

**ELEMENTARY TEACHERS' FEDERATION OF ONTARIO**  
**YORK REGION DISTRICT**  
**OCCASIONAL TEACHERS' LOCAL**  
**CONSTITUTION**

**DEFINITIONS**

In this Constitution:

1. "ETFO" shall mean the Elementary Teachers' Federation of Ontario.
2. "Local" shall mean the ETFO-YR-OT division of ETFO as defined in the Provincial Constitution Article XI.
3. "Federation" shall mean the Elementary Teachers of Ontario.
4. "Board" shall mean York Region District School Board.
5. "Constitution" shall mean those fundamental principles by which ETFO-YR-OT is governed as determined by the Assembly of York Region Occasional Teachers and updated annually on [www.etfo-yr-ot.ca](http://www.etfo-yr-ot.ca).
6. "Bylaws" shall mean those standing rules developed under the Constitution, determined by the Assembly.
7. "Policy" shall mean those matters of principle as determined by the Assembly.
8. "Annual Meeting" shall mean the annual meeting of ETFO.
9. "Local Annual General Meeting" shall mean any meeting of the ETFO-YR-OT membership convened hereunder.
10. "Member" shall mean any person as defined in Article IV of this constitution.
10. "Occasional Teacher" shall mean a teacher defined as such in The Education Act of Ontario.
12. "Executive" shall mean the executive officers as provided by Article VI of the constitution.
13. "Annual Report" shall mean the file of reports submitted by the secretary to the Annual General Meeting.

# CONSTITUTION

## **ARTICLE 1 - NAME OF ORGANIZATION**

- 1.1 The organization shall be known as the  
**ELEMENTARY TEACHERS' FEDERATION OF ONTARIO, YORK  
REGION  
OCCASIONAL TEACHERS' LOCAL**  
Hereafter referred to as  
**ETFO-YR-OT**

## **ARTICLE II - AFFILIATION**

- 2.1 ETFO-YR-OT Local is a member of the Elementary Teachers' Federation of Ontario (ETFO).
- 2.2 The boundary of ETFO-YR-OT is coterminous with the York Region District School Board.

## **ARTICLE III - OBJECTS**

The objects of ETFO-YR-OT shall be:

- 3.1 to represent all members of ETFO-YR-OT;
- 3.2 to secure, through collective bargaining, the best possible terms and conditions of employment for its members;
- 3.3 to advance the cause of education and the status of occasional teachers in the Local;
- 3.4 to promote a high standard of professional ethics and competence;
- 3.5 to foster a climate of social justice and provide a leadership role in such areas as anti-poverty, non-violence and equity;
- 3.6 to promote and protect the interest of all members of the Local and the students in their care;
- 3.7 to co-operate with other organizations having the same or like objects;

## **ARTICLE IV - MEMBERSHIP**

### **Section 1- Active Membership**

- 4.1 Active members shall be all members of ETFO within the jurisdiction of the ETFO-YR-OT Local.

### **Section 2 - Associate Membership**

- 4.2.1 Associate members of the ETFO-YR-OT are those members: whose applications have been approved by the Local Executive and Provincial Executives and who have paid the annual fee in accordance with the Federation Bylaws.
- 4.2.2 Eligibility for associate membership in ETFO-YR-OT is as defined in article 4.2.3 of the Federation Constitution.

## **ARTICLE V - RIGHTS AND PRIVILEGES OF MEMBERSHIP**

### **Section 1 - Rights and Privileges of Active Membership**

- 5.1 An active member shall have full rights, privileges and responsibilities of membership in the Federation unless limited by disciplinary action taken in accordance with Article VII of the Federation Constitution.
- 5.1.2 The rights of an active member shall be:
- a) to hold office in the Local and the Federation;
  - b) to attend general meetings of the Local and the Federation if delegated;
  - c) to participate in the vote on the preliminary submission in the collective bargaining process;
  - d) to participate in all votes related to collective bargaining as set out in the Ontario Labour Relations Act;
  - e) to participate in any general membership votes;
  - f) to request Local support in the grievance process;
  - g) to request Local support in any problem directly related to professional duties.

