



# Proposed District 19 Constitution and Bylaws WHAT YOU NEED TO KNOW

## THE DISTRICT 19 CONSTITUTION

### Article 1—Definitions

*District 19*—An “umbrella” organization that consists of all three OSSTF Bargaining Units that operate in the Peel District School Board (Professional Student Services Personnel, Occasional Teachers and Teachers). The purpose of the District Executive is to serve as a coordinating committee among the three separate Bargaining Units.

*Bargaining Units*—The functions and structures of each individual Bargaining Unit operate independently of the District. Each Bargaining Unit is governed by its own constitution, bylaws and procedures. They elect their own Executives, they hold their own general meetings, and they are responsible for representing their own members.

*Constitution*—The Constitution outlines the core beliefs that govern the District and its basic organization.

*Bylaws*—The Bylaws are the permanent rules that apply to District 19 members regarding the way the District deals with matters completely within its control.

*Policy*—Policy is understood to be the position taken by District 19 on matters that are outside its control. All District policy must adhere to the Bylaws and Constitution.

### Article 2—Name and Membership

District 19 membership will consist of all active members from the three independent OSSTF Bargaining Units in Peel.

### Article 3—Objects

The objects of the District are streamlined with those of the Bargaining Units. The objects of the District allow it to ensure that its three independent Bargaining Units are able to best serve their members.

### Article 4—Organization

*District Executive Council*—The District Executive Council will be made up of the elected Presidents, Chief Negotiators, and Treasurers of each Bargaining Unit. The rules governing the District Executive Council, including the appointment of specific positions, are outlined in Bylaws 4 and 5 of the proposed document.

*Provincial Councillor*—Each OSSTF District must be represented by a District Provincial Councillor at Provincial Council and the Annual Meeting of the Provincial Assembly. The District President will serve as the Provincial Councillor. This Provincial Councillor is separate from the current Provincial Councillor who is elected to represent the District 19 TBU.



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*District Finance Committee*—This committee will serve to coordinate the budgets of all three Bargaining Units. This type of cooperation already exists and its incorporation into a District Constitution will ensure that it will continue.

Although the District Finance Committee is responsible for drafting a District budget, each individual Bargaining Unit must draft its own budget and have it approved by their general membership in accordance with their Bargaining Unit Constitutions and Bylaws.

The District budget must also be approved at a District Annual General Meeting by the District 19 general membership as is outlined in Bylaw 7 of the proposed document.

*District Annual General Meeting*—Like Bargaining Units, the District will hold an annual general meeting. The regulations that govern the District AGM are laid out in Bylaw 7 of the proposed document.

*District Standing Committees*—According to the Provincial OSSTF Constitution and Bylaws, each District is required to have the following standing committees: Communications, Excellence in Education, Educational Services, Human Rights, Status of Women, Political Action, and Health and Safety.

These standing committees will work in coordination with the current Teacher Bargaining Unit Committees under the same framework that has been established in District 19 through past practice.

The District standing committees will serve as coordinating committees to ensure that each Bargaining Unit is well informed of the goings on of the existing Teacher Bargaining Unit committees. The make up of the current TBU standing committees will not change.

### **Article 5—Bylaws**

The District Bylaws can only be amended—as long as the proposed amendments are not inconsistent with the District Constitution—at a District General Meeting. Bylaw 11 of the proposed document outlines the regulations governing amendments to District Bylaws.

### **Article 6—Procedures**

As with District Bylaws, District procedures can only be amended—as long as the proposed amendments are not inconsistent with the District Constitution—at a District General Meeting. Bylaw 12 of the proposed document outlines the regulations governing amendments to District procedures.

### **Article 7—Amendments**

The District Constitution may be amended—as long as those proposed changes are not inconsistent with the Provincial OSSTF Constitution and Bylaws—at a District General Meeting.

If due notice of motion is given, the proposed amendment will require 2/3 support from the members present and eligible to vote at the District General Meeting in order to be adopted.



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Due notice of motion is considered to have taken place when the motion is submitted in writing to the District President at least twenty-one days before the meeting, and the general membership must be informed of the motion at least seven days before the meeting.

If due notice of motion is not given, a proposed amendment to the constitution will require at least 9/10 support from the members present and eligible to vote in order to be adopted.



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## THE DISTRICT 19 BYLAWS

### **Bylaw 1—District Federation Year**

The District Federation Year is the same as the TBU Federation Year.

### **Bylaw 2—Anti-Harassment and Anti-Bullying Policy**

Provincial OSSTF requires all Districts to have a comprehensive Anti-Harassment and Anti-Bullying Policy. The District Anti-Harassment and Anti-Bullying Policy is the same as the current TBU policy.

