

**CONSTITUTION
D3
PSSP BU
2012**

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OSSTF PSSP District 3 Bargaining Unit
CONSTITUTION and BYLAWS

Article 1 - Name

1.1 The name of this organization shall be the “PSSP Bargaining Unit of District 3.”

Article 2 - Definitions

2.1 “O.S.S.T.F.” shall mean the “Ontario Secondary School Teachers’ Federation”.

2.2 “Bargaining Unit” shall mean the Professional Student Support Services Personnel employees known as PSSP staff which is the O.S.S.T.F. organization of those members for whom O.S.S.T.F. holds bargaining rights under the appropriate legislation.

2.3 “District” shall mean Rainbow District 3, of O.S.S.T.F., unless otherwise stated.

2.4 “Member” shall mean an active or member in good standing who is employed by the Rainbow District School Board.

2.5 “Executive Meeting” shall mean a meeting of the elected Executive of the Bargaining Unit membership to conduct the current business of the unit

2.6 “General Meeting” shall mean a meeting of the Bargaining Unit membership to conduct the business of the unit.

2.7 The “Annual General Meeting” shall mean the Spring General Meeting of the Bargaining Unit that is held in May of each year to conduct the business of the Unit, to recognize the retirees and to give reports from the elected Executive members.

2.8 “By-laws” shall mean the standing rules governing the membership of the Bargaining Unit made under this Constitution on matters of internal regulation and matters which are entirely within the control of the Bargaining Unit.

2.9 “Constitution” shall mean a system of fundamental principles by which the Bargaining Unit and includes a basic organization of the Bargaining Unit.

2.10 “Policy” shall mean a stand or position taken by the Bargaining Unit in accordance with its By-laws on matters whose resolution is beyond the internal legislative power of the Bargaining Unit.

2.11 “Procedures” shall mean detailed rules established by the Bargaining Unit Executive to govern the “day-to-day” operation of the Bargaining Unit which are consistent with the constitution, by-laws, and policy.

2.12 “Immediate Past President” - for the purpose of interpretation of the Constitution and By-laws, the “Immediate Past President” shall be the person who held the position of President in the year immediately prior to the year in which the person became “Immediate Past President”.

2.13 “Area Representative” shall mean a member of the Bargaining Unit who has been elected to represent one of each of the job classifications not represented by the Bargaining Unit Executive.

Article 3 - Objects

3.1 The objects of the Bargaining Unit shall be as specified in Article 3 of the Provincial OSSTF Constitution.

Article 4 - Membership

4.1 Membership shall consist of active PSSP members as defined in Bylaw 2 of the Provincial OSSTF Constitution who are employed within the boundaries of the District.

Article 5 - Fees

5.1 The annual dues for every member shall be as prescribed in the Bylaws of the OSSTF.

5.2 The annual levy for every member to the District shall be according to the Bylaws of the District.

5.3 Method of payment of all dues and levies shall be prescribed in the Collective Agreement.

Article 6 - Organization

6.1 There shall be an Executive consisting of the following **6 positions**: President, Vice-President, Chief Negotiator, Treasurer, Grievance Officer and Secretary. In addition, there will be room for up to one elected representative from each job classification who is not currently on the Bargaining Unit Executive. The goal is to have 1 representative from each classification on the District Executive. These classification representatives

will overlap in duties if they are elected to hold any of the **6 executive positions.**

6.2 The Executive shall be elected at the Spring Annual General Meeting of the Bargaining Unit.

Article 7 - Duties of the Executive

7.1 It shall be the duty of the Executive:

- a) to administer the business of the Bargaining Unit between Annual Meetings;
- b) to establish interim policies and to amend existing policies in order to facilitate the business of the Unit, and to present those interim policies and amendments for ratification at the Annual meeting;
- c) to communicate regularly to Unit Members regarding the management of Unit business;
- d) to fulfill all financial and other obligations of a Bargaining Unit under Bylaw 23 of the Provincial OSSTF Handbook;
- e) to prepare a projected budget for presentation to the General Membership meetings as required;
- f) to give final approval to the Unit's negotiating brief;
- g) to call a General Meeting(s) when necessary for the purpose of ratifying a new collective agreement;
- h) to circulate a copy or summary of a tentative agreement to members at least 24 hours in advance of the ratification meeting.
- i) to conduct a vote by secret ballot at the ratification meeting.
- j) to have the President or designate represent the Bargaining Unit at all meetings of District 3.

