

ALGOMA ELEMENTARY TEACHERS

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CONSTITUTION FOR ELEMENTARY TEACHERS' FEDERATION OF ONTARIO ALGOMA ELEMENTARY TEACHERS LOCAL (as revised May 2020)

Definitions: *Federation* means the Elementary Teachers' Federation of Ontario

Local means the Algoma Elementary Teachers' Local

ARTICLE I - NAME

1.1 This organization shall be known as the "Algoma Elementary Teachers' Local."

ARTICLE II - JURISDICTION

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

2.2 The jurisdiction of the Algoma Elementary Teachers' Local shall be all Federation members other than occasional teachers employed by the Algoma District School Board in the elementary panel.

ARTICLE III – OBJECTS

The objects of the Local shall be:

3.1 To protect the collective bargaining rights of all members

3.2 To defend publicly funded public education

3.3 To serve the needs of the membership

3.4 To provide for the professional development of members

3.5 To promote social justice in the areas of peace, anti-poverty, violence, and equity

3.6 To support international assistance and co-operation

3.7 To promote the care and protection of the environment

3.8 To actively engage members in the Federation

3.9 To promote and protect the health and safety of members

3.10 To co-operate with other organizations having the same or like objects

3.11 To support and uphold the Objects as set by Provincial ETFO

ARTICLE IV - MEMBERSHIP

Section 1- Active Membership

- 4.1.1 Active members shall be all contract members of the Federation (*i.e. not occasional teachers, DECE or ESP/PSP*) within the jurisdiction of the Algoma Elementary Teachers' Local.
- 4.1.2 Members who are on the Federation Discipline list are not eligible to participate in local elections, serve on committees or act in the role of School Steward.

Section 2 - Associate Membership

- 4.2.1 Associate members of the Algoma Elementary Teachers' Local are those members whose application has been approved by the Local and approved by the Federation Executive and who have paid the annual fee in accordance with the Federation Bylaws.
- 4.2.2 Eligibility for associate membership in the Algoma Elementary Teachers' Local is as defined in article 4.2.3. of the Federation Constitution.

ARTICLE V- RIGHTS AND PRIVILEGES OF MEMBERSHIP

Section 1 - Active Membership

- 5.1.1 An active member shall have full rights, privileges, and responsibilities of membership in the Algoma Elementary Teachers' Local unless limited by disciplinary action taken in accordance with Article VII of the Federation Constitution.
- 5.1.2 The rights of an active member shall be:
- (a) To hold office in the Local and in the Federation.
 - (b) To attend general meetings of the Local.
 - (c) To participate in the vote on the preliminary submission in the collective bargaining process and any general membership votes.
 - (d) To participate in all votes related to collective bargaining as set out in the Ontario Labour Relations Act and the Ontario Education Act.
 - (e) To request Local support in the grievance process or in any problem directly related to professional duties.
- 5.1.3 An active member who accepts a position as a temporary or acting principal/vice principal may not for the duration of their appointment:
- (a) Be the workplace Steward
 - (b) Hold a position on the Local Executive
 - (c) Hold a position on the Collective Bargaining Committee
 - (d) Serve as a delegate or alternate to the Provincial Annual Meeting
 - (e) Be a member of any Local Committee, workgroup or taskforce

Section 2 - Rights and Privileges of Associate Membership

5.2.1 An associate member may:

- (a) Attend Local functions in a non-voting capacity by invitation from an active member who is present, approved by the President for Local or Unit events.
- (b) Receive communications as the Local decides.
- (c) Serve on Local committees and workgroups as the Executive decides.

ARTICLE VI - LOCAL ORGANIZATION

The **East Region** of the Algoma Elementary Teachers' Local encompasses the 1997 North Shore Board of Education; the **North Region** includes the 1997 Chapleau, Hornepayne and Michipicoten Boards of Education and the **Central Region** includes the 1997 Central Algoma and Sault Ste. Marie Boards of Education.