### **Bylaw 3—Anti-Harassment and Anti-Bullying Appeal Procedure**

Decisions resulting from complaints made under the District Anti-Harassment and Anti-Bullying Policy can be appealed by the affected members using the Appeal procedure outlined by the District.

### **Bylaw 4—District Executive Council**

The District President and District Treasurer will be the Bargaining Unit President and Treasurer whose members represent at least 50%+1 of the total District membership. In the event that the membership of a single Bargaining Unit does not account for at least 50%+1 of the total District membership, the District President and District Treasurer will be elected from the Bargaining Unit Presidents and Treasurers by those members eligible to vote at the District Annual General Meeting.

The District Vice-President will be elected annually by the members of the District Executive.

### **Bylaw 5—Duties**

This Bylaw outlines the duties of the District Executive, the District Executive President, the District Vice-President, the District Treasurer, the District Finance Committee, the District Provincial Council, the District Membership, and the District AMPA Delegation.

*District Executive*—The main function of the District Executive is to function as a coordinating committee between the three independent OSSTF Bargaining Units that represent educational workers in Peel.

They must abide by the Constitution, Bylaws and Procedures that have been approved by the District membership.

District Executive members are responsible for promoting the goals and ideals of OSSTF in the District.

When necessary, they may be required to establish temporary policy in response to issues that affect the District as a whole. These policies would eventually need to be adopted at a District General Meeting in order to become permanent.



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They are also responsible for ensuring that important information is clearly communicated to all three Bargaining Units.

If required, the District Executive is responsible for organizing temporary impromptu committees to deal with issues that concern all three Bargaining Units.

The District Executive will receive the proposed annual District budget from the District Finance Committee, and it is their responsibility to recommend this budget to the District Annual General Meeting for approval from the general membership (the regulations governing this process are found in Bylaw 6). The District Executive will also be responsible for organizing a committee responsible for the District Annual General Meeting.

If necessary, The District Executive can also assign other responsibilities among the general membership.

The most important clause in this Bylaw is 5.1.2, which guarantees each independent Bargaining Unit's rights to conduct its own business as determined by its Bargaining Unit Constitution and Collective Agreement.

*District President*—The District President will chair District Executive meetings. His/Her role will be to ensure information is communicated effectively to and between each of the Bargaining Units. The District President will also be a resource through which Bargaining Unit officers can request advice and assistance. He/she will also represent the District at the Bargaining Units' AGMs when requested.

The above duties and the others listed in Bylaw 5.2 are currently performed by the TBU President who, under the proposed District Constitution, will continue to serve in this capacity.

*District Vice-President*—The District Vice-President will perform the duties of the District President in his/her absence; however, if the District President's absence leads to a permanent vacancy then the regulations in Bylaw 8 will come into effect.

*District Secretary-Treasurer*—The District Secretary Treasurer is responsible for chairing the District Finance Committee, managing all of the District accounts according accepted accounting practices, submit financial statements and a budget report to the District, and act as liaison between District 19 and Provincial OSSTF in regards to all financial matters.

The above duties and the others listed in Bylaw 5.4 are currently performed by the TBU Treasurer who, under the proposed District Constitution, will continue to serve in this capacity.

*District Provincial Councillor*—The District Provincial Councillor will represent the members of District 19 at all meetings of Provincial Council, and he/she will also lead the District 19 delegation at the Annual Meeting of the Provincial Assembly (AMPA). These responsibilities are currently fulfilled by the TBU President. Under the proposed District Constitution, the TBU President would continue to serve in this capacity.



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*District Membership*—The duties of District 19 members as outlined in Bylaw 5.7 are the same as those outlined in the TBU Constitution and Bylaws.

*District AMPA Delegation*—The duties of the District 19 AMPA delegation outlined in Bylaw 5.8 are the same as those outlined in the TBU Constitution and Bylaws

### **Bylaw 6—District Budget**

The language in this section was developed in consultation with the Treasurers of each Bargaining Unit. It outlines the process by which the District budget will be drafted.

The budget will be drafted annually by the District Finance Committee and submitted to the District Executive before being voted on by those members present and eligible to vote at the District Annual General Meeting.

All funds allocated to specific Bargaining Units by the Provincial Funding Master will remain with those Bargaining Units.

Funds dedicated to the District by the Provincial Funding Master will be divided amongst the Bargaining Units based on FTE on a prorated basis.

Funds from #2000 Accounts (Other District Funding) will be divided based on FTE on a prorated basis. Any funds that are left unclaimed by a bargaining unit after May 1 of each year can be claimed by the other bargaining units on a first come, first serve basis after the District Executive has been consulted.

