

# **Proposed Amendments to the Constitution** **of the ETFO –Toronto Occasional Teachers’ Local**

**for presentation at the Annual Meeting**  
**Via Zoom on Thursday, May 19, 2022**  
**From 5:00 – 9:30 p.m.**

**PLEASE NOTE:** 8.2.2 of the Local Constitution states:

The Local Annual Meeting shall:

- a) receive the annual reports of the officers and committees of the Local;
- b) approve the budget for the next fiscal year;
- c) appoint the auditor;
- d) **consider amendments to the Local Constitution in accordance with Article XII;**

8.2.3 of the Local Constitution states:

Quorum shall be 75% of the members present at the time the meeting is called to order. Quorum cannot be less than 50 members. Should quorum be lost, no further business can be conducted.



**4:30 – Zoom Meeting sign in and member information verification process begins.**

## **GENERAL INFORMATION**

This zoom meeting will be hosted by [Eventstream](#) who will provide the zoom link to all registered members prior to the meeting. Eventstream will be coordinating all procedural votes during the meeting using their zoom platform and all Executive Election votes during the meeting using Simply Voting. Only members in attendance at the zoom meeting are able to vote.

## **FINANCIAL MOTIONS**

Tabled from the February 23, 2022 Winter General Meeting:

MOVED BY: Gail James

SECONDED BY: Jeremy Bass

### **Motion 21/22 - 10**

BIRT the Executive recommends to the General Meeting that budget line 640, Release Time (daily), be overspent by up to \$19,000 for the 21-22 school year.

*Tabled*

# Proposed Amendments to the Local Constitution and Bylaws

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## AMENDMENT #1

Moved by: EXECUTIVE

Seconded by: EXECUTIVE

**Be It resolved that Definitions be amended to read:**

Definitions:

1. "Union" means the provincial Elementary Teachers' Federation of Ontario
2. "Local" means the Elementary Teachers' Federation of Ontario–Toronto Occasional Teachers' Local (ETFO–Toronto O.T. Local)
3. "Board" means the Toronto District School Board.
4. "CBC" means the Collective Bargaining Committee
5. "Executive" means Local Executive as per Article VI, Section 1.
6. "Executive Committee" means a Committee of the President, First Vice President, Vice President(s) and Treasurer.
7. "Day" means a calendar day.
8. "School Day" means one of the 194 days of the school year calendar.
9. "Released Executive" means President, 1st Vice President, Vice President(s) and Treasurer.

### **Rationale:**

*This amendment expands the current definitions to include other terms used frequently in the Local.*

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## AMENDMENT #2

Moved by: EXECUTIVE

Seconded by: EXECUTIVE

**Be it resolved that Article 1 – Name 1.1.1 be amended to read:**

1.1 This organization shall be known as the "Elementary Teachers' Federation of Ontario–Toronto Occasional Teachers' Local"(ETFO – Toronto O.T. Local).

*And the remainder renumbered accordingly*

**And that Article II – AFFILIATION be amended to read:**

### **ARTICLE II - JURISDICTION**

2.1 The Local is a Local of the Elementary Teachers' Federation of Ontario.

2.2 The jurisdiction of the Local shall be all occasional teachers in the elementary panel covered by the ETFO -Toronto Occasional Teachers' Collective Agreement.

### **Rationale:**

Correction of numbering issue and the jurisdiction based on the Collective Agreement.

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**AMENDMENT #3**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**Be it resolved that Article III – OBJECTS be amended to read:**

ARTICLE III - OBJECTS

The objectives of the Local shall be:

- 3.1 to represent all elementary occasional teachers of the Local in a fair and equitable manner;
- 3.2 to regulate relations between the members of the Local and the Toronto District School Board including but not limited to securing and maintaining through collective bargaining, the best possible terms and conditions of employment;
- 3.3 to advance the cause of publicly funded education and the status of occasional teachers in the Local;
- 3.4 to promote a high standard of professional ethics and a high standard of professional 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 interests of all members of the Local and the students in their care;
- 3.7 to promote and defend the health and safety of members in the workplace;
- 3.8 to work in concert with other Locals of the Union; and
- 3.9 to cooperate with other organizations having the same or like objects.
- 3.10 to communicate with members.

***Rationale:***

*To update the objects of the Local to be in keeping with the objects of ETFO.*

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**AMENDMENT #4**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**Be it resolved that ARTICLE IV – MEMBERSHIP Section 1 – Active Membership be amended to read:**

- 4.1 Active members shall be all members within the jurisdiction of the Local who are in good standing with the Ontario College of Teachers and with the Union.
- 4.2 Active membership shall mean a member who has paid dues to the Local within the last one hundred and twenty (120) working days or who is on approved leave of absence.

***Rationale:***

*Revising the article to reflect ETFO's definition of Active Member by including members who are on approved leave of absence.*

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**AMENDMENT #5**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**Be it resolved that Article V – RIGHTS AND PRIVILEGES OF MEMBERSHIP be amended to read:**

**ARTICLE V – RIGHTS AND RESPONSIBILITIES OF MEMBERSHIP**

**Section 1 – Rights and Responsibilities of Membership**

and by the amending of 5.1.2 c) to read:

c) to participate in all votes related to collective bargaining, including ratification of the collective agreement, as set out in the Ontario Labour Relations Act;

and by the addition of a new subsection 5.1.3 The responsibilities of a member shall be: to read:

5.1.3 The responsibilities of a member shall be:

a) to recognize the Local as the official voice of all the members of the Local;

b) to adhere to the Constitution and Bylaws of the Local;

c) to honour the terms of the Collective Agreement;

d) to refrain from undertaking or supporting actions which undermine established bargaining procedures;

e) to strive to achieve and maintain a high degree of professionalism and to uphold the honour, dignity, and ethical standards of the teaching profession;

f) to follow the Code of Professional Conduct – Article VI of the Federation Constitution or be subject to disciplinary action under Article VII – Disciplinary Procedures of the Federation Constitution.

***Rationale:***

*To update the article to recognize that bargaining votes are carried out in accordance with the Ontario Labour Relations Act, and to provide a description of responsibilities that members have in addition to their rights.*

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**AMENDMENT #6**

**Moved by: LISA DE SANTIS**

**Seconded by: KEN NAKAMURA**

**BIRT ARTICLE VI – LOCAL ORGANIZATION Section 1 – Local Executive 6.1.1 and 6.1.2 be amended to read:**

6.1.1 The local executive shall consist of twelve (12) members and shall include:

President

First vice-president

Second vice-president

Third vice-president

Treasurer

Secretary

Six (6) additional executive members, four (4) positions open to women only, two (2) open positions

A non-voting member from each of the other ETFO locals whose members are employed by the Toronto District School Board

6.1.2 In accordance with Article XI 11.2.2 of the Union constitution, at least three (3) of the five (5) released officers shall be women.