## **Section 2 - Rights and Privileges of Associate Membership as defined in the Federation Constitution 4.2.1**

5.2.1 An associate member may:

- a) attend Local meetings in a non-voting capacity by invitation;
- b) receive such Local communications as the Local decides;
- c) serve on Local committees and work groups as the Local decides.

## **ARTICLE VI - LOCAL ORGANIZATION**

### **Section 1 - Local Executive**

6.1.1 The Local Executive shall include the following positions:

- a) President;
- b) Immediate Past President, where the most recent president chooses to continue to serve in an Executive capacity.
- c) the equivalent of one full-time Vice President;
- d) Secretary;
- e) Treasurer;
- f) 5 Executive Members;
- g) Health and Safety Officer;
- h) A non-voting member may be appointed by each of the other Federation Locals whose members are employed by the York Region District School Board.

6.1.2 The Executive of the Local shall be elected at the Annual Meeting, except for the Health & Safety Officer, who shall be appointed by the executive at their first meeting, or by either electronic or telephone consultation and vote. Said appointee may hold another position in the executive.

6.1.3 The term of office for the Executive shall be for two years from July 1 until the subsequent June 30, or until a successor is appointed by the executive or elected by the membership.

6.1.4 The Executive shall take office on July 1.

6.1.5 A quorum for an Executive meeting shall be the majority of the Executive.

## **Section 2 - Committees**

6.2.1 There shall be the following Standing Committees:

Professional Learning  
Awards/Annual Dinner  
Political Action  
Status of Women  
Human Rights

6.2.2 Other ad hoc committees required to carry out the work of the Local may be established by the Executive or by general meetings as necessary.

## **ARTICLE VII - ORGANIZATIONAL DUTIES**

**The Local, its officers and committees, shall carry out their duties and responsibilities in accordance with both the Local and ETFO policies, procedures and resolutions passed at the Annual Meeting.**

### **SECTION 1 - Duties of the Executive**

#### **THE EXECUTIVE SHALL:**

- 7.1.1 uphold the constitution, bylaws and policies of the Elementary Teachers' Federation of Ontario and the Local;
- 7.1.2 execute the business of ETFO-YR-OT local in accordance with the constitution and the decisions of general meetings of ETFO-YR-OT local;
- 7.1.3 hold at least 6 regular Executive Meetings annually;
- 7.1.4 hold an Executive meeting at the call of the President;
- 7.1.5 receive a financial report at each Executive meeting;
- 7.1.6 forward to the provincial office by September 30 of each year the July 1 to June 30 audited financial statement;
- 7.1.7 forward to the provincial office each year the annual report of the Local;
- 7.1.8 appoint the Health and Safety Officer at their September meeting;
- 7.1.9 appoint members and develop terms of reference for ad hoc committees;
- 7.1.10 appoint at least 3 authorized signing officers of the Local, 2 signatures required on each cheque;
- 7.1.11 appoint when necessary a successor to complete any unexpired term of an elected

- or appointed Local representative;
- 7.1.12 recommend the appointment of auditors to the Annual Meeting of the Local;
- 7.1.13 develop investment policy;
- 7.1.14 to communicate its actions regularly to the members of the Local;
- 7.1.15 to maintain liaison with the other ETFO Locals;
- 7.1.16 to develop an annual budget for presentation to the Annual Meeting;

## **SECTION 2 - Duties of Officers**

7.2.1 The duties of the President shall be:

- a) to be spokesperson for the Local;
- b) to be the official representative of the Local and its members;
- c) to be one of the signing officers;
- d) to be an ex-officio member of all committees;
- e) to preside at meetings of the Executive;
- f) to inform and advise members on issues concerning the Federation, the Local and education;
- g) transact the business of the Local between Executive meetings subject to ratification by the Executive;
- h) any other additional duties as necessary.