Article 8 – General Membership Meetings

8.1 There shall be 2 General Meetings of the membership held on the 3rd Wednesday of November (Fall Annual General Meeting) and on the 3rd Wednesday of May (Spring Annual General Meeting) at 4:00 p.m.

8.2 Other General meetings may be called by the President, provided that all members have been given at least five school days notice.

8.3 The President shall notify the Membership that a General Meeting has been called upon receiving a written request signed by at least 2 Members.

8.4 The time and place of General meetings shall be determined by the Executive.

8.5 Quorum for a General Meeting shall consist of those present and voting.

8.6 The following positions shall be elected at the Spring Annual General Meeting every second year beginning 2009:

- a) President (odd years)
- b) Vice President (even years)
- c) Secretary (odd years)
- d) Treasurer (even years)
- e) Chief Negotiator (odd years)
- f) Grievance Officer (even years)
- g) Member of the Bargaining Committee (need representation from Speech Language Pathology, Psychology and Attendance Counselors, Aboriginal Support Worker optimally) – (term is length of contract)
- h) Status of Women Representative (yearly for following school year)
- i) Political Action Representative (yearly for following school year)
- j) Excellence in Education Representative (yearly for following school year)
- k) Public Relations Representative (yearly for following school year)
- l) Human Rights Representative (yearly for following school year)
- m) Health & Safety Representative (yearly for following school year)
- n) bargaining Unit Classification representatives who do not hold a)-f) above (yearly for following school year)
- o) AMPA DELEGATE: at this time the province allows one eligible attendee at AMPA. This person is the president of the unit. Should membership increase so that additional delegates can attend AMPA, this delegate will be elected at the Fall membership meeting.

8.61 Vacant positions can be elected annually. Interim vacancies can be filled by contacting the executive. The membership will be apprised of the situation and if after 10 working days no member puts their name forward, the position will be filled by acclamation. If other eligible members put forth their name, an election would take place electronically (Survey monkey) after the 10 working day deadline for nominations.

Article 9 - Collective Bargaining Committee

9.1 The Collective Bargaining Committee of the Bargaining Unit shall consist of the following members; President, Chief Negotiator and one other member who is elected by the membership at a General Meeting of the Bargaining Unit. Every attempt will be made to have representation from at least 3 disciplines.

9.1.1 Voting - The President of the Bargaining Unit and a minimum of two other members of the Bargaining Unit elected at the Annual General Meeting.

9.2 The Negotiating Team of the Bargaining Unit shall be the members of the Collective bargaining Committee of the Bargaining Unit.

9.3 Ratification of the collective agreement will occur at a location as determined by the executive. A vote will be cast by all present and voting (quorum). A vote over 50 % for will deem the contract ratified by the membership.

Article 10 - Grievances

10.1 The Grievance Officer shall be responsible for all grievances and shall consult with the Teacher Bargaining Unit Grievance Officer, District Officer or whoever else has time release and grievance expertise as appropriate.

10.2 The Grievance Appeals Committee shall consist of the members of the Bargaining Unit Executive other than the Grievance Officer, plus one other member of the Bargaining Unit appointed by the Bargaining Unit Executive.

10.3 The Grievance Appeals Committee shall establish procedures for dealing with grievance appeals and publicize such procedures as needed to the membership.

Article 11 - District Committees

11.1 The Bargaining Unit shall be represented by an elected member of the bargaining unit to these District Standing Committees.

- a) Status of Women
- b) Political Action
- c) Excellence in Education
- d) Public Relations
- e) Human Rights
- f) Health & Safety

Article 12 - Amendments

12.1 Amendments may be made to this Constitution by a 2/3 vote at the Annual General meeting, provided that members have 15 school days prior notice of the amendments. If 15 school days prior notice is not provided, amendments may be made by a 9/10 vote at the Annual General meeting.

Article 13 - Compliance

13.1 Nothing in this Constitution and Bylaws shall contravene either the OSSTF Constitution and Bylaws or the OSSTF District 3 Constitution and Bylaws.

