

# Upper Grand ETFO Constitution

as revised November 29, 2023

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## Definitions

In this constitution,

- “ETFO” means the provincial Elementary Teachers’ Federation of Ontario.
- “Local” means the ETFO Bargaining Unit representing elementary teachers in the Upper Grand District School Board.
- “Women” means, and includes, all members who identify as women.

## Article I - Name

1.1 This organization shall be known as the “Upper Grand ETFO Teachers’ Local”.

## Article II- Jurisdiction

2.1 The Upper Grand ETFO Teachers’ Local is a local of the Elementary Teachers’ Federation of Ontario.

2.2 The jurisdiction of the Local shall be all teachers, other than occasional teachers, employed by the Upper Grand District School Board in the elementary panel.

## Article III - Objects

The objects of the Local shall reflect the objects of ETFO and shall be to:

- 3.1 represent members of the Local;
- 3.2 protect the collective bargaining rights of members of the Local;
- 3.3 secure, through collective bargaining, the best possible terms and conditions of employment;
- 3.4 advance the cause of public education and the status of teachers in the Local;
- 3.5 promote a high standard of professional ethics and a high standard of professional competence;
- 3.6 uphold social justice by providing leadership in such areas as peace, anti-poverty, non-violence, anti-racism, equity, and environmental stewardship;
- 3.7 promote and protect the interests of all members of the Local so that they may better serve the students in their care;

- 3.8 cooperate with other organizations having the same or like objects;
- 3.9 advocate for and defend the health and safety of members in the workplace, both physically and psychologically;
- 3.10 promote professional learning; and
- 3.11 promote member engagement and involvement.

## **Article IV—Membership**

### **Section 1—Active Membership**

- 4.1 Active members shall be all contract teachers who are members of ETFO employed full-time or part-time by the Upper Grand District School Board in the elementary panel.

### **Section 2—Associate Membership**

- 4.2 Eligibility for associate membership in the Local shall be as defined in Article IV—Membership of the ETFO Constitution.

### **Section 3—Honorary Life Membership**

- 4.3.1 Honorary Life Membership may be granted to retired members of ETFO who have given significant service to the Local.
- 4.3.2 Honorary Life Membership shall be granted in accordance with the policy established by the Local.

## **Article V—Rights and Privileges of Membership**

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

- 5.1.1 An active member shall have full rights, privileges, and responsibilities of membership in the Local unless limited by disciplinary action taken in accordance with Article VII—Disciplinary Procedures of the ETFO Constitution.
- 5.1.2 The rights of an active member shall be:
  - a) to attend, participate, and vote at General meetings of the Local;
  - b) to receive Local communications; and
  - c) all other rights described in Article V—Rights and Privileges of Membership of the ETFO Constitution.

## Section 2—Rights and Privileges of Associate Membership

- 5.2.1 The rights of an associate member shall be to:
- a) attend Local functions by invitation, in a non-voting capacity;
  - b) receive such Local communications as decided by the Local; and
  - c) serve on Local committees, task forces, and workgroups by invitation.

## Section 3—Rights and Privileges of Honorary Life Membership

- 5.3.1 The rights of an Honorary Life Member shall be to:
- a) attend General meetings of the Local in a non-voting capacity;
  - b) serve on Local committees, task forces, and workgroups by invitation; and
  - c) attend the Local Retirement Celebration as a guest of the Local.

## Article VI—Local Organization

### Section 1—Local Executive

- 6.1.1 The Local Executive shall be comprised of active members of the Local, and shall include the following positions:
- a) President;
  - b) Two (2) Vice-Presidents;
  - c) Status of Women Chair
  - d) Eleven (11) Executive Members as identified in 6.1.2
- 6.1.2 The eleven (11) Executive positions shall be:
- a) Two (2) Executive Members – Designated Groups
  - b) One (1) Executive Member – New Member
  - c) Three (3) Executive Members – Regional; and
  - d) Five (5) Executive Members – Open
- 6.1.3 The following Executive positions shall be held by women:
- a) One (1) Vice-President;
  - b) Status of Women Chair; and
  - c) Three (3) of the Executive Members - Open.
- 6.1.4 There shall be one (1) Executive Member - Regional for each of the following regions:
- a) Dufferin County
  - b) Wellington County
  - c) Guelph
- 6.1.5 The Local Executive shall take office on July 1 following the election. The term of office shall be for two (2) years.

