.7.1 The Ontario Municipal Employee Retirement System Advisory Work Group shall advise the Provincial Executive on any matters related to the Ontario Municipal Retirement System and such other matters as may be referred to it by the Provincial Executive. (A.02)

16.9.8 **Local Benefits Advisory Work Group (A.07)**

16.9.8.1 The Local Benefits Advisory Work Group shall advise the Provincial Executive on any matters related to the employee benefit plans of bargaining units that are responsible for managing their own health and dental benefits plans. (A.07)

16.9.9 The Provincial Executive shall report annually to AMPA on the status and activity of the Advisory Work Groups. (A.95)

16.9.10 Where a new Advisory Work Group has been established by the Provincial Executive, the Provincial Executive shall report to the next AMPA on its status and activities. (A.95)

Bylaw 17- Elections

17.1 **Offices (A.91)**

17.1.1 Election to the following elective offices shall take place at the Annual Meeting of the Provincial Assembly in odd numbered years.

17.1.1.1 Provincial Executive;

17.1.1.2 OTF Governors (from among the members of OTF). (A.88)

- 17.1.1.3 OTF Table Officer (from among the Active Members who are contributors to the Ontario Teacher Pension Plan). (A.06)
- 17.2 **Term**
- 17.2.1 The term of office of the newly-elected Provincial Executive shall commence on July 1. (A.08).
- 17.2.2 The term of office for elected members of the Provincial Executive shall be two years or until their successors in office are elected. Re-election is possible. (A.92)
- 17.2.3 The term of office for elected OSSTF representatives on the Board of Governors of the OTF and the OTF Table Officer shall be one year. Such representatives will be deemed to be re-elected by acclamation for an additional one-year term. (A.06)
- 17.3 **Vacancies** (A.91)
- 17.3.1 Vacancies which occur in the elected positions on the Provincial Executive between the start of the term of office of the Executive and the subsequent elections at the Provincial Assembly shall be filled as follows:
- 17.3.1.1 In the Presidency - by the Vice-President who received the higher number of votes at the Provincial Assembly. In the event that the Vice-Presidents were acclaimed or received the same number of votes, the vacancy shall be filled at the next meeting of Provincial Council by an election in which the only candidates shall be the acclaimed or tied Vice-Presidents.
- 17.3.1.2 In the Vice-Presidency - by the Executive Officer who received the highest number of votes at the Provincial Assembly. In the event that the Executive Officers were acclaimed or two or more candidates were tied for the highest number of votes, the vacancy shall be filled at the next meeting of the Provincial Council by an election in which the only candidates shall be the acclaimed or tied Executive Officers.
- 17.3.1.3 In the position of Executive Officer, elected OTF Governor, OTF Table Officer or Treasurer - by an election at the Provincial Council in accordance with Bylaw 17.3.5. (A.06)
- 17.3.2 Vacancies which occur in the elected positions on the Provincial Executive between the elections at the Provincial Assembly and the end of the term of the incumbent Executive shall be filled immediately as follows:
- 17.3.2.1 In the Presidency - by the President-elect should he/she not be the incumbent President. Should this not be possible by reason of the incumbent President having been re-elected, the Vice-President-elect who received the higher number of votes at the Provincial Assembly will assume the Presidency. In the event that the Vice-Presidents-elect were acclaimed or received an equal number of votes, the vacancy shall be filled at the next meeting of the Provincial Council by an election in which the only candidates shall be

- the Vice-Presidents-elect.
- 17.3.2.2 In the Vice-Presidency - by the Vice-President-elect who is not an incumbent should there be only one. If both Vice-Presidents-elect are not incumbents, the Vice-President-elect who received the higher number of votes at the Provincial Assembly shall fill the vacancy. In the event that the non-incumbent Vice-Presidents-elect were acclaimed or received the same number of votes, the Vice-Presidents-elect shall draw lots to determine who shall fill the vacancy. In the event that both Vice-Presidents-elect were incumbents, the vacancy shall be filled by the Executive Officer-elect who received the highest number of votes at the Provincial Assembly. In the event that the Executive Officers-elect were acclaimed or received the same number of votes, the vacancy shall be filled at the next meeting of the Provincial Council by an election in which the only candidates shall be the acclaimed or tied Executive Officers-elect.
- 17.3.2.3 In the position of Executive Officer - by the Executive Officer-elect who is not an incumbent should there be only one. If more than one of the Executive Officers-elect are not incumbents, the Executive Officer-elect who received the highest number of votes at the Provincial Assembly shall fill the vacancy. In the event that the non-incumbent Executive Officers-elect were acclaimed or were tied for the highest number of votes, the tied or acclaimed Executive Officers-elect shall draw lots to determine who shall fill the vacancy. Should all the Executive Officers-elect be incumbents, an election shall be held at Provincial Council in accordance with Bylaw 17.3.5 to fill the vacancy.
- 17.3.2.4 In the position of Treasurer - by the Treasurer-elect should he/she not be the incumbent. In the event that the Treasurer was re-elected, an election shall be held at Provincial Council in accordance with Bylaw 17.3.5 to fill the vacancy.
- 17.3.3 The Provincial Executive shall, solely for the purpose of conforming to the requirements of the Teaching Profession Act, Section 5(1), designate one of its Members as immediate Past President.
- 17.3.4 OTF Governors. (A.90)
- 17.3.4.1 Should the position of any OTF Governor(s) or the OTF Table Officer become vacant, the term of office of the person appointed to fill the vacancy in accordance with the Teaching Profession Act shall be the remainder of the term(s) of office vacated as prescribed under Bylaw 17.2.3. (A.06)
- 17.3.4.2 The Provincial Executive shall, in accordance with the *Teaching Profession Act*, make the appointment of the person to fill the vacancy, on the recommendation of Provincial Council. (A.90)

- 17.3.4.3 At the first Provincial Council after the position becomes vacant, the Provincial Council shall conduct an election following the procedures outlined in Bylaws 17.3.1.3 and 17.3.5.4, and recommend the person so elected for appointment by the Provincial Executive. (A.90)
- 17.3.4.4 Until such time as the election has taken place and the recommendation has been made by the Provincial Council, if necessary, the Provincial Executive shall appoint a person on a temporary basis to represent OSSTF at an OTF Board Meeting. (A.90)
- 17.3.5 **Elections to Fill Vacancies** (A.90)
- 17.3.5.1 The highest or higher number of votes shall be interpreted to mean the candidate receiving the most votes on the ballot on which a candidate is first declared elected.
- 17.3.5.2 Elections at the Provincial Council shall be by weighted vote in accordance with Article 7.3.1.3.1 (b) of the Constitution.
- 17.3.5.3 A candidate who receives a majority of the votes cast on any ballot shall be declared elected. Should no candidate receive a majority on the first ballot, the candidate receiving the fewest number of votes and any candidate receiving fewer than forty votes shall be dropped from succeeding ballots until a majority is reached. In the event of the two lowest candidates receiving the same number of votes, with more than three candidates on the ballot, both the tied candidates shall be dropped.
- 17.3.5.4 Where external applications for the position of Executive Officer, Treasurer, elected OTF Governor or OTF Table Officer are necessary, the General Secretary shall immediately issue a notice of vacancy to every District, Bargaining Unit, and Branch. Interested Members shall be allowed a three-week period to forward applications to the General Secretary, with a copy to the District's, Bargaining Unit's or Sector's Provincial Councillor, as may be the case. The election to fill the vacancy shall occur at the first regularly scheduled Provincial Council meeting following the conclusion of the application period. (A.06)
- 17.4 **Nominations**
- 17.4.1 Nominations for the office of President, Vice-President, Executive Officer, Treasurer, and elected members of the Board of Governors of the OTF and OTF Table Officer may be submitted in writing to the General Secretary; (A.06)
- 17.4.1.1 not later than one month prior to the Annual Meeting of the Provincial Assembly by a District or Sector Council; nominations so received shall be forwarded by the General Secretary to the District Secretaries or Sector Council Chairpersons and to members of the

- Provincial Assembly at least two weeks prior to the Annual Meeting of the Provincial Assembly; or (A.97)
- 17.4.1.2 up to the opening of the afternoon session of the first day of the Annual Meeting of the Provincial Assembly signed by fifteen members of the Provincial Assembly representing at least five of any OSSTF organizations (Districts, Sectors) entitled to representation in accordance with Bylaw 14.2; (A.91)
- 17.4.2 a defeated candidate for President shall automatically be considered a candidate for Vice-President;
- 17.4.3 a defeated candidate for Vice-President shall automatically be considered a candidate for Executive Officer; (A.80)
- 17.4.4 a defeated candidate for Treasurer shall automatically be considered a candidate for Executive Officer. (A.85)
- 17.4.5 a defeated candidate for OTF Table Officer shall automatically be considered a candidate for OTF Board of Governors. (A.08)
- 17.4.6 Nominations shall be posted during the first day of the Annual Meeting and nominees shall have the opportunity to address the Provincial Assembly briefly.
- 17.4.7 An opportunity for nomination by Delegates from the floor of the Assembly shall be provided before the nominations are declared closed by the Chairperson.
- 17.5 **Campaigns**
- 17.5.1 Campaigns for election of the Provincial Executive and the elected members of the OTF Board of Governors and OTF Table Officer shall be conducted in accordance with Regulations approved by the Annual Meeting of the Provincial Assembly, and as amended from time to time by the Provincial Council or the Annual Meeting of the Provincial Assembly. (A.06)

CAMPAIGN REGULATIONS [Est. Under Bylaw 17.5]

CAMP Reg.1

- 1.1 Each candidate, successful or defeated, shall submit to the General Secretary of OSSTF, by June 30 of the election year, on standard forms provided by the Treasurer of OSSTF, a financial statement detailing income and expenses incurred for the campaign. For the purposes of reporting, expenses shall be deemed to include both monies disbursed and goods and services donated on behalf of the candidate. (A.91)

CAMP Reg.2

- 2.1 The candidate shall maintain for the period of the subsequent school year, and shall furnish upon the request of the Provincial Council through the General Secretary, all receipts, vouchers and all other documentation validating the financial statement as reported. (A.91)

CAMP Reg.3

3.1 The General Secretary shall provide a summary report of the financial statement for each candidate on time and in writing to the next regular meeting of the Provincial Council following June 30. (A.91)

CAMP Reg.4

4.1 There shall be an Election Co-ordinator, assigned by the General Secretary, who shall
4.1.1 prepare campaign guidelines and procedures to be submitted for the approval of Provincial Council no later than the November meeting of Provincial Council;
4.1.2 arrange for the distribution of the guidelines and procedures, as approved by Provincial Council, to be followed by all candidates.

CAMP Reg.5

5.1 The cost of travel for those candidates nominated in accordance with Bylaw 17.4.1.1 and for one campaign worker if not otherwise covered by AMPA, and rental costs to a maximum of the rental cost of a medium-sized suite for two nights during AMPA, shall be paid by the provincial organization. (A.89)

17.6 Balloting

17.6.1 Election shall be by ballot, not earlier than the second day of the Annual Meeting of the Provincial Assembly.
17.6.2.1 Election of the President, the Treasurer, one Vice-President, one Executive Officer, one OTF Governor and the OTF Table Officer shall be by majority vote of those qualified to vote, present and voting. (A.06)
17.6.2.2 Election of the two Vice-Presidents, of two Executive Officers and of two OTF Governors shall be by vote of those qualified to vote, present and voting. (A.89)
17.6.2.3 The three Executive Officers shall be elected by vote of those qualified to vote, present and voting.
17.6.3 In any election, where after a particular ballot a further ballot may be necessary, the following shall be dropped from succeeding ballots:
17.6.3.1 In all cases, the candidate receiving the lowest number of votes.
17.6.3.2 Any other candidates receiving fewer than 40 votes, in order from lowest vote total to highest, unless further deletions would result in there remaining only the same number of candidates as there are positions available.
17.6.3.3 The remaining candidate with the lowest number of votes, provided that only one candidate, satisfying both Bylaw 17.6.3.1 and Bylaw 17.6.3.2, has been dropped, and provided that, in a ballot for a multiple position, no candidate has been declared elected, and further provided that this would not result in the election of the remaining candidate(s).

