

CONSTITUTION

FOR

**THE SIMCOE COUNTY DESIGNATED EARLY
CHILDHOOD
EDUCATOR LOCAL**

OF THE

ELEMENTARY TEACHERS' FEDERATION OF ONTARIO

June, 2018

SIMCOE COUNTY DESIGNATED EARLY CHILDHOOD EDUCATOR LOCAL

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DEFINITIONS:

In this Constitution:

1. Federation means the provincial Elementary Teachers' Federation of Ontario
2. Local means the Simcoe County Designated Early Childhood Educator Local

ARTICLE 1 – NAME

- 1.1 This organization shall be known as the Elementary Teachers' Federation of Ontario - Simcoe County Designated Early Childhood Educator Local.

ARTICLE II – AFFILIATION

- 2.1 The Simcoe County Designated Early Childhood Educator Local is a member Local of the Elementary Teachers' Federation of Ontario.

ARTICLE III – OBJECTS

The objects of the Local shall be:

- 3.1 to represent members of Simcoe County Designated Early Childhood Educator Local.
- 3.2 to regulate relations between the members of the Simcoe County Designated Early Childhood Educator Local and the Simcoe County District School Boards 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 education and the status of members of 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 co-operate with other organizations having the same or like objects.

ARTICLE IV – MEMBERSHIP

Section 1 - Active Membership

- 4.1 Members shall be all Designated Early Childhood Educators employed by the Simcoe County District School Boards.

Section 2 - Associate Membership

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

ARTICLE V - RIGHTS AND PRIVILEGES OF MEMBERSHIP

Section 1 - Rights and Privileges of Active Membership

- 5.1.1 An active member shall have full rights, privileges and responsibilities of membership in the Federation 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, participate, and vote at meetings of the Local;
 - c. to vote on the ratification of the collective agreement;
 - d. to participate in any membership votes;
 - e. to request Local support through the grievance process;
 - f. to request Local support in any problem directly related to professional duties.

Section 2 - Rights and Privileges of Associate Membership

5.2.1 An associate member of the Local may:

- a. attend Local functions, by invitation, in a non-voting capacity;
- b. receive such Local communications as the Local decides;
- c. serve on Local committees and workgroups as the Local decides.

Article VI – Code of Professional Conduct

A member shall:

- 6.1 recognize the Federation as the official voice of all the Active Members of the Federation;
- 6.2 adhere to the Constitution and Bylaws and Directives of the Federation;
- 6.3 support collective bargaining initiatives, including a strike authorized by the Executive;
- 6.4 refrain from undertaking or supporting actions which undermine established bargaining procedures;
- 6.5 honour the terms of the Collective Agreement;
- 6.6 strive to eliminate all forms of harassment between individuals in the educational system;
- 6.7 endeavour to ensure equity and inclusiveness in the workplace;
- 6.8 strive to achieve and maintain a high degree of professionalism and to uphold the honour, dignity, and ethical standards of our profession;
- 6.9 A Member who is representing ETFO on the Local Executive and/or Provincially shall strive to achieve and maintain a high degree of professionalism and to uphold the honour, dignity, and ethical standards of the Elementary Teachers' Federation of Ontario.

ARTICLE VII - LOCAL ORGANIZATION

Section 1 - Local Executive

6.1.1 The Local Executive shall include the following positions:

- a. President;
- b. Immediate Past President, where the most recent President chooses to continue to serve in an Executive capacity;
- c. Vice- President;
- d. Secretary;

- e. Treasurer;
- f. Two (2) Executive Members;

6.1.2 The Executive of the Local shall be elected at the Spring Local Annual Meeting.

6.1.3 All active members of the Local shall be eligible to vote for the persons seeking election to the positions listed in article 6.1.1.

6.1.4 The term of office for the Local Executive shall be two years.

6.1.5 The Local Executive shall take office on July 1.

6.1.6 Appoint a Health & Safety Representative

6.1.7 Appoint a Health & Safety alternative representative

Section 3 - Committees

6.3.1 There shall be the following standing committees:

- (i) Collective Bargaining;
- (ii) Elections;
- (iii) Budget
- (iv) Professional Learning
- (v) Political Action

6.3.2 Other ad hoc committees required to carry out the work of the Local may be established by the Executive at a membership meeting of the Local.

Section 4 - Filling Vacant Positions of the Executive

6.4.1 The Executive shall appoint a successor to an unexpired term or vacant position that occurs between July 1 and December 31.

6.4.2 The Executive may appoint a successor to an unexpired term or vacant position that occurs between January 1 and June 30.

6.4.3 Candidates for appointment to fill a vacancy at the position of President, Vice-President or Secretary/Treasurer shall be members of the Executive.

6.4.4 Candidates for appointment to fill a vacancy at the position of Executive Member shall be active members in good standing of the Local.

6.4.5 If a member of the Local Executive should take a statutory leave, that member

has a right to take their place back on the Local Executive after their leave is completed.

