

Ontario English Catholic Teachers' Association
Ottawa Unit

Bylaws

and

Procedures

of the

Elementary and Secondary Teachers'
Bargaining Units

July 2010

OECTA Prayer

Creator God, we praise You, the Source of all life. Renew our faith and guide us in our ministry as Catholic teachers. Let us touch the hearts and minds of those with whom we work.

Lord Jesus, share with us Your counsel, so we may choose knowledge over ignorance, wisdom over waste, peace over injustice, community over isolation and service over domination.

Holy Spirit, nurture our growth. Inspire us to give birth to the creative powers within us. Let us come to the fullness of life promised in the Gospel. Amen

OECTA Pledge

I pledge to work for the goal of Christian education, which is to co-operate with Divine Grace in forming the true and perfect Christian. I promise to obey the rules and regulations of the Ontario English Catholic Teachers' Association and to fulfill my duties as a member.

Mission Statement

Recognizing our uniqueness as teachers in Catholic schools, we are an association committed to the advancement of Catholic education.

As teacher advocates we provide professional services, support, protection, and leadership.

Statement of Principles

We will:

Promote Catholic values

Foster the growth of confident, competent professionals

Support our members in collective bargaining

Promote spiritual growth in our members

Establish and exercise our rights at all levels of educational decision-making

Build solidarity through actions that foster trust and collegiality

Assist our members to grow professionally by providing access to information and resources.

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A. BYLAWS

Article I - General

1. The name of the Bargaining Unit shall be the Ontario English Catholic Teachers' Association Ottawa Teachers' Bargaining Unit hereinafter known as the Bargaining Unit.
2. The definition of the Bargaining Unit shall be as defined in the Association *Handbook* Bylaws 2.71.
3. The Bargaining Unit membership shall include teachers in the elementary and secondary panels of the Ottawa Catholic District School Board.
4. Robert's Rules of Order shall be used at all Bargaining Unit meetings where they are not inconsistent with the Association *Handbook* and Bargaining Unit Bylaws, or any special rules of order the Bargaining Unit may adopt.
5. The Bargaining Unit Bylaws must be consistent with the Association *Handbook* and cannot contravene its constitution, bylaws, procedures, or policies.
6. Notwithstanding the above, as long as the bylaw does not provide for fewer than the minimum number of Bargaining Unit Executive members, the Bargaining Unit may enact a bylaw, with the approval of the Provincial Executive and subject to Article 4.13 of the Association *Handbook*, to have an Executive structure with duties, responsibilities, and terms of office assigned to officers as deemed appropriate.

Article II – Bargaining Unit Organization

Section 1 - Membership

1. The Bargaining Unit shall include the following groups:
 - a) teachers in the elementary schools of the Ottawa Catholic District School Board;
 - b) teachers in the secondary schools of the Ottawa Catholic District School Board;
 - c) continuing education teachers in the employ of the Ottawa Catholic District School Board;
 - d) teachers in the employ of the Ottawa Catholic School Board who are seconded to positions outside of the school board.
2. In the event of a vote to determine whether to bargain jointly or as separate bargaining units, membership in a bargaining unit is to be determined by the teaching assignment.
 - a) A member who has the majority of his/her teaching assignment in an elementary school

(JK-8) or another elementary assignment shall be a member of the Elementary Bargaining Unit.

- b) A member who has the majority of her/his teaching assignment in a secondary school (9-12) or another secondary assignment shall be a member of the Secondary Bargaining Unit.
- c) A member of the Occasional Bargaining Unit who has a permanent assignment (part-time) as specified in (a) and (b), above, may also be a member of the Elementary or Secondary Bargaining Unit.
- d) Notwithstanding a) and b) above, a member who has an equal assignment in an elementary and a secondary school or an equal elementary and secondary assignment shall elect her/his bargaining unit.

Section 2 – Bargaining Unit Executive

- 1. The Executive of the Bargaining Unit shall consist of a President, Elementary Bargaining Unit Vice-president, Secondary Bargaining Unit Vice-president, treasurer, recording secretary, three Elementary Unit councillors, and three Secondary Unit councillors.
- 2. The term of office for the President, the Bargaining Unit Vice-presidents and the treasurer shall be two (2) years.
- 3.
 - a) Release time for the Unit President, Elementary Bargaining Unit Vice-president, and Secondary Bargaining Unit Vice-president is full time.
 - b) Members holding a full-time release position shall be limited to two consecutive full terms in that particular position.
 - c) In the absence of candidates for a full-time release position, an exception to 3.b) above, will apply.
- 4. The term of office for all other Executive members shall be one (1) year.