17.6.3.4 In the event of a tie for the lowest number of votes, both candidates with the lowest number of votes shall be dropped, unless this would result in the election of the remaining candidate(s). In this case both candidates will remain on the ballot.
17.6.3.5 In the event of a tie for the last elected position, a further ballot will be held between these two candidates. If a tie occurs a second time, the candidates will draw lots to determine which candidate stays on the ballot or is elected.
17.6.4 In the election for a single position, failing a majority for any candidate, candidates shall be dropped from the ballot according to Bylaw 17.6.3, and a further ballot shall be held.
17.6.5 In the election of the two Vice-Presidents, or of two Executive Officers, or of two OTF Governors, each qualified voter may vote for one or two candidates (A.89)
17.6.5.1 If no candidate receives a majority of the votes, Bylaw 17.6.3 will apply to reduce the number of candidates, and a further ballot will be held, if necessary.
17.6.5.2 If one candidate receives a majority of the votes he/she shall be declared elected, Bylaw 17.6.3 will apply to reduce the number of candidates, and a further ballot will be held, if necessary, among the remaining candidates for the remaining position, according to Bylaw 17.6.2.1 and Bylaw 17.6.4.
17.6.5.3 If two candidates receive a majority of the votes, they shall be declared elected.
17.6.5.4 If three candidates receive a majority of the votes
(a) if these were the only candidates, those with the two highest vote totals shall be declared elected;
(b) otherwise, a further ballot shall be held on which the names of only those three candidates appear.
17.6.6 In the election of the three Executive Officers, or of three OTF Governors, each qualified voter may vote for one, for two, or for three candidates. (A.89)
17.6.6.1 If no candidate receives a majority of the votes, Bylaw 17.6.3 will apply to reduce the number of candidates, and a further ballot will be held, if necessary.
17.6.6.2 If one candidate receives a majority of the votes, he/she shall be declared elected, Bylaw 17.6.3 will apply to reduce the number of candidates, and a further ballot will be held, if necessary, among the remaining candidates for the remaining two positions, according to Bylaw 17.6.5.
17.6.6.3 If two candidates receive a majority of the votes, they shall be declared elected, Bylaw 17.6.3 will apply to reduce the number of candidates, and a further ballot will be held, if necessary, among the remaining candidates for the remaining position, according to Bylaw 17.6.2.1 and Bylaw 17.6.4.

- 17.6.6.4 If three candidates receive a majority of the votes, they shall be declared elected.
- 17.6.6.5 If four or five candidates receive a majority of the votes
- 17.6.6.5.1 if there were only four candidates, the three highest shall be declared elected;
- 17.6.6.5.2 otherwise, a further ballot shall be held on which the names of only those candidates who received a majority appear, and the candidates with the three highest totals on this ballot shall be declared elected.
- 17.6.7 In the election of four OTF Governors, each qualified voter may vote for one, two, three or four candidates. (A.89)
- 17.6.8 In the election of five OTF Governors, each qualified voter may vote for one, two, three, four or five candidates. (A.89)
- 17.6.9 In the election of four or five OTF Governors the same principles governing the election of three candidates shall be extended to cover the election of four or five candidates. (A.89)
- 17.6.10 The phrase "receive(s) a majority of the votes" shall be interpreted to mean that the candidate's vote total exceeds one-half of the number of Delegates present, qualified to vote and voting. (A.85)

Bylaw 18 - Policy

- 18.1 **Status of Policy**
- 18.1.1 No District, Sector, Sector Council Bargaining Unit or Branch has the right to advocate the contravention of established OSSTF Policy or practice. (A.97)
- 18.2 **Establishment and Rescission by Provincial Council**
- 18.2.1 Interim Policy, amendment or rescission of Interim Policy, and interim amendment or interim rescission of existing Policy may be made at any meeting of the Provincial Council;
- 18.2.1.1 by a three-quarters majority of the weighted vote of the members qualified to vote, present and voting, provided that a proper Notice of Policy Motion was given to the Provincial Council on or before the date of the previous meeting of the Provincial Council;
- 18.2.1.2 by a nine-tenths majority of the weighted vote of the members qualified to vote, present and voting, previous notice as in Bylaw 18.2.1.1 not having been given.
- 18.2.2 A proper Notice of Policy Motion for the establishment of Interim Policy is one which begins with the words, "It is the policy of OSSTF that . . ."
- 18.2.3 Notwithstanding a resolution's adherence to Bylaw 18.2.2, it is the duty of the Steering Committee to make a final ruling as to whether or not a resolution is a Policy resolution. (A.90)
- 18.3 **Establishment and Rescission by Provincial Assembly**
- 18.3.1 Policy, and the amendment or rescission of Policy, may be made in Provincial Assembly;
- 18.3.1.1 by a majority of the members qualified to vote,

- present and voting, provided that a Notice of Motion shall have been given in writing to the General Secretary on or before January 31 of that school year and such Notice of Motion shall have been forwarded on or before the second Friday after February 1 of that school year by the General Secretary to the District Secretaries and Sector Council Chairpersons; (A.05)
- 18.3.1.2 by a three-quarters vote of the members qualified to vote, present and voting, previous notice as in Bylaw 18.3.1.1 not having been given. (A.92)
- 18.3.1.3 Proposed amendments received by the General Secretary after January 31 will be distributed at AMPA. (A.99)
- 18.3.2 A proper Notice of Policy Motion for the establishment of Policy is one which begins with the words, "It is the policy of OSSTF that . . ."
- 18.3.3 Notwithstanding a resolution's adherence to Bylaw 18.3.2, it is the duty of the Steering Committee to make a final ruling as to whether or not a resolution is a Policy resolution. (A.90)
- 18.3.4 Any Interim Policy or interim amendment of Policy or interim rescission of Policy made by the Provincial Council since the previous Annual Meeting of the Provincial Assembly may be amended and then shall be ratified or rescinded by a majority vote of the members of the Provincial Assembly qualified to vote, present and voting, Bylaw 18.3.1 notwithstanding. (A.83)

Bylaw 19 - Negotiations

- 19.1 **Collective Bargaining** (A.02)
- 19.1.1 OSSTF shall hold all bargaining rights for its bargaining units whether it became the bargaining agent by statute or through certification by the Ontario Labour Relations Board, agency agreement, or voluntary recognition by an employer. (A.02)
- 19.1.2 On each occasion that a collective agreement requires renegotiation, the provincial Executive shall initially delegate the responsibility for such negotiations to the respective OSSTF bargaining unit executive. (A.02)
- 19.1.3 An individual Active Member shall not negotiate independently of the OSSTF bargaining unit any adjustments to items specified in the collective agreement. (A.02)
- 19.1.4 Active members of OSSTF shall not serve as members of, or observers to, any management negotiation team of an employer of OSSTF members. (A.02)
- 19.1.5 A person or persons selected to negotiate on behalf of an OSSTF bargaining unit shall be responsible to the OSSTF bargaining unit executive and shall keep the OSSTF bargaining unit executive informed of the progress of negotiations at all times. (A.02)
- 19.1.6 A teachers' bargaining unit and an occasional teachers' bargaining unit, all of whose members are employed by the same district school board,

- may be combined to form one bargaining unit. (A.02)
- 19.1.7 In cases where joint bargaining occurs with occasional teacher and teacher bargaining units negotiating a single contract, there shall be occasional teacher representation on the bargaining team where possible. (A.02)
- 19.2 **Ratification**
- 19.2.1 Where an offer or other agreement between an employer and an OSSTF bargaining unit is submitted to the membership for ratification, all Active Members of OSSTF in that OSSTF bargaining unit to be covered by the Agreement shall have a right to vote on such matters, regardless of tenure in the following year. (A.90)
- 19.3 **Information Bulletins**
- 19.3.1 The issuance of Information Bulletins (pink letters) is the prerogative of the Provincial Executive and these shall not be issued by OSSTF bargaining units. (A.90)
- 19.3.2 The Provincial Executive, when requested by an OSSTF bargaining unit, can issue an Information Bulletin (pink letter) on behalf of the OSSTF bargaining unit without resuming responsibility for the negotiations. (A.02)
- 19.4 **Terms of Provincial Responsibility for Negotiations** (A.02)
- 19.4.1 Notwithstanding Bylaw 19.1.2, the Provincial Executive may maintain the responsibility for negotiations or may resume responsibility for negotiations for any bargaining unit. (A.02)
- 19.4.2 When the Provincial Executive is responsible for negotiations, the OSSTF bargaining unit executive shall furnish in writing to the Provincial Executive full details of the current negotiations, together with information on previous settlements, commitments or understandings that might be pertinent to the current negotiations. It shall be the responsibility of the Provincial Executive to ascertain the employer's positions in negotiations. (A.02)
- 19.4.3 When the Provincial Executive is responsible for negotiations, the Provincial Executive will meet with the OSSTF bargaining unit executive and determine the terms under which they will negotiate and such terms shall be set out in a Procedures Document. (A.02)
- 19.4.3.1 The Procedures Document may contain clauses conflicting with, and shall take precedence over, any bargaining unit constitution, bylaws, policy or special rules related to negotiations for the duration of the Provincial Executive's responsibility for negotiations. (A.02)
- 19.4.4 When the Provincial Executive has resumed responsibility for bargaining, the Resumption of Bargaining Team shall be comprised of: (A.02)
- 19.4.4.1 One member of the Provincial Executive, who shall act as Chair; one member of the Provincial Secretariat, who shall act as Chief Negotiator; the Bargaining Unit President, the Bargaining

- Unit Chief Negotiator or designate; and one other member selected by the Bargaining Unit. (A.02)
- 19.4.5 No contract negotiations between OSSTF bargaining units and their respective employers shall take place without the presence of at least one person designated by the bargaining unit(s) concerned. (A.02)
- 19.4.6 Prior to a final settlement, the Provincial Executive is required to report its recommended settlement to the membership of that bargaining unit. (A.02)
- 19.4.7 A strike shall be called only with the prior approval of the Provincial Executive and when the Provincial Executive has responsibility for negotiations. (A.02)
- 19.4.8 No later than 120 days after the Provincial Negotiating Team has ceased to be involved in negotiations for an OSSTF bargaining unit, the Negotiating Team shall submit to the Provincial Council and to the bargaining unit involved a confidential statement of expenses for their involvement in the negotiations. (A.02)
- 19.4.9 All correspondence with the Ministry of Labour regarding negotiations, including conciliation, shall be issued by OSSTF and directed to OSSTF. (A.02)
- 19.5 **Contract Maintenance, Grievance and Arbitration** (A.02)
- 19.5.1 Following ratification of a collective agreement, the Provincial Executive shall normally delegate the administration and enforcement of the collective agreement to the OSSTF bargaining unit. (A.02)
- 19.5.2 Notwithstanding Bylaw 19.5.1, no OSSTF bargaining unit shall forward a grievance to arbitration without the prior approval of OSSTF. (A.02)
- 19.5.3 All correspondence with the Ministry of Labour regarding contract maintenance processes, including expedited arbitration, shall be issued by OSSTF and directed to OSSTF. (A.02)