**Rationale:**

*It is beneficial that the Local restore the 3rd VP position as it stood originally. The 3rd Vice President plays a vital role in assisting members. The ETFO TOTL membership is made up of eighty percent women. It is imperative that we promote leadership among our female members to better service our needs. Our leaders should be reflective of the membership.*

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**AMENDMENT #7**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**BIRT ARTICLE VI – LOCAL ORGANIZATION Section 1 Local Executive 6.1.1 and 6.1.2 be amended to read:**

Section 1 – Local Executive

6.1.1 The local executive shall consist of twelve (12) members and shall include:

- a) President
- b) First vice-president
- c) Vice-president - Open
- d) Vice-president - Women Only
- e) Treasurer
- e) Secretary
- f) Six (6) additional executive members; 3 (three) open positions and 3 (three) positions open to women only.

6.1.2 A member appointed by ETFO Locals whose members are employed by the Toronto District School Board shall be a non-voting member of the Executive.

**Rationale:**

*ETFO's Constitution requires positions for women in Article 11.2.2 The local Constitution shall ensure leadership positions for women on the executive. The Local has continued to grow in membership and the Local has far fewer released officers to manage the workload than other Local's of comparable size. The local's income and FTE have risen substantially over the past school years due to the significant increase in OT work being done by the membership. 2012-13 FTE= 1443, 2015-16 FTE= 1807, 2020-21 FET= 2470 This is an increase of 71% since 12-13 and 37% since 15-16.*

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**AMENDMENT #8**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**Be it resolved that Article VI LOCAL ORGANIZATION Section 1 – Local Executive subsections 6.1.3, 6.1.4 and 6.1.5 be amended to read:**

6.1.3 The term of office for the Executive shall be **two (2)** years. The Executive will take office on **July 1**.

6.1.4 Each Released Executive position is limited to **2 (two) consecutive** terms.

6.1.5 All members of the Executive must maintain active membership status in the Local to maintain a position on the Local Executive.

**And that ARTICLE IX – EXECUTIVE ELECTIONS Section 1 – Eligibility be amended by the deletion of 9.1.3:**

9.1.3 Term limits for all released executive officer positions (president, first vice-president, second vice-president and treasurer) be limited to 4 consecutive years in all released positions. This motion is applied retroactively. Thus, any local released executive officer who has held a released position for 4 or more consecutive years as of the 2022-2023 local elections will not be eligible to run in the 2022-2023 local executive elections or any subsequent by-elections for the 2022-2023 school year.

***Rationale:***

*This amendment is to combine two concepts that can contribute to a healthy Executive. A two-year term lets Executive members gain experience and focus on their contributions to the Local and provides the Local additional time at alternate Annual Meetings to complete other business of the Local. The 2 consecutive term limit provides for changeover of the Executive, thereby ensuring the steady stream of new persons who reflect the Membership and bring fresh and innovative ideas. This will assure continuous growth of the Local.*

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**AMENDMENT #9**

**Moved by: ROB FULFORD**

**Seconded by: FLETCHER JEROME**

**BIRT ARTICLE VI – LOCAL ORGANIZATION Section 1- Local Executive 6.1.3 be amended to read:**

6.1.3 Effective for the 2023 Executive Election, the term of office of the executive shall be two (2) years. The term will commence on July 1 of the year of the election and end on June 30 two years following the year of election.

***Rationale:***

*This allows for a two-year term of office to reduce the costs and time commitment of annual elections and reduce the need for constant campaigning by executive members. This brings the Toronto OT Local executive term of office in line with almost every other ETFO local. This also brings the term of office in line with the local and ETFO provincial fiscal year. This allows new executive members adequate time to learn the requirements of a position and provide better overall service to members.*

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**AMENDMENT #10**

**Moved by: LISA DE SANTIS**

**Seconded by: KEN NAKAMURA**

**BIRT ARTICLE 6.1.3 be amended with the addition of a new subsection 6.1.3.1 to read:**

6.1.3.1 Notwithstanding Article 6.1.3, no member shall be eligible to hold any released position on the Local Executive after having served a total of five (5) one-year terms at a position for which full time release has been provided/lifetime. This is inclusive of history, going back from the year 2021/2022.

**And that ARTICLE IX – EXECUTIVE ELECTIONS Section 1 – Eligibility be amended by the deletion of 9.1.3:**

***Rationale:***

*The Local needs to become stronger in the areas of better advocating, better serving and supporting its members. This can only be achieved by limiting terms. We need to attract leaders with new ideas, who are visionaries, innovative*

*thinkers, compassionate, selfless and dedicated to serving members. This helps prevent a disconnect between the Local released officers who have been sitting in the office far too long and the real issues that OTs face on a daily basis.*

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**AMENDMENT #11**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**Be it resolved that ARTICLE VI – LOCAL ORGANIZATION Section 1 – Local Executive current articles 6.1.4 and 6.1.4.1 be deleted.**

**And that Article VII Section 1 Duties of the Executive 7.1.1 i) be amended to read:**

7.1.1 The Executive shall:

(i) appoint when necessary, a successor to complete any unexpired term of an elected or appointed Local representative in accordance with Bylaw IV;

**And that ARTICLE IX - EXECUTIVE ELECTIONS Section 5 – By-Elections be deleted.**

**And that BYLAWS be amended by the addition of a new BYLAW IV - VACANCIES ON THE EXECUTIVE**

**to read:**

**BYLAW IV - VACANCIES ON THE EXECUTIVE**

4.1.1 A vacancy from an unexpired term of office on the Executive shall be filled in accordance with 7.1.1 (I) in the following manner:

4.1.2 A vacancy at the position of President shall be filled by the First Vice President.

4.1.3 A vacancy at the position of First Vice President shall be filled by one of the Vice Presidents as appointed by the Executive.

4.1.4 A vacancy at the position of Vice President shall be filled by one of the Executive Members as elected / appointed by the Executive.

4.1.5 A vacancy at the position of Secretary or Treasurer shall be filled in the following manner:

a) Nomination forms will be distributed to members by Constant Contact and on the Local website within fifteen (15) days of a vacancy occurring.

b) Completed nomination forms must be emailed to the Elections Officer. Candidates may also include a 8 1/2 x 11 pdf profile.

c) Each candidate will be contacted by the Elections Officer to verify that their nomination form has been received.

d) Nomination forms must be received by the Local not later than two (2) days prior to the Local Executive Meeting at which the election will take place.

e) The Executive shall elect a candidate by secret ballot from among the nominations received.

4.1.6 A vacancy at the position of Executive Member shall be filled by a By-Election at a General Meeting in the following manner:

a) If an Executive vacancy exists, the position is to be advertised to the membership at least 21 days prior to the next general meeting where the election will take place.

b) The same eligibility criteria apply to candidates as for the annual executive elections.



- c) Members in good standing who are interested in running in the by-election must submit a nomination form by email to the Elections Officer no later than 15 days prior to the General Meeting.
- d) Candidates will be emailed the Campaign Guidelines for By-Election Candidates within 3 school days of the Election Officer receiving their nomination.
- e) Candidates may submit a PDF profile 8½ x 11 inches to the Elections Officer no later than 10 days prior to the General Meeting where the election is to occur.
- f) Profiles that comply with the Campaign Guidelines will be posted by the Election Officer on the Local's website no later than 7 days prior to the General Meeting.
- g) Each candidate may address the membership at the General Meeting for up to 2 (two) minutes.
- h) Voting will be conducted at the General Meeting by members who are present and voting.
- i) Plurality will determine the winning candidate.

