



**Dufferin-Peel Occasional Teachers' Bargaining Unit
of the Ontario English Catholic Teachers' Association**

BY-LAWS & PROCEDURES

2009 - 2010

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A. BY-LAWS

ARTICLE I – O. T. BARGAINING UNIT ORGANIZATION

Section A – Bargaining Unit

The name of the bargaining unit shall be the Dufferin-Peel Occasional Teachers' Bargaining Unit of the Ontario English Catholic Teachers' Association.

Section B – Membership

The O. T. Bargaining Unit (OTBU) shall consist of all elementary and secondary occasional teachers employed by the Dufferin-Peel Catholic District School Board who are in good standing with the Ontario College of Teachers.

Section C – Rights and Privileges of Membership

1. A member shall have full rights, privileges and responsibilities of membership in the O. T. Bargaining Unit (OTBU) as any OECTA member.
2. The rights of a member shall be:
 - a) to hold office in the O.T. Bargaining Unit;
 - b) to attend General Meetings of the OTBU and the corresponding panel of the Unit in which you teach;
 - c) to vote at the corresponding panel Elementary/Secondary Unit's General Meetings, except on issues pertaining to collective bargaining;
 - d) to participate in the vote on the OTBU's preliminary proposals in the collective bargaining process;
 - e) to participate in all votes related to the OTBU's collective bargaining as set out in the Ontario Labour Relations Act;
 - f) to participate in any general membership votes;
 - g) to request OTBU support in the grievance process;
 - h) to request OTBU support in any problem directly related to professional duties and employment related matters.

Section D – O. T. Bargaining Unit Executive

1. The Executive of the O.T. Bargaining Unit shall consist of:
 - President
 - Vice-President
 - Treasurer
 - Recording Secretary
 - Councillors – maximum of four (4) and
 - Past President, if applicable

It shall also consist of a communication officer as a non-voting member, when decided upon by the Executive.

Section E – Duties of the Executive

The duties of the O. T. Bargaining Unit Executive shall be:

1. to promote the interests of the Association and the Occasional Teachers;
2. to establish collective bargaining proposals;
3. to oversee the selection of a negotiations committee and the negotiations;
4. to oversee the maintenance of the collective agreement;
5. to hold at least three (3) general meetings each year, to set the agenda, and to attend all general meetings;
6. to give notice of meetings to members at least ten (10) days prior, except in the case of ratification or emergency meetings;
7. to hold a maximum of five (5) executive meetings each year, and to attend all executive meetings;
8. to uphold the implementation of executive decisions;
9. to appoint local committee and members at the first executive meeting after taking office, whenever possible;
10. to fill vacancies in the membership of the OTBU Executive;
11. to have the proposed budget approved by the membership prior to October 31st of each year;
12. to have the proposed levy approved by the membership prior to June 30th of each year;
13. to present local budget and financial statements to the membership at the last general meeting of the year;
14. to authorize and approve local expenses;
15. to receive committee reports and take whatever action it deems necessary;
16. to notify the school Board, through the President, the results of the ratification vote;
17. to choose the delegates to the Provincial Annual General Meeting (AGM) and to other Provincial conferences;
18. to provide information to the membership pertinent to Occasional Teachers;
19. to communicate and co-operate with the Elementary and Secondary Unit Presidents;
20. to represent the OTBU and its members at Board meetings;
21. to conduct any other business as determined by the Executive or membership;
22. to act as liaison with the Provincial OECTA Executive when appropriate.

ARTICLE II – DUTIES OF OFFICERS

Section A – Duties of Elected Officers

PRESIDENT

It shall be the duty of the O. T. Bargaining Unit President:

- a) to promote the interests of the Association;
- b) to be the chief representative and spokesperson for the Local;
- c) to be one of the signing officers;
- d) to call general meetings, plan the agenda and preside thereat;
- e) to call executive meetings, plan the agenda and preside thereat;
- f) to inform and advise members of the OTBU on issues concerning the Association;
- g) to attend committee meetings with the Board representatives;
- h) to attend the Provincial OECTA Annual General Meeting (AGM);
- i) to be responsible for submitting to the Unit Presidents a list of occasional teacher delegates for AGM, by panel, based on the previous year's FTEs;
- j) to attend the Council of Presidents as an observer and to report any pertinent information to the Executive;
- k) by virtue of office, the President is a (active or non-active) member of all committees, work groups, networks and project teams.