Bylaw 20 - The Provincial Organization

- 20.1 **Provincial Executive**
- 20.1.1 **Functions**
- 20.1.1.1 The prime function of the Provincial Executive shall be to translate Policy into effective administrative action.
- 20.1.1.2 The Provincial Executive shall act in the name of the Federation between meetings of the Provincial Council.
- 20.1.1.3 In addition, the Provincial Executive shall:
- 20.1.1.3.1 provide leadership in all matters affecting the welfare of the Members through long-range planning;
- 20.1.1.3.2 be responsible for administration of finances and be individually responsible for fulfilling their fiduciary obligations under the *Corporations Act*; (A.04)
- 20.1.1.3.3 recommend Policy;
- 20.1.1.3.4 evaluate Policy;

20.1.1.3.5	assign or recommend projects to Districts and Sector Councils; (A.97)	20.1.1.3.20	such negotiations are ongoing. (A.06) provide for notetaking and/or sign language interpreter services to deaf and hard-of-hearing members who participate in OSSTF activities at the Bargaining Unit or District level; (A.05)
20.1.1.3.6	monitor and assist Districts and Sector Councils and co-ordinate efforts among Districts and Sector Councils in the achievement of goals as approved by the Provincial Council; (A.97)	20.1.1.3.21	provide for Braille transcription to blind members who participate in OSSTF activities at the Bargaining Unit or District levels. (A.05)
20.1.1.3.7	appoint ad hoc committees and work groups;	20.1.1.3.22	appoint members to the Scholarship Committee. (A.06)
20.1.1.3.8	prepare the Executive's proposed Annual Action Plan for the next Federation year; (A.04)	20.1.1.3.23	appoint members to the Mediation Services Resource Bank (A.06)
20.1.1.3.9	administer the Annual Action Plan for the current year; (A.04)	20.1.1.3.24	<u>appoint the Directors of OTG Financial Inc.</u> (A.08)
20.1.1.3.10	be responsible for all bodies whose terms of reference direct reporting to the Provincial Executive;	20.1.1.3.25	<u>to appoint a Chief Financial Officer who</u> (A.08)
20.1.1.3.11	be responsible for negotiating the salaries, benefits, allowances and working conditions for all continuing employees of the Provincial OSSTF using past and projected changes in the collective agreements of Members as guidelines for such negotiations with employees; (A.06)	20.1.1.3.25.1	<u>shall be responsible to the Provincial Executive through the Treasurer.</u> (A.08)
20.1.13.12	present an opening brief to Provincial Council at the Council meeting immediately prior to opening negotiations with either COPE or the OSSTF Staff Association for input and approval. (A.06)	20.1.1.3.25.2	<u>will have duties as outlined in his or her personal services agreement and other duties as assigned by the Provincial Executive.</u> (A.08)
20.1.1.3.13	be responsible for a review of each standing committee and provincial council (except Provincial Council <u>and Sector Councils of Presidents</u>) on a rotational basis every five years, with a report to the Provincial Council and then to the Annual Meeting of the Provincial Assembly; (A.08)	20.1.1.4	It shall be the responsibility of the Provincial Executive, subject to the approval of the Provincial Council, to recommend negotiating priorities that should be obtained for its Members through the process of local collective bargaining. (A.04)
20.1.1.3.14	report and make recommendations to the Provincial Assembly regarding any Bylaw or Constitution amendments, arising independently of the five-year review process, which would establish or disband a standing committee or council of OSSTF; (A.83)	20.1.1.4.1	It shall be the duty of the Provincial Executive to ensure that the responsibility in Bylaw 20.1.1.4 is complied with. (A.04)
20.1.1.3.15	be responsible prior to each Ontario provincial election for the preparation of a report on each of the major political parties evaluating its performance and policies with respect to Federation Policies and the needs of quality education, such evaluations to be published in <i>Update</i> ; (A.04)	20.1.1.4.2	It shall be the duty of the Provincial Executive, acting primarily by the vehicle of the Collective Bargaining Committee through the dissemination of information and the process of consultation, to encourage local negotiating units to strive to obtain the negotiating priorities recommended under Bylaw 20.1.1.4. (A.04)
20.1.1.3.16	be responsible for the implementation of a plan of action to ensure that OSSTF is an affirmative action employer; (A.87)	20.1.1.4.3	It shall be the duty of the Provincial Executive to inform the membership should they become aware that the provincial government is considering changes that could result in the establishment of province wide bargaining for any OSSTF members. (A.06)
20.1.1.3.17	take, in accordance with the Bylaws, any District or Bargaining Unit of OSSTF into Trusteeship and resume those duties delegated to that organization by OSSTF; (A.03)	20.1.1.4.4	It shall be the duty of the Provincial Executive to hold a vote of the membership in the affected bargaining unit(s) prior to the final approval of any change that results in province wide bargaining for any OSSTF members. (A.06)
20.1.1.3.18	notify the membership of changes in Certification Regulations, through publication in <i>Update</i> , within three months of such changes being enacted; (A.93)	20.1.1.4.5	It shall be the duty of the Provincial Executive to present the negotiating priorities to Provincial Council for their information at the meeting prior to the meeting where they are presented for approval. (A.06)
20.1.1.3.19	report to each meeting of Provincial Council on the general status of negotiations with COPE and OSSTF Staff Association while	20.1.1.4.6	<u>It shall be the duty of the Provincial Executive to keep the membership informed, through the local leadership and other appropriate means,</u>

	<u>of provincial dialogue and/or discussions that impact on local bargaining.</u> (A.08)		
20.1.1.5	It shall be the duty of the Provincial Executive to provide all Members of OSSTF with a copy of the goals of the OTF Pension Negotiating Team prior to the commencement of negotiations or as soon thereafter as possible. (A.91)	20.1.1.11	It shall be the duty of the Provincial Executive to appoint an Interim General Secretary or Interim Associate General Secretary for up to one year to fill a vacancy created by retirement, resignation, termination of employment or death, while hiring procedures are followed pursuant to the bylaws. (A.04)
20.1.1.5.1	It shall be the duty of the Provincial Executive to see that during the period when the negotiations are taking place with the government, regular reports will be published in <i>Update</i> on the status of negotiations.	20.1.1.12	Notwithstanding Bylaw 20.1.1.3.2, any decision to buy or sell a capital asset of more than \$0.5 million, other than District properties, that is not set out in the budget approved by AMPA, be taken to the Funding and Investment Advisory Work Group for advice and then to Provincial Council for approval. (A.04)
20.1.1.5.2	It shall be the duty of the Provincial Executive to see that prior to OSSTF negotiators giving final approval to a negotiated settlement on pensions, a vote of the membership of OSSTF will be held to approve or reject such settlement. (A.83)	20.1.1.13	It shall be the duty of the Provincial Executive to ensure that any person hired by OSSTF is not otherwise employed in a capacity where there is a conflict of interest with OSSTF. (A.06)
20.1.1.6	It shall be the duty of the Provincial Executive to provide annually to each Provincial Councillor a concise summary of the financial statement which shows the receipts and expenditures of the Provincial OSSTF. (A.04)	20.1.2	President
20.1.1.6.1	It shall be the duty of the Provincial Executive to provide annually to all Members in <i>Update</i> a concise financial report listing the services provided for Members by OSSTF. (A.04)	20.1.2.1	The President shall:
20.1.1.7	It shall be the duty of the Provincial Executive to report to the Provincial Council any approvals for enrolment as Members organized under the provision of the OLRA which it has granted at the request of a District or at the request of a provincial group which, if approved, would be designated as a Provincial District. (A.91)	20.1.2.1.1	serve as the Presiding Officer and the official representative of the Federation;
		20.1.2.1.2	serve or designate a representative to serve as the Chairperson of the Provincial Executive and a member ex-officio, of all official bodies, committees, boards, commissions and councils, appointed by the Provincial Executive, the Provincial Council or the Provincial Assembly;
20.1.1.7.1	When the request of the District relates to a category of employee not previously reported to the Provincial Council, it shall be the duty of the Provincial Executive to seek ratification by the Provincial Council of the approval of the enrolment prior to initiating any action leading to the processes outlined in the Bylaws. (A.90)	20.1.2.1.3	notwithstanding 20.1.2.1.2, designate for each standing committee a member of the Provincial Executive to act as a liaison between the Provincial Executive and that committee;
		20.1.2.1.4	serve on the OTF Executive;
20.1.1.7.2	<u>Should a ruling of the Ontario Labour Relations Board add a new category or new categories of employees to an application previously reported to or approved by the Provincial Council, it shall be the duty of the Provincial Executive to decide whether or not to continue to support the application with the inclusion of the new category or categories.</u> (A.08)	20.1.2.1.5	annually assign liaison Districts and portfolio assignments for each member of the Provincial Executive and shall report such assignments to Provincial Council before the end of June. (A.04)
		20.1.3	Vice-Presidents and Executive Officers
20.1.1.8	It shall be the duty of the Provincial Executive to review, at least every two years, the appropriate relief payments to members who may be on strike or locked out. (A.91)	20.1.3.1	In the absence of the President, his/her duties shall be performed by either Vice-President or in their absence by one of the Executive Officers.
		20.1.4	Treasurer (A.08)
20.1.1.9	It shall be the duty of the Provincial Executive to appoint a representative to the Teachers' Pension Plan (TPP) Adjudication Committee. This representative shall be a contributor to the TPP Fund. (A.91)	20.1.4.1	<u>It shall be the duty of the Treasurer with the assistance of the Chief Financial Officer</u> (A.08)
		20.1.4.2	to keep account of all monies received and disbursed;
20.1.1.10	It shall be the duty of the Provincial Executive	20.1.4.3	to issue receipts for all monies received;
		20.1.4.4	to deposit all monies received in a chartered bank in the name of the OSSTF;
		20.1.4.5	to invest funds of the OSSTF on instruction of