7.2.2 The duties of the Vice President shall be:

- a) assume the duties, and responsibilities of the President in the President's absence or at the request of the President;
- b) to be one of the Signing Officers;
- c) any other additional duties as necessary.

7.2.3 The duties of the Secretary shall be:

- a) to maintain accurate records of all meetings of the Local;
- b) to prepare and circulate minutes of Executive and General meetings;
- c) to forward the annual report of the Local to the provincial office of the Federation by September 30;
- d) To be one of the Signing Officers.

7.2.4 The duties of the Treasurer shall be:

- a) to keep accurate and detailed financial records of the ETFO-YR-OT Local based on the Local fiscal year - July 1 to June 30;
- b) to make a financial report to each Executive and general meeting of the Local;
- c) to make investments with the approval of the Executive;
- d) to report investments during each financial report;
- e) to ensure the audit is completed;

- f) to forward the annual audited financial statement of ETFO-YR-OT to the provincial office of the Federation by September 30;
- g) To be one of the Signing Officers.

7.2.5 The duties of the Health and Safety Officer shall be:

- a) to operate in accordance with the Health & Safety Committee Guidelines and the Health & Safety Act;
- b) to be a member of the Joint Occupation Health & Safety Committee

7.2.6 The duties of the Chairperson of each standing committee shall be:

- a) convening meetings as outlined in the respective terms of reference of that committee;
- b) submitting to the Executive written minutes of each committee meeting as soon as possible;
- c) submitting a report to the Annual General Meeting and such report shall relate the work of the committee to the objectives established for that committee for its period of tenure, and shall also recommend objectives for the next year in conjunction with its budget request;
- d) submitting the above report to the Secretary for inclusion in the annual Report by April 15th;
- e) to provide the members information about ETFO programs, workshops and conferences available to ETFO-YR OT members by posting the information and related links on the ETFO-YR OT website.
- f) to coordinate efforts to assist the executive in ensuring ETFO-YR-OT participation in ETFO programs.

## **ARTICLE VIII - MEETINGS**

### **Section 1 - General Meetings**

- 8.1.1 A quorum for General Meetings shall be those members in attendance and eligible to vote.
- 8.1.2 The official authority for conducting all Local meetings shall be the current Roberts Rules of Order.
- 8.1.3 General Meetings of the membership may be held as determined by the Local Executive, or on the written request of 10% of the membership.
- 8.1.4 The ETFO Human Rights Statement shall be read prior to the commencement of all local Federation activities. One or two representatives shall be designated to act as contacts at each local function in the event that a member has a complaint of harassment or discrimination.

## **Section 2 - Local Annual General Meeting**

- 8.2.1 An Annual General Meeting of the members of ETFO-YR-OT shall be held before May 31st.
- 8.2.2 The Annual Meeting shall:
- a) receive the annual reports of the officers and committees of the Local;
  - b) in an election year, elect the officers for the next 2 year term;
  - c) elect delegates and alternates to attend ETFO Annual General Meeting;
  - d) approve the budget for the year;
  - e) appoint the auditor;
  - f) receive the financial statements as certified by the auditors;
  - g) approve any constitutional amendments.

## **SECTION 3 - Principles Governing Discipline at Meetings**

- 8.3.1 A Local Executive Member may remove a member from a meeting for an alleged violation of the ETFO Human Rights Statement until such time as an investigation can take place.
- 8.3.2 Locals have authority under Robert's Rules of Order to remove a member from a local meeting, if the circumstances warranted such action.