4.2.1 Temporary Vacancies on the Executive resulting from a temporary approved leave of absence will be filled in the following manner.

4.2.2 A vacancy at the position of President shall be filled by the First Vice President.

4.2.3 A vacancy at the position of First Vice President shall be filled by one of the Vice Presidents as appointed by the Executive.

4.2.4 A vacancy at the position of Vice President(s), Secretary or Treasurer shall be filled by one of the Executive Members as elected / appointed by the Executive.

4.2.5 A vacancy at the position of Executive member shall be left unfilled if the temporary vacancy is less than 3 months. If the temporary vacancy is greater than 3 months, the vacancy will be filled in the following manner:

- a) The Executive Member candidate with the next highest vote count from the Annual Meeting elections will be appointed by the Executive to fill the temporary vacancy.
- b) If the candidate declines filling the vacancy, then the membership at large will be notified within 15 days of the vacancy occurring that nominations are being sought to fill a temporary vacancy.
- c) Nomination forms must be submitted to the Elections Officer at least two days prior to the Executive Meeting where the election will take place. Candidates may also include a 8 1/2 x 11 pdf profile.
- d) Each candidate will be contacted by the Elections Officer to verify that their nomination form has been received.
- e) The Executive shall elect a candidate by secret ballot from among the nominations received using plurality.

***Rationale:***

*ETFO's Constitution "11.2.6 Each local Constitution shall outline the procedures to be followed to fill a vacancy on the executive." Currently the Local's vacancy procedures are in Sections 6.1.4, 7.1.1 i), Article IX Section 5 and the vast majority in the Policy and Procedures Manual. Some vacancies were not addressed anywhere. This amendment collects all the vacancy language together in one place and provides detailed guidance and direction.*

**AMENDMENT #12**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**Be it resolved that Article VI LOCAL ORGANIZATION Section 1 – Local Executive be amended by a new subsection 6.1.6 to read:**

6.1.6 The Executive shall have the following Committees:

- a) Collective Bargaining Committee (CBC);
- b) Executive Committee.

**And that Article VI LOCAL ORGANIZATION Section 2 – Standing Committees 6.2.1 be amended to read:**

**Section 2 – Standing Committees**

6.2.1 There shall be the following Standing Committees:

- a) Budget Committee
- b) Constitution Committee
- c) Elections Committee
- d) Equity and Social Justice Committee
- e) New Members Committee
- f) Political Action Committee
- g) Professional Development Committee
- h) Racialized Members Committee
- i) Social Committee
- j) Status of Women Committee

**Rationale:**

*The Executive Committee, made up of the Released Officers, can meet regularly and complete the duties previously assigned to the Communication Oversight Committee in a quicker and more efficient manner. CBC as defined in this Constitution is a committee made from the Executive. Combining the Constitution Committee and the Policy and Procedures Committee allows for all references to be up to date without duplication. The Racialized Members and Political Action Committees have been ad hoc and deserve to become Standing Committees.*

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**AMENDMENT #13**

**Moved by: ADIL AHMAD**

**Seconded by: CHRISTINA MEYNELL**

**BIRT Article VI Local Committees, Section 2 - Committees 6.2.1 be amended by the addition of a new standing committee to read:**

New Members

**Rationale:**

*The purpose of this Committee will be to help new members develop an awareness of their local, services available and guidance on matters related to their professional practice. The Committee will aim to directly support members through the challenges they encounter in their daily professional lives and build a culture of collegiality. The Committee will provide a reliable space for members to express their needs, discuss any challenges they may be facing in their work environments, and gain access to guidance and support designed to meet their needs and empower them to thrive as professionals.*

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**AMENDMENT #14**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**Be it resolved that ARTICLE VII - ORGANIZATIONAL DUTIES be amended by the addition of:**

**ARTICLE VII - ORGANIZATIONAL DUTIES**

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

And that

**Section 1 - Duties of the Executive be amended with the deletion of:**

The duties of the Executive shall be to administer the affairs of the Local between the Local Annual Meetings in accordance with the Constitution, Bylaws, and Policies and Procedures Manual of the Local. The Policy and Procedures manual may be amended at any time by motion of the Executive by simple majority.

**And that Section 1 - Duties of the Executive subsections be amended to read as follows:**

- (c) hold at least three (3) General Meetings, including a Local Annual Meeting and at least ten (10) regular Executive meetings;
- (i) appoint, when necessary, a successor to complete any unexpired term of an elected or appointed Local representative according to Bylaw IV;
- l) hire a bookkeeper to an annual contract;
- m) attend meetings regularly;
- n) appoint representatives, as required, to act in the interest of the Local;
- o) have the final authority to determine the specific duties of the officers of the Local;
- p) once voted on, shall uphold decisions and positions of the majority of the Executive, regardless of personal stance;
- q) approve procedures of the Local by majority vote;
- r) assign a member of the Executive to each Standing and Ad Hoc Committee to serve as an Executive Liaison.

***Rationale:***

*Updating duties of Executive.*

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**AMENDMENT #15**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**Be it resolved that ARTICLE VII - ORGANIZATIONAL DUTIES Section 2 - Duties of Officers 7.2.1 be amended by the addition of new subsections n), o), p) and q) to read:**

7.2.1 The President shall:

- n) to act as Local Occasional Teacher representative on the Local Non-Occasional Teacher Executive;
- o) to attend any negotiations sessions with the Board;
- p) Counsel or designate a released officer to represent members through grievance/arbitration in accordance with the Labour Relations Act and the local collective agreement;

q) shall attend meetings of the Executive Committee.

**Rationale:**

*Updating duties of President to include Grievance Officer duties.*

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**AMENDMENT #16**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**Be it resolved that Article VII Section 3 – Duties of the Vice-Presidents, 7.3.1 be amended to read:**

7.3.1 The duties of the vice-presidents shall be determined by the executive:

**And that 7.3.1 d) be amended to read:**

(d) The vice-presidents shall have responsibility for distribution and posting of communications approved by the Executive Committee, to the membership including the Local's website and social media;

**And that 7.3.1 be amended by the addition of new subsections j), k) and l) to read:**

j) All Vice Presidents shall attend meetings of the Executive Committee;

k) The 1<sup>st</sup> Vice President shall serve as a signing officer;

l) The Executive shall assign one (1) Vice President responsibility for advertising for members at large to express interest in joining Local Committees, to receive emails of interest, to provide member contact information to the Executive Liaison for the Committee and to maintain the List of Committee Membership.