## Section 2—Committees

6.2.1 There shall be the following standing committees:

- a) Budget
- b) Collective Bargaining
- c) Community Connections & Goodwill
- d) Elections
- e) Equity & Human Rights
- f) Labour
- g) Last Five
- h) Local Constitution
- i) Men's
- j) New Member
- k) Occupational Health & Safety
- l) Political Action
- m) Professional Learning
- n) Resolutions
- o) Status of Women

6.2.2 Ad hoc committees, task forces, and workgroups required to carry out the work of the Local may be established by the Executive or by General meetings, as necessary.

## Section 3—Programs for Women

6.3.1 There shall be guaranteed programs for women.

6.3.2 A minimum of 8% of the annual budget shall be allocated for programs for women.

6.3.3 The budget for the programs for women shall be approved as part of the annual local budget process.

6.3.4 The programs for women will provide direct services to women members and non-binary members with lived experiences as women.

6.3.5 The programs for women will provide funds for partnerships with other organizations.

6.3.6 The programs for women will include funding for organizations which advance the status of women and women's issues.

## Article VII—Organizational Duties

7.1 The Local, its officers, stewards, and committees, shall carry out their duties and responsibilities in accordance with both Local and ETFO policies and procedures.

## Section 1—Duties of the Executive

### 7.1.1 The Executive shall:

- a) administer the affairs of the Local between Annual meetings in accordance with the Constitution and the decisions of General meetings of the Local;
- b) hold at least five regular Executive meetings each year;
- c) hold an Executive meeting at the call of the President, or at the call of five Executive members;
- d) maintain a quorum for all Executive meetings of eight members, one of whom must be the President or the President's designate;
- e) elect, when necessary, an Executive member to fill a Vice President vacancy as per Article 9.4.2 & 9.4.3;
- f) elect, when necessary, a member to fill a non-released Executive vacancy as per Article 9.4.5;
- g) select a member of the Executive to perform the role of Secretary;
- h) appoint the chartered accountant or accounting firm; and
- i) approve Terms of Reference for committees.

## Section 2—Duties of the President

### 7.2.1 The President shall:

- a) be the spokesperson for the Local;
- b) be the official representative for the Local and its members;
- c) ensure the negotiation and enforcement of the Collective Agreement;
- d) act as one of the three signing officers for the Local;
- e) be an *ex officio* member of all committees;
- f) preside at General and Executive meetings;
- g) inform and advise members on issues concerning the Local and education;
- h) attend meetings of the Representative Council as a voting delegate;
- i) manage the Local office; and
- j) administer the affairs of the Local between meetings of the Executive in accordance with the Constitution and the direction of the Executive.

## Section 3—Duties of the Vice-Presidents

### 7.3.1 The Vice-President with the highest vote count at the Election shall:

- a) assume the responsibilities of the President in the President's absence;  
and
- b) assume the office of President should the President be unable to complete the term of office.

### 7.3.2 Each Vice-President shall:

- a) assist the President in carrying out the business of the Local;
- b) act as one of the three signing officers for the Local;
- c) attend meetings of the Representative Council; and
- d) act as a voting delegate of Representative Council for one year of the two-year term or otherwise equitably share the voting responsibilities.

7.3.3 The President and the two Vice-Presidents shall seek consensus to determine an equitable distribution of responsibilities.

7.3.4 One of the Vice-Presidents shall be Lead Negotiator.

7.3.5 The Lead Negotiator shall:

- a) assist with the implementation and maintenance of the Collective Agreement;
- b) file grievances when appropriate;
- c) chair the Collective Bargaining Committee (CBC); and
- d) conduct negotiations for the Collective Agreement with the Board, in accordance with the CBC Terms of Reference and ETFO guidelines.