## **ARTICLE IX - ELECTIONS**

- 9.1.1 Nominations may be submitted from the floor only for positions for which there are fewer than the requested number of candidates.
- 9.1.2 Members may submit nominations for all offices in writing and these shall be received by the ETFO-YR-OT office on or before 20 working days prior to the Annual Meeting.
- 9.1.2.1 To stand for the office of President, Vice-President or Treasurer, a candidate must have served on the ETFO-YR OT Local Executive within the last 6 years.
- 9.1.2.2 If no candidate for the office of President, Vice-President or Treasurer meets the requirements under 9.1.2.1, any member in good standing may stand for that office.
- 9.1.3 Those nominations shall be forwarded to the membership via email.
- 9.1.4 Nominees for election will be introduced to the members during the Annual Meeting.
- 9.1.5 Nominees for each office shall be invited to address the Annual Meeting.



- 9.1.6 The Executive of ETFO-YR-OT shall be elected at the Local Annual Meeting.
- 9.1.7 All elections shall be determined by secret ballot.
- 9.1.8 Each candidate may appoint one scrutineer to observe the counting of the ballots for that candidate's election.
- 9.1.9 To be declared successful a candidate for President, Vice President or Secretary or Treasurer must obtain a majority of the ballots cast.
- 9.1.10 A candidate for any other elected position will be declared elected in rank order of votes cast.
- 9.1.11 An unsuccessful candidate may seek another position on the executive for which the member is eligible by dropping down.
- 9.1.12 The ballots will be destroyed by the motion of the Annual Meeting immediately following the elections.

## **ARTICLE X - DELEGATES TO THE ETFO ANNUAL MEETING**

- 10.1 An active member, in good standing of the ETFO-YR-OT may be nominated as a delegate to the ETFO Annual Meeting.
- 10.2 The assembly delegates shall include the president and the vice president and the outgoing president, if there is one, and the outgoing vice president, if there is one.
- 10.3 Delegates and alternates will be elected at a Local Annual Meeting to attend in addition to those stated in 10.2. Excepting 10.2, selection as Delegate or Alternate shall be based upon election results, with Delegates chosen, and then Alternates, in descending order of votes cast, from highest to lowest total.
- 10.4 Nominations may be submitted from the floor only if there are fewer than the required number of Delegates and Alternates.
- 10.5.a If a member with less than five (5) years teaching experience since graduation from a faculty of education is nominated, he/she shall be guaranteed a position as an alternate or delegate. The vote totals will decide which position said member will occupy.
- 10.5.b If more than one (1) member as per 10.4.a is nominated, the member with the greatest vote shall be guaranteed the position as outlined in 10.4.a, while the other member(s) may be elected as in 10.3.
- 10.5.c A member may only use the method described in 10.4.a to be selected as a

delegate or alternate once.

- 10.6 The number of alternates to be sent to the ETFO Annual General Meeting shall not exceed forty percent (40%) of the number of delegates the Local is permitted to send (rounded to the nearest whole number).
- 10.7 The outgoing and incoming Presidents of the Local shall collaborate to fill any vacancies that arise in the list of Delegates and Alternates for the ETFO Annual Meeting.

## **ARTICLE XI - RESOLUTIONS TO THE ETFO ANNUAL MEETING**

- 11.1 Resolutions to be forwarded to the ETFO Annual Meeting by this Local must meet the requirements for motions as established by ETFO.

## **ARTICLE XII - AMENDMENTS TO THE LOCAL CONSTITUTION**

- 12.1 Proposed amendments to the Local Constitution must be submitted in writing to the Executive at least fifteen days prior to the Annual Meeting.
- 12.2 The Executive shall publish on its website all proposed amendments to the general membership at least ten days prior to the meeting.
- 12.3 The Constitution shall be amended if two-thirds (2/3) of the members present at the Annual Meeting vote in favour of the proposed amendment(s).
- 12.4 Amendments will become effective on July 1<sup>st</sup> immediately following the Annual Meeting, which approved such amendments.

## **ARTICLE XIII - BYLAWS**

- 13.1 A General Meeting shall have the power to enact such by-laws under and in accordance with the Terms of this constitution by majority vote.
- 13.2 A General Meeting shall have the power to amend or repeal, by majority vote, any by-law enacted under the terms of this Constitution.