Section 1 - Local Executive

6.1.1 The Local Executive shall include the following positions:

- a) President
- b) Vice-President
- c) Treasurer
- d) 8 Unit Representatives, one elected from each of Central Algoma, Chapleau, Hornepayne, North Shore and Wawa and 3 elected from Sault Ste. Marie.
- e) Secretary is elected at the first Executive meeting

6.1.2 Where possible, it is the intent to follow the spirit of the Provincial Constitution that leadership positions for women be ensured on both the Executive and on committees in the Local. Where possible, a minimum of 50% of the local delegation be women.

6.1.3 The voting powers of the Unit Reps will be as follows: one vote per elected representative in attendance from each unit.

6.1.4 The President, Vice-President and Treasurer of the Local shall be elected by a district-wide vote. The Unit Representatives shall be elected at the unit level.

6.1.5 The term of office for the Executive, President, Vice-President and Treasurer shall be for two years. This does not preclude members from seeking additional terms of office.

6.1.6 The Executive Member's term shall start on July 1 of the year of their election.

6.1.7 A Released Officer who takes a leave of absence shall have the right to return to the previously held position upon return until the end of the elected term.

6.1.8 Should the President take a leave of absence; the Vice-President shall fill the role as Acting President, until the end of the leave period. The Executive will appoint a member of the Executive to fulfill the role of Acting Vice-President during the period of the leave of absence. When the President returns from the leave, the Vice-President will resume their regular duties and the Acting Vice-President will return to whatever position they hold at the time of the leave completion.

- 6.1.9 In the event that the President, Vice-President, Treasurer, or Unit Representative is unable to complete their term of office, a by-election will be held, according to Election procedures, if necessary.
- 6.1.10 In the event the Acting President is unable to complete their term of covering the President on leave, the Acting Vice-President would move into the Acting President role until such time as the President returns or a by-election is completed. If necessary, a new Acting Vice-President would be appointed as per article 6.1.8. If the President resigns or retires, then an election would be called as per article 6.1.9.

Section 2 - Units

- 6.2.1 There shall be 8 Unit Representatives, one elected from each of Central Algoma, Chapleau, Hornepayne, North Shore and Wawa and 3 elected from Sault Ste. Marie.
- 6.2.2 The Unit shall elect Unit representatives as per Article 6. The Unit may have other positions and convenorships.

Section 3 - Committees

- 6.3.1 There shall be the following standing committees:

Awards	Collective Bargaining
Elections	Political Action/Public Relations
Professional Learning	Status of Women
Human Rights	French As A Second Language
New Members	
- 6.3.2 Other ad hoc committees required to carry out the work of the Local may be established by the Executive or by general meetings, as necessary.
- 6.3.3 Whenever possible, there will be regional representation on committees.
- 6.3.4 Committees will be selected as per the Committee Policy.

Section 4 - Programs for Women

- 6.4.1 There shall be guaranteed programs for women (*reference 10.5 of the Federation Constitution*)
- 6.4.2 Funds shall be allocated for programs for women which may include support for Local women’s shelters.
- 6.4.3 The budget for the programs for women shall be approved as part of the annual Local budget process. The budget should reflect the minimum amount for programs for women found in the Federation Constitution.

Section 5 - Stewards

- 6.5.1 There shall be a Federation steward at each school or workplace in the Algoma Elementary Teachers' Local. These stewards shall be elected or selected by the members at the school/workplace.
- 6.5.2 Should a steward not be available for a workplace, the President, Vice-President or a Unit Representative may be appointed to the position by the Executive.