7.3.6 One of the Vice-Presidents shall be Treasurer.

7.3.7 The Treasurer shall:

- a) keep accurate and detailed financial records of the Local;
- b) make a financial report to the Annual Meeting, the General Meeting, and to each Executive Meeting;
- c) make investments with the approval of the Executive, and to report on those investments as appropriate;
- d) ensure the Review Engagement Report is completed, and to forward the completed annual Local Audited Financial Statement to ETFO by September 30 of each year;
- e) chair the Budget committee;
- f) deposit all funds received on behalf of the Local in a chartered bank, trust company and/or credit union in the name of Upper Grand ETFO Teachers' Local; and
- g) pay all accounts and authorized expenses incurred by the Local.

7.3.8 Nothing in 7.3.4 or 7.3.6 shall preclude one Vice-President from taking on both the duties of the Lead Negotiator and the duties of the Treasurer.

#### Section 4—Duties of the Executive Members

7.4.1 The Status of Women Chair shall:

- a) promote awareness among members of issues related to the status of women;
- b) encourage women members to take an active role in the governance of the Local;
- c) chair the Status of Women Committee; and
- d) demonstrate commitment to broad-based equity concerns.

7.4.2 The Executive Members shall:

- a) chair, or be a member of, at least one of the standing committees described in Article 6.2.1, ad hoc committees, task forces, and/or workgroups;
- b) report to the Executive regarding issues raised by members; and
- c) perform other duties at the request of the Executive.

- 7.4.3 The Secretary shall prepare minutes of Executive, Annual, and General meetings.
- 7.4.4 All members of the Executive shall attend Executive, Steward, General, and Annual meetings.

#### Section 5—Duties of Stewards

- 7.5.1 Stewards shall:
  - a) attend Steward meetings as requested by the Local;
  - b) perform Union duties at the worksite as directed by the Local;
  - c) monitor the implementation of the Collective Agreement at the worksite;
  - d) provide communication between members and the Local;
  - e) disseminate ETFO communication to members within their worksite; and
  - f) uphold the honour, dignity, and ethical standards of ETFO.

#### Section 6—Duties of Committees

- 7.6.1 Committees are responsible to the Local Executive.
- 7.6.2 Each committee shall establish Terms of Reference and submit them to the Executive for approval.
- 7.6.3 Each committee shall operate in accordance with its Terms of Reference.
- 7.6.4 Terms of Reference shall be reviewed at least once per term of office.

### Article VIII—Meetings

#### Section 1—Annual Meeting

- 8.1.1 The Annual Meeting of the Local shall be held each year prior to November 30.
- 8.1.2 The Annual Meeting shall:
  - a) receive the annual report of the officers and committees of the Local;
  - b) receive the audited financial statements for the previous year;
  - c) approve the budget for the current year; and
  - d) consider proposed amendments to the Local Constitution.

#### Section 2—General Meetings

- 8.2.1 There shall be a General meeting each year prior to March 1.
- 8.2.2 The General Meeting shall:
  - a) approve resolutions to be submitted to the ETFO Annual Meeting; and
  - b) elect the Local delegates to the ETFO Annual Meeting.
- 8.2.3 Additional General meetings may be held as needed, as determined by the Executive.

### Section 3—Parliamentary Procedure

- 8.3.1 The official authority for conducting all Local meetings shall be the current edition of *Robert's Rules of Order, Newly Revised*.
- 8.3.2 Quorum for General meetings shall be the number of members present at the call to order.

### Article IX—Election of the Local Executive

- 9.0 Executive Elections shall be held bi-annually, concluding on or before June 1, for the subsequent term of office.

### Section 1—Eligibility

- 9.1.1 An active member may be nominated to stand for elected office. Nominations must be endorsed by two (2) other active members.
- 9.1.2 An active member with a full-time equivalent (FTE) less than 1.0 may be nominated for a released position with the understanding that, should they be elected, the candidate's assigned duties, remuneration, and responsibility allowance as described in Article XII, will be prorated to their FTE-
  - i. any vacancy resulting from the election of a released officer with less than a 1.0 FTE will be filled as per Article 9.4
- 9.1.3 Any member seeking a released position must have at least two years of Executive experience.
  - i. In the event that no eligible candidate is nominated, this requirement shall be waived.
- 9.1.4 Only an active member who identifies as a woman may be nominated for Status of Women Chair.
- 9.1.5 Only an active member who identifies as a member of any of the following designated equity-seeking groups may be nominated for Executive Member – Designated Groups:
  - a) Members who are First Nations, Métis, or Inuit
  - b) Members with Disability
  - c) Members of the 2SLGBTQIA+ community
  - d) Members who are Racialized
  - e) Members who are Gender Variant
- 9.1.6 Only an active member who has fewer than six years of contract teaching experience may be nominated for Executive Member – New Member.



