

**PROPOSED AMENDMENTS TO THE CONSTITUTION**  
**OF THE**  
**ELEMENTARY TEACHERS' FEDERATION OF ONTARIO**  
**DURHAM TEACHERS' LOCAL**

**MOTION #1**

MOVED BY: Pamela Harrison

SECONDED BY: David Mastin

**BE IT RESOLVED THAT A NEW HEADING ENTITLED "BY-LAWS" BE ADDED TO THE CONSTITUTION.**

**RATIONALE:**

A Constitution contains core principles of an organization. By-Laws contain operational procedures of the organization. Our constitution contains articles that would be better suited under a By-Law heading.

**MOTION #2**

MOVED BY: Sirkku Meldrum

SECONDED BY: Gerard O'Neill

**THAT ARTICLE VII, ORGANIZATIONAL DUTIES, SECTIONS 1- SECTION 2 (INCLUSIVE), BE MOVED TO BY-LAWS UNDER THE TITLE, "BY-LAW 1 - DUTIES OF THE EXECUTIVE"**

**RATIONALE:** (current wording)

**Section 1 - Executive**

The Executive shall:

- 7.1.1 uphold the constitution, bylaws and policies of the Elementary Teachers' Federation of Ontario;
- 7.1.2 execute the business of the Elementary Teachers' Federation of Ontario - Durham Teachers' Local in accordance with the constitution and the decisions of general meetings of the Durham Teachers' Local;
- 7.1.3 hold at least five regular Executive meetings;
- 7.1.4 hold an Executive meeting at the call of the President;
- 7.1.5 receive a financial report at each Executive meeting;
- 7.1.6 appoint members to committees, develop terms of reference for such committees and receive committee reports;
- 7.1.7 appoint at least 2 signing officers of the Local;

- 7.1.8
- a) A vacancy at the position of President shall be filled by the First Vice-President.
  - b) A vacancy at the position of First Vice-President shall be filled by the Second Vice-President.
  - c) A vacancy at the position of Second Vice-President shall be filled by the Executive by an election of an Officer (Treasurer, Secretary or Member-at-Large/Political Action) or an Executive Member.
  - d) A vacancy at the position of Treasurer, Secretary or Member-at-Large/Political Action shall be filled by the Executive by an election of an Officer or an Executive Member.
  - e) A vacancy at the position of Executive Member occurring during the first year of the two year term of office, shall be filled by an in-school vote. Members shall be invited to nominate candidates to fill the vacancy. A candidate shall take office immediately after the election results are known.
  - f) A vacancy at the position of Executive Member in the second year of the two-year term of office, shall be filled by the Executive. Members shall be invited to nominate candidates to fill the vacancy. The Executive shall select a candidate by secret ballot from among the nominations received. A candidate shall take office immediately after the Executive meeting at which the selection is made.

7.1.9 consider, by executive motion, nominations to provincial executive positions, such requests to be submitted, in writing, to the President by January 31<sup>st</sup> of the election year, and which may include a request for campaign funding, not to exceed the provincial campaign spending guidelines. Subsequent to the approval of a candidate for a provincial executive position, the executive shall direct the President to apply his/her signature to the nomination form of the candidate.

## **Section 2 - Duties of Officers**

7.2.1 The duties of the President shall be:

- a) to be the official representative of the members of the Durham Teachers' Local;
- b) to preside at Executive and General meetings;
- c) to serve on the Collective Bargaining Committee and to serve or delegate membership on all other committees;
- d) to be signing officer;
- e) to carry on the official correspondence of the association;
- f) to attend the ETFO Provincial Annual General Meeting as a delegate.

7.2.2 The duties of the Vice-Presidents shall be:

- a) in the President's absence, to assume the responsibilities of the President;
- b) to be responsible for additional duties as assigned by the President and/or Executive;
- c) to attend the ETFO Provincial Annual General Meeting as a delegate.

7.2.3 The duties of the Treasurer shall be:

- a) to keep accurate and detailed financial records of the Durham Teachers' Local based on the Local fiscal year, July 1 to June 30;
- b) to deposit and disburse funds in accordance with Local policy and authorization;
- c) to check and retain all bills, vouchers and receipts to cover all expenditures;
- d) to make a financial report to each Executive and General meeting of the Local;
- e) to make investments with the approval of the Executive;
- f) to ensure the audit is completed;
- g) to forward the annual audited financial statement of the Durham Teachers' Local to the provincial office of the Federation by September 30.

7.2.4 The duties of the Secretary shall be:

- a) to maintain accurate records of all meetings of the Local;
- b) to perform any other clerical duties as assigned by the Executive.

7.2.5 The duties of the Past President shall be:

- a) to act in an advisory capacity to the President and Executive for the period of one year;
- b) to assume duties as assigned by the President and Executive.

7.2.6 The duties of the Member-at-Large shall be:

- a) to chair the Political Action Committee;
- b) to assume duties as assigned by the President and Executive.