- 6.4.6 If a member of the Local Executive should take a leave for a secondment that is one year or less in length, that member has a right to take their place back on the Local Executive after their secondment is completed

ARTICLE VIII - ORGANIZATIONAL DUTIES

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 and shall be responsible for administering the affairs of the Local between annual meetings in accordance with the provisions of the Local Constitution and Bylaws.
- 7.1.2 hold at least 4 regular Executive meetings.
- 7.1.3 hold an Executive meeting at the call of the President.
- 7.1.4 receive a financial report at each Executive meeting.
- 7.1.5 forward to the provincial office by September 30 of each year the annual audited financial statement.
- 7.1.6 forward to the provincial office by June 1 of each year the annual report of the Local.
- 7.1.7 appoint and develop terms of reference for ad hoc committees.
- 7.1.8 appoint at least 2 signing officers of the Local.
- 7.1.9 appoint when necessary, in accordance with Article VI, a successor to complete any unexpired term of an elected or appointed Local representative.
- 7.1.10 to recommend the appointment of the auditors to the Local Annual Meeting.
- 7.1.11 to develop investment policy.

Section 2 - Duties of Officers

- 7.2.1 The duties of the President shall be:
- a. to be the spokesperson for the Local;

- b. to be the official representative of the Local and its members;
- c. to be one (1) of the signing officers;
- d. to be an ex-officio member of all committees;
- e. to preside at meetings of the Executive;
- f. to inform and advise members on issues concerning the Local;
- g. to administer the affairs of the Local between meetings of the Local Executive in accordance with the Constitution and Bylaws.
- h. The President shall receive an annual responsibility allowance that equals 10% of the gross annual salary of the salary grid Step 5.
- i. to consult with treasurer regarding financial matters of the local
- j. to maintain accurate records of correspondences received by and sent on behalf of the local;

7.2.2 The duties of the Vice-President(s) 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 Local Executive.
- c. The Vice-President shall receive an annual responsibility allowance of \$500.

7.2.3 The duties of the Treasurer shall be:

- a. to keep accurate and detailed financial records of the Local based on the Local fiscal year July 1 to June 30;
- b. to make a financial report to each Executive and Membership meeting of the Local;
- c. to make investments with the approval of the Executive;
- d. to report investments during each financial report;
- e. to ensure the audit is completed as per Provincial timelines, and to

present the audited financial statements at the Fall Local Annual Meeting.;

- f. to forward the annual audited financial statement of the Local to the provincial office of the Federation by September 30.
- g. The Treasurer shall receive an annual responsibility allowance of \$500.

7.2.4 The duties of the Secretary shall be:

- a. to maintain accurate records of all meetings of the Local;
- b. to prepare and circulate minutes of Executive and Membership meetings;
- c. to forward the annual report of the Local to the provincial office of the Federation by June 1.
- e. The Secretary shall receive an annual responsibility allowance of \$250

7.2.5 The duties of the Executive Members shall be:

- a. One of these members to Co-Chair the Professional Learning Committee
- b. The Executive Members shall receive an annual responsibility allowance of \$250.

Section 3 - Duties of Committees

7.3.1 Committees are responsible to the Local Executive.

7.3.2 The Elections Committee:

- a. shall consist of the Past President and 2 other members;
- b. shall be appointed by the Executive;
- c. shall be responsible to receive nominations and publish a list of nominees for Local elections.

7.33 Collective Bargaining Committees:

- a. shall consist of the President and 3 other members;

- b. shall be appointed by the Executive;
- c. shall be responsible to assist in the preparation and negotiation of an approved preliminary submission.
- d. the President shall be one of the three members for her/his bargaining unit. The Vice-President(s) elected from the other bargaining unit(s) pursuant to 6.1.1 (c) shall be one of the three members for her/his bargaining unit(s).

7.34 The Budget Committee:

- a. shall consist of the President, Treasurer and 3 other members;
- b. shall be appointed by the Executive;
- c. shall be responsible to develop and present a budget for approval by the membership at the Fall Local Annual Meeting.

7.35 The Professional Learning Committee:

- a. The Professional Learning Committee shall consist of a Professional Learning Chair, 1 Local Executive Officer Co-Chair and 3 other members.
- b. The Professional Learning Committee shall be responsible to organize and conduct professional learning programs within their annual budget.

7.36 The Political Action Committee:

- a. shall consist of one executive member and three other members;
- b. shall be appointed by the executive.
- c. shall be responsible to develop three goals annually that will provide our local members

ARTICLE IX – MEETINGS

Section 1 - Membership Meetings

- 8.1.1 A quorum for membership meetings shall be 50% plus 1 of the membership in attendance and eligible to vote at the time the agenda for the general meeting is approved.

- 8.1.2 The official authority for conducting all Local meetings is the current Roberts Rules of Order.
- 8.1.3 The Spring Local Annual Meeting shall be presided over by a Parliamentarian who is not an active member of the Local.