BYLAWS

Bylaw 1- Duties of Members

1.1 It shall be the duty of every member to comply with the duties of members of the Ontario Secondary School Teachers' Federation as defined in the OSSTF Provincial Bylaw 5 "Rights, Privileges and Duties" and Bylaw 5.2 "Duties of Members".

1.2 It shall be the duty of every member to alert the executive regarding any practices they believe contravene the collective agreement

1.3 It shall be the duty of members to respect the confidential nature of negotiations, grievances and work of the Employee Relations Committee until formal statements are made.

1.4 It shall be the duty of every member who is the bargaining unit representative on committees to attend the committee meetings and report to the unit at meetings. If the member cannot attend the meeting, then a timely email or last minute phone call will be made to the Bargaining unit President with the date, location and time of the meeting.

1.5 It shall be the duty of every member to communicate with the President about any union issues. If the issue involves the president, then the member will contact the District President.

1.6 It shall be the duty of every member to discuss issues with the president during breaks, lunch, or after work hours

Bylaw 2 - Duties of the Bargaining Unit Executive

2.1 The duties of the President shall be to:

2.1.1 assume the role of Chief Executive Officer for the Bargaining Unit.

2.1.2 call and preside over all Executive and General Meetings.

2.1.3 fulfill the duties of the Bargaining Unit President as outlined in the OSSTF Handbook.

2.1.4 be an ex-officio member of all Bargaining Unit committees.

- 2.1.5 report to the bargaining Unit Executive and members on the business of the District.
- 2.1.6 report to the members at the Annual general meeting.
- 2.1.7 ensure that all vital functions of an office which has been vacated be carried out on an interim basis until the vacancy is filled.
- 2.1.8 represent the PSSP Bargaining Unit at Provincial Sector Council of Presidents
- 2.1.9 represent the PSSP Bargaining Unit at the District Executive.
- 2.1.10 represent the Bargaining Unit at the Annual Meeting of the Provincial Assembly also known as AMPA.
- 2.1.11 should the President be unable to attend AMPA, a designate shall be selected by the Executive Members.
- 2.1.12 attend all District Standing Committees when the elected representative cannot attend the committee meeting.
- 2.1.13 approve all expenses of the Bargaining Unit
- 2.1.14 be a voting member of the executive

2.2 The Duties of the Vice-President shall be to:

- 2.2.1 perform the duties of the President in the President's absence.
- 2.2.2 perform the duties as may be assigned by the President and the Bargaining Unit Executive.
- 2.2.3 be a voting member of the executive

2.3 The Duties of the Secretary shall be to:

- 2.3.1 carry out the duties as may be assigned by the Bargaining Unit Executive
- 2.3.2 record and circulate minutes from Bargaining Unit Meetings
- 2.3.3 book the room for the general meetings
- 2.3.4 gather agenda items from members
- 2.3.5 circulate last minutes and current agenda for each meeting
- 2.3.6 be a voting member of the executive
- 2.3.7 E mail executive and general meeting reminders to members to the home addresses with alerts to the work address
- 2.3.8 Keep a detailed list of members demographics (Add, phone, cell , DOB)
- 2.3.9 Prepare year to date calendar of events for members (meetings, events, birthdays)

2.4 The Duties of the Treasurer shall be to:

- 2.4.1 prepare a budget and administrate the Bargaining Unit Funds in accordance with an approved budget as required.
- 2.4.2 prepare an up-to-date financial report of the Bargaining Unit for presentation at the Annual General Meeting when requested with 15 days notice.
- 2.4.3 inform the membership about funding available to the unit from provincial initiatives
- 2.4.4 spearhead committees to access the funds by creating proposals
- 2.4.5 send any expenses to the president for approval
- 2.4.6 be voting member of the executive

- 2.5 The Duties of the Chief Negotiator shall be to:
 - 2.5.1 be a member of the negotiating team.
 - 2.5.2 be the spokesperson for the negotiating team.
 - 2.5.3 chair the Bargaining Unit Collective Bargaining Committee.
 - 2.5.4 report on a timely and regular basis to the Executive and the members.
 - 2.5.5 prepare the next collective agreement – right after the last one was negotiated
 - 2.5.6 be a voting member of the executive