	the Provincial Executive in any securities in which insurers are authorized to invest money under the Ontario Corporations Act;	20.1.6.1.1	to record all minutes;
20.1.4.5	to keep securities of the OSSTF in a Bank or Trust Company in the name of the OSSTF;	20.1.6.1.2	to receive, answer, and keep all correspondence;
20.1.4.6	to submit to the Provincial Executive for approval all accounts of an unusual nature not relating to Provincial Executive compensation and to submit to Provincial Council for approval all accounts of an unusual nature relating to Provincial Executive compensation;	20.1.6.1.3	to keep all records;
		20.1.6.1.4	to carry out the instructions of the Provincial Executive;
20.1.4.7	to pay by cheque all accounts authorized by the Provincial Executive which must be countersigned by the President, or his/her authorized agent or the Treasurer or his/her authorized agent;	20.1.6.1.5	to be responsible for the management of the Provincial Office; (A.91)
20.1.4.8	to borrow money by promissory note or by bank overdraft when so instructed by the Provincial Executive;	20.1.6.1.6	to refer all unusual expenses, unusual accounts and/or authorization of expenditures which do not relate to Provincial Executive compensation to the Treasurer and the Provincial Executive; (A.91)
20.1.4.9	to present an interim report to the Provincial Executive;	20.1.6.1.7	to refer all unusual expenses, unusual accounts and/or authorization of expenditures relating to Provincial Executive compensation to the Provincial Council. (A.91)
20.1.4.10	to present annually a detailed and duly audited financial report for the preceding fiscal year;	20.1.6.2	The General Secretary shall be responsible for the assignment of the Secretariat after prior consultation with the President and Provincial Executive. (A.02)
20.1.4.11	to caution against unnecessary and wasteful expenditures of any OSSTF funds; (A.82)	20.1.6.3	The General Secretary shall be designated as Secretary-Treasurer of OSSTF for the purpose of serving on the OTF Executive and Board of Governors, and shall carry out the duties of those positions. (A.04)
20.1.4.12	to act as liaison between the Provincial Executive and the Finance Committee, the Funding and Investment Advisory Work Group and such other committees as deemed necessary; (A.00)	20.1.6.4	The General Secretary shall designate the elected Vice-Presidents listed in alphabetical order as first and second Vice-Presidents to OTF solely for the purpose of conforming to the requirements of the TPA Section 5(1). (A.91)
20.1.4.13	to determine, when required by the Bylaws, the method of remittance of fees; (A.91)	20.1.7	Associate General Secretary (A.02)
20.1.4.14	to take the necessary steps to collect fines imposed by the Judicial Council; (A.00)	20.1.7.1	It shall be the duty of the Associate General Secretary to: (A.02)
20.1.4.15	to report regularly to the Provincial Council on the Status of Federation finances. (A.96)	20.1.7.2	be responsible for the general administration of the Provincial Office; (A.02)
20.1.5	Leaves of Absence	20.1.8.3	be responsible for the management of the Provincial Office support staff; (A.02)
20.1.5.1	All voting members of the Provincial Executive shall seek leaves of absence for the year or years during which they hold office. (A.87)	20.1.7.4	be responsible for Federation legal matters; (A.02)
20.1.5.2	If an incumbent member of the Provincial Executive finds it necessary to arrange in advance a leave of absence for the next anticipated year on the Provincial Executive and then is unable to serve as a member of the Provincial Executive by reason of defeat at the polls, the member's regular salary and benefits will be paid by OSSTF until the member is able to be reinstated by the employer. Such payment will continue for a period not to exceed the subsequent school year, or until the member accepts other employment, whichever is shorter. (A.87)	20.1.7.5	be responsible for performing the duties of the General Secretary when the General Secretary is absent; (A.02)
		20.1.7.6	be responsible for carrying out such other duties and responsibilities as may be assigned by the General Secretary and the Provincial Executive. (A.02)
20.1.6	General Secretary (A.02)	20.2	Secretariat (A.02)
20.1.6.1	The General Secretary shall be in charge of the Secretariat and, with such assistance and definition of duties of the Secretariat as may be provided by the Provincial Executive, it shall be his/her duty	20.2.1	General (A.02)
		20.2.1.1	The role of the Secretariat is to implement Federation programs and carry out duties as assigned by the General Secretary. (A.04)
		20.2.1.2	Members of the Secretariat shall be responsible through the General Secretary to the Provincial Executive. (A.02)
		20.2.1.3	Members of the Secretariat shall inform the District/ Bargaining Unit President prior to any action taken related to that District's/Bargaining Unit's business. (A.02)

20.2.2 **Pensions Officer** (A.02)

20.2.2.1 It shall be the Pensions Officer's duty to (A.02)

20.2.2.1.1 provide advice and assistance to members regarding the *Ontario Teachers' Pension Act* and the Ontario Municipal Employees' Retirement System; (A.02)

20.2.2.1.2 conduct and participate in workshops on pensions and related matters; including retirement planning in Districts, Bargaining Units and Branches; (A.02)

20.2.2.1.3 act as a resource person for other Secretariat members, the Provincial Executive and pension-related advisory work groups; (A.02)

20.2.2.1.4 assist in the preparation of materials relating to pensions; (A.02)

20.2.2.1.5 advise the Provincial Executive through the General Secretary on the implications of communications related to members' pensions; (A.02)

20.2.2.1.6 perform other duties relating to pensions as assigned by the General Secretary; (A.02)

20.2.2.1.7 report when requested to the Provincial Executive and to Provincial Council and submit a written report to AMPA; (A.02)

20.2.2.1.8 evaluate, prepare, and present appeal cases on behalf of Members appealing decisions of the OTPP and OMERS staff. (A.02)

20.3 **Provincial Council**

20.3.1 The Provincial Council shall have the power to ratify the action taken in the name of the Federation by the Provincial Executive since the last meeting of the Provincial Council.

20.3.2 The Provincial Council shall appoint members to provincial standing committees.

20.3.3 The Provincial Council shall receive the reports of their liaison members to the provincial standing committees and provincial councils. (A.86)

20.3.4 The Provincial Council shall deal with matters referred to it by the Annual Meeting of the Provincial Assembly, the Provincial Executive, and by the provincial standing committees. (A.08)

20.3.5 The Provincial Council, on a three-quarters weighted majority vote, shall act in the name of the Federation between meetings of the Provincial Assembly. (A.85)

20.3.6 The Provincial Council shall recommend to the Provincial Assembly the establishment of special funds and amendments to the constitutions governing those funds.

20.3.7 The Provincial Council shall have the authority to determine Interim Policies.

20.3.8 The Provincial Council shall receive in writing at its January meeting a draft copy of the Provincial Executive's proposed Annual Action Plan for discussion in Committee of the Whole. The Provincial Council shall receive, on time and in writing for discussion at its February meeting, the final copy of the Provincial Executive's proposed Annual

Action Plan. (A.04)

20.3.9 The Provincial Council shall

20.3.9.1 approve in original or amended form expenditure of monies for expenditures involving Resumption of Bargaining in a specific bargaining unit, strikes, and related activities from the Member Protection Account upon the recommendation of the Provincial Executive; (A.04)

20.3.9.2 approve in original or amended form the expenditure of funds from the Contingency Account for projects recommended by the Provincial Executive for which such expenditure would be beyond the limits of authority granted to the Provincial Executive. The Chairperson of the Provincial Council shall present to the Provincial Assembly for ratification, rescission, or amendment all matters of Interim Policy passed by the Provincial Council since the previous Provincial Assembly. (A.07)

20.3.10 The Provincial Council shall be responsible for ratifying, in Executive Session, collective agreements with OSSTF employees, and terms and conditions of employment for all permanent OSSTF employees not covered by a collective agreement, as negotiated or determined by the Provincial Executive. (A.04)

20.3.11 Any terms and conditions of employment for all permanent OSSTF employees not covered by a collective agreement shall be distributed to the members of the Provincial Council in an Executive Session. The employment agreements shall be collected at the conclusion of the Executive Session. (A.08)

20.3.12 Any tentative collective agreements between the negotiators for Provincial OSSTF and employees of OSSTF shall be in the hands of members of the Provincial Council at least 48 hours (unless otherwise agreed to by the Provincial Council) prior to the Provincial Council meeting at which the tentative agreement shall be discussed. In the event that the bargaining unit is on strike when the tentative agreement is reached, the time limits stated above shall be waived. (A.80)

20.3.13 The Provincial Council shall be responsible for ratifying the terms of reference and the selection criteria for hiring the General Secretary, Associate General Secretary and members of the Secretariat, prior to advertising and/or recruiting for such positions. (A.04)

20.3.14 **Duties of Provincial Councillors**

20.3.15.1 Members of Provincial Council shall:

20.3.15.2 bring forward resolutions passed by Sector Councils/Districts/Bargaining Units and directed to Provincial Council;

20.3.15.3 provide input to the Provincial Executive regarding the Annual Action Plan; (A.04)

20.3.15.4 monitor and assist in the implementation of the Annual Action Plan; (A.04)

20.3.15.5	present a written report to the District/ Sector Council and/or District Council and/or Bargaining Units, following each meeting of the Provincial Council;	20.4.3	The Annual Meeting of the Provincial Assembly shall conduct elections for the elected members of the Provincial Executive and for representatives to the Board of Governors of the OTF and the OTF Table Officer in accordance with, and in the manner prescribed by, the Constitution and Bylaws. (A.06)
20.3.15.6	ensure that the membership is aware of decisions taken in accordance with the provision of Bylaw 20.4;	20.4.4	The Annual Meeting of the Provincial Assembly shall appoint auditors.
20.3.15.7	assist in the implementation of decisions taken in accordance with the provisions of Bylaw 20.4; and	20.4.5	The Provincial Assembly shall receive the written annual report of standing committees, councils and boards.
20.3.15.8	assist the Provincial Executive in translating policy into effective administrative action. (A.96)	20.4.6	The Provincial Assembly shall establish special committees as considered advisable.
20.3.15.9	comply with the duties outlined in the Provincial Council Handbook. (A.01)	20.4.7	The Provincial Assembly shall have the authority to establish and maintain at its discretion special funds for the protection of its Members. (A.04)
20.3.16	Provincial Executive Compensation (A.04)	20.4.8	The Press may or may not be admitted at the discretion of the Assembly to any session of the Provincial Assembly.
20.3.16.1	The Provincial Council shall have the responsibility of determining and approving the compensation for elected members of the Provincial Executive, subject to the following conditions: (A.04)	20.4.9	The Provincial Assembly shall have the authority to amend the Constitution and Bylaws in accordance with the provisions of the Constitution and Bylaws.
20.3.16.2	the compensation package shall be in force for a minimum period of twelve calendar months; (A.07)	20.4.10	The Provincial Assembly shall, prior to the conclusion of its Annual Meeting, approve the OSSTF Budget which is to include allocations to the Member Protection Account for the following fiscal year. (A.04)
20.3.16.3	each member of the Executive shall be furnished with a leased vehicle;	20.4.11	The Provincial Assembly may approve and amend provincial council constitutions and regulations and standing committee Membership and Terms of Reference. (A.99)
20.3.16.4	a member who moves to take up residence in the Metro Toronto area shall be enabled to do so in suitable accommodation;	20.5	OTF Governors
20.3.16.5	the Provincial Executive members of the Provincial Council shall declare a conflict of interest and shall not vote on or debate any issue relating to Provincial Executive compensation;	20.5.1	It shall be the duty of the OTF Governors representing OSSTF to notify all Members of OSSTF who may be affected, in writing, of any proposed change in OTF Bylaws that may affect the membership in OSSTF of these Members. (A.79)
20.3.16.6	the Treasurer and the General Secretary are directly responsible for the proper implementation of the Executive's compensation. Any unusual expenses must be reported to a standing committee of Provincial Council in closed session at the next meeting after the expense was submitted. The standing committee shall report its recommendations to the Provincial Council in closed session at the next meeting after the expense was submitted. The standing committee shall report its recommendations to the Provincial Council in closed session. (A.91)	20.5.2	The results of a vote on a negotiated pension settlement by the OSSTF membership who are contributors to the TPP is binding on OSSTF Members on the OTF Board of Governors. (A.91)
20.3.17	The Chairperson of Provincial Council shall report, in closed session, the Provincial Executive compensation package to the Provincial Assembly each year. (A.79)	20.5.3	It shall be the duty of the OTF Governors representing OSSTF to represent OSSTF at the OTF and to carry forward and report back on such business as the Provincial Council and/or the Provincial Assembly may from time to time require.
20.4	Provincial Assembly	20.5.4	It shall be the duty of the President of OSSTF to act as Chairperson of the Governors representing OSSTF.
20.4.1	The Provincial Assembly as the supreme legislative body shall have the authority to determine Policies, to transact business in the name of the Federation and to exercise all the powers of the Federation, including the power to ratify action taken by the Provincial Executive or the Provincial Council in the name of the Federation.	20.5.5	It shall be the duty of the OTF Governors representing OSSTF to meet prior to all regular meetings of the OTF Board of Governors. (A.84)
20.4.2	The Provincial Assembly shall approve and/or amend the Annual Action Plan for the next		