Section 2 - Local Annual Meeting

8.2.1 Two (2) Local Annual meetings of the members of the local shall be held no later than the end of October and the second week in June.

8.2.2 The Local Annual Meeting shall:

- a. receive the annual reports of the officers and committees of the Local at both Local meetings;
- b. elect the Local Executive for the next term (if term is over) at the Spring Annual Meeting;
- c. approve the budget for the year at the Fall Local Annual Meeting;
- d. approve the signing officers at the Fall Local Annual Meeting;
- e. receive the financial statements as certified by the auditors at the Fall Local Annual Meeting;
- f. approve changes to the Constitution and Bylaws of the Local at the Spring Annual Meeting.

ARTICLE X – ELECTIONS

Section 1 - Eligibility

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

Section 2 - Nominations

9.2.1 Members shall be notified of the request for nominations 60 days prior to the Spring Local Annual Meeting.

9.2.2 The deadline for receipt of nominations shall be determined by the Executive by March 1. Written notice of the deadline for receipt of nominations shall be provided to the membership at least 30 days prior to the date chosen. Nominations from the floor will only be accepted for a position for which no

nominations were received.

- 9.2.3 Notwithstanding the above, nominations duly moved and seconded and with the consent of the nominee, shall be accepted at the Spring Local Annual Meeting.
- 9.2.4 Only members who have served on the Executive for a minimum of one full term within the past 4 years may be nominated for the position of President.

Section 3 - Election Procedures

- 9.3.1 The Executive of the Local shall be elected at the Spring Local Annual Meeting.
 - a. When it is an election year an elections committee shall be formed by February 1st
 - b. The elections committee shall be responsible to update and distribute elections guidelines as well as receive nominations.
- 9.3.2 Candidates shall have the opportunity to address the Spring Local Annual Meeting before the election.
- 9.3.3 The election shall be by secret ballot.
- 9.3.4 Each candidate may appoint one scrutineer to observe the counting of the ballots for that candidate's election.
- 9.3.5 The vote count for all elected positions shall be released to the members' present following each ballot and be published in the minutes of the Spring Local Annual Meeting.
- 9.3.6 To be declared successful a candidate for President, Vice-President, or Secretary/Treasurer must obtain the majority of the ballots cast by the members present.
- 9.3.7 An unsuccessful candidate may seek another position on the Executive for which the member is eligible by dropping down.
- 9.3.8 The ballots will be destroyed by motion of the Local Annual Meeting immediately following the elections.

ARTICLE XI - DELEGATES TO THE FEDERATION ANNUAL MEETING

- 10.1 An active member of the Local may be nominated as a delegate to the Federation Annual Meeting.
- 10.2 Delegates to the Federation Annual Meeting shall be elected at the Spring Membership meeting.
- 10.3 Names of delegates elected to the Federation Annual Meeting shall be forwarded to the provincial office of the Federation prior to June 1.
- 10.4 The President and Vice-President shall be delegates to the Federation Annual Meeting.
- 10.5 Where the local consists of more than one bargaining unit, there shall be at least one delegate from each bargaining unit.
- 10.6 The Local shall have 3 delegates and two alternates attend the Federation Annual Meeting.

ARTICLE XII - RESOLUTIONS TO THE FEDERATION ANNUAL MEETING

- 11.1 Resolutions to the Federation Annual Meeting shall be considered at a Local membership meeting to be held prior to March 1.
- 11.2 Resolutions to be considered at the Local membership meeting shall be sent to the President of the Local at least 30 days prior to the meeting.
- 11.3 All resolutions that will be considered at a Local membership meeting shall require a mover and a seconder who are members in good standing of the Local.
- 11.4 The President of the Local shall inform the membership by no later than February 1, that resolutions to the Federation Annual Meeting will be accepted for consideration in accordance with Article 11.2.

ARTICLE XIII - AMENDMENTS TO THE LOCAL CONSTITUTION

- 12.1 Proposed amendments to the Local Constitution must be submitted to the Executive 30 days prior to the Spring Local Annual Meeting.
- 12.2 The Executive shall publish all proposed amendments to the membership at least 14 days prior to the Spring Local Annual Meeting.
- 12.3 The Constitution shall be amended if 60% of the members present at the Spring Local Annual Meeting vote in favour of the proposed amendment.

ARTICLE IVX-FINANCES

- 13.1 The Local shall retain the financial records of the Local for a period of six years plus the current year.
- 13.2 All financial transactions shall be signed by two signing officers, one of whom shall be the President.
- 13.3 The fiscal year for the Local shall be the period from July 1 of one calendar year to June 30 of the succeeding calendar year.
- 13.4 Members will pay additional union dues, known as a levy, in the amount of \$2.50 from each paycheque he/she receives. These funds go directly to our local budget.
- 13.5 If there is a remaining balance in the budget line on June 30th, the remaining funds will be donated to a local community charity approved by the executive.