The draft District Budget will be distributed to District 19 members seven days before the District AGM.

In order to ensure that the Presidents of the smaller Bargaining Units have as much information as possible to better serve their members, funds will be made available to attend Provincial Council.

### **Bylaw 7—Meetings**

*District Annual General Meeting*—There will be a District AGM each year. It is not tied to a specific date since each Bargaining Unit has its AGM at different points through out the year.

The purpose of the District AGM is to amend the District Constitution and Bylaws; to propose, change or rescind District policy; to receive and approve the District financial reports and District budget; and to address any other important business as determined by the District 19 membership and/or the District Executive.

*District General Meetings*—District General Meetings can be called at any time by the District President in consultation with the District Executive.



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District General Meetings can be called after ten District 19 members representing at least two different bargaining units have submitted a written request to the District President stating the purpose for the meeting.

*District Executive Meetings*—The District Executive will meet at least four times a year.

The District Executive may also meet at the discretion of the President or within ten days of the President receiving a written request from at least two District executive members or from a Bargaining Unit Executive.

*District Standing Committee Meetings*—District Standing Committees will meet as is outlined in their terms of reference found in the District Procedures or as determined by the District Executive.

### **Bylaw 8—Vacancies**

Bylaw 8 outlines the regulations that govern how permanent vacancies on the District Executive will be filled.

If either the District President or Treasurer is no longer able to fulfill his/her duties, the incoming President or Treasurer of the Bargaining Unit that represents at least 50%+1 of the District's total FTE membership will assume the vacant role.

If no single Bargaining Unit accounts for at least 50%+1 of the FTE, an interim President or Treasurer will be elected by the District Executive from the Bargaining Unit Presidents and Treasurers.

If there is a permanent vacancy in the position of District Vice-President, an interim Vice-President will be elected by and from the District Executive.

Any vacancies filled according to the regulations of Bylaw 8 will only last the duration of the unfinished term.

Temporary vacancies in any of the District Executive positions are to be filled by a member of the Bargaining Unit from which the vacancy occurs. It is up to the individual Bargaining Unit to determine which of their members will best fill such a vacancy.

### **Bylaw 9—Quorum**

Bylaw 9 ensures that the business of the various District meetings is dealt with in an equitable and efficient manner.

Quorum for a District General meeting will be those members present and eligible to vote. This clause ensures that any disagreement between Bargaining Units will not result in a “constitutional crisis.” Despite any potential disagreements, the District's essential business will go on.



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Quorum for an Executive meeting will be at least one member present from each of the Bargaining Units. In order to ensure that information is communicated efficiently between the Bargaining Units and to ensure that the recommendations made to the general membership reflects the needs of all District 19 members, it is essential that each Bargaining Unit have at least one member present.

Quorum for a District Finance Committee will also be one member from each Bargaining Unit. It is necessary to have equal input from each of the Bargaining Units to ensure that the budget presented to the general membership effectively meets the needs of all members, regardless of job class.

Quorum for District Standing Committees is one member present from each of the Bargaining Units. Since the primary purpose of the District Standing Committees is to ensure that information is communicated effectively between and to each of the Bargaining Units, it is essential that each Bargaining Unit have at least one member present.

To avoid the potential of having Bargaining Units boycott District Meetings in protest, thus bringing the District's business to a halt, clauses have been included to declare quorum as present and eligible to vote in the event that a Bargaining Unit's representatives fail to show up thirty minutes after the agreed upon start time of a duly called meeting.

### **Bylaw 10—District AMPA Delegation**

Provincial OSSTF determines the number of AMPA Delegates for each Bargaining Unit.

Each Bargaining Unit is individually responsible for selecting its delegates as governed by its own Bylaws.

The number of alternates will be distributed between the Bargaining Units in the same proportion as the number of delegates.

### **Bylaw 11—Amendments to the Bylaws**

Proposed amendments to the Bylaws must be consistent with both the Provincial OSSTF Constitution and Bylaws and the District 19 Constitution.

Proposed amendments that give due notice of motion require the support of the majority of members present and eligible to vote at a District General Meeting in order to be adopted.

Amendments to the Bylaws are considered to have given due notice of motion if the same criteria in Article 7 have been met.

Proposed amendments that do not give due notice of motion require the support of at least 2/3 of the members present and eligible to vote at a District General Meeting in order to be adopted.



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### **Bylaw 12—Amendments to the Procedures**

Proposed amendments to the District Procedures must be consistent with both the Constitution and Bylaws of Provincial OSSTF and the District 19 Constitution and Bylaws.

The requirements for adopting a proposed amendments to the Procedures and due notice of motion are the same as those that apply in Bylaw 11.