ARTICLE VII - ORGANIZATIONAL DUTIES

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

Section 1 - Duties of the 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 Algoma Elementary Teachers' Local in accordance with the constitution and the decisions of general meetings
- 7.1.3 Hold at least 5 regular Executive meetings. The Local may wish to hold Executive meetings by electronic means
- 7.1.4 Hold additional Executive meetings at the call of the President
- 7.1.5 Receive a financial report at each Executive meeting
- 7.1.6 Forward to the Federation office the annual audited financial statement
- 7.1.7 Forward to the Federation office the annual report of the Local
- 7.1.8 Recommend committee membership to the general meeting
- 7.1.9 Appoint and develop terms of reference for ad hoc committees
- 7.1.10 The President, Treasurer and an Executive Member designated by the Executive shall be the three signing officers of the Local
- 7.1.11 Appoint when necessary, a successor to complete any term of a Unit Representative
- 7.1.12 Recommend the appointment of the auditors to the Annual Meeting

- 7.1.13 Establish an Executive Budget committee yearly which shall include 6 members of the Executive including the President, Vice-President, Treasurer and one member from each of the three areas (East ~ North Shore and Central Algoma, Central ~ SSM, and North ~ Wawa, Chapleau and Hornepayne)
- 7.1.14 The JHSC Reps will be appointed by the Executive for a 2 year term. Candidates holding certification from the Workers' Health and Safety Centre will be given priority.

Section 2 - Duties of Officers

- 7.2.1 The duties of the **President** shall be:
- (a) To preside at all meetings of the Executive, Stewards, General Meetings and Annual Meeting of the Local unless otherwise delegated
 - (b) To be the spokesperson for the Local
 - (c) To be the official representative of the Local and its members
 - (d) To be one of the signing officers
 - (e) To be an ex-officio member of all committees
 - (f) To attend the Representative Council
 - (g) To inform and advise members of the Local on issues concerning the Federation and Education
 - (h) To delegate the day-to-day responsibilities of the Vice-President and to supervise/oversee duties of the Office Manager
- 7.2.2 The term of office for the President shall be for two years. The President may seek consecutive terms.
- 7.2.3 The duties of the **Vice-President** shall be assigned by the President, with input from the Executive as needed.
- 7.2.4 The term of office for the Vice-President shall be for two years. The Vice-President may seek consecutive terms.
- 7.2.5 The duties of the **Treasurer** shall be:
- (a) To keep accurate and detailed financial records of the Algoma Elementary Teachers' Local based on the Local fiscal year **July 1 to June 30**.
 - (b) To prepare an annual budget in consultation with the Local Executive
 - (c) To make a financial report to each Executive and general meeting of the Local
 - (d) To make investments with the approval of the Executive
 - (e) To report investments during each financial report
 - (f) To ensure the audit is completed by a chartered accountant as specified in 11.5.4 of the Federation Constitution
 - (g) To forward the annual audited financial statement of the Algoma Local to the provincial office of the Federation
- 7.2.6 The term of office for the Treasurer shall be for two years and they may seek consecutive terms.

- 7.2.7 The duties of the **Secretary** shall be:
- (a) To maintain accurate records of all Executive meetings of the Local.
 - (b) To prepare and arrange to have circulated minutes of Executive and general meetings to the members through the Federation Stewards.
- 7.2.8 The Secretary shall be elected from within the Executive.
- 7.2.9 The duties of the 8 Unit Reps shall be determined by the Executive. The term of the office shall be 2 years.

Section 3 - Duties of Committees

- 7.3.1 Committees are responsible to the Local Executive. The Chairs of the committees are elected by their committee and may be a member of the Local Executive.
- 7.3.2 The Elections Committee shall be responsible for implementation of all election procedures for Released Officers and Unit Representatives as per the Elections Policy. The Elections Committee shall report to the General Meeting.
- 7.3.3 There shall be 5 voting members on the Collective Bargaining Committee. There will be one voting member from the East (*North Shore and Central Algoma*), one voting member from the North (*Hornepayne, Chapleau, Michipicoten*) and one voting member from Central (*Sault Ste. Marie*), elected by the members in those areas. The President and Vice-President will also be voting members of the committee. The elections will be administered by the Elections Committee.
- 7.3.4 Duties of the **Collective Bargaining Committee** shall be:
- a) Be responsible to represent fairly all teachers on whose behalf they negotiate
 - b) To receive submissions from any delegation
 - c) Develop and send out an all member survey
 - d) Adhere to the Terms of Reference
- Duties of the **CBC Chair** shall be:
- a) Preside at the meetings of the CBC/Negotiating Team
 - b) Call meetings of the CBC based on the needs of the committee
 - c) Be responsible for drawing up the agenda for the CBC meeting in consultation with the committee members
 - d) Be responsible for the progress of the CBC in developing a preliminary survey and for the preparation for negotiations
- Duties of the **CBC Secretary** shall be:
- a) Keep complete minutes of all meetings of the CBC/Negotiating Team
 - b) Carry on all correspondence of the CBC as directed
 - c) Send copies of the minutes to members of the CBC