**Rationale:**

*Updating duties of Vice Presidents from procedures in the Policy and Procedure Manual and responsibilities for communication to members.*

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**AMENDMENT #17**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**Be it resolved that 7.3.2 The Treasurer shall: shall be renumbered Article VII Section 4 Duties of the Treasurer 7.4.1 The Treasurer shall:**

**And that the following 7.3.2 subsections be amended to read:**

7.4.1

g) forward the annual audited financial statement of the Local to the Union by September 30;

i) to ensure prompt and accurate payment of expenses and deposit of receipts;

k) supervise the work of the bookkeeper, if applicable, assisted by the President; to reconcile bank statements, credit card statements, bank accounts, receipt of dues, and levy fees;

l) strike a draft budget in co-operation with the Budget Committee for approval by the Executive;

m) to present for membership approval the proposed budget at the Local Annual Meeting and the finalized budget at the Local Fall General Meeting along with the fiscal year end financials;

- n) to attend the Federation Annual Meeting;
- o) provide financial training for Committee Chairs;
- p) to assume other financial duties as determined by the Executive.

**Rationale:**

*To move the Duties of the Treasure to its own Section and to update these duties from procedures in the Policy and Procedures Manual.*

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**AMENDMENT #18**

**Moved by: SCOTT MAUDSLEY**

**Seconded by: JEREMY BASS**

**BIRT ARTICLE 7 The Treasurer Shall: Section 3.2 (c) be amended to read:**

- c) Make a financial report to each Executive and General Meeting of the Local including a report on the previous year's year end financials at the first Local General Meeting of the year (typically held in October or November) and shall report on any expense carried over from the previous fiscal year and shall seek the membership's approval to over-expend any budget line where there is a carry-over in that budget line that exceeds 50% of the budget for that line or where there is a carryover in that budget line of \$25,000 or more.

**Rationale:**

*A Treasurer Report must be made at the Local's Fall Meeting in order to inform members whether the Local met its budget projections, of the final income and expenses from the previous year, and hence of the Local's current financial position. That the Local has not done so in recent years, despite established past practice and despite the policy that demands that year-end financials be provided in the Fall GM membership package, is inconceivable. Members must also be informed of the status of budget lines that are already significantly spent due to carry-overs from the previous year.*

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**AMENDMENT #19**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

Be it resolved that ARTICLE VII ORGANIZATIONAL DUTIES Section 7.3.3 The Secretary shall: shall be renumbered Article VII Section 5 - Duties of the Secretary 7.5.1 The Secretary shall:

And that Section 7.5.1 subsections c) and d) be amended to read as follows:

- c) prepare and circulate draft minutes of Executive Meetings at least 3 (three) days prior to the next Executive Meeting.
- d) prepare draft minutes of General Meetings and the Annual Meeting for circulation to the membership at least a week prior to the next meeting.

And that Section 7.5.1 be amended with the addition of new subsections to read:

- e) Update procedural motions passed after each Executive Meeting in the Reference Book - Procedures section.
- f) shall be responsible for providing the final edit approved minutes for posting on the Local's website.
- g) represent the Local as a delegate to the ETFO Annual Meeting in August.
- h) to assume other secretarial duties as determined by the Executive.

**Rationale:** *Moving Duties of the Secretary to its own Section and updating duties.*

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**AMENDMENT #20**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**BIRT Section 3 – Duties of the Executive Members be renumbered Section 6 – Duties of Executive Members and be amended with the addition of a new subsection c) to read:**

7.6.1 The Executive Members shall:

- c) serve on at least one committee as Executive Liaison, Chair or member.

***Rationale:***

*Moving Duties of Executive Members to its own Section and updating duties from Policy and Procedure Manual.*

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**AMENDMENT #21**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**BIRT ARTICLE VII ORGANIZATIONAL DUTIES be amended by the addition of a new section, Section 7 – Duties of the Chief Negotiator to read:**

Section 7 – Duties of the Chief Negotiator:

7.7.1 The Chief Negotiator shall:

- a) act as Grievance Officer when designated by the President;
- b) chair or designate the chair of Collective Bargaining Committee Meetings;
- c) act as liaison with the Union Staff Officer and the Local Executive;
- d) report to General Meetings and Executive on bargaining issues and the status of negotiations;
- e) share as permitted with the Collective Bargaining Committee all communications, procedures and policies from the Union and from the Board;
- f) prepare the agenda for CBC meetings;
- g) present a draft of the proposed preliminary submission to the Local Executive for approval;
- h) work with the Union Staff Officer to ensure proposed preliminary submission has Union approval;
- i) present the preliminary submission to the membership for approval;
- j) present the approved preliminary submission to the Board;
- k) conduct negotiations based on the priorities of the Local and the Union directives;
- l) work closely with the Local President and the Union Staff Officer in all matters;
- m) assume other duties as determined by the Executive.

**Rationale:**

*The Duties of the Chief Negotiator are not currently in the Constitution. This creates a list of duties as commonly found in Local Constitutions.*

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**AMENDMENT #22**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**BIRT ARTICLE VII ORGANIZATIONAL DUTIES be amended by the addition of a new section, Section 8 – Duties of Executive Liaisons to read:**

Section 8 – Duties of the Executive Liaisons:

7.8.1 Executive Liaisons shall:

- a. facilitate communication between Committees of the Local and the Executive;
- b. organize and chair the first meeting of the Committee they are assigned to as soon as possible in the fall;
- c. conduct the election of the Committee Chair from the members of the committee at the first meeting;
- d. Receive communications from the Committee Chair and share this information with the Executive as required;
- e. Ensure that motions from the Committee that require Executive approval are placed on the Executive Meeting agenda and move these motions;
- f. present the Committee’s developed or updated Terms of Reference to the Executive for approval.

**Rationale:**

*To put in the Constitution a role that has been used to assist communication between Committees and the Executive.*

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**AMENDMENT #23**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**BIRT ARTICLE VII ORGANIZATIONAL DUTIES be amended by the addition of a new section, Section 9 – Duties of Committees to read:**

Section 9 – Duties of Committees

7.9.1 Committees are responsible to the Local Executive to:

- a) develop or update Terms of Reference for approval by the Executive;
- b) elect their own Chair for the Committee and Secretary for the Committee;
- c) plan events and activities within the budget for the Committee that meet the Terms of Reference of the Committee;
- d) receive and act upon proposals and referrals from the Local Executive;

7.9.2 Chairs of Standing Committees and Ad Hoc Committees shall:

- a) preparing an agenda for meetings, where appropriate;

- b) preside at all meetings of the committee;
- c) submitting approved minutes of all meetings through the Executive Liaison for the next Executive meeting;
- d) submit committee recommendations through the Executive Liaison for approval at the next Executive meeting;
- e) provide a written summary report for the Local Annual Meeting;
- f) track attendance and maintain all Committee members' expenses including one's own;
- g) monitor the Committee's budget to ensure that it does not exceed the Committee's budgetary allotment as approved in the Budget;
- h) submit a proposed budget amount for the following year to the Budget Committee prior to that committee's meeting to create a draft budget for the Executive;
- i) make reports upon request to the Executive and the general membership;
- j) communicate with the Executive Liaison assigned to the Committee.