PAST PRESIDENT

It shall be the duty of the Past President to be advisor to the President.

The Past President must be employed as an Occasional Teacher with the Dufferin-Peel Catholic District School Board, will be ex-officio to the Occasional Teachers' Bargaining Unit Executive, and will have no voting privileges.

VICE-PRESIDENT

It shall be the duty of the O. T. Bargaining Unit Vice-President:

- a) to assist the President in her/his duties;
- b) in the absence of the President, to perform all of her/his duties;
- c) to share with the President the responsibility of attending committee meetings;
- d) to be responsible for additional duties as assigned by the President;
- e) to call a general meeting of the O.T. Bargaining Unit, if the President fails to do so;
- f) to be an alternate signing officer for the OTBU's bank account;
- g) to fulfill the job description endorsed by the Executive.

TREASURER

It shall be the duty of the O. T. Bargaining Unit Treasurer:

- a) to receive and acknowledge all money from the Provincial treasury through the Elementary Unit and from the Board regarding the Occasional Teacher Bargaining Unit Levy;
- b) to deposit all funds in the name of the O.T. Bargaining Unit in a financial institution or in an accredited teachers' credit union chosen by the OTBU Executive;
- c) to keep all accurate and detailed account of all money received (Revenues) and spent (Expenditures);
- d) to be one of the signing officers for the OTBU's bank account;
- e) to pay all authorized accounts and expenses incurred by the Local;
- f) to present the OTBU Budget and Levy and any other known financial implication motions for approval to the membership at the first General Meeting of the year;
- g) to make investments with the approval of the Executive;
- h) to report investments during each financial report;
- i) to ensure that a Minutes binder be kept for all financial motions;
- j) to submit annually a detailed financial report (Revenues and Expenditures) and the books with all expense forms, receipts, bank statements, bank stubs, and all Executive and General Meetings' minutes to an auditor appointed by the Provincial Treasury.

RECORDING SECRETARY

It shall be the duty of the Recording Secretary:

- a) to record and keep on file the minutes of all Executive and General meetings;
- b) to forward copies of such minutes to the Executive and OTBU membership at the next meeting;
- c) to make all arrangements for the notices and labels to be sent out to the membership and for the conference room or auditorium to be used for the Executive and General meetings respectively;
- d) to call Executive officers to remind them of the meetings;
- e) to file and keep in order all the OTBU records;
- f) to file and keep all negotiation documents signed by the Board and OTBU representatives.

COUNCILLORS

It shall be the duty of the O. T. Bargaining Unit Councillors:

- a) to assist the OTBU Executive in its duties;
- b) to attend the Executive, General and Committee meetings;
- c) to record and keep on file any concerns brought to their attention by members;
- d) to call the President with members' inquiries that are urgent or that they may not have a response;
- e) to sit on at least one committee.

COMMUNICATION OFFICER

It shall be the duty of the communication officer:

- a) to promote and publicize the activities of the Association on the O. T. Bargaining Unit's website;
- b) to keep the OTBU's website up to date;
- c) to prepare General Meeting notices;
- d) to assist the President with publications when requested.

Section B – Removal from Office

1. Any Executive member who ceases to be a member of the O. T. Bargaining Unit shall be removed from office.
2. Any Executive member who fails to attend two (2) consecutive meetings shall be requested to provide reasons. If the explanation is not acceptable to the Executive, this person shall be required to resign.
3. Any member of the Executive who fails to perform the duties inherent to his/her office, may be removed from office by a two-thirds vote of the Executive, and written notice of such action shall be given to him/her.

ARTICLE III - ELECTIONS

1. The O.T. Bargaining Unit Executive shall be elected at a General Meeting to be held prior to June 30th of each year.
2. The officers of the O.T. Bargaining Unit Executive shall take office on July 1st of each year.
3. The term of office for President and Treasurer shall be two (2) years and until each of their successors is elected. All other Executive positions shall be one (1) year.
4.
 - i) To be eligible for election to the O.T. Bargaining Unit Executive a nominee shall be a member in good standing of the bargaining unit.
 - ii) To continue to hold office on the O.T. Bargaining Unit Executive, a member shall continue to be a member in good standing of the bargaining unit.