- 7.3.5 Committee Chairs shall submit budget proposals annually to the Executive according to Committee Policy by the end of September to be forwarded to the Executive Budget Committee for consideration.

Section 4 – Duties of the Unit Representative

7.4.1 The **Unit Representative** shall:

- (a) Provide social events in their respective Units to improve and maintain morale
- (b) Contribute to Goodwill needs
- (c) Determine how retirees will be recognized in their Unit
- (d) Share and distribute information with Stewards regarding Provincial and Local messages
- (e) Bring issues concerning Units for the information of Algoma ETFO Executive
- (f) Attend Executive meetings either in person or electronically
- (g) Encourage active involvement in the Union and inform members of collective agreement rights
- (h) Complete an annual budget and financial statement

Section 5 – Duties of the Steward

7.5.1 The **Steward** shall:

- (a) Welcome new teachers to the profession at the worksite
- (b) Monitor the implementation of the Collective Agreement. Communicate questions/concerns to the Unit Reps and/or Local Released Officers.
- (c) Educate members about their rights
- (d) Direct members to the appropriate resources
- (e) Disseminate all information to staff and make a reasonable effort to contact members on leave
- (f) Maintain a Federation bulletin board
- (g) Hold regular ETFO meetings (*add to school agenda or hold separate meetings*)
- (h) Attend Steward meetings/general meetings
- (i) Conduct approved votes and surveys
- (j) Participate as an ongoing member of the School Staffing Committee
- (k) Review the school budget
- (l) Review planning time and duty schedules to ensure that they are equitable
- (m) Bring staff concerns to the attention of the school administration
- (n) Maintain updated contact information and share with Local Office regularly throughout the year

ARTICLE VIII - MEETINGS

Section 1

- 8.1.1 The official authority for conducting all Local meetings shall be current Robert's Rules of Order.

- 8.1.2 A quorum for general meetings shall be the number of members in attendance.
- 8.1.3 A quorum for Executive/Committee meetings shall be a simple majority of members elected/appointed to the Executive. If an Executive member holds multiple positions, they will be counted as one member.

Section 2 - General Meetings

- 8.2.1 There shall be at least 2 general meetings per year; one of which would be the Annual Meeting of the Local and shall be held in the Central Region.
- 8.2.2 The Annual Meeting of the Local shall be held **before June 1**.
- 8.2.3 The Annual Meeting shall receive the annual reports of the Released Officers and Committees of the Local, receive election results for the next year and receive financial statements as certified by the auditors.

ARTICLE IX - ELECTIONS

Section 1 - Eligibility

- 9.1.1 An active member may be nominated to stand for elected office according to Article IV Section 1 – subsection 4.1.