**Rationale:**

*Updating the Constitution with Duties of Committees and Committee Chairs that have previously been in the Policy and Procedures Manual.*

**AMENDMENT #24**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**BIRT Section 4 Duties of Committees 7.4.2 The Collective Bargaining Committee be renumbered and amended to read:**

7.9.3 The Collective Bargaining Committee shall:

- a) consist of the Local President and four (4) other members of the Executive who shall be elected by the Executive at the first Executive meeting each year;
- b) appoint a Chief Negotiator from among the members of the committee;
- c) ensure that the Chief Negotiator shall be recognized as the official liaison with the Board;
- d) appoint a secretary for the committee;
- e) solicit input from the general membership for inclusion in the preliminary submission;
- f) present the proposed preliminary submission to the Local Executive for approval;
- g) ensure that any preliminary submission and collective agreement is approved by the Union prior to a general membership presentation and vote;
- h) present a preliminary submission for a vote at an All Member Meeting;
- i) coordinate a ratification meeting for the collective agreement with the Union's Staff Officer;
- j) prepare for and conduct negotiations under the guidance of the Union Staff Officer;
- k) collect information from and distribute information to the membership of the Local.

**And that Section 4 – Duties of Committees be renumbered and amended by the addition of a new subsections to read:**

7.9.4 **The Executive Committee shall:**

- a) consist of the Released Executive;



- b) meet at least once a month;
- c) report and make recommendations to the Executive;
- d) compile information and articles to be shared with members through newsletters, the Local's website or social media and Constant Contact, review and edit such information;
- e) email draft communications to the Executive prior to going out to the membership;
- f) approve draft communications in person or electronically prior to being distributed by the vice presidents.

**7.9.5 The Budget Committee shall:**

- a) be chaired by the Treasurer;
- b) consist of up to 8 (eight) members;
- c) submit a draft proposed budget to the Executive, for approval at the Local Annual Meeting each year;
- d) update the proposed budget each fall based on actual expenditures and unexpected events and submit to the Executive for approval of a Final Budget at Fall General Meeting;
- e) assist the treasurer in developing investment strategies, where possible, for recommendation to the Executive;
- f) ensure the financial solvency of the Local.

**7.9.6 The Constitution Committee shall:**

- a) Consist of up to 8 (eight) members;
- b) assist members in submitting proposed amendments to the Local Constitution and Bylaws;
- c) identify to the Executive, areas of the Constitution and Bylaws that would benefit from review and revision;
- d) accept on behalf of the Executive proposed amendments to the Constitution and Bylaws;
- e) process the proposed amendments for distribution and notification of members as per timelines in the Constitution and Bylaws;
- f) develop proposed Bylaws to augment and clarify the Constitution;
- g) ensure that a revised Reference Book is available each year, in the fall, containing the updated Constitution, Bylaws, Terms of Reference for Committees, Policy and Position Statements, Operating Procedures, and Procedures of the Local and update as required throughout the school year;
- h) follow the Terms of Reference for the Committee.

**7.9.7 The Elections Committee shall:**

- a) be appointed or elected by the Executive;
- b) consist of at least four (4) Active Members on the committee may not run in elections held in that school year;
- c) recommend to the Executive the appointment of an Elections Officer, from outside the Local;
- d) ensure the Executive adhere to constitutional timelines for both nomination and election processes in any elections;
- e) ensure that all nomination forms, communications about elections, and campaign guidelines comply with the election procedures in the Constitution and Bylaws;
- f) not have members serve if they are a sitting Executive member or candidate running for elected office;
- g) be responsible for those duties listed in the Terms of Reference for the Committee.

**7.9.8 The Equity and Social Justice Committee shall:**

- a) consist of at least four (4) Active Members;
- b) be appointed or elected by the Executive;
- c) be responsible for those duties listed in the Terms of Reference for the Committee.

**7.9.9 The New Member Committee shall:**

- a) consist of at least four (4) Active Members;
- b) be appointed or elected by the Executive;
- c) be responsible for those duties listed in the Terms of Reference for the Committee.

**7.9.10 The Political Action Committee shall:**

- a) consist of at least four (4) Active Members;
- b) be appointed or elected by the Executive;
- c) be responsible for those duties listed in the Terms of Reference for the Committee.

**7.9.11 The Racialized Members Committee shall:**

- a) consist of up to eight (8) Active Members;
- b) be appointed or elected by the Executive;
- c) be responsible for those duties listed in the Terms of Reference for the Committee.

**7.9.12 The Social Committee shall:**

- a) consist of up to eight (8) Active Members;
- b) be appointed or elected by the Executive;
- c) be responsible for those duties listed in the Terms of Reference for the Committee.

**7.9.13 The Status of Women Committee shall:**

- a) consist of up to eight (8) Active Members;
- b) be appointed or elected by the Executive;
- c) be responsible for those duties listed in the Terms of Reference for the Committee.

***Rationale:***

*Expanding the Duties of Committees to reference each Committee of the Local and updating duties from the Policy and Procedures Manual.*

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**AMENDMENT #25**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**BIRT ARTICLE VIII – MEETINGS Section 1 – General Meetings be 8.1.2 and 8.1.3 be amended to read:**

8.1.2 A Fall General Meeting shall be held no later than November 30 of each year. The agenda items shall include:

- a) a report from the ETFO Annual Meeting;
- b) a by-election for any unfilled Executive positions as required by Bylaw IV;
- c) amendments to Bylaws of the Local;
- d) approval of the Final Budget of the Local;
- e) presentation of the auditor’s report
- f) a 15 minutes question and answer period as a timed item at the end of the meeting.

8.1.3 A Winter General Meeting shall be held no later than February 28 of each year. The agenda items shall include:

- a) the election of Delegates to ETFO Annual Meeting;
- b) approval of resolutions for the ETFO Annual Meeting;
- c) a by-election for any unfilled Executive positions as required by Bylaw IV;

- d) amendments to the Bylaws of the Local;
- e) introduction of candidates for the next year's Executive;
- f) a 15 minutes question and answer period as a timed item at the end of the meeting.

**And the deletion of 8.1.7**

**And that ARTICLE VIII – MEETINGS Section 2 – Local Annual Meeting 8.2.2 b) and d) be amended to read:**

- b) approve the Proposed Budget for the next fiscal year;
- d) consider amendments to the Local Constitution in accordance with Article XII and Bylaw V;

**And that BIRT ARTICLE VIII – MEETINGS Section 3 – Executive Meetings 8.3.2 be amended to read:**

8.3.2 Approved minutes of Executive Meetings shall be posted on the Local's website.

***Rationale:***

*Updating provisions for Meetings from the Policy and Procedures Manual and identifying specifically what is required at each meeting. Updating minutes being posted as currently in the PPM.*

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**AMENDMENT #26**

**Moved by: SCOTT MAUDSLEY**

**Seconded by: LISA DE SANTIS**

**Article VIII Meetings be amended by the addition of a new section 4 Local Meetings and subsection 8.4.1 to read:**

Section 4 – Local Meetings

8.4.1 All Local Meetings including, but not limited to, the Annual Meeting, General Meetings, Executive Meetings and Committee Meetings, shall be conducted entirely in-person and that all voting and elections normally conducted at such meetings as per the Local Constitution shall also be conducted entirely in-person.