Section 3 – Duties of the Bargaining Unit Executive

- 1. The duties of the Bargaining Unit Executive shall be as defined in the Association *Handbook* Bylaws 2.74 and are to:
 - a) hold general meetings each year as required and to set the agenda for such;
 - b) hold Executive meetings prior to each general meeting each year and as required;
 - c) appoint committees, members and chairpersons at the first Executive meeting after taking office, whenever possible;

- d) represent members in all matters related to collective bargaining;
- e) appoint and dissolve (should the membership fail to ratify a signed Memorandum of Settlement) a negotiating team as per the Association *Handbook*;
- f) appoint a new negotiating team should the membership fail to ratify a signed Memorandum of Settlement;
- g) notify the school board of the results of the ratification vote;
- h) censure any Executive member who fails to attend three (3) consecutive meetings;
- i) receive committee reports and take whatever action it deems necessary;
- j) name a representative at school board meetings whenever it is deemed necessary, who reports to the Executive;
- k) present the budget and financial statements to the membership each year;
- l) receive and approve all finances.

Section 4 – Duties of the Bargaining Unit Executive Officers

1. Unit President

The duties of the Unit President are:

- a) to be the official spokesperson for all collective bargaining matters;
- b) to ensure that a minutes book be kept for all financial motions for audit;
- c) to set the agenda for Executive meetings;
- d) to chair Executive meetings;
- e) to only vote in the event of a tie; if the President chooses not to vote, the motion is lost;
- f) to keep the membership informed of Bargaining Unit business through the staff representatives.

2. Bargaining Unit Vice-presidents

The duties of the Bargaining Unit Vice-presidents are:

- a) to substitute for the President when the President is absent;
- b) to assist the President in all local matters;

- c) to be responsible to their panel as members of the bargaining team;
- d) to be the signing officers for collective bargaining purposes for their panels;
- e) to have the responsibility for any variances to the Collective Agreement subject to the approval of the Provincial Association, and to present such variance to the Unit Executive for approval.

3. Recording Secretary

The duties of the recording secretary are:

- a) to take the minutes of Bargaining Unit meetings, noting especially motions carried, with mover and seconder;
- b) to send to the General Secretary, a copy of notices and minutes of Bargaining Unit meetings.

4. Treasurer

The duties of the treasurer are:

- a) to prepare the Bargaining Unit budget
- b) to present a financial statement at Executive meetings
- c) to prepare motions for Executive meetings for expenditure approvals of amounts over \$5 000.00 that have not previously been budgeted

5. Councillors

The duties of the councillors are:

- a) to assist the Executive in its duties.

6. Past President

The duties of the past president are:

- a) to assist the Executive in all levels;
- b) to be a member of the Elections Committee;
- c) to ensure that the bylaws of the Bargaining Unit are followed and to recommend amendments.

Section 5 – Bargaining Unit General Meetings

1. Notice of a meeting and the major agenda items shall be sent to the membership at least ten (10) business days prior to the meeting date except in the case of ratification or emergency meetings.
2. When the meeting has been called to order, the Speaker shall announce the number of members present. A quorum shall continue until the number of members present is less than two-thirds (2/3) of the announced number.
3. The Executive will appoint a Steering Committee and Speaker for all Unit General Meetings. The duty of such a committee shall be to assist the Speaker in bringing forward motions and new business.
4. a) At least one (1) Bargaining Unit General Meeting shall be held annually for the election of the Bargaining Unit Executive and the approval of a budget.

b) Two (2) other Bargaining Unit General Meetings may be held annually:
 - i) for endorsement of bargaining objectives and reports from the Collective Bargaining Committee and Grievance Officer.
 - ii) for ratification of a tentative agreement with direction from the Provincial Collective Bargaining Field Representative.

Section 6 – Committees

1. The following standing committee shall be appointed by the Executive annually:
 - a) Collective Bargaining

Section 7 – Duties of Committees

1. Collective Bargaining:

The Local Collective Bargaining Committee shall:

- a) research all information pertinent to conditions of service and be familiar with legislation pertinent to teacher employment and the *OECTA Bargaining and Strike Procedures Handbook*;
- b) conduct a needs/analysis survey of the membership by November 30 in a bargaining year, when possible;
- c) draft proposals which include rationale and costs;

- d) select from the members of the Collective Bargaining Committee, the names of the negotiating team and Chief Negotiator, and present all the aforementioned to the Unit Executive for approval;
- e) present, through the Bargaining Unit Vice-presidents, the proposal to the Unit Executive for recommendation prior to presenting it to the membership;
- f) support the negotiating team(s) through the revisions of proposals during the negotiating period;
- g) through the negotiating team, present to the Unit Executive recommendations regarding a tentative settlement, sanctions or conclusion of the negotiating process.

