

THE LAMBTON KENT ELEMENTARY OCCASIONAL TEACHERS'  
CONSTITUTION (as revised May 2019)

DEFINITIONS:

Federation mean Elementary Teachers' Federation of Ontario (ETFO)

Local means the Lambton Kent Elementary Occasional Teachers' Union.

AM means Annual Meeting.

**ARTICLE I Name:**

1.1 This organization shall be known as the Lambton Kent Elementary Occasional Teachers' Local.

**ARTICLE II Affiliates:**

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

2.2 The jurisdiction of the Lambton Kent Elementary Occasional Teachers' Local shall be all the occasional teachers employed by the Lambton Kent District School Board in the elementary panel.

**ARTICLE III Objectives:**

3.1 to represent members of the Lambton Kent Elementary Occasional Teachers' Local in a fair and equitable manner;

3.2 to secure through collective bargaining the best possible terms and conditions of employment;

3.3 to advance the cause of public 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 promote and protect the interests of all members of the Local and the students in their care;

3.6 to foster a climate of social justice and provide a leadership role in such areas as anti-poverty, non-violence, and equity.

3.7 to cooperate with other organizations having the same or like objectives.

**ARTICLE IV Active Membership and fees:**

4.1 Members shall be Occasional Teachers who are in good standing with ETFO and subsequently, are covered by the Collective Agreement between the Lambton Kent Elementary Occasional Teachers' Local and the Lambton Kent District School Board.

4.2 An honorary member is a former Occasional Teacher who serves at the discretion of the Local.

4.3 The amount of the prescribed fee shall be set by the Provincial ETFO AM.

4.4 An additional levy may be assessed by the Local if approved by 60% of those members present at the Local AM.

**ARTICLE V Rights and Responsibilities of Membership:**

5.1 A member shall have full rights, privileges and responsibilities of membership in the Federation unless limited by disciplinary action taken in accordance with Article VII of the Federation Constitution.

5.2 The rights of a 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;
- (d) to participate in all votes related to collective bargaining as set out in the Ontario Labour Relations Act;
- (e) to participate in any general membership votes;
- (f) to request Local support through the grievance process;
- (g) to request Local support in any problem directly related to professional duties.

5.3 The rights of an honorary member shall be:

- (a) to attend, by invitation, Local functions in a non-voting capacity;
- (b) to receive Local publications;
- (c) to serve by invitation on Local committees, or work groups.

5.4 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.

**ARTICLE VI Local Organization:**

Local Executive:

- 6.1 The Local Executive shall include the following positions:
- (a) President
  - (b) Vice President
  - (c) Secretary
  - (d) Treasurer
  - (e) Executive Members
- 6.2 The Executive of the Local shall be elected at the Local’s AM and shall not exceed 7 members.
- 6.3 The term of office for the Executive shall be for two (2) years.
- 6.4 The Executive shall take office on July 1<sup>st</sup>.
- 6.5.1 Committees:
- There shall be the following committees formed as needed:
- Collective Bargaining
  - Political Action/Public Relations
  - Professional Learning
  - Equity/Status of Women

6.5.2 Other ad hoc committees required to carry out the work of the Local may be established by the Executive or by general meeting(s) as necessary.

**ARTICLE VII Meetings:**

General Meetings:

7.1 There shall be a minimum of one (1) General Meeting per year.

7.1.1 A quorum for the General Meeting shall be the members that attend the General Meeting.

7.1.2 The official authority for conducting all Local meetings shall be the current Roberts Rules of Order.

Local AGM:

7.2 An Annual Meeting of the members of the Lambton Kent Elementary Occasional Teachers' Local shall be held before June 15<sup>th</sup>.

7.2.1 The Local's Annual Meeting shall:  
(a) Receive the annual reports of the officers and committees of the Local, two minute speaking time limit;  
(b) Elect the Executive if it is an election year;  
(c) Approve the budget for the next year;  
(d) Receive the financial statement;  
(e) Approve the appointment of the auditor;  
(f) Constitutional Amendments, if applicable.

**ARTICLE VIII Resolutions to the ETFO Provincial AM:**

8.1 All Resolutions to be submitted to the ETFO Provincial AM must be sent to the Local Executive prior to October 1<sup>st</sup> for presentation at the Local General Meeting.

8.2 Resolutions to the Provincial AM shall be passed at a Local General Meeting to be held prior to March 1<sup>st</sup>.

**ARTICLE IX Amendments to the Local Constitution and Bylaws:**

9.1 Proposed amendments to the Local Constitution and/or Bylaws must be submitted to the Executive 45 days prior to the Local AM.