***Rationale:***

*In-person gatherings facilitate human interaction in the most open and democratic manner. In-person meetings are also the 23 year past practice of this Federation both Locally and Provincially. Online meetings were adopted as an Emergency Measure only with the commitment from the Federation that meetings would return to in-person at the earliest possible moment. Only last June, this very body voted for Executive Elections at the Annual Meeting which they full expected to be in-person and which is the only way to honour 9.3.6 of the Constitution which demands scrutineers for the voting process.*

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**AMENDMENT #27**

**Moved by: EXECUTIVE**

**Seconded by: EXECUTIVE**

**BIRT ARTICLE IX – EXECUTIVE ELECTIONS Section 1 – Eligibility subsections 9.1.2 and 9.1.3 be amended to read:**

9.1.2 To stand for the office of president, first vice-president or treasurer a candidate must have served at least one (1) year on the Local Executive unless no eligible candidate is nominated.

9.1.3 Candidates for all Released Executive positions must comply with the consecutive term limits listed in 6.1.4.

**And that ARTICLE IX – EXECUTIVE ELECTIONS Section 2 – Nominations be amended by the addition of new subsections to read:**

9.2.4 Nomination forms shall include a description of the responsibilities of the various executive positions and the eligibility requirements of each position, if any.

9.2.5 The Elections Officer shall send the Campaign Guidelines for Executive Election Candidates to each eligible candidate within three (3) calendar days from when the nomination form is received by the Elections Officer or designate.

9.2.6 Once nominations are closed, the names of candidates and the positions they are running for shall be posted in alphabetical order on the local website within three (3) school days.

**And that ARTICLE IX – EXECUTIVE ELECTIONS Section 3 – Election Procedures 9.3.5 and 9.3.6 be amended to read:**

9.3.5 Votes will be counted in order of President, First Vice-President, Vice-Presidents, Treasurer, Secretary and Executive Member. If a candidate is successful for a position, his/her name will be removed from subsequent vote counts. In the case of a tie for an Officer position or for the final Executive Member position, a re-vote will be held between the tied candidates only.

9.3.6 If paper balloting is used:

- a) The ballots shall be distributed, collected and counted in a sequestered space under the supervision of the Elections Officer by poll clerks that are not members of the Local.
- b) Each candidate or scrutineer of the candidate's choice may observe the counting of the ballots. A scrutineer must be a member of the Local.
- c) The ballots shall be destroyed thirty (30) days following the vote count.

**And that 9.3.9 be deleted.**

**And that ARTICLE IX – EXECUTIVE ELECTIONS Section 4 – Elections Officer be amended to read:**

Section 4 – Elections Officer

9.4.1 Annually, in accordance with the Constitution, the Elections Committee shall recommend to the executive the appointment of an Elections Officer from outside the Local.

9.4.2 The Elections Officer is a paid position with compensation determined by a procedure approved by the Executive.

9.4.3 When appointed, the Elections Officer will work with the Elections Committee to implement requirements and election procedures of the Constitution and Bylaws, and the approved nomination forms and Campaign Guidelines.

9.4.4 In the event the Elections Officer is unable to complete their duties, the Election Committee Chair and Parliamentarian will conduct the duties of the Elections Officer until a new Elections Officer can be recommended by the Committee and approved by the Executive.

9.4.5 The Elections Officer duties will begin at the opening of nominations and conclude once the Elections Officer submits their summary report (not later than May 30 of that year).

9.4.6 The Elections Officer shall maintain confidentiality regarding the Local elections.

9.4.7 The Elections Officer shall use the independent Election Officer email account.

9.4.8 The Elections Officer shall post, on the local's website, the names of all candidates and the position(s) for which they are running, organized by category for all local elections within 2 school days of the close of nominations.

9.4.9 The Elections Officer shall email candidates confirming receipt of nomination within 3 school days after the nomination has been received. Included with this email will be an electronic copy of the approved Campaign Guidelines.

9.4.10 The Elections Officer will receive, investigate, and report on any violations of Campaign Guidelines as per the Campaign Guideline violations process.

9.4.11 The Elections officer will introduce candidates, by category, who are running for the Executive election, at the Local's Winter General Meeting.

9.4.12 The Elections Officer shall request post election results on the website no later than three (3) school days after the meeting at which elections were held.

9.4.13 If paper voting is being used, the Elections Officer shall preside over any poll clerks and ballot preparation, distribution, collection, counting and ruling on spoiled ballots.

9.4.14 At each meeting where an election is being conducted, the Election Officer will:

- a) Introduce the candidates for each position in alphabetical order by last name;
- b) Offer each candidate an opportunity to address the members for up to 2 minutes
- c) Preside over the conducting of the vote immediately following the speeches for that position;
- d) Announce election results and declare the winning candidate or the candidate acclaimed;
- e) maintain a copy of the vote results for 30 days after the election.

***Rationale:***

*ETFO's Constitution "11.2.3 Each local shall define within its Constitution and Bylaws the Procedures governing executive elections." Updating these sections in the Constitution rather than the Policy and Procedures Manual so they are approved by the membership rather than just at the Executive level.*

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**AMENDMENT #28**

**Moved by: CHRISTINA MEYNELL**

**Seconded by: MARISA GALLIPPI**

**BIRT ARTICLE X - DELEGATES TO THE UNION ANNUAL MEETING be amended to read:**

10.1 Only active members of the Local may be appointed as Delegates/Alternates to the ETFO Annual Meeting.

10.2 The number of Delegates permitted to attend the ETFO Annual Meeting is determined by the Union.

10.3 Delegates and Alternates of the Local shall include:

- a) the President;
- b) the First Vice-President;

- c) the Vice-President(s);
- d) the Treasurer
- e) the Secretary

10.4 Accredited delegates to the ETFO Annual Meeting shall be determined in accordance with Bylaw V: *Election of Delegates*.

**And that BYLAWS be amended by addition of a new bylaw, BYLAW V – ELECTION OF DELEGATES to read:**

- 5.1 Members in good standing who are interested in serving as a delegate must advise the local's Elections Officer by emailed nomination form at least ten (10) calendar days prior to the Winter General Meeting.
- 5.1.1 Notwithstanding 5.1, if fewer nomination forms than delegate positions available are received by the Winter General Meeting, the Elections Officer may accept nominations from the floor.
- 5.2 Candidates may include a message of up to 200 words with their nomination form.
- 5.3 The Elections Officer will post on the Local website in alphabetical order by last name:
  - a) the candidate's name;
  - b) the candidate's message of up to 200 words received by the nomination deadline.
- 5.4 Candidates will have up to 1 minute\* to address members attending the Winter General Meeting of the Local.
- 5.5 Voting will occur immediately following the candidate speeches at the Winter General Meeting.
- 5.6 No other campaign materials are permitted. Campaign materials include concrete materials (e.g., posters, bookmarks) or web-based materials (e.g., blog, webpage).
- 5.7 Sharing of the hyperlink to the Delegate Elections page of the Local on social media is allowed.
- 5.8 No candidate or current Executive members, or Elections Committee members shall post any comment that identifies another candidate in any way that might positively or negatively effect that candidate's candidacy.
- 5.9 Candidates are prohibited from using Board emails or the Local's Constant Contact information for the Candidate's campaign.
- 5.10 Campaign communications must comply with the ETFO Human Rights Statement and comply with the Code of Conduct for ETFO, Ethical Standards of the OCT, and provisions of the Constitution, Bylaws V Delegate Elections.
- 5.11 Candidates are to refrain from using Committee email communications to campaign.
- 5.12 Members at large participation in the election is through their vote. Any support that a member at large provides for an individual candidate is expected to allow that candidate to comply with these election procedures.
- 5.13 Alleged infractions or violations of these guidelines will be referred to the Local's Elections Officer for resolution.
- 5.14 Candidates determined to have infractions may have these posted on the Local's web site and publicly announced at the Winter General Meeting at the beginning of the candidate's minute speech time leaving the remaining time for the candidate to address the assembly.
- 5.15 If voting is conducted by paper ballot, the Elections Officer will preside over the preparation, distribution, collection and counting of ballots by poll clerks and make any required rulings on spoiled ballots
- 5.16 The Elections Officer will hold the vote results for thirty days and post the vote results on the Local website within 3 school days of the Winter General Meeting.