9.1.7 An active member who, at the time of nomination, is assigned to a school/worksite within one of the regions described in Article 6.1.3, may be nominated to stand for Executive Member - Regional for that region.

- i. A member elected Executive Member - Regional shall be eligible to serve a complete term of office regardless of any transfer within the Board during the term of office.

## Section 2—Nominations

9.2.1 Members shall be notified of the request for nominations at least 60 calendar days prior to the voting period.

9.2.2 The deadline for receipt of nominations shall be 30 calendar days prior to the start of the voting period.

## Section 3—Election Procedures

9.3.1 The Election procedures, as developed by the Elections Committee and approved by the Executive, shall be published to the membership at least 90 calendar days prior to the start of the voting period.

9.3.2 All matters regarding the election, including nominations, materials, campaigning, voting procedures, etc., shall be supervised by the Returning Officer.

9.3.3 Candidates shall have the opportunity to address the membership prior to the start of the voting period.

9.3.4 The Election shall be by secret ballot.

- i. Notwithstanding the above, when the number of candidates does not exceed the number of positions available, the candidate(s) shall be declared elected by acclamation without a ballot vote.

9.3.5 Each candidate may appoint a member who is not standing for election to verify the results of that candidate's election.

9.3.6 The vote count for all elected positions shall be released to the members following each ballot and shall be published in the minutes of the Election.

9.3.7 To be declared elected, a candidate for President must obtain a majority of the ballots cast. In the case of more than two candidates, and failing a majority vote for any candidate on the first ballot, the count of the vote will be announced and the name of the candidate with the lowest number of votes shall be dropped from the second and succeeding ballots until one of the candidates has a majority.

- 9.3.8 Of the candidates for Vice-President, the woman candidate receiving the highest number of votes shall be declared elected. Of the remaining candidates, the one with the highest number of votes shall be declared elected.
- 9.3.9 Of the candidates for Status of Women Chair, the candidate receiving the highest number of votes shall be declared elected.
- 9.3.10 Of the candidates for Executive Member – Designated Groups, the two candidates receiving the highest number of votes shall be declared elected.
- 9.3.11 Of the candidates for Executive Member – New Member, the candidate receiving the highest number of votes shall be declared elected.
- 9.3.12 Of the candidates for Executive Member - Regional, the candidate receiving the highest number of votes within each region [Dufferin, Wellington, Guelph] shall be declared elected.
- 9.3.13 Of the candidates for Executive Member – Open, the three women candidates receiving the highest number of votes shall be declared elected. Of the remaining candidates, the two with the highest number of votes shall be declared elected.
- 9.3.14 An unsuccessful candidate may seek another position on the Executive for which the member is eligible, provided that the position has not yet been filled.
- 9.3.15 The ballots will be destroyed by motion of the Elections Committee following the Election.
- i. In the case of an online election, the election data will be deleted and all voter information will be removed from the host servers.

#### Section 4—Filling Vacancies

- 9.4.1 Should the office of President be vacant, the Vice-President who had the highest vote count at the Election shall assume the office of President (Article 7.3.1b).
- 9.4.2 Should the office of a Vice-President be vacant, the Executive shall elect an Executive Member to fill the vacancy for the remainder of the term of office.
- i. Notwithstanding the above, the office of a Vice-President may be filled on a temporary or short-term basis, if appropriate.
- 9.4.3 If an election is required under Article 9.4.2, it shall be held at a special meeting of the Executive within two weeks of the vacancy.
- 9.4.4 The Executive Member filling the vacancy shall take office the day after the election.
- i. Notwithstanding the above, time shall be provided for the transition from the member’s current teaching assignment.