- Bylaw 21- Employment of Secretariat (A.02)**
- 21.1 **Size (A.02)**
- 21.1.1 Any proposal to increase the number of the Secretariat must be presented and clearly indicated as part of the proposed budget to AMPA. (A.08)
- 21.2 **Advertising (A.02)**
- 21.2.1 Upon the approval by the Provincial Assembly of the hiring of additional members of the Secretariat, the position(s) will be advertised. (A.02)
- 21.3 **Selection (A.02)**
- 21.3.1 The Provincial Executive, which includes the General Secretary, shall be responsible for the selection and interview process or for deciding that no suitable candidate is available. (A.02)
- 21.4 **Vacancies (A.06)**
- 21.4.1 If a vacancy occurs for a permanent position in the authorized complement of the Secretariat between meetings of the Provincial Assembly, then upon approval of the Provincial Executive the position will be advertised. (A.08)
- 21.4.2 If a temporary vacancy occurs in the authorized complement of the Secretariat between meetings of the Provincial Assembly, then upon approval of the Provincial Executive the position will be advertised. (A.06)

Bylaw 22 -Duties of Districts

- 22.1 The District shall provide for:
- 22.1.1 the formation of a District Executive and/or Council and the designation of its duties and its voting members;
- 22.1.2 the election of the District Provincial Councillor;
- 22.1.3 the appointment or election of:
- 22.1.3.1 a District Communications/Excellence in Education Officer;
- 22.1.3.2 Chairpersons of District standing committees;
- 22.1.3.3 a Health and Safety Officer(s); (A.05)
- 22.1.3.4 an Educational Services Officer;
- 22.1.3.5 a Human Rights Officer;
- 22.1.3.6 a Status of Women Officer;
- 22.1.3.7 other Officers of the District according to the District constitution;
- 22.1.4 the establishment of appropriate structures to ensure the negotiation of collective agreements for all its Bargaining Units;
- 22.1.5 the establishment of appropriate procedures to ensure the election or appointment of delegates and alternates to the Provincial Assembly; (A.01)
- 22.1.6 the establishment of appropriate, democratic procedures to ensure the integration of all Bargaining Units;
- 22.1.7 the establishment of procedures to ensure that each Bargaining Unit shall have input in the formulation of that Bargaining Unit's budget and the District Budget; (A.01)

- 22.1.8 the establishment of procedures to ensure representation from all Bargaining Units on the District Council and/or other bodies, as appropriate;
- 22.1.9 the establishment of procedures to determine the manner in which weighted votes will be cast by Provincial Councillor[s] from the District pursuant to Article 7.3.1.3.1; (A.01)
- 22.1.10 communication with the membership by means of a newsletter, memorandum or communique, issued from time to time; and/or a District web site to inform and receive feedback from the membership.
- 22.1.11 The District website shall be inclusive of all bargaining units in the District and could include such information as the names of all current members of executives, bargaining unit contact information and an inclusive calendar of District events. (A.06)
- 22.1.12 the establishment of anti-harassment, anti-bullying and anti-sexual harassment policies and procedures that are followed for all OSSTF members and employees for both the office as a workplace and for OSSTF sponsored functions. (A.07)
- 22.2 The District President shall be a member ex-officio of all District committees.
- 22.3 The District shall provide for the representation of its Active Members to the District Executive/Council.
- 22.4 The District President is the official representative and Chief Executive Officer of the District, and shall be a signing authority for the District.
- 22.5 The District Treasurer shall:
- 22.5.1 use the standard form provided by the Provincial Office each year for the Annual Financial Report to the District;
- 22.5.2 mail one copy of the District Annual Financial Report to the Provincial Office by November 1 of the following federation year; and (A.04)
- 22.5.3 submit each year one copy of the District budget for the current year to the Provincial Treasurer, no later than November 1;
- 22.5.4 ensure that information in the Financial Handbook is communicated to the appropriate District and Bargaining Unit Officers. (A.01)
- 22.5.5 at least semi-annually provide to the District Executive/Council financial reports which include expenses to date for each budget line and the financial position of the District, including all District assets. (A.04)
- 22.6 Each District shall make available, upon notice of no fewer than five working days, its financial records for audit by the Provincial Office.
- 22.7 All District funds, whether allocated by the Provincial Office, raised by voluntary levy or received from other sources, are to be and shall remain the responsibility of the District Treasurer, who is accountable to the District membership. The disposition of such funds is

to be reflected in the required Annual Financial Report of the District.

22.8 The District may provide for the appointment of a qualified auditor on a yearly basis who may be responsible for preparing and submitting an annual audited financial statement to the membership.

22.9 The District shall:

22.9.1 endeavour to co-operate with the Provincial Executive to co-ordinate effectively negotiation strategies among Bargaining Units;

22.9.2 co-operate with Bargaining Units to appoint or elect Health and Safety Representatives to the joint Occupational Health and Safety Committees provided for in the *Occupational Health and Safety Act*; (A.07)

22.9.3 endeavour to achieve provincial goals as approved by the Provincial Council; and

22.9.4 assist in the achievement of policies and priorities as approved by a Provincial Assembly.

22.10 A District or Region of OSSTF wishing to make representation to the Minister of Education and Training and/or Legislature on any matter concerning educational or salary issues may make such representation only after the representation has obtained the support of a Provincial Assembly and/or the Provincial Council and/or the Provincial Executive.

22.11 The District Executive shall:

22.11.1 ensure that the OSSTF Constitution or Bylaws are not contravened in the process of transacting District business; (A.04)

22.11.2 ensure that the Staff Representatives and/or Branch Executives are informed of their duties at the start of their term of office and are given assistance throughout their term in carrying out these duties;

22.11.3 forward to the General Secretary a copy of the District constitution together with all amendments thereto;

22.11.4 where the District is a member of a local labour council, distribute copies of the labour council's newsletter to the district membership; (A.01)

22.11.5 promote OSSTF scholarships and awards to the District membership; (A.01)

22.11.6 ensure that no materials, including electronic information, which contain the District's name and/or Federation logo are published or circulated without the prior authorization of the District. (A.02)

22.12 All District Officers appointed or elected shall be subject to the authority of the District Executive.

22.13 Districts with more than one Bargaining Unit may appoint (an) additional Educational Services Officer(s) (ESO) to represent the members of the other Bargaining Unit(s).

Bylaw 23 - Duties of Bargaining Unit Organizations

23.1 The Bargaining Unit shall provide for:

23.1.1 the formation of appropriate Branches;

23.1.2 the designation of one or more workplaces as a Branch; and

23.1.3 an OSSTF representative in each workplace;

23.1.4 the formation of procedures to represent its members under the appropriate legislation;

23.1.5 the election of an Executive, the designation of its duties and its voting members, and procedures for the filling of vacancies. (A.04)

23.1.6 the election or appointment of:

23.1.6.1 a representative negotiating team;

23.1.6.2 a Chief Negotiator;

23.1.6.3 a Grievance Officer;

23.1.6.4 personnel to carry out its obligations and duties under the Constitution and Bylaws;

23.1.6.5 representatives to the District Executive;

23.1.6.6 a Provincial Councillor(s) where appropriate;

23.1.6.7 the Bargaining Unit's member(s) of Joint Health and Safety Committee(s), or in workplaces where no Joint Health and Safety Committee is required, the Bargaining Unit's health and safety representative(s); (A.04)

23.1.6.8 a Health and Safety Officer; (A.04)

23.1.6.9 an Educational Services Officer; (A.08)

23.1.7 the preparation of a negotiating brief in accordance with the Bargaining Unit's constitution and bylaws;

23.1.8 the approval of the negotiating brief by the executive of the Bargaining Unit;

23.1.9 the submission of the negotiating brief to the Provincial Director of Protective Services for approval;

23.1.10 regular meetings of bargaining representatives;

23.1.11 communication with members of the Bargaining Unit regarding the progress of negotiations;

23.1.12 joint meetings with other Bargaining Unit representatives from the District in order to co-ordinate bargaining issues and strategies;

23.1.13 a procedure for ratification vote by the membership of any negotiated agreement between the employer and authorized representatives of the Bargaining Unit which alters the terms and conditions of the collective agreement arising out of Provincial or Federal legislation;

23.1.14 the mutual support of, co-operation with, and assistance to other Bargaining Units within the District;

23.1.15 the formation of procedures to secure and maintain pay equity for its members;

23.1.16 the formation of procedures to ensure that all Members have fair representation with due regard to the terms of the applicable collective agreement;

23.1.17 communication with the membership by means of a newsletter, memorandum, or communicate, issued from time to time by the Bargaining Unit or the Bargaining Unit President;

23.1.18	the selection of delegates to the Provincial Assembly; (A.01)		constitutions where they exist, together with all amendments thereto.
23.1.19	the establishment of anti-harassment, anti-bullying and anti-sexual harassment policies and procedures that are followed for all OSSTF members and employees for both the office as a workplace and for OSSTF sponsored functions. (A.07)	23.6.4	Ensure that no materials, including electronic information, which contain the Bargaining Unit's name and/or Federation logo, are published or circulated without prior authorization of the Bargaining Unit. (A.02)
23.2	The President of a Bargaining Unit shall be the Chief Executive Officer of that Bargaining Unit for collective bargaining purposes.	23.6.5	gather information and provide updates on Pay Equity as requested by OSSTF Provincial Office. (A.06)
23.3	The Bargaining Unit shall:	23.7	A person or persons selected to negotiate on behalf of a Bargaining Unit shall be responsible to the Bargaining Unit Executive and shall keep the District and Bargaining Unit Executive informed at all times of the progress of negotiations.
23.3.1	inform the Provincial OSSTF of progress in negotiations on a regular basis and shall endeavour to co-operate with the Provincial Executive to co-ordinate effectively negotiation strategies among bargaining units;	23.8	The Provincial Bargaining Agent, and any subdivision thereof, having responsibility for the negotiation or administration of a collective agreement, shall be subject to the duty of fair representation as required by the <i>Ontario Labour Relations Act</i> . No complaint alleging a breach of this Bylaw shall be made to, or filed with, the Judicial Council.
23.3.2	co-operate with the District to appoint or elect Health and Safety Representatives to the joint Occupational Health and Safety Committees provided for in the <i>Occupational Health and Safety Act</i> ; (A.07)		
23.3.3	endeavour to achieve provincial goals as approved by the Provincial Council; and	23.9	The Bargaining Unit Treasurer shall:(A.04)
23.3.4	assist in the achievement of policies and priorities as approved by a Provincial Assembly.	23.9.1	be accountable to the Bargaining Unit membership; (A.04)
23.4	A Bargaining Unit or Branch of OSSTF wishing to make representation to the Minister of Education and/or Legislature on any matter concerning educational or salary issues may make such representation only after the representation has obtained the support of a Provincial Assembly and/or the Provincial Council and/or the Provincial Executive.	23.9.2	be responsible for all Bargaining Unit funds, whether allocated by the district or raised by a voluntary levy or received from other sources, and report on such funds to the District Treasurer for inclusion in the required Annual Financial Report of the District; (A.04)
23.5	The Bargaining Unit shall provide fair representation for its members with due regard to the terms of the applicable collective agreement.	23.9.3	at least semi-annually provide to the Bargaining Unit Executive /Council financial reports which include expenses to date for each budget line and the financial position of the Bargaining Unit, including all Bargaining Unit assets, and forward the reports to the District Treasurer. (A.04)
23.6	The Bargaining Unit Executive shall:		
23.6.1	ensure that the OSSTF Constitution or Bylaws are not contravened in the process of transacting Bargaining Unit business; (A.04)	23.10	Each Bargaining Unit shall make available, upon notice of no fewer than five working days, its financial records for audit by the Provincial Office.
23.6.2	ensure that the OSSTF Workplace or Branch Representatives and/or Branch Executives are (A.04)	23.11	The Bargaining Unit President shall be a member ex-officio of all Bargaining Unit Committees.
23.6.2.1	elected by the members before the end of June each year, (A.04)		
23.6.2.2	informed of their duties at the start of their term of office, (A.04)		
23.6.2.3	given assistance throughout their term of office in carrying out these duties, including the duty to act as a liaison officer between the Branch or workplace and the Bargaining Unit, District and Provincial Executives and to carry out such additional duties as are from time to time required by the District or Bargaining Unit constitution and bylaws or by the Provincial Executive to foster the objects of OSSTF; and (A.04)		
23.6.3	forward to the General Secretary a copy of the Bargaining Unit constitution and of Branch		