Article III – Amendments to Bylaws

The bylaws may be established, amended, rescinded, or suspended by a two-thirds (2/3) vote of the members present at a Unit General Meeting provided notice of the proposed change(s) has been distributed to the members at least ten (10) business days prior to the Unit General Meeting. Motions to change bylaws that pass at a UGM, take effect the following year.

B. PROCEDURES

1. Elections

- a) Positions on the Bargaining Unit Executive shall be deemed to be filled by those members of the Bargaining Unit who hold corresponding positions on the Unit Executive. In the event that the Unit President, recording secretary, or treasurer is not a member of the Bargaining Unit, another member of the Bargaining Unit shall be appointed to the position and designated to hold the office at the Bargaining Unit's General Meeting.
- b) The Vice-president of the teacher bargaining unit of which the Unit President is not a member, will represent said bargaining unit on the Council of Presidents.

2. Committees

The following general guidelines shall apply to all committees:

- a) chairpersons shall be appointed by the Executive;
- b) members of all committees shall be appointed by the Executive;
- c) each committee is responsible to the Executive;
- d) each committee shall report through its Executive liaison to the Executive;
- e) chairpersons must present to the Executive, in writing, a budget request for the

upcoming year by March 31;

- f) all financial transactions conducted by committees must be directed to the treasurer or appropriate official;
- g) all committees must seek approval of all meetings from the Executive;
- h) the committees shall take office on September 1 of each year, or at the time of appointment after that date;
- i) members of each committee shall receive copies of the minutes of their respective meetings;
- j) recruitment of members to serve on committees shall be done, in writing, in June of each year (or in newsletters at other times during the year);
- k) committee liaisons shall present a report of committee meetings to the Executive for appropriate action;
- l) the Executive may approve a committee as may appear necessary from time to time.

3. Expenses

- a) All expenses shall be paid in accordance with Provincial guidelines.
- b) The Bargaining Unit Executive may refuse to reimburse a member for any personal expense beyond Provincial guidelines or for any other expense related to Unit business, unless the member and the Executive have agreed upon other arrangements.
- c) All expenses shall be submitted, within ninety (90) days, to the treasurer.
- d) Mileage shall be paid to committee members upon receipt of an itemized claim. This will be extended to those committee members attending authorized meetings and conducting authorized committee business.
- e) Hotel accommodation expense is based on double occupancy, whenever possible. When making hotel reservations, members are expected to request and use the corporate rate available to OECTA members at many hotels.

4. Ratification Meeting and Ratification Vote

- a) During negotiations, when a tentative agreement is reached, an information meeting will be held.
- b) Ratification votes will be held within three (3) business days of the information meeting, at the members' work location.

- c) Voting will occur at a time such that all members will have ample opportunity to cast their ballots.

5. Joint Negotiations

- a) The Elementary and Secondary Bargaining Units of the Ottawa Unit shall bargain jointly.
- b) Notwithstanding the above, prior to the Bargaining Unit serving notice to the Board to bargain, a vote may be held by the Elementary and/or Secondary Bargaining Unit(s) to determine whether there will be a change in the bargaining status outlined in a) above.
- c) In order for a Bargaining Unit(s) vote to occur to determine the status of bargaining, a motion sponsored by two (2) members of the same Bargaining Unit must be brought to the fall Unit General Meeting in the final year of a Collective Agreement. Ten (10) business days notice of such motion must be provided to members of the Bargaining Unit(s). The members of the movers' Bargaining Unit present at the meeting shall vote upon the motion. Such a motion shall be passed with a two-thirds (2/3) majority vote.
- d) In the event of a vote on changing the status of joint bargaining, Bargaining Unit membership shall be determined as outlined by BYLAWS, Article II, Section I – Membership.
- e) In separate negotiations, a teacher shall have full voting rights in each panel in which she/he teaches.

6. Amendments to Procedures

- a) Procedures may be established, amended, rescinded, or suspended by:
 - i) a two-thirds (2/3) vote of the membership present at a Unit General Meeting provided notice of the proposed change(s) has been distributed to the members at least ten (10) business days prior to the Unit General Meeting;
 - ii) a nine-tenths (9/10) majority of the Executive, subject to ratification at the next Unit General Meeting;
 - iii) procedural motions that pass at a UGM take effect July 1, unless it is specifically stated that the changes take place immediately.