9.4.5 If a non-released Executive position is vacant, the following procedure will apply:

- i. The vacant position shall be advertised to the Membership for a period of no less than 10 school days.
- ii. If there is more than one eligible candidate for the position, the Executive shall elect a candidate at the next regular Executive meeting.
- iii. If there is only one eligible candidate for the position, that candidate shall be declared elected by acclamation without a ballot vote.
- iv. The successful candidate shall take office at the commencement of the subsequent Executive meeting until the end of the current term of office.

#### **Article X—Elections of Stewards**

10.1 There shall be a Steward at each school/worksite in the Local.

##### **Section 1—Eligibility**

10.1.1 An active member who is assigned to a school/worksite may be nominated to stand for the position of Steward.

10.1.2 Members assigned to each school/worksite shall have a meeting in September to confirm the Steward in accordance with this Article.

##### **Section 2—Election Procedures**

10.2.1 If there is only one candidate for Steward at a school/worksite, that member shall be acclaimed as Steward for the school year.

10.2.2 If an election is necessary, the Steward shall be elected by the third working Friday in September by an in-school vote.

10.2.3 Each member who teaches at the school/worksite shall be entitled to vote. The vote will be held by secret ballot.

10.2.4 One member within the school who is not a candidate for Steward shall be designated to distribute the ballots and to count the vote.

10.2.5 The candidate in each election who receives the highest number of votes shall be declared elected.

10.2.6 The ballots shall be destroyed following the announcement of the successful candidate.

## Article XI—ETFO Annual Meeting

### Section 1—Delegates

11.1.1 An active member of the Local may be nominated as a delegate to the ETFO Annual Meeting.

11.1.2 Delegates of the Local to the ETFO Annual Meeting shall be:

- a) the President,
- b) the two Vice-Presidents,
- c) one new member delegate, with six years or less experience as a contract teacher,
- d) one delegate who identifies as a member of an equity-seeking group, as listed in Article 9.1.5, and
- e) delegates as necessary to fill the entitlement determined by ETFO.

11.1.3 A minimum of 50% of the delegates must be women.

11.1.4 Delegates shall be elected at the General Meeting.

### Section 2—Nominations to Elected Provincial Executive Offices

11.2.1 An active member may make a written request to the President to be nominated to stand for any elected ETFO office in accordance with the ETFO Bylaws. Such a request shall be accompanied by the names and signatures of two other active members and shall not be denied. The Local Executive shall be notified.

11.2.2 A member who has been nominated for any elected ETFO office may apply to the Local Executive for financial assistance regarding campaign costs and such a request shall not be denied.

### Section 3—Resolutions

11.3.1 Resolutions to the ETFO Annual Meeting shall be passed at the General Meeting.

11.3.2 A request for written submissions of resolutions from members shall be issued at least 40 calendar days before the General Meeting.

11.3.3 All resolutions shall be submitted to the Resolutions Committee at least 20 calendar days before the General Meeting.

11.3.4 All resolutions shall be reviewed at an Executive Meeting prior to the General Meeting.

## **Article XII—Finances**

- 12.1 All financial transactions shall be signed by two of the three signing officers.
- 12.2 The fiscal year of the Local shall be from July 1 to June 30 of the succeeding calendar year.
- 12.3 The President shall be paid at A4 maximum of the current salary grid, with an additional responsibility allowance equivalent to 11.7% of A4 maximum of the current salary grid.
- 12.4 The Vice-Presidents shall be paid at A4 maximum of the current salary grid, with an additional responsibility allowance equivalent to 8.9% of A4 maximum of the current salary grid.
- 12.5 Executive Members, excluding the President and Vice-Presidents, shall receive an annual honorarium.
- 12.6 School Stewards shall receive an annual honorarium. Where the role is shared, the honorarium will be pro-rated.

## **Article XIII—Amendments to the Local Constitution**

- 13.1 A request for amendments to the Local Constitution shall be issued at least 40 calendar days prior to the Annual Meeting.
- 13.2 Proposed amendments must be submitted to the Local Constitution Committee at least 21 calendar days prior to the Annual Meeting.
- 13.3 The Local Constitution Committee shall publish all proposed amendments to the general membership at least seven calendar days prior to the Annual Meeting.
- 13.4 The Constitution shall be amended if 60% of the members present at the Annual Meeting vote in favour of the proposed amendment.
- 13.5 There shall be a review of the Local Constitution at least once during each term of office.