ARTICLE IV – COMMITTEES

The following are Board Committees:

- a) Collective Bargaining
- b) Staff Liaison
- c) Benefits
- d) Health & Safety
- e) Professional Development
- f) Access Dufferin- Peel (Ontario Disabilities Act)

The following are O. T. Bargaining Unit Committees:

- a) Collective Bargaining
- b) Finance
- c) Communications

ARTICLE V – DUTIES OF COMMITTEES

1. Recruitment of members to serve on the various committees shall be solicited annually on the web site and in the newsletters.
2. The committees shall take office after September 1st of each year of appointment.
3. The committee's members shall be responsible to the OTBU Executive.
4. Each committee listed in Article IV of the Dufferin-Peel Occasional Teachers' Bargaining Unit By-Laws and Procedures shall:
 - a) abide by the By-Laws and Procedures of the O. T. Bargaining Unit;
 - b) take action on any matter as directed by the President and/or Executive;
 - c) report to the Executive on all motions referred to it with respect to opinions, recommendations and actions to be taken;
 - d) keep a written record of all meetings;
 - e) prepare such Motions and/or Notices of Motions as required.

B. PROCEDURES:

PROCEDURE 1 – ELECTIONS

1. A Nomination form will be available on the OTBU's web site at least six (6) weeks before the elections. A copy will also be attached to the Winter Newsletter, if possible.
2. All candidates and nominators must be a member in good standing of the OTBU, and have worked a minimum of 75 days as occasional teachers with the Dufferin-Peel Catholic District School Board.
3. Each candidate shall include their profile of up to 200 words (eg: work history with Dufferin-Peel Board, related teaching experience, Association involvement).

4. The Nomination form, along with the profile, must be submitted to the Bargaining Unit office prior to the deadline date on the form.
5. The elections shall be held at the annual general meeting prior to June 30th.
6. Candidates must be present at the General Meeting for the elections.
7. The elections chairperson will announce those who have been nominated for the position(s) and have the slate posted. Each name will appear only once.
8. No additional nominations will be accepted from the floor for the posted positions, unless a position has no nominations.
9. The elections chairperson shall declare the candidate(s) for uncontested positions elected.
10. Each candidate for a contested position shall be given 2 minutes to address the members before the election, except for candidates for vice president who shall have a maximum of 3 minutes, president who shall have a maximum of 5 minutes.
11. The assembled members will be given the opportunity to ask questions of any of the candidates.
12. The elections, where necessary, shall be by secret ballot. Elections for each office shall be dealt with consecutively.
13. No advance voting shall be permitted.
14. At the General Meeting for the election of the Executive officers, all members of the OTBU in good standing are eligible to vote.
15. The elections chairperson shall oversee the counting of the ballots. Each candidate has the right to appoint two (2) scrutineers to oversee the counting of the ballots.
16. The elections chairperson shall announce for each contested position, the total number of ballots cast, the total number of spoiled ballots, and the total number of votes cast for each candidate. To be declared successful, a candidate must obtain a majority of the votes cast.
17. If two (2) candidates for a position receive the same number of votes, the voting shall be repeated for the position, as many times as necessary to obtain a clear result.

18. The elections chairperson shall ask the assembly, at the conclusion of the election procedure, for a motion to destroy the ballots.
19. The elections chairperson shall announce the members of the new executive.

PROCEDURE 2 – MEETINGS

1. A quorum at all meetings shall be fifty per cent of the members within one-half hour after the announced time of the meeting.
2. Robert's Rules of Order shall be used at all O. T. Bargaining Unit meetings where they are not inconsistent with the Provincial constitution, or any special rules of order the OTBU may adopt.

PROCEDURE 3 – DUTIES OF THE COMMITTEES

Collective Bargaining Committee

1. It shall consist of the OTBU President, Vice-President and two (2) OTBU representatives from both the elementary and secondary membership, whenever possible, appointed by the OTBU Executive.
2. The Chief Negotiator shall be appointed by the OTBU's Collective Bargaining team and OECTA Provincial's assigned secretariat.
3. It shall be familiar with the present Collective Agreement, the OECTA Bargaining Procedures and Policies as outlined in the Provincial Handbook, and research all information pertinent to conditions of service and teacher employment.
4. It shall be responsible for soliciting input from the members at a General Meeting and surveying the membership for priorities in establishing collective bargaining proposals.
5. It shall draft proposals and present rationale to the OTBU Executive for approval.
6. By May 1st of the year the Collective Agreement expires, the President shall remind the OECTA Provincial's appointed Collective Bargaining secretariat to send a letter of their intent to negotiate to the Superintendent of Employee Relations at the Board.