- 2.6 The Duties of the Grievance Officer shall be to:
 - 2.6.1 be a voting member of the Executive.
 - 2.6.2 attend all approved Provincial and/or District workshops pertaining to the grievance process.
 - 2.6.3 assist the President in the evaluation of alleged grievances, analysis of relevant contract terms and development of arguments and policies in pursuing the grievance procedure.
 - 2.6.4 develop detailed knowledge of arguments and position of the Bargaining Unit on each grievance.
 - 2.6.5 determine to what extent and in what areas legal counsel is required and seek advice from appropriate sources i.e. Provincial and/or District, to be confirmed or rejected by the Bargaining Unit Executive.
 - 2.6.6 consult with any member who feels he/she has a grievance, collect relevant information and advise the member of:
 - a) ramifications if the Bargaining Unit assumes and pursues the grievance.
 - b) possible alternatives to a grievance and potential remedies for a grievance.
 - c) the right to appeal.

2.6.7 If the Grievance Officer is involved in the grievance the grievance will be handled by the Bargaining unit president

2.6.8 If the bargaining unit president is involved in the grievance , the grievance will be handled by the District President

2.6.9 present Bargaining Unit policies and arguments to any bodies or individuals as required by the appropriate articles on the Collective Agreement.

Policies and Procedures (PAP)

PAP 1.0 - ANTI-HARASSMENT AND ANTI-BULLYING POLICY

1.1 Anti-Harassment and Anti-Bullying Policy : The O.S.S.T.F. District 3 shall have an Anti-Harassment and Anti-Bullying Policy and Procedure to be followed at all OSSTF workplaces and functions. See O.S.S.T.F. District 3 Human Rights Anti-Harassment binder.

1.2 The Anti-Bullying and Anti-Harassment Policy and Procedure and any amendments to it shall be approved by the O.S.S.T.F. District 3 Executive Council.

PAP 2.0 - ANTI-HARASSMENT AND ANTI-BULLYING APPEALS PROCEDURE

2.1 Members of O.S.S.T.F. District 3 affected by a decision resulting from a complaint under the O.S.S.T.F. District 3 Anti-Harassment and Anti-Bullying Procedure may appeal this decision using the following procedure:

2.2 Within five days of the decision, the affected member (herein called the Appellant) shall submit a request in writing to the O.S.S.T.F. District 3 President for an Appeal Hearing.

2.3 Within two days of receiving the request, the O.S.S.T.F. District 3 President shall appoint three members of the O.S.S.T.F. District 3 Appeals Committee to consider the appeal.

2.4 Within three days, the O.S.S.T.F. District 3 Appeal Committee shall meet to consider the appeal.

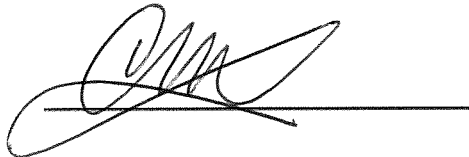
- 2.5 The O.S.S.T.F. District 3 Appeal Committee shall review the complaint, the investigation process and findings, and the decision.
- 2.6 Following the review, the Committee shall either confirm or modify the decision.
- 2.7 The decision of the O.S.S.T.F. District 3 Appeal Committee shall be consistent with the O.S.S.T.F. District 3 Anti-Harassment and Anti-Bullying Policy and Procedures.
- 2.8 The O.S.S.T.F. District 3 Appeal Committee shall report the decision on the Appeal to the O.S.S.T.F. District 3 President within five (5) days after meeting at which the Appeal is considered.
- 2.9 Within two days of receiving the decision of the O.S.S.T.F. District 3 Appeal Committee, the O.S.S.T.F. District 3 President shall communicate the decision to the Appellant in writing.
- 2.10 The decision of the O.S.S.T.F. District 3 Appeal Committee shall be considered final and not subject to any appeal.

This Constitution, Bylaws and Policies and Procedures were adopted by the

PSSP Bargaining Unit of OSSTF District 3 on the 17 day of

Sept., 2012

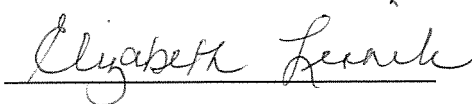
President:
SLP



Vice President:
P/PA/P



Secretary:
AC



Treasurer:
SLP