***Rationale:***

*The Constitution was silent on the procedure for election of delegates. This embeds the procedure previously in the Policy and Procedures Manual into the Constitution.*

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**AMENDMENT #29**

**Moved by: CHRISTINA MEYNELL**

**Seconded by: MARISA GALLIPPI**

**BIRT ARTICLE XII – AMENDMENTS TO THE LOCAL CONSTITUTION be amended to read:**

- 12.1 Proposed amendments to the Local Constitution must be submitted to the Constitution Committee on behalf of the Executive in writing or by email no less than thirty (30) days prior to the Local Annual Meeting.
- 12.2 The Constitution Committee will confirm receipt of proposed amendments within 3 school days.
- 12.3 All proposed constitutional amendments shall be posted on the Local’s website at least 14 days prior to the Local Annual Meeting.
- 12.4 Proposed amendments may be received from:
- a) Active Members;
  - b) The Executive;
  - c) a Standing Committee.
- 12.5 For Constitutional amendments a quorum of the Local Annual Meeting must be present.
- 12.6 The Constitution shall be amended if sixty (60) percent of the members present and voting at the Local Annual Meeting vote in favour of the proposed amendment.
- 12.6 The Constitution shall be reviewed annually for revisions.
- 12.7 Amendments to the Constitution take effect immediately following the Local Annual Meeting.

**And that BYLAWS be amended by the addition of a new BYLAW to read:**

**BYLAW VI - AMENDMENTS TO BYLAWS**

- 6.1 Proposed amendments to the Bylaws submitted at least fifteen (15) days prior to a General or Local Annual Meeting may be received from:
- a) Active Members;
  - b) The Executive;
  - c) a Standing Committee;
- 6.2 Proposed amendments that are in order will be posted to the Local’s website within three (3) school days of receipt.
- 6.3 Bylaws may be amended at a General or Local Annual Meeting if sixty (60) percent vote in favour of the members present and voting.
- 6.4 Amendments to Bylaws take effect immediately following General or Local Annual Meetings. Amendments to the Constitution take effect immediately following the Local Annual Meeting.

***Rationale:***

*These amendments allow for Standing Committees to submit amendments to the Constitution, it provides greater detail on the process for amendments, and the current Constitution doesn’t specifically identify how to amend BYLAWS, so this new BYLAW provides that information and makes changing the BYLAWS more accessible by allowing for amendments at any General Meeting. This also provides a distinction between the Constitution and BYLAWS. It provides a higher standard for changes to the Constitution than BYLAWS, which is in keeping with Robert’s Rules of Order.*

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**AMENDMENT #30**

**Moved by: ROB FULFORD**

**Seconded by: FLETCHER JEROME**

**BIRT Article XII – Amendments to the Local Constitution be amended to read:**

12.1.1 Proposed amendments to the Local Constitution must be submitted to the Local office in writing or by email no less than thirty (30) days prior to a Local General Meeting.

12.2.1 All proposed constitutional amendments shall be posted on the Local’s website at least 14 days prior to a Local General Meeting.

12.3.1 Amendments to the Constitution may be made at a Local General Meeting by the affirmative vote of at least 60% of the members present.

**Rationale:**

*By allowing Amendments to the Constitution at Local General Meetings instead of just at the Annual Meeting, you ensure the membership is more engaged, allow for slightly greater flexibility to make changes required to adapt to current circumstances and creates greater transparency and accountability for the local executive.*

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**AMENDMENT #31**

**Moved by: CHRISTINA MEYNELL**

**Seconded by: MARISA GALLIPPI**

BIRT ARTICLE XIII – FINANCES subsection 13.2.1 be amended to read:

13.2.1 The signing officers of the Local shall be the President, the Treasurer and 1<sup>st</sup> Vice President.

**Rationale:**

*Identifies the three signing officers for the Local.*

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**AMENDMENT #32**

**Moved by: CHRISTINA MEYNELL**

**Seconded by: MARISA GALLIPPI**

**BIRT BYLAW II RELEASE TIME Section 2 – Vice-president’s Release subsection 2.2.1 be amended to read:**

2.2.1 The positions of First Vice President and Vice-President(s) shall be full-time release positions.

**Rationale:**

*This allows for release time to be available if the membership changes the structure of the Executive in Article 6.1 to include a change in the number of VPs. The local's income and FTE have risen substantially over the past school years due to the significant increase in OT work being done by the membership. 2012-13 FTE= 1443, 2015-16 FTE= 1807, 2020-21 FET= 2470. This is an increase of 71% since 12-13 and 37% since 15-16. The Local's total expenses have remained consistent over that time and the amount of executive release time has actually decreased from 3.7 in 12-13 to 3.5 in 21-22 (a 5% decline).*

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**AMENDMENT #33**

**Moved by: LISA DE SANTIS**

**Seconded by: KEN NAKAMURA**



**BIRT that Bylaw II Release Time Section 2 – Vice-presidents’ Release be amended to read:**

- 2.2.1 The position of First Vice-President shall be a full-time release position.
- 2.2.2 The position of 2<sup>nd</sup> Vice-President shall be 0.5 release position.
- 2.2.3 The position of 3<sup>rd</sup> Vice-President shall be 0.3 release position.
- 2.2.4 The Vice-President’s salaries shall be determined by the same criteria as the president’s salary.