7. The President shall give OECTA Provincial's appointed Collective Bargaining Department secretariat a copy of the initial proposals for approval.
8. It shall present the proposals to the Executive for approval prior to presentation to the membership.
9. An information meeting shall be called by the President to present and discuss the initial proposals with the members for approval.
10. The President shall give OECTA Provincial's appointed Collective Bargaining Department secretariat a copy of the revised proposals for approval.
11. The Board will inform OECTA Provincial's appointed Collective Bargaining Department secretariat with possible meeting dates.
12. It shall inform the OTBU Executive at their Executive meetings as to the progress of negotiations.
13. It shall present to the OTBU Executive recommendations regarding a tentative settlement, sanctions or conclusion of the negotiating process.
14. Once a Tentative Settlement has been reached, the President will call a General Meeting for information and a ratification vote.
15. The President shall inform the Board and OECTA Provincial of the results of the ratification vote.

Staff Liaison Committee

1. It shall consist of four (4) OTBU representatives: President, Vice-President and two (2) representatives from both the elementary and secondary membership, whenever possible.
2. It shall attend at least five (5) meetings each year with the Board representatives from the Employee Relations and Teacher Personnel Departments.
3. It shall advise the Board representatives of any occasional teachers' and/or OTBU issues and concerns in hopes of resolving them.
4. It shall report to the OTBU Executive and membership.
5. It shall keep the minutes of the meetings on file.

Health & Safety Committee

1. It shall consist of two (2) Local representatives – a representative and an alternate.
2. The Local Executive shall select the two (2) Health & Safety representatives.
3. The committee representation should have a balance of new and experienced members, if possible.
4. The representative shall attend the Elementary Joint Health & Safety Committee meetings.
5. It shall monitor the health and safety standards according to the Occupational Health and Safety Act and Regulations.
6. The representative shall advise the Elementary Joint Health & Safety Committee of any occasional teachers/Bargaining Unit concerns.
7. It shall advise the OTBU Executive of the current Health & Safety issues and concerns.
8. It shall keep the minutes of the current and previous year's meetings on file.
9. The President shall receive all meeting minutes from the Secondary Joint Health & Safety Committee. The President shall keep them on file.

Professional Development Committee

1. It shall consist of the OTBU President and three (3) volunteers from both the elementary and secondary membership and the Board's representatives, whenever possible.
2. The committee, together with the Board representatives, shall endeavour to facilitate a program that shall benefit and suit the needs of the members of the OTBU.
3. It shall decide on the place, the day, the program and the funds required for the OTBU's Professional Development Day.
4. It shall ensure that notices/registration forms for the Professional Development Day are mailed to all members.

5. It shall keep the minutes and information obtained on file.

Finance Committee

1. It shall consist of the OTBU Executive and three (3) Local representatives from both the elementary and secondary membership, whenever possible.
2. It shall make recommendations to the OTBU Executive in regard to financial policies and procedures for the O.T. Bargaining Unit.
3. In addition to the President and the Treasurer, the Vice-President shall have signing privileges as two signatures are required on cheques.
4. It shall assist the OTBU Treasurer in preparing the proposed budget in making recommendations about the OTBU Levy, the President's and Vice-President's release time.
5. It shall recommend the levy amount to the Executive. Any changes to the levy amount will be voted on by the members present at the General Meeting. The Board will deposit all levy monies directly into the OTBU's bank account.
6. It shall establish a reserve fund that will be administered by the Executive for the O. T. Bargaining Unit.
7. It shall make recommendations regarding investments.
8. It shall meet a maximum of five (5) times per year to prepare the balanced budget, review financial position of the OTBU, and to make recommendations for the next financial year (ie: O.T. Bargaining Unit Levy).
9. It shall assist the OTBU Treasurer in submitting the budget financial information and receipts to OECTA Provincial's selected auditor.

