



DISTRICT CONSTITUTION: FREQUENTLY ASKED QUESTIONS

What is a District constitution?

A District constitution is a document that regulates how Bargaining Units within a District carry out their shared responsibilities in a manner that is equitable for all OSSTF/FESSO members.

Does a District constitution supersede a Bargaining Unit constitution?

No. A District constitution only deals with items of concern that are shared by all bargaining units within the District. Each Bargaining Unit continues to operate within the parameters of its own constitution and bylaws as determined by its membership.

Does a District constitution limit a Bargaining Unit's autonomy?

No. A District constitution ensures that each Bargaining Unit remains responsible for negotiating its own collective agreements, handling its own grievances, and managing its own funds. Each Bargaining Unit is responsible for electing its own Executive to represent the specific needs of its membership.

Who sits on a District Executive/Council?

Article 8.4.1 of the OSSTF/FESSO Constitution states that "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)."

Article 8.4.2 goes on to state that "The District Executive may also include additional members as determined by the District to fulfil its duties under the bylaws."

Sitting on the District Executive is an assigned duty of all elected Bargaining Unit Presidents. In practice, many Districts also make it a responsibility of other Bargaining Unit Executives, such as the Vice-President and the Chief Negotiator, to sit on the District Executive. The District must determine how the roles of District President, Vice-President, Secretary and Treasurer are to be filled. Such procedures must be entrenched in its District Constitution. According to bylaw 22.1.1, there must also be an election of the District Provincial Councillor who is also responsible for sitting on the District Executive/Council.

It is important to note that a District Executive does not make decisions on behalf of any one Bargaining Unit, and it cannot impose its will unilaterally on any of the District's Bargaining Units.



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How will a District Constitution affect our current committee structure?

Many of our current committees function as District committees with representation from all three Bargaining Units. A District constitution ensures that all members are treated equitably within such committees, regardless of their Bargaining Unit affiliation. Furthermore, bylaw 23 of the provincial OSSTF/FESSO Bylaws states that *Districts* must appoint or elect a District Communications/Excellence in Education Officer, a Health and Safety Officer(s), an Educational Services Officer, a Human Rights Officer, a Status of Women Officer, and any other District Officers as outlined by the District in its constitution. As such, the election of many, if not all, of our current committee chairs must be open to nominees from all three Bargaining Units within our District.

Do we need a District constitution?

Yes. Article 8.5 of the OSSTF/FESSO Constitution states that “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.” We have a legal and moral obligation to ensure that all members are treated equitably within our District.

At what stage is District 19 in developing its constitution?

Both the PSSP and Occasional Teacher Bargaining Units have approved a draft District constitution. At this time the TBU Constitution Committee is reviewing this draft and seeking input from its members before presenting it to the general membership for approval at the Annual General Meeting. All three Bargaining Units must approve the District constitution before it takes effect. At this point, District 19-Peel does not have a District constitution.

How can I have my suggestions about the draft District constitution heard?

On Monday, January 11, 2010, the TBU Constitution Committee will be hosting a member consultation meeting in The District 19 Boardroom at the Educators’ Centre. This meeting will be open to any TBU members who would like to share their suggestions with the Constitution Committee. Each participant will have a set amount of time to address the Committee. Space and time are limited, so please email Jesse Sturgeon at jesse.sturgeon@yahoo.ca to reserve your spot ASAP. Contact your Branch President for a copy of the draft District constitution.

If you are unable to attend the member consultation meeting, you may submit your suggestions in writing to Jesse Sturgeon by no later than the TBU Council meeting on Thursday, January 14, 2010.