*Rationale:*

*It is essential that the Local has released officers who work in the classroom so that they can better serve the needs of members. The Local already has two released officers at 1.0. With the restoration of a 3<sup>rd</sup> Vice President, at 0.3 release, the Local will no longer be able to justify a third full time release officer. This would be an irresponsible expenditure of members’ hard-earned money that could be better allocated to two part time Vice Presidents, whose primary responsibilities would be to support and defend members.*

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**AMENDMENT #34**

**Moved by: ROB FULFORD**

**Seconded by: FLETCHER JEROME**

**BIRT BYLAW II - RELEASE TIME Section 3 – Treasurer’s Release be amended to read:**

- 2.3.1 The position of Treasurer shall be a 0.2 release position.
  - 2.3.2 Any additional release for the Treasurer shall be passed at a local General Meeting.
  - 2.3.3 The Treasurer’s salary shall be determined by the same criteria as the President’s salary.
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**AMENDMENT #35**

**Moved by: CHRISTINA MEYNELL**

**Seconded by: MARISA GALLIPPI**

**BIRT BYLAW II RELEASE TIME Section 4 – Secretary’s Release be amended to read:**

- 2.4.1 The position of Secretary shall receive:
  - a) a payment equivalent to a half day release at their daily rate for each set of Local minutes completed for a half day Executive Meeting;
  - b) a payment equivalent to a full day release at their daily rate for each set of Local minutes completed for a full day Executive Meeting.

*Rationale:*

*The original BYLAW was written when the Executive held after school meetings of a few hours. The minutes for a full day meeting can run from 15 – 20 pages in length and this additional workload should be recognized.*

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**AMENDMENT #36**

**Moved by: SCOTT MAUDSLEY**

**Seconded by: LISA DE SANTIS**

**BIRT BYLAW II RELEASE TIME be amended by the addition of a new Section to read:**

## **Section 6 - Approval of Release Time**

2.6.1 The amount of release budgeted for each release officer position shall be detailed in the annual budget and approved by the membership at the Local Annual Meeting;

2.6.2 That any subsequent increase in officer release proposed by the Local Executive be approved by the membership at a Local General Meeting prior to its implementation including any release proposed for any officer replacing another officer during the school year regardless of the duration of the replacement period.

### **And the deletion of:**

2.3.2 Any additional release for the Treasurer shall be determined by the Local Executive.

### **Rationale:**

*Because officer salaries are this Local's largest and most sensitive expense, members need to know in advance if this expense is going to increase. Unlike other budget lines, it would be devastating to cut off officer salaries as almost happened this year. If the membership had exercised its right to reject the massive \$176,000 over-expenditure in the salaries as requested by this year's Executive, the Local would have been faced with two equally devastating options: either lay off Local release officers or simply not pay them for the remainder of the year. This amendment would avoid such a devastating eventuality.*

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## **AMENDMENT #37**

**Moved by: LISA DE SANTIS**

**Seconded by: KEN NAKAMURA**

**BIRT BY LAW II RELEASE TIME be amended by an additional Section 6 Additional Release Time to read:**

Section 6 - Additional Release Time

2.6.1 Additional release time for part-time Local Officers must be approved by the membership at the Local Annual Meeting.

### **And the deletion of:**

2.3.2 Any additional release for the Treasurer shall be determined by the Local Executive.

### **Rationale:**

*Dues paying members should have a voice when it comes to deciding how much release time Local released officers should be allocated.*

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## **AMENDMENT #38**

**Moved by: LISA DE SANTIS**

**Seconded by: KEN NAKAMURA**

**Ruled out of order by the Parliamentarian. Mover / Seconder will be seeking to Challenge the Chair.**

**BIRT Commencing the academic year 2022-2023, that all released officers be paid the OT daily rate.**

### **Rationale:**

*Released members' salaries make up a huge part of our Budget, hence they are a huge expenditure. We need to be more efficient. Remuneration for released Local Executive should be comparable to what members earn. Many OT Locals pay*

*their Local released officers a daily rate, while at the same time they accomplish a lot for their members. In addition these monies can be allocated towards member defense, e.g. grievances, Collective Bargaining, etc.*

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**AMENDMENT #39**

**Moved by: SCOTT MAUDSLEY**

**Seconded by: JENNIFER KERWOOD**

**Ruled out of order by the Parliamentarian. Mover / Secunder will be seeking to Challenge the Chair.**

**BIRT BYLAWS be amended by the addition of a new BYLAW – Ratification of Local Agreements to read:**

The Local ratification process to ratify a Local Proposed Memorandum of Settlement shall mirror the Provincial ratification process to ratify a Provincial proposed memorandum of settlement and shall be as follows:

- 1) There shall be no less than a two (2) week (14 calendar days) period between Local members receiving the full tentative Local offer and the commencement of the all-member ratification vote on the Local offer.
- 2) Ratification of a Local Memorandum of Settlement requires conditions that would signify a reasonable facsimile of the representative approval that a double majority vote signifies at the Provincial level. Locally this shall be satisfied by the requirement that a minimum of 10% of the total active membership or approximately 450 Local members must vote to qualify a Local ratification vote as valid. In other words, a quorum of 10% of the total active membership is required for Local ratification of a Local Memorandum of Settlement.
- 3) The ratification vote on a local Memorandum of Settlement shall be conducted locally, after duly called information meetings, minimum two (2).
- 4) The vote shall be tabulated by determining the number of votes in favour of ratification locally only when the total number of votes cast exceeds 10% of the total active membership of the Local.
- 5) Ratification is achieved where more than 10% of the Local's total active membership cast a vote and more than 50% of those members casting ballots vote in favour of ratification.
- 6) Members of the local shall be apprised of the number of the Local's active membership that cast votes in the local.
- 7) Members shall be apprised of the percentage of the total votes cast that were in favour and that were against a Local Agreement in their Local.
- 8) The results of all-member votes on local Memoranda of Settlement shall be broken down according to number of active members that voted and percentage for and against, and this information shall be reported to the membership.

***Rationale:***

*The Provincial process gives members a minimum of two weeks to consider the entire Memorandum of Settlement and multiple opportunities to seek clarification before a ratification vote is held. The Provincial process ensures that a Memorandum of Settlement is only ratified if a representative sample of the membership votes in favour of ratification. The Provincial process offers the entire membership easy access and ample opportunity to vote on the Memorandum of Settlement. The Local Process should do the same. The manner by which ratification is achieved and the results of this process should be transparent to the entire membership.*

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**AMENDMENT #40**

**Moved by: SCOTT MAUDSLEY**

**Seconded by: CHRISTINE PICKERING**

**Ruled out of order by the Parliamentarian. Mover / Seconder will be seeking to Challenge the Chair.**

**BIRT BYLAWS be amended by a new BYLAW - Working Hours to read:**

The minimum hours a Local release officer must work to earn a full day's salary are 8:30 a.m. to 5 p.m., and to earn a half day's salary are either 8:30 a.m. to 12:45 p.m. or 12:45 p.m. to 5 p.m. The officer should strive to spend all those hours in the Local office unless called away on urgent union business. The duration of the lunch break, should the officer choose to take it, shall be one hour maximum for a full day and one-half hour maximum for a half day. The lunch break may not be taken at the beginning or the end of the full or half day.

***Rationale:***

*Local policy demands minimum officer coverage from 8:30 a.m. to 5 p.m. every school day of the year optimizing members' access to Local release officers for questions, concerns or in the case of an emergency; opportunities for Local officers to focus on their job for a full day; accountability for hours worked, and the good practice established by past Presidents from the inception of the Local until three or four years ago. Established officer hours will also deter the practice of officers arbitrarily taking unearned Lieu Time by arriving at the work late or leaving early.*