7.2.7 The duties of Executive Members shall be:

- a) to chair one of the following standing committees:
    - \* Professional Development
    - \* Status of Women
    - \* New Teachers/First Five;
    - \* Social;
- or chair an ad hoc committee, such as Goodwill or Equity/Human Rights.

### **MOTION #3**

MOVED BY: David Mastin

SECONDED BY: Bill Ferguson

**BE IT RESOLVED THAT BY-LAWS BE AMENDED BY THE ADDITION OF A NEW SECTION TO READ:**

### **By-Law II- Steward's Council**

**The Steward's Council shall function in accordance with ARTICLE VII.**

#### **Section 1 - Voting**

**2.1.1 The Steward's Council members shall register on arrival at a duly called meeting of the Council and be issued a voting card.**

**2.1.2 Voting shall be conducted by the use of a voting card.**

**2.1.3 A substitute may register and vote in the absence of a Federation Steward.**

**2.1.4 The substitute must be an Active member from the same Worksite.**

#### **Section 2 - Open Meetings**

**2.2.1 Any Active Member from the Local may attend meetings of the Steward's Council as an observer.**

**2.2.2 Any Associate Member or Honorary Member may be invited to attend meetings of the Steward's Council as an observer.**

**2.2.3 Notwithstanding the above, the Council may vote to exclude observers.**

#### **Section 3 - Notice of Meeting**

**2.3.1 The Local Executive shall notify voting members of the Steward's Council of the meeting schedule for the school year by September 15.**

**2.3.2 Additional meetings may be scheduled at the call of the Local Executive or at the request of fifteen (15) or more voting members of the Steward's Council.**

**2.3.3 Notice of such additional meetings shall be given at least five (5) working days in advance of the meeting, notwithstanding an emergency situation.**

#### **Section 4 - Presiding Chairperson**

- 2.4.1 The presiding chairperson for meetings of the Steward's Council shall be the President of the Local, or designate.**
- 2.4.2 Notwithstanding the above (2.4.1), the Steward's Council may vote to adopt a Speaker system for conducting meetings. Such a decision would be subject to review the following year.**

#### **Section 5 - Circulation of Minutes**

- 2.5.1 The recording secretary shall record and circulate a draft copy of the minutes within ten (10) working days of the meeting to voting members of the Steward's Council.**
- 2.5.2 The recording secretary shall send a copy of the approved minutes within ten (10) working days to each Executive member and to each Federation Worksite.**
- 2.5.3 A copy of the approved minutes shall also be posted electronically for the information of members within ten (10) working days of the meeting.**

#### **Section 6 - Duties of the Steward's Council**

**The duties of the Steward Council shall be:**

- 2.6.1 To abide by the constitution, by-laws and policies of the Local.**
- 2.6.2 To act upon recommendations of the Executive and Standing Committees.**
- 2.6.3 To act in accordance with the Objects of the Local and the established priorities.**
- 2.6.4 To receive a financial report as information.**
- 2.6.5 To authorize extraordinary expenses not covered by the budget.**
- 2.6.6 To recommend policy to the Local Executive and to the membership at any general meeting.**
- 2.6.7 To receive reports**
- 2.6.8 To meet a minimum of three (3) times a year.**
- 2.6.9 To approve the membership of the Nominations/Elections Committee prior to the Local Fall General Meeting.**
- 2.6.10 To voice concerns and inquiries from the membership through the Federation Stewards.**
- 2.6.11 To put forward to the Local General Meeting resolutions to the Provincial ETFO Annual Meeting.**

#### **RATIONALE:**

A Steward's Council will increase the democratic capital of our local. We need to provide more of an opportunity for structured feedback and input into the running of our local. This Steward council will replace the Stewards meeting that have been held in the past, so there should be no more of a time commitment.

**MOTION #4**

MOVED BY: Kent Clarke

SECONDED BY: Gerard O'Neill

**BE IT RESOLVED THAT BY-LAWS BE AMENDED BY THE ADDITION OF A NEW SECTION TO READ:**

**BY-LAW III - THE WORKPLACE STEWARD**

**The Steward Representative**

**Each Worksite shall elect one Steward Representative. There will be no limit to the number of assistant stewards at a worksite.**

**The Duties of the Steward Representative shall be:**

- 3.1.1 To abide by the Constitution and By-Laws of the Local.**
- 3.1.2 To attend all Steward Council meetings or appoint an appropriate designate or to inform the president in advance of a necessary absence.**
- 3.1.3 To attend all General Meetings of the Local.**
- 3.1.4 To act upon the recommendations of the Executive.**
- 3.1.5 To call Worksite meetings and act as chair at such meetings.**
- 3.1.6 To be the representative of the Local at Worksite meetings, and to inform staff members of the business related to the Federation and the Local.**
- 3.1.7 To represent the interests of members regarding collective bargaining issues at the Worksite.**
- 3.1.8 To be responsible for distributing notices of meetings, special functions and promoting the activities of the Local.**
- 3.1.9 To be a voting member of the Steward Council.**

**RATIONALE:**

The definition and roles of the Workplace Steward needs to be enshrined in our by-laws for clarity and to emphasize the importance of this role in the governance of our union.