- 9.2 The Executive shall publish all proposed amendments to the general membership 14 days prior to the Local AM.
- 9.3 The Constitution and/or Bylaws shall be amended if 60% of the members present at the AM vote in favour of the proposed amendment (s).
- 9.4 Constitutional changes are effective immediately.

#### ARTICLE X **Fiscal Year**

- 10.1 The fiscal year for the Lambton Kent Elementary Occasional Teachers' Local shall be the period from July 1<sup>st</sup> of one year to June 30<sup>th</sup> of the succeeding calendar year.

#### **Organizational Duties:**

##### Duties of the Executive:

The Executive shall:

- (a) uphold the Constitution, Bylaws, and policies of the Elementary Teachers' Federation of Ontario. (E.T.F.O.)
- (b) execute the business of the Lambton Kent Occasional Teachers' Local in accordance with the Constitution and the decisions of general meetings of the Lambton Kent Elementary Occasional Teachers' Local.
- (c) hold at least three (3) regular Executive Meetings.
- (d) hold Executive Meetings at the call of the President.
- (e) receive a financial report at each Executive Meeting.
- (f) appoint, when necessary, a successor to complete any unexpired term of an elected or appointed Local representative.
- (g) shall attend at least eighty percent (80%) of the scheduled executive meetings, annually, in order to receive a 0.5 day honourarium.
- (h) shall attend the General and Annual Meetings
- (i) recommend the appointment of the auditors to the Annual Meeting
- (j) Elect the (delegates and alternate(s) for the Federation's Provincial Annual Meeting

##### Duties of the Officers:

President:

The duties of the President shall be:

- (a) to be the Spokesperson for the Lambton Kent Elementary Occasional Teachers' Federation Local;
- (b) to be the official representative of the Federation and its members;
- (c) to be one (1) of the signing officers;
- (d) to prepare an Annual Budget with the Treasurer;
- (e) to be an ex-officio member of all Committees
- (f) to chair all local General and Annual Meetings;
- (g) to electronically communicate pertinent information on issues concerning the Local and the Federation to the membership, in a timely fashion.
- (h) to attend Negotiation Meetings with the Board;
- (i) to attend Rep Council Meetings, Provincial, AM and other meetings as directed by Provincial E.T.F.O.
- (j) to attend Representative Council and the Annual Meeting or to designate an alternate Executive member to attend.
- (k) may appoint the Vice-President to accompany the President to Representative Council Meetings or an alternate Executive member when the Vice-President is not available.
- (l) to assign other duties to members of the Executive, as needed.
- (m) to register on Pres-net and any other applicable communication tool.

#### Vice-President(s)

The duties of the Vice-President shall be:

- (a) in the President's absence, assume the responsibilities of the President;
- (b) to be responsible for additional duties as assigned by the President (and/or the Executive.)
- (c) to act as a signing officer for the Local.
- (d) to assist the President with presidential duties of the Local.
- (e) to attend the Annual Meeting and attend Representative Council Meetings with the president, as requested by the president.
- (f) coordinate professional learning for the Local.

#### Treasurer:

The duties of the Treasurer shall be:

- (a) to be one of the signing officers of the Local;
- (b) to prepare an Annual Budget with the President and present it at the Local AM;
- (c) to pay the expenses of the Local;
- (d) to keep accurate and detailed financial records of the Lambton Kent Occasional Teachers' Local based on the Local fiscal year July 1<sup>st</sup> to June 30<sup>th</sup> of the succeeding calendar year;

- (e) to make a financial report to each Executive and General Meetings of the Local;
- (f) to make investments with the approval of the Executive and include a status report in each financial statement;
- (g) to ensure the audit is completed; present the financials to the Executive at the October General meeting for approval.
- (h) to forward the annual audited financial statement of the Lambton Kent Occasional Teachers' Local to the Provincial Office of the Federation by September 30<sup>th</sup>.

Secretary:

The duties of the Secretary shall be:

- (a) to maintain accurate records of all meetings of the Local;
- (b) to maintain accurate records of correspondence received by and sent on behalf of the Local;
- (c) to prepare and circulate minutes of the Executive and General Meetings electronically to Executive members.

Executive Officers:

The duties of the Executive Officers shall be:

- (a) assigned by the President and/or Executive.

Committees:

The duties of the Committees shall be:

- (a) assigned by the President and/or Local Executive. Committees are responsible to give a report to Local Executive.
- (b) The work of any committee is on a voluntary basis. Committee initiatives shall be approved by the Executive prior to any undertaking.