## **ARTICLE XIV - INTERPRETATION**

- 14.1 Nothing in this Constitution, nor any By-Laws enacted hereunder, shall be interpreted in a manner inconsistent with the Constitution and By-Laws of the

ETFO, nor in a manner prejudicial to the best interests of the Federation, as determined by the Provincial Executive.

## **ARTICLE XV - FINANCES**

- 15.1 The Executive of the Local shall develop a financial policy.
- 15.2 All financial transactions shall be signed by two signing officers.
- 15.3 The fiscal year for ETFO-YR-OT local shall be the period from July 1 of one calendar year to June 30 of the succeeding calendar year.

## **ARTICLE XVI - FEES**

- 16.1 Each member shall pay annual fees as prescribed by the Bylaws of ETFO.
  - 16.2 The method of payment of the annual fee shall be as set out in the collective agreement between ETFO-YR-OT and the York Region District School Board.
  - 16.3 A levy amount may be established by the membership at the Annual General Meeting.
- 16 The method of payment of the levy shall be set out annually in a letter of agreement with the York Region District School Board.

## **ARTICLE XVII - PROFESSIONAL CONDUCT**

- 17.1 Members of ETFO-YR-OT shall conduct themselves with due regard to the honour and dignity of the Teaching Profession and shall be bound by the Teaching Profession Act.

## **BY-LAW 1 EXPENSES**

- 1 Expense items for which the Local shall reimburse when a member is involved in the Local business:
  - a) Return transportation from residence at a rate equivalent to the higher of ETFO's or YRDSB's mileage rate;
  - b) Necessary meals;
  - c) Taxi fares;
  - d) Customary gratuities;
  - e) Loss of salary;
  - f) Child and dependent adult care expenses, as per policy;
  - g) Accommodation when necessary, at the applicable single rate;
  - h) Any other expenses incurred.
- 2 A receipt shall be submitted with each claim for expenses.

## **BY-LAW 2 RELEASE TIME**

- 2 (a) The President remuneration not be greater than the number of days in a school year (194 at LTO rate) and not greater than the number of days of release time provided by the ETFO provincial based on the Local's FTE.
- 2 (b) The Vice President remuneration not be greater than the number of days in a school year (194 at LTO rate).
- 2 (c) The Treasurer be given two (2) days of release time per month (24 days per year) to perform her/his duties for the Local, reimbursement to be at the current Short Term (Daily) rate.

## **BY-LAW 3 LEVY**

- 3 (a) Each member shall pay dues of \$1 per pay-cheque to ETFO-YR-OT.
- 3 (b) The method of payment of the dues shall be as set out in an agreement between the Local and the Board.

## **BY-LAW 4 FINANCES**

- 4 (a) Expenditures of monies in excess of \$150.00 require approval at an Executive Meeting with the exception of the expenses for special events and items included in the budget.
- 4 (b) Financial statements shall be presented at regular Executive Meeting during the year.
- 4 (c) An audited financial statement shall be presented to the general membership at the General Meeting and a copy sent to the Provincial Federation Office in accordance with ETFO's requirements.
- 4 (d) A proposed budget for the next fiscal year shall be presented for approval at the Annual General Meeting.

## **BY-LAW 5 RESIGNATIONS**

- 5 (a) The office of any of the Executive, including committee chairpersons, shall be

considered vacated if notice is given in writing to the President indicating he/she wishes to resign.

- 5 (b) In the event of a vacancy, the Executive may appoint from the membership, a member to fill such vacancy until the next general meeting, or call a special general meeting of the membership for the purpose of electing a new member to the Executive to fill the vacancy.
- 5 (c) If an executive member or committee chair is absent from three (3) consecutive regular meetings of the executive, the executive may remove said member from their position(s), and fill the vacancy as per 5 (b) above.

## **BY-LAW 6 LOCAL OFFICE**

- 6 (a) The Local Office shall be maintained at a location approved by the Executive.
- 6 (b) The Local pay all costs of maintaining an office to conduct the business of the Local.