Communications Committee

1. It shall consist of the Webmaster, OTBU Executive and any other OTBU members who would like to contribute articles for publication.
2. It shall communicate all general meeting notices to the OTBU membership.
3. It shall keep website up-to-date with current and pertinent information.
4. The OTBU Executive shall have editorial control of all publications.

PROCEDURE 4 – DELEGATES TO THE ANNUAL GENERAL MEETING

The supreme decision-making body of O.E.C.T.A. is the Annual General Meeting (AGM). It is this assembly which makes the policies by which the members are governed. Therefore, the Local has the responsibility to select the best possible delegates to represent its occasional teacher membership as part of the Dufferin-Peel Elementary and Secondary Units delegation at the AGM. It is strongly recommended that the following guidelines be observed.

1. The selection of delegates must follow the guidelines set out in the Provincial O.E.C.T.A. Handbook. Delegates will be selected in the following order of priorities:
 - a) President
 - b) Executive Members
 - c) Committee Members
 - d) Members-at-large
2. The number of delegates representing the O. T. Bargaining Unit at the AGM is based on the FTEs calculated by the O.E.C.T.A. Provincial as of June 30th of the previous year. Delegates generated by the 75:1 formula over and above the President. Provincial O.E.C.T.A. will indicate the number of elementary occasional teachers and secondary occasional teachers able to attend. The occasional teachers working in the elementary panel will be chosen to represent the elementary FTEs and the occasional teachers working in the secondary panel will be chosen to represent the secondary FTEs. The President may choose to be an elementary or secondary delegate.
3. The President will obtain the application forms with deadline dates from the appropriate units.
4. The President shall forward the names of the occasional teacher delegates' applications to the appropriate unit by the deadline dates.
5. The appointed delegates will be contacted by the designated unit President regarding AGM information sessions to acquaint them with their responsibilities.
6. All delegates are obliged to attend Pre-AGM meetings and to participate in any activities as required by the President or head of the Unit's delegation.
7. It is the delegates' responsibility to submit their claims and required receipts within 60 days after the AGM in order to receive reimbursement.

PROCEDURE 5 – FINANCES

1. All expenses shall be paid in accordance with the Provincial Handbook.
2. The Unit Executive shall receive and control all finances.
3.
 - a) Mileage will be paid to committee/Executive members for all authorized committee meetings and OTBU business, not including OTBU General Meetings. To claim mileage, an expense form must be submitted to the Treasurer.
 - b) Mileage will be calculated as per Provincial Handbook based on the Board’s mileage chart.
 - c) All claims, other than mileage, must be accompanied by the appropriate receipt(s).
 - d) All claims will be paid on a monthly basis.
 - e) No claims submitted after June 30th of the current year will be paid.
4. Expenses will be paid by the OTBU Treasurer or other authorized signatories.
5. The OTBU Executive and Communications Officer will receive a responsibility allowance. The Executive may determine an honorarium to any other person servicing the O.T. Bargaining Unit.
6. The President shall have release time based on the June 30th audited FTEs determined by OECTA Provincial (Procedure 4.10.1.4) and the amount of release time shall be according to the following scale (Procedure 4.11.2.1.1):

FTEs	Percentage of Release Time
0 – 49	25
50 – 476	75
477 – 762	100
763 – 1000	125

For FTEs greater than 1000 see Procedure 4.11.2.1.1. The release time paid by Provincial shall be according to Procedure 4.11.4 in the OECTA Provincial Handbook. The remainder will be paid by the OTBU from fee returns and/or levy. Payment shall be based on the local casual daily rate.

7. The Vice-President shall be released to assist the President as needed to work on OTBU business during regular school hours. Payment shall be based on the local casual daily rate.

8. The Occasional Teacher Bargaining Unit Levy must be approved by the membership at a general meeting.
9. All financial implications must be presented to the membership as motions for approval.

PROCEDURE 6 – MISCELLANEOUS

Any item or matter of business not explicitly covered or interpreted by these By-Laws shall be within the jurisdiction of the OTBU Executive.

PROCEDURE 7 – AMENDMENTS TO BY-LAWS & PROCEDURES

These By-Laws & Procedures may be amended, established, rescinded or suspended by a two-thirds (2/3) vote of the members present at a general meeting provided notice of proposed amendment has been distributed to the members at least ten (10) calendar days prior to the general meeting and a nine-tenths (9/10) majority of the Executive, subject to ratification at the general meeting.