Section 2 - Timelines

- 9.2.1 Members shall be notified of the request for nominations 6 weeks prior to the election of the Released Officers or Unit Representatives. Included with this notice, election procedures will be posted in all schools or workplaces.
- 9.2.2 The deadline for receipt of nominations shall be 4 weeks prior to the election of the Released Officers or Unit Representatives. These nominations shall be forwarded to the Elections Committee prior to elections.
- 9.2.3 Nominations for vacant positions, duly moved and seconded with the consent of the nominee, shall be posted in the schools 3 weeks prior to the election of the Released Officers or Unit Representatives.
- 9.2.4 Unit Rep. elections shall take place prior to the second week of June. The Elections for President, Vice-President and Treasurer be completed prior to the staffing process (*before April 15 each year*)
- 9.2.5 The Executive shall determine whether election policies/campaign procedures have been violated and shall determine next steps/disciplinary action.
- 9.2.6 Should a by-election for a Released position(s) or Unit Representative be necessary, it will be completed in the following 4 week timeline. Nominations will be open for 1 week for the positions with a 2 week distribution of campaign

information. There will be a 3 day voting window for members to cast ballots as determined by the Election Committee.

Section 3 - Election Procedures

- 9.3.1 The released officers, unit representatives and collective bargaining committee members of the Algoma Elementary Teachers' Local shall be elected in accordance with Election By-law.
- 9.3.2 The election shall be by secret ballot (*electronic or paper*)
- 9.3.3 Each candidate may appoint one scrutineer to observe the counting of the ballots for that candidate's election with paper ballots.
- 9.3.4 Candidates will be declared elected based upon the Election By-laws.
- 9.3.5 A member may seek any position on the Executive for which the member is eligible. Eligible positions for elections are: as either President or Vice-President; as Treasurer; as Unit Representative.
- 9.3.6 The ballots will be destroyed by motion of the Annual Meeting immediately following the election of the released officers or by motion of the Executive immediately following the Unit Representatives election.

ARTICLE X - DELEGATES TO THE FEDERATION ANNUAL MEETING

- 10.1 The delegation of the Algoma Elementary Teachers' Local to the Federation Annual Meeting shall include the President, Vice-President, and Treasurer as of **July 1**.
- 10.2 The delegation will be made up of the number of delegates assigned by Provincial ETFO and the number of alternates budgeted for by the Local.
- 10.3 The additional delegates if required shall be chosen in the following order:
 - a) Interested Executive members (*endeavoring to represent North, Central and East*)
 - b) Members serving on Provincial Committees
 - c) Interested Stewards drawn by lot
 - d) Members at large drawn by lot
- 10.4 A waiting list will be established of interested Executive and other members should a spot on the delegation become available.
- 10.5 A minimum of 50% of the Local delegation shall be women.
- 10.6 The list of Local delegates and alternates to the Federation Annual Meeting shall be forwarded to the Federation office **prior to June 1**.

ARTICLE XI - RESOLUTIONS TO THE FEDERATION ANNUAL MEETING

- 11.1 Members shall be notified of the request for resolutions by **January 15**.
- 11.2 The deadline for receipt of resolutions shall be **February 1**.
- 11.3 Resolutions to the Federation Annual Meeting shall be passed by the membership in an in-school vote. The Local may decide to hold general, regional or unit meetings to discuss the proposed resolutions.
- 11.4 Resolutions passed by the membership shall be submitted prior to **March 1** to the Provincial office for the Federation Annual Meeting.

ARTICLE XII - AMENDMENTS TO THE LOCAL CONSTITUTION

- 12.1 Proposed amendments to the Local Constitution must be submitted to the Executive **30 days** prior to the Local Annual Meeting.
- 12.2 The Executive shall publish all proposed amendments to the general membership **15 days** prior to the Annual Meeting.
- 12.3 The Constitution shall be amended if 60% of the members present at the Annual Meeting vote in favour of the proposed amendment. For any other motion, Roberts' Rules would be used to determine majority if necessary.

ARTICLE XIII - FINANCES

- 13.1 The Executive of the Local shall develop a financial policy (*i.e. mileage rates, meeting expenses etc.*) as part of the annual budget.
- 13.2 Signing officers shall be the President, Treasurer and an Executive Member designated by the Executive.
- 13.3 The fiscal year for the Algoma Elementary Teachers' Local shall be the period from **July 1** of one calendar year to **June 30** of the succeeding calendar year.