**MOTION #5**

MOVED BY: Willena Harrison

SECONDED BY: David Mastin

**BE IT RESOLVED THAT ARTICLE IX, ELECTIONS, SECTIONS 1- SECTION 3 (INCLUSIVE), BE MOVED TO BY-LAWS UNDER THE TITLE, "BY-LAW IV- ELECTIONS"**

**RATIONALE:** (current wording)

**Section 1 - Eligibility**

**4.1.1 An active member in good standing may be nominated to stand for elected office.**

**Section 2 - Nominations: Officers and Executive Members**

**4.2.1 The Nominations Committee shall consist of four executive members.**

**4.2.2 The Nominations Committee shall:**

- a) distribute nomination forms to each school by March 15;**
- b) distribute to each school the list of candidates 14 days prior to the Local Annual Meeting.**

**4.2.3 Notwithstanding the above, nominations duly moved and seconded and with the consent of the nominee, shall be accepted at the Annual Meeting for any position for which no prior nomination has been received.**

### **Section 3 - Election Procedures: Officers and Executive Members**

- 4.3.1 The following members of the Executive shall be elected at the Local Annual Meeting:
- a) President;
  - b) First Vice-President;
  - c) Second Vice-President;
  - d) Treasurer;
  - e) Secretary;
  - f) Member-at-Large/Political Action;
  - g) Four Executive Members.
- 4.3.2 Candidates shall have the opportunity to address the Local Annual Meeting before election for a maximum time of three minutes.
- 4.3.3 The election shall be by secret ballot.
- 4.3.4 Each candidate may appoint one scrutineer to observe the counting of the ballots for that candidate's election.
- 4.3.5 Voting shall be by successive ballot on each officer position for which there is more than one nomination until a candidate has received at least 50% + 1 of the ballots cast. The successful candidates for executive member positions will be the four members receiving the highest number of votes cast.
- 4.3.6 In the event of a tie on the final vote, a new ballot shall be taken.
- 4.3.7 An unsuccessful candidate may seek another position on the Executive for which the member is eligible.
- 4.3.8 The ballots will be destroyed by motion of the Annual Meeting immediately following the elections.
- 4.3.9 For the 2008 - 2010 term only, the four executive members shall be elected by an in-school vote within the local. The in-school vote shall be held on or before June 25<sup>th</sup>. The vote shall be supervised by the Workplace Steward within each school. The ballots shall be submitted to the office of the Durham Teachers' Local for counting. Each candidate may appoint one scrutineer to observe the counting of the ballots for that candidate's election. In the event of a tie the decision will rest with the officers of the Executive.

### **MOTION #6**

MOVED BY: Gerard O'Neill

SECONDED BY: John Whitman

**BE IT RESOLVED THAT ARTICLE VI, LOCAL ORGANIZATION, BE AMENDED BY THE ADDITION OF A NEW SECTION (SECTION 2) TO READ:**

### **Section 2 - The Steward's Council**

- 6.2.1 The voting members of the Steward's Council shall include the following:
- a) The Local Executive
  - b) The Federation Stewards (one per school)

6.2.2 The quorum for the Steward's Council shall be 40 voting members.

### **RATIONALE:**

A Steward Council will ensure that every school has the opportunity to have a say in the running of our local.

**MOTION #7**

MOVED BY: John Whitman

SECONDED BY: Gerard O'Neill

**BE IT RESOLVED THAT ARTICLE VI, LOCAL ORGANIZATION, SECTION 1, LOCAL EXECUTIVE, BE AMENDED BY THE ADDITION OF A NEW SECTION TO READ:**

**6.1.6 The quorum for a Local Executive Meeting shall be a simple majority of the voting executive members.**

**RATIONALE:**

Currently our constitution allows for business to carry on at the executive level without defining the number of members necessary for quorum.

**MOTION #8**

MOVED BY: Larry DeBrouwer

SECONDED BY: David Mastin

**BE IT RESOLVED THAT ARTICLE VI, LOCAL ORGANIZATION, SECTION 4, BE AMENDED BY THE DELETION OF SECTION 6.1.1a)ii): Past President (mutatis mutandi)**

**RATIONALE:**

The past-president was added as a member of our executive to smooth the transition from outgoing president to incoming president. The reality in a democratic organization, is that the past and present president, in many cases may not be interested in working together to smooth that transition. Our provincial body has no past president and most other locals do not have this position.

**MOTION #9**

MOVED BY: Cheryl Fleury-Eekma

SECONDED BY: Gerard O'Neill

**BE IT RESOLVED THAT BY-LAW I, DUTIES OF THE EXECUTIVE, SECTION 2, DUTIES OF OFFICERS, 1.2.3, BE AMENDED BY THE ADDITION OF A NEW SECTION TO READ:**

**e) TO DEVELOP A FINANCIAL POLICY FOR ANNUAL REVIEW BY THE EXECUTIVE**

**RATIONALE:**

The treasurer role is very complex, and it involves a number of procedures that need to be recorded for the benefit of future treasurers.