Bylaw 24 - Trusteeship (A.06)

24.1	The Provincial Executive shall have the authority to put a District or Bargaining Unit into trusteeship in accordance with the following procedures: (A.06)
24.2	The Provincial Executive may initiate an investigation if: (A.06)
24.2.1	it has received information that leads it to be concerned with the financial mismanagement, or malpractice, or incapacitation of the District or Bargaining Unit officer(s), or failure to properly represent the membership by the District or Bargaining Unit or its officers, or, (A.06)

24.2.2 it has received a request for an investigation from a District or Bargaining Unit or from the Judicial Council of OSSTF. (A.06)

24.3 The investigation shall be conducted and a report made to the Provincial Executive by a team comprised of the Associate General Secretary, a retired member of the Secretariat, and the Chair of Provincial Council or his/her designate from among the Provincial Councillors. (A.06)

24.4 The Provincial Executive shall report the results of the investigation, and its decision whether or not to initiate trusteeship, to a Special General Meeting of the District or Bargaining Unit called by the Provincial Executive no later than 25 working days from the initiation of the investigation. (A.06)

24.5 The Chair of Provincial Council shall report the results of the investigation, and the decision made, to the next meeting of Provincial Council. (A.06)

24.6 In the event that the investigation results in the District or Bargaining Unit being placed in trusteeship, the Provincial Executive shall appoint the trustee. (A.06)

24.6.1 Without limiting the generality of the following, the trustee shall have full responsibility to conduct the affairs of the District or Bargaining Unit, to receive and distribute its funds, and in general to carry out the duties which could otherwise have been carried out by the officer(s), both individually or collectively, of the District or Bargaining Unit. (A.06)

24.6.2 The trustee shall also be responsible for calling regular meetings of the membership to keep them informed of the status of the trusteeship and the District or Bargaining Unit business. (A.06)

24.7 Notwithstanding Bylaw 8, and notwithstanding trusteeship not being imposed, the Provincial Executive may suspend or remove from OSSTF office(s) any Member(s) of a District or Bargaining Unit Executive who has been found by the Provincial Executive as a result of an investigation pursuant to 24.3 to have been involved in the financial mismanagement or malpractice of a District or Bargaining Unit, or who has failed to properly represent the membership, or whose capacity to carry out their duties has found to be lacking. (A.06)

24.8 The Provincial Executive shall report to each regularly scheduled Provincial Council meeting on the status of a trusteeship and Provincial Council may make recommendations to the Provincial Executive regarding any matters related to the trusteeship. (A.06)

24.9 Subject to the provisions of the Ontario Labour Relations Act, the term of trusteeship shall remain in effect until such time as the problem(s) has (have) been resolved. In any

event, the trusteeship shall not exceed a period of one year from the date of inception, unless otherwise approved by the Ontario Labour Relations Board. (A.06)

Bylaw 25 - Rules of Order and Procedures

25.1 Rules of Order

25.1.1 Meetings of the OSSTF Provincial Assembly and Provincial Council, and of District, Sector, Sector Council Branch or Staff organizations and of provincial standing committees, special or ad hoc committees and councils shall be conducted in accordance with Rules of Order adopted by the Annual Meeting of the Provincial Assembly (1974), and as amended from time to time by the Provincial Council or the Annual Meeting of the Provincial Assembly. (A.97)

25.2 Provincial Assembly

25.2.1 Resolutions to be printed in the material for debate and published prior to the meeting of the Provincial Assembly (A.90)

25.2.1.1 must be submitted by one or more of the following:

25.2.1.1.1 Provincial Executive

25.2.1.1.2 Provincial Council

25.2.1.1.3 provincial committees

25.2.1.1.4 provincial councils

25.2.1.1.5 Districts (A.90)

25.2.1.1.6 Sector Councils (A.97)

25.2.1.1.7 the previous Annual Meeting of the Provincial Assembly as Notice of Motion; (A.89)

25.2.1.1.8 a committee (which includes task forces, work groups, or other titles) created by AMPA and which was given direction to report to the next AMPA; (A.93)

25.2.1.1.9 Bargaining Units. (A.96)

25.2.1.2 must be in writing and signed by the Secretary or Presiding Officer of the submitting body; except for a Notice of Motion in accordance with Bylaw 25.2.1.1.7, must have received the prior approval of the submitting body. In the case of a Sector the submitting body is deemed to be the Sector Council or Sector Council Executive. (A.97)

25.2.1.4 must be received by the General Secretary by Jan. 31st;

25.2.1.5 must be accompanied by a reasonable estimate of the cost, should the resolution require the expenditure of funds for implementation; and (A.90)

25.2.1.6 must have a rationale printed in the Assembly materials by the Resolutions Committee if they are considered to be Out of Order as submitted and printed. (A.83)

25.2.2 A miscellaneous action resolution passed by the Provincial Assembly continues in effect for three years unless the action terminates at a time definite, or the resolution is rescinded by a meeting of the Provincial Assembly. (A.87)

25.2.3 A policy resolution passed by the Provincial Assembly continues in effect for ten years

- from the date of being adopted or amended, unless the policy is rescinded. (A. 99)
- 25.3 **Anti-Harassment Policy and Procedure** (A.07)
- 25.3.1 There shall be an Anti-harassment Policy and Procedure in effect for meetings of the OSSTF Provincial Assembly and Provincial Council, and for all meetings of and events organized by OSSTF Sector Councils, advisory work groups, provincial standing or ad-hoc committees or provincial councils. (A.07)
- 25.3.2 The Anti-harassment Policy and Procedure in Bylaw 25.3.1 shall be as implemented at the Annual Meeting of the Provincial Assembly (2007), and as amended from time to time by the Provincial Executive. (A.07)
- 25.3.3 The OSSTF/FEESO Anti-harassment Policy shall be read into the record at the beginning of each Annual Meeting of the Provincial Assembly, at all meetings of Provincial Council and Sector Councils of Presidents, at each Leadership Conference, and at all OSSTF provincial conferences. (A.08)

Bylaw 26 - Amendments

- 26.1 Amendments to these Bylaws may be made at the Annual Meeting of the Provincial Assembly
- 26.1.1 by a majority vote of the members qualified to vote, present and voting, provided that
- 26.1.1.1 notice of the proposed amendment shall have been given in writing to the General Secretary on or before January 31 of that school year, and (A.99)
- 26.1.1.2 such notice shall have been forwarded on or before the second Friday after February 1 of that school year by the General Secretary to the District Secretaries and Sector Council Chairpersons; (A.05)
- 26.1.2 by a three-quarters vote of the members qualified to vote, present and voting, previous notice as in Bylaw 26.1.1.1 not having been given. (A.92)
- 26.2 Proposed amendments received by the General Secretary after January 31 will be distributed at AMPA. (A.92)
- 26.3 Amendments to Bylaws adopted at AMPA shall be effective starting the subsequent July 1st, unless stated otherwise in an action motion passed in advance of the amendment(s) being considered. (A.06)

CERTIFICATION

INTRODUCTION

Certification of Ontario teachers is the responsibility of the Ontario College of Teachers which issues the Certificate of Qualification, replacing the Ontario Teacher's Certificates and Ontario Teacher's Qualifications Records Cards which were formerly issued by the Ministry of Education. However, evaluation of the qualifications of Ontario teachers is the responsibility of the teacher federations. For Members of OSSTF, this evaluation process, including the issuance of the Certification Rating Statement, is the responsibility of the Certification Division.

THE CERTIFICATION DIVISION consists of

- (1) The Certification Council
Members of the Certification Council are practising teachers appointed in accordance with CERT Article 3. Duties of the Certification Council are outlined in CERT Article 4.
- (2) The Certification Department
Members of the Certification Department are trained evaluators employed by OSSTF and maintained under the direction of the Certification Council for the following purposes:
 - (a) to evaluate teacher qualifications;
 - (b) to respond to requests from Members for course approvals for upgrading purposes;
 - (c) to answer enquiries regarding certification, and;
 - (d) to maintain files of the documents submitted.
- (3) The Certification Appeal Board
Members of the Certification Appeal Board are practising teachers appointed in accordance with CAB Article 3. The Certification Appeal Board was established by the 1989 Annual Meeting of the Provincial Assembly (Article 7.6, OSSTF Constitution). The Certification Appeal Board provides Federation Members with a route for appealing decisions of the Certification Department.

Role of the Certification Division is two-fold:

- (1) to evaluate qualifications of individual Members in accordance with the Certification Plan, and;
- (2) to assist individual Members in improving their qualifications.

THE CERTIFICATION PLAN

The Certification Division of the Ontario Secondary School Teachers' Federation operates in accordance with a Certification Plan approved by the Annual Meeting of the Provincial Assembly.

The Certification Plan consists of the Regulations and prefatory material governing the administration of teacher certification based on recognized standards of achievement and providing individual Members with a systematic and consistent method for improving qualifications. The plan is designed to provide a high level of credibility with the membership and with external educational agencies.

Charts

Incorporated within the Regulations of the Certification Plan are Three Programs or Charts (CERT Regs. 16, 17, 18) which reflect the various areas and levels of specialization in teacher qualifications. These Charts are used to evaluate the

qualifications of Members in possession of, or working towards, the Honour Specialist, the Three Session Specialist or the Honour Technological Studies Specialist entry on their Certificate of Qualification. The Certification Regulations are the sole criteria used in the evaluation of Members' qualifications. Each Program or Chart is divided into four groups recognizing various levels of specialization and/or teacher training from the basic, Group 1, through to the most advanced, Group 4.

PROCEDURES FOR OBTAINING AN EVALUATION (CERTIFICATION RATING STATEMENT)

Application

It is the responsibility of the individual Member to apply in writing for an initial Certification Rating Statement (CERT Reg.5) and for an updated Certification Rating Statement after the Member has obtained additional qualifications or after there has been a revision of the Certification Plan.