Election Eligibility:

Members, in good standing with ETFO, must be present at the Local AM to stand for election except in extraordinary circumstances, when a letter of explanation from the member, stating the member's intent to run for/accept a position on the Executive, will be read at the meeting.

(a) President must have at least two (2) consecutive terms Executive experience with the Lambton Kent Elementary Occasional Teachers' Local. Executive experience with the Local, except in extraordinary circumstances, where the nomination must be approved by the Executive.

(b) Vice President must have at least one (1) term Executive experience with the Lambton Kent Elementary Occasional Teachers' Local.

(c) In the absence of qualified nominees for President or Vice President positions, an Executive member's name shall be put forth and approved at an Executive Meeting prior to the AM.

#### Nominations:

(a) Members shall be notified of the request for nominations at least thirty (30) working days prior to the Local AM.

(b) The deadline for receipt of Application/Nomination Form shall be twenty (20) working days prior to the meeting in which elections will take place.

(c) Application/Nominations Forms shall include a mover and a seconder that are active members, in good standing, in the local.

(d) Nominations shall be submitted on the Local's Executive Application/Nomination form, provided electronically by the Local.

(e) The Application/Nomination Form of duly nominated candidates will be made available to the membership, by email, three (3) working days after the due date (see b above).

(f) Three (3) working days prior to the election, candidates filling any uncontested position(s) will be announced via email

(g) Nominations from the floor will be accepted for a position if, and only if, there is no duly nominated candidate for the position.

#### Election Procedures

(a) The Executive of the Lambton Kent Occasional Teachers' Local shall be elected at the Local AM every two (2) years.

(b) The executive shall, in an election year, appoint an elections officer from among its members not seeking election.

(c) Candidates will have the opportunity to address the Local GM before the election if they so choose. Speeches shall be limited to no more than three (3) minutes.



- (d) The election shall be by secret ballot.
- (e) The order of elections shall be President, Vice President, Treasurer, Secretary, Executive Members.
- (f) The vote result for all elected positions shall be released to all members present following each ballot and be published in the Minutes of the Local.
- (g) Notwithstanding election procedure c, in an uncontested election the assembly shall dispense with balloting and the candidate shall be elected by acclamation.
- (h) to be declared for any elected position, a successful candidate must obtain a simple majority of the votes cast. In the event of a tie, a new ballot shall be cast.
- (i) the election shall be chaired by a parliamentarian or designate appointed by the Executive, who is not running for office.
- (j) An unsuccessful candidate may seek another position on the Executive for which the member is eligible.
- (k) The ballots shall be destroyed by a motion immediately following the election.
- (l) Procedure to fill an Executive Vacancy:
  - A vacancy at the position of President shall be filled by the Vice-President.
  - A vacancy at the position of Vice-President shall be appointed by the Executive from the Executive members, by secret ballot.
  - If any other vacancy exists, the position may be filled by Executive appointment.

Delegates to the Provincial Annual Meeting:

- (a) A member of the Executive of the Lambton Kent Elementary Occasional Teachers' Local shall submit an Application/Nomination Form to the President at the April Executive Meeting to be nominated as an alternate to the Provincial Annual Meeting.
- (b) Designated delegates of the Lambton Kent Elementary Occasional Teachers' Local shall be:
  1. the current President or designate
  2. the Vice President or designate
  3. other delegate(s) and/or alternate(s) shall be elected at the May Executive meeting.
- (b) Delegates of the Lambton Kent Elementary Occasional Teachers' Local to the Provincial Annual Meeting shall include the President and the Vice President. Alternate(s) will be elected by the Executive at the May Executive meeting.
- (c) The Lambton Kent Elementary Occasional Teachers' Local may choose to register a minimum of one alternate.

Finances:

- (a) The Executive of the Local shall develop a financial policy.
- (b) All financial transactions shall be signed by two (2) signing officers.
- (c) Mileage shall be paid at the current ETFO rate.

- (d) Mileage shall be paid to Executive members for attending an Executive meeting.
- (e) Expenses incurred and reimbursed shall not exceed the current ETFO Provincial guidelines.
- (f) An honorarium of a 0.5 release day shall be paid annually in May, after the AM, to each member of the Executive for their attendance at eighty percent (80%) of all Executive Meetings.
- (g) The Local may send a Vice-President of the Local to accompany the President to all Representative Council Meetings and Provincial Occasional Teachers' Meetings (POTS).