Note: Persons will not be evaluated if they are teaching under a letter of Permission, Letter of Eligibility or under any other document which is less than a basic secondary school teaching qualification but which permits the individual to be engaged by a school board in Ontario. (A.06)

All applications for Certification Rating Statements must be submitted in writing on the official application form for an OSSTF Certification Rating Statement. This application must be accompanied by the following:

- (1) legible photocopy of the member's Certificate of Qualification
- (2) original university transcripts submitted by the university;
- (3) official proof that any required additional courses have been successfully completed (original documentation);
- (4) copy of contract or Acceptance of Position form or proof of OSSTF membership.

Enquiries

All enquiries regarding current Certification Rating Statements or advancement to higher groups must be submitted in writing. Authoritative statements cannot be given verbally or by telephone. While Federation Officers and members of the Secretariat may be prepared to advise on how to proceed, it must be emphasized that authoritative statements may be provided only by the Certification Department following a documented submission. Members are referred to the Regulations of the Certification Plan for detailed information.

Members working towards additional qualifications are strongly advised to seek **prior written approval from the Certification Department** on the acceptability of any course well in advance of the commencement date of the course. No guarantee can be given that a course which has not been given prior written approval by the Certification Department will receive recognition.

Submissions

All applications, enquiries and related submissions should be addressed to: Certification Department, OSSTF, 60 Mobile Drive, Toronto, Ontario M4A 2P3.

APPEALS TO THE CERTIFICATION APPEAL BOARD

Members having received a rating statement which they wish to appeal should consult CAB Article 5. An application must

be addressed to: Chairperson, Certification Appeal Board,
OSSTF, 60 Mobile Drive, Toronto, Ontario M4A 2P3.

ADDITIONAL INFORMATION

The relationship between certification groups and salary categories is entirely a matter between Bargaining Units and their respective school boards and is established in local collective agreements.

Answers concerning the relationship between certification rating and salary should be sought in local collective agreements and/or from District/Bargaining Unit officers.

RULES OF ORDER

(Determined under Bylaw 25)

RULE 1 - Responsibility

- 2.1 The responsibility for conducting meetings lies with the Chief Executive Officer, or the person designated by the Chief Executive Officer to chair the meeting or selected by the jurisdiction in accordance with its Constitution and Bylaws.

RULE 2 - Role of the Presiding Officer

- 2.1 The Presiding Officer calls the meeting to order.
- 2.2 The Presiding Officer announces the business which should come before the assembly in its proper order, usually in the form of a printed agenda.
- 2.3 The Presiding Officer assigns the floor to members who desire to speak. Once the Presiding Officer has recognized the right of a member to the floor, it is the duty of the Presiding Officer to protect the speaker from disturbance or interference. Notwithstanding the foregoing, the Presiding Officer must never hesitate, when the interest of the organization or its members requires, to permit a speaker to be interrupted, or to limit the number of speakers to a resolution.
- 2.4 The Presiding Officer reads all resolutions that have been correctly moved and seconded. The Presiding Officer may require a restatement, in the best possible form and without changing the intent, of any resolution the proposer has failed to submit correctly or clearly.
- 2.5 The Presiding Officer explains what the effect of a resolution would be if it is not clear to every member. The Presiding Officer makes certain that members understand exactly what business is pending.
- 2.6 The Presiding Officer restricts discussion to the question before the assembly.
- 2.7 The Presiding Officer is responsible for answering all Parliamentary Inquiries and for deciding Points of Order and Questions of Privilege as soon as they arise.
- 2.8 The Presiding Officer never debates a resolution while presiding. To participate in debate, the Presiding Officer shall relinquish the Chair, and not return to it until the pending main resolution has been disposed of. This does not preclude the Presiding Officer from explaining a ruling or responding to an appeal from the Chair. Notwithstanding the foregoing, the Presiding Officer may, with the consent of the House, state matters of fact that are relevant to the debate.
- 2.9 When discussion on a question has ceased or has been closed by a resolution to that effect, the Presiding Officer is responsible for restating the exact question upon which the assembly is to vote and for putting the question to a vote.
- 2.10 When necessary, the Presiding Officer decides whether the resolution has two or more independent parts that may be voted on separately.
- 2.11 When necessary, to verify an indecisive vote by show of hands, the Presiding Officer may require voters to rise and be counted.

- 2.12 The Presiding Officer, only if a designated voting member of the body, may vote to create or break a tie. (PC 91)
- 2.13 The Presiding Officer states definitely and clearly the result of the vote.
- 2.14 The Presiding Officer protects the assembly from annoyance by refusing to recognize resolutions that are frivolous in character or that are made solely for the purpose of blocking business or of consuming time.
- 2.15 The Presiding Officer may be advised on parliamentary procedures by a Steering Committee which may consist of one or more persons.
- 2.16 Notwithstanding Rule 2.8 and 2.12, in a small, relaxed or informal meeting, a Presiding Officer shall carry out the usual functions in conducting a meeting, and may, if a voting member, also participate in discussion and may vote. (PC.04)
- 2.17 Each OSSTF group should decide at the outset of the federation year whether Rule 2.16 applies to them. (PC.04)

RULE 3 - Meetings

3.1 Types of Meetings

- 3.1.1 An Open Meeting is a meeting under the normal Rules of Order. A variation of this would be a meeting with some restriction on who may attend.
- 3.1.2 An Executive Session is any meeting of a deliberative assembly, or portion of a meeting, at which the proceedings are secret or confidential.

3.2 Order of Meetings

- 3.2.1 At meetings of the OSSTF Provincial, District, and Branch jurisdictions the structure of meetings may be established according to the following order:
 - 3.2.1.1 Call to Order;
 - 3.2.1.2 At the first meeting of the jurisdictional year, and then at the discretion of the Chair, the reading of the OSSTF Pledge;
 - 3.2.1.3 Registration, or roll call, of members;
 - 3.2.1.4 Appointment of Steering, Credential, and other temporary committees;
 - 3.2.1.5 Procedural resolutions;
 - 3.2.1.6 Adoption of the Agenda;
 - 3.2.1.7 Minutes of the previous meetings and business arising therefrom;
 - 3.2.1.8 Report of the Treasurer;
 - 3.2.1.9 Communications and business arising therefrom;
 - 3.2.1.10 Action items, including reports of officers and/or committees containing recommendations for immediate decision;
 - 3.2.1.11 Items of concern to recognized units within the jurisdiction;
 - 3.2.1.12 Information items, including reports of officers and/or committees not requiring immediate decision;
 - 3.2.1.13 Unfinished business;
 - 3.2.1.14 New business;

- 3.2.1.15 At the Annual Meeting, appointment of auditors and installation of officers;
- 3.2.1.16 Adjournment.
- 3.2.2 Where appropriate for the business of a particular meeting, the structure of the meeting may vary from the items outlined in Rule 3.2.1. Subject to the Rules of Order, the Presiding Officer has the responsibility to determine what items are appropriate to that meeting and to arrange their order. (PC 04)
- 3.3 **Minutes** (PC 02)
- 3.3.1 The Minutes of an OSSTF meeting constitute the official record of the proceedings of the meeting. (PC 02)
- 3.3.2 The minutes contain a record of what was done at the meeting and not what was said, including the disposition of all motions that were dealt with. (PC 06)

RULE 4 - Quorum of Meetings

- 4.1 The quorum for any meeting will be established in the Constitution or Bylaws of the body concerned, and for any body of OSSTF for which such is not set, the quorum shall be a majority of the voting members.

RULE 5 - Debate

- 5.1 No debate shall be held on a topic until there is a resolution on the floor.
- 5.2 All main resolutions and amendments thereto shall be written and presented prior to the vote to the Presiding Officer or to the Resolutions Committee.
- 5.3 The mover of a resolution shall have the privilege of being the first speaker in the debate on the resolution, and shall have the further privilege of speaking once more to conclude the debate.
- 5.4 Members who wish to speak to a resolution must first be recognized by the Presiding Officer and should begin by stating whether they support or oppose the resolution, are moving an amendment, or have other intentions.
- 5.5 Members shall not speak more than once to a resolution, except as provided in Rule 5.3 or Rule 5.8 and except in explanation of a material part of their own speech. No debate shall be allowed upon the explanation.
- 5.6 After a resolution or an amendment has been debated, the Presiding Officer calls the question by asking those in favour of the resolution to so indicate, followed by those opposed. The Presiding Officer then declares the resolution "carried" or "lost". In the case of a tie vote, the Presiding Officer casts the deciding vote.
- 5.7 A time limit may be set on debate if the assembly so decides.
- 5.8 **Committee of the Whole**
- 5.8.1 If free debate on a topic is desirable without the necessity of having a resolution on the floor, the assembly may go into a Committee of the Whole. After the Committee of the Whole rises and reports, any resolutions passed in the Committee of the Whole, except procedural resolutions, shall be

proposed as main resolutions. Such resolutions shall be put and decided without debate or amendment.

- 5.8.2 If free debate of a resolution or resolutions is required, the assembly may go into a Committee of the Whole. The Committee of the Whole shall include in its report recommendations, if any, regarding the disposition of any resolution(s) referred to it, including recommendations for amendments. Such resolutions and amendments shall then be put and decided without further debate or amendment by the assembly. (PC 03)
- 5.8.3 The main resolution to move into Committee of the Whole shall specify the term(s) of reference, restriction(s) for debate, if any, and time frame.
- 5.8.4 A resolution to "rise and report" is neither debatable nor amendable and may be moved at any time.
- 5.8.5 A Committee of the Whole may not, even by unanimous consent
 - 5.8.5.1 appoint a subcommittee,
 - 5.8.5.2 refer the matter to another body,
 - 5.8.5.3 table or postpone indefinitely,
 - 5.8.5.4 reconsider or rescind action already taken,
 - 5.8.5.5 extend its own time limit,
 - 5.8.5.6 recess or adjourn.
- 5.8.6 However, a Committee of the Whole may recommend such options (Rule 5.8.5) to the assembly.
- 5.8.7 Resolutions in a Committee of the Whole require a simple majority to carry.
- 5.8.8 In the assembly, resolutions carried by a Committee of the Whole require the same vote count that they would have required if they had not been considered by the Committee of the Whole.
- 5.9 **House Committees**
- 5.9.1 A House Committee or Committees may be created for the purpose of dealing with special items of business at the same time that the assembly is carrying on with its regular business.
- 5.9.2 The members of such committee shall be selected by the House and voting and non-voting members shall be clearly indicated in the resolution establishing the House Committee.
- 5.9.3 Only voting members of the House Committee may move, second, or vote on resolutions in the House Committee.
- 5.9.4 Upon its creation, the House Committee may sit at its convenience between the House's first convening and final adjournment, subject to any time conditions set by the House.
- 5.9.5 Any member of the House Committee may speak as often as such member is able to obtain the floor, provided the resolution establishing the House Committee has no restriction on debate or no other member is seeking the floor who has not debated previously.
- 5.9.6 The length of time for each debater is the same as that during debate in the House unless the House Committee decides otherwise by a two-thirds vote.
- 5.9.7 In the House Committee all parliamentary resolutions may be used except the resolutions "To

- Table", "To Postpone Indefinitely", "To Refer (to any body except the House)", and "To Adjourn".
- 5.9.8 The House Committee cannot appoint a sub-committee.
- 5.9.9 The House Committee shall conclude its business either at the expiration of the time limit set by the House, or by the adoption of the resolution "To Rise and Report". It cannot extend the time of its existence, even by a unanimous vote.
- 5.9.10 The House Committee shall include in its report any recommendations on those resolutions specifically referred to it. Such recommendations shall be proposed as main resolutions without debate or amendment and shall require the same voting majority as the original resolutions. The vote on such recommendations shall be the decisions of the House on the resolutions referred to the House Committee.
- 5.9.11 Any other resolutions or recommendations arising from within the deliberations of the House Committee shall be presented in a supplementary report as resolutions "from the floor". Unless specified otherwise, their time- effective date shall be the same as that for those in the primary report of the House Committee.
- 5.10 **Executive Session (PC 91)**
- 5.10.1 A body shall move into Executive Session whenever it must consider either matters relating to personnel or matters of serious importance to the body. (PC 91)
- 5.10.2.1 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." (PC 91)
- 5.10.2.2 Minimal staff shall be as defined in the constitution, bylaws, or handbook of the body or as limited by the standard resolution. (PC 91)
- 5.10.3 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. (PC 91)
- 5.10.4 The Minutes of an Executive Session shall be kept in a secure location for a period of seven years, whereafter they shall become part of the body's public record unless the body specifically directs otherwise. (PC 91)
- 5.10.5 Within Executive Session the standard rules of order shall be followed unless the body specifically directs otherwise. (PC 91)
- 5.10.6 A resolution to rise from Executive Session shall be moved at the end of the Session. (PC 91)
- 5.10.7 The resolutions directing the body to move into and rise from Executive Session are the only public record of the Executive Session. (PC 91)
- 5.10.7.1 Any resolution arising from Executive Session which requires public action shall be reported in the resolution to rise from Executive Session. (PC 02)

A

49

RULE 6 - Voting Procedures

- 6.1 **General**
- 6.1.1 No interruptions are permitted during the taking of a vote. Once the order of business has been announced by the Presiding Officer, no further action can be taken on the previous resolution except for reconsideration of a resolution.
- 6.2 **Inconclusive Vote**
- 6.2.1 If the Chair is in doubt about a vote, the Chair should immediately retake the vote, always as a rising vote.
- 6.2.2 If after a vote has been retaken as an uncounted rising vote, the Chair is still unable to determine the result, the Chair should take the vote a third time as a counted rising vote.
- 6.2.3 In voting by any method (including a counted rising vote), a member has the right to change the member's vote up to the time the result is finally announced.
- 6.2.4 A member may vote on a rising vote not having voted previously on the issue.
- 6.3 **Division of the House (Rising vote - uncounted or counted)**
- 6.3.1 A member can demand a Division (a vote taken by rising) from the moment the negative votes have been cast until the announcement of the result is complete and until the next order of business has been announced by the Presiding Officer, unless a rising vote has been taken.
- 6.3.2 A Division of the House does not require a seconder and is not debatable, nor amendable.
- 6.3.3 A vote retaken by a show of hands is not a Division of the House and any member still has the right to demand a Division.
- 6.3.4 Either the Chair or the House by a majority vote can order a Division of the House vote to be counted. A single member has the power to require a standing vote but not to order a count.
- 6.3.5 The doors should be closed and no one should be allowed to enter or leave the House while a count is being taken.
- 6.4 **Roll Call Vote**
- 6.4.1 Roll call votes may be taken at meetings. Unless specified otherwise in the Constitution, Bylaws, or operating procedures of a particular jurisdiction, the roll call vote shall be taken only if a resolution to do so is approved by a simple majority vote.
- 6.5 **Verifying Vote**
- 6.5.1 A vote is never retaken by the same form of voting except in the case of a counted rising vote when the vote count is within five of the required majority, when the Chair may retake the vote. (PC 97)
- 6.5.2 In a counted rising vote, a ballot, or a roll call, a recapitulation of the tellers tabulations can be ordered to assure that the count is precisely correct as reported.

RULE 7 - Amendments

- 7.1 A resolution may be amended by
- 7.1.1 Insertion,
- 7.1.2 Addition,
- 7.1.3 Deletion,

B

- 7.1.4 Deletion for insertion,
- 7.1.5 Substitution.
- 7.2 An amendment must bear such close relationship to the resolution that the basic intent of the resolution is not changed.
- 7.3 There may be an amendment to the amendment but not more than one such subamendment may be debated at any one time.
- 7.4 The sequence of voting on amendments is as follows:
 - 7.4.1 the amendment to an amendment (sub-amendment),
 - 7.4.2 the amendment,
 - 7.4.3 the main resolution.

RULE 8 - Notice of Motion

- 8.1 As a general rule, changes in the Constitution or the Bylaws, and the establishment, amendment, or rescission of Policy should be made only after proper Notice of Motion has been given so that members may give such weighty matters due consideration before the questions are debated.
- 8.2 Jurisdictions may set statements of procedures regarding Notice of Motion in their Bylaws or operating procedures. Such procedures shall include the conditions that
 - 8.2.1 "Notice of Motion" appears as an agenda item;
 - 8.2.2 The resolution appears in print, or is read into the record;
 - 8.2.3 At the time notice is given, questions of clarification may be asked.

RULE 9 - Incidental Requests and Appeals

- 9.1 **Requests** (may interrupt debate; no vote required)
 - 9.1.1 **Question of Privilege** - relates to any matter affecting rights and immunities of the assembly collectively, or to the position, reputation and conduct of members in their respective character.
 - 9.1.2 **Point of Order** - question to the Presiding Officer regarding a possible breach of Rules of Order.
- 9.2 **Parliamentary Inquiry** (must be recognized in the order of debaters)
 - 9.2.1 a question to the Presiding Officer relating to procedure or to the meaning or effect of the impending resolution.
 - 9.2.2 a question to the debater or proposer of the resolution about the pending resolution.
- 9.3 **Appeals** (vote required)
 - 9.3.1 **Challenge to the Chair [Appeal from the Decision of the Chair]** - a member may challenge a ruling or decision of the Presiding Officer. The member may speak briefly to the reason for objecting to the ruling. The Presiding Officer may reply. The Presiding Officer shall then call for a show of hands of those supporting the challenge, and then for a show of hands of those upholding the Presiding Officer's ruling. A simple majority supporting the challenge is required to overrule the decision of the Presiding Officer. (PC 06)
 - 9.3.2 **Appeal from the decision to withdraw a resolution** - if any member objects to the withdrawal of a resolution once it is on the floor,

the assembly must vote on a procedural resolution to permit the withdrawal; simple majority to carry.

RULE 10 - Order of Precedence of Resolutions

- 10.1 The procedures with respect to resolutions shall apply as set forth in the table on the following page. (PC 04)

RULE 11 - Authorities

- 11.1 The parliamentary authorities for OSSTF in order of priority and precedence are
 - 11.1.1 the above Rules of Order
 - 11.1.2 **Robert's Rules of Order Newly Revised**, Scott, Foresman & Co., (most recent edition).
 - 11.1.3 **Sturgis Standard Code of Parliamentary Procedure**, 3rd Edition, McGraw-Hill Book Co., 1993.
 - 11.1.4 **Bourinot's Rules of Order**, 4th Edition, revised by J. Gordon Dubroy, McLelland and Stewart Limited, Toronto, 1995.
- 11.2 In the event that problems arise in the conduct of business which cannot be resolved by reference to the Rules of Order, then reference is to be made to **Robert's**, followed by **Sturgis**, followed by **Bourinot's**.

[**Note:** Robert's Rules of Order, Newly Revised and Robert's Rules of Order, Newly Revised, In Brief are both available online at chapters.indigo.ca.]

OSSTF RULES GOVERNING ORDER OF BUSINESS

The motions above the line are listed by precedence. After the chair states a motion, higher ranking motions are in order and lower ranking motions are not, except for *Amend* as shown on the chart and *Previous Question (Call the Question)*.

PRIVILEGED MOTIONS						
	INTERRUPT?	SECOND?	DEBATE?	AMEND?	VOTE?	RECONSIDER?
Fix the Time to Which to Adjourn (1)	No	Yes	No	Yes	Maj	Yes
Adjourn	No	Yes	No	No	Maj	No
Recess (1)	No	Yes	No	Yes (13)	Maj	No
Raise a Question of Privilege	Yes	No	No	No	-2	No
SUBSIDIARY MOTIONS						
Table	No	Yes	No	No	Maj	(3)*
Call The Question (14)	No	Yes	No	No	2/3	Yes
Limit or Extend Limits of Debate (1)	No	Yes	(15)	Yes	2/3	Yes
Postpone to a Certain Time (1)	No	Yes	(16)	Yes	Maj	Yes
Commit or Refer (1)	No	Yes	(17)	Yes	Maj	Yes
Amend (1) (18)	No	Yes	Yes	Yes	Maj	Yes
Postpone Indefinitely (1)	No	Yes	Yes	No	Maj	(4)
MAIN MOTIONS						
Main Motion (11)	No	Yes	Yes	Yes	Maj (7)	Yes

INCIDENTAL MOTIONS OR POINTS RAISED DURING THE MEETING

Incidental Motions have no precedence (rank). They are in order when the need arises.

Suspend the Rules	No	Yes	No	No	(8)*	No
Objection to Consideration (9)	Yes	No	No	No	2/3 Neg.	(3)
Point of Order	Yes	No	No*	No	(2)*	No
Parliamentary Inquiry	Yes	No	No	No	(2)	No
Appeal/Challenge Chair's Decision (12)	Yes	No	Limited	No	(6)	Yes
Point of Information	Yes	No	No	No	(2)	No
Division of a Question	No	Yes	No	Yes	Maj	No

MOTIONS THAT BRING A QUESTION AGAIN BEFORE THE ASSEMBLY

None of these motions (except *Reconsider*) are in order when business is pending.

Reconsider (10)*	No*	Yes	Yes	No	Maj	No
Rescind	No	Yes	Yes	Yes	(5)	(3)
Take from the Table	No	Yes	No	No	Maj	No
Amend Something Previously Adopted	No	Yes	Yes	Yes	(5)	(3)

* Refer to *Robert's Rules of Order Newly Revised* for rule(s)

- (1) A Main Motion if made when no business is pending
- (2) The chair decides. Normally no vote is taken
- (3) Only the negative vote may be reconsidered.
- (4) Only the affirmative vote may be reconsidered.
- (5) Normally a majority with notice, or 2/3 without notice, or majority of entire membership. Consult constitutions.
- (6) Majority or the vote sustains the chair.
- (7) The specific vote count is normally a majority. (May require notice having been given). Consult constitutions.
- (8) Rules of Order, 2.3 vote - Standing rules, majority vote
- (9) Must be proposed before debate has begun or a subsidiary motion is stated by the chair (applied to original main motions).
- (10) Only made by a member who voted on the prevailing side and is subject to time limits
- (11) The maker of a motion may withdraw it without permission before the motion is stated by the chair.
- (12) Unlike Roberts, a second is not required and debate is limited to the challenger and the chair.
- (13) The length of recess only is amendable.
- (14) Can be applied only to a debatable or amendable resolution and will cause an immediate vote. Cannot be proposed by a member who has spoken to the resolution to which it is applied. If carried, vote on the pending motion will be taken immediately. If defeated, debate on the pending question continues
- (15) Debatable as to the appropriateness of limiting or extending debate only.
- (16) Debatable as to the appropriateness of postponing only.
- (17) Debatable as to the appropriateness of referral only
- (18) An amendment is not in order if it changes the intent of the resolution to which it is applied (see Rule 7.2)