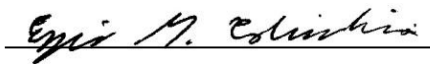
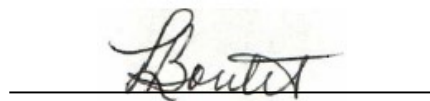


**By-Laws of the
Windsor-Essex Occasional
Teachers Bargaining Unit
of the
Ontario English Catholic
Teachers' Association**

Approved on May 18, 2017 at the Bargaining Unit Annual General Meeting of the Windsor-Essex Occasional Teachers Bargaining Unit in Tecumseh, Ontario



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A. BY-LAWS

ARTICLE I - GENERAL

1. The name of the Bargaining Unit shall be the Ontario English Catholic Teachers' Association Windsor-Essex Occasional Teachers Bargaining Unit hereinafter known as the bargaining unit.
2. The objects of the Bargaining Unit shall be:
 - 2.1. to promote the principles of Catholic education;
 - 2.2. to develop a greater understanding among parents, teachers and students;
 - 2.3. to work for the moral, intellectual, religious and professional growth of its members;
 - 2.4. to improve the status of the teaching profession in Ontario;
 - 2.5. to secure for teachers a leading role in education;
 - 2.6. to co-operate with other teacher organizations in improving the standards of education;
 - 2.7. to defend and promote the constitutional rights of the Catholic school system in Ontario and the fair and equitable funding for all publicly funded school boards;
 - 2.8. to represent members in all matters related to collective bargaining;
 - 2.9. to promote full protection of its members under the Ontario Human Rights Code.
3. The bargaining unit membership shall include teachers employed by Windsor-Essex Catholic District School Board as an occasional teacher.
 - 3.1. Such occasional teachers shall be in good standing with the Ontario College of Teachers and pay membership fees to the provincial OECTA body and the Ontario Teachers' Federation.
 - 3.2. Notwithstanding the above, occasional teachers who are on a Board recognized leave of absence shall not forego recognition as a member of the bargaining unit.
4. A minimum of two (2) general meetings shall be held annually, including the bargaining unit annual general meeting.
5. The most recent edition of Robert's Rules of Order, found online at www.robertsrules.com, shall be used at all bargaining unit meetings where they are not inconsistent with the provincial and bargaining unit by-laws, or any special rules of order the bargaining unit may adopt.

6. The bargaining unit by-laws are to be consistent with the Provincial Association Handbook and are not to contravene its constitution, by-laws, policies or procedures.

ARTICLE II - BARGAINING UNIT ORGANIZATION

SECTION 1 - Bargaining Unit Executive

7. The executive of the bargaining unit shall consist of: President, Immediate Past President, Vice-President, Treasurer, Recording Secretary, and a Councillor. The Immediate Past President has the option to be included on the executive in an advisory role.
8. The term of office for all executive positions shall be two (2) years. Elections for President, Recording Secretary, and Councillor shall be held in odd-numbered years. Elections for the Vice President and Treasurer shall be held in even-numbered years.
9. Release time for Bargaining Unit President shall be equivalent to a full-time long-term assignment for that occasional teacher and paid by the Windsor-Essex Catholic District School Board and by funds available through the Association and the levy of the membership.
10. Release Time and remuneration for other members of the Executive shall be as to the need of the bargaining unit and the funds available through the Provincial Association and the levy of the local membership.

SECTION 2 - Duties of the Bargaining Unit Executive

11. The duties of the bargaining unit executive shall be in accordance with the current version of the provincial handbook and:
 - 11.1. to hold at least two (2) general meetings each year and additional meetings as required;
 - 11.2. to hold at least six (6) executive meetings each year and additional meetings as required;
 - 11.3. to appoint bargaining unit committee/work group chairpersons at the first executive meeting after taking office, whenever possible;
 - 11.4. to ensure that no member running for executive office, nor the current President, serve as the chairperson or as a member of the nominations/elections committee;
 - 11.5. to receive committee reports and take whatever action it deems necessary;
 - 11.6. to present the bargaining unit budget for membership approval each year at the Fall General Meeting;

- 11.7. to censure any executive member who fails to regularly attend meetings;
- 11.8. to receive and approve all finances;
- 11.9. to establish collective bargaining proposals;
- 11.10. to oversee the selection of a Negotiations Committee and the negotiations and maintenance of a Collective Agreement;
- 11.11. to communicate and co-operate with the Executives of the elementary and secondary teachers units;
- 11.12. to approve the President, the Vice-President and the Treasurer as the three (3) authorized signing officers of the bargaining unit and to ensure that two (2) signatures are required for each financial transaction, one (1) of which shall be the President;
- 11.13. to carry out other duties and responsibilities as defined by the occasional teachers bargaining unit by-laws;
- 11.14. to promote the interests of the Association;
- 11.15. to report in writing to the general secretary any case of alleged breach of Association constitution, by-laws, policies or procedures by a member of the bargaining unit and, at the same time, to provide the member a copy of the report;
- 11.16. to report to the provincial office, as the bargaining unit executive becomes aware, any investigation of a member by the College of Teachers;
- 11.17. to receive and consider reports of alleged unfairness on the part of any school board within the bargaining unit and reports of professional difficulties between members of a school staff and, if necessary, to work with the general secretary in the resolution of these matters;
- 11.18. to refer to the general secretary all matters requiring legal advice;
- 11.19. to fill vacancies in the membership of the bargaining unit executive;
- 11.20. to choose the delegates and alternate delegates to the annual general meeting and other provincial conferences;
- 11.21. to borrow funds on behalf of the bargaining unit if such action is authorized by the provincial executive;
- 11.22. to provide for beginning teachers' an in-service/orientation annually;
- 11.23. to appoint a teacher worker representative to the Joint Health and Safety Committee at the site-based or central committee level.

SECTION 3 - Duties of Bargaining Unit Executive Officers

- 12. The duties of the bargaining unit executive officers shall be:

Immediate Past President

- 12.1. The duties of the bargaining unit immediate past president shall be:
 - 12.1.1. to advise the executive in all levels;
 - 12.1.2. to be a non-voting member of the executive;
 - 12.1.3. to ensure that the by-laws and procedures of the bargaining unit are followed and to recommend amendments;

- 12.1.4. to be a member of the nominations committee.

President

- 12.2. The duties of the bargaining unit president shall be:
 - 12.2.1. to be the official spokesperson for all matters to be released to the media;
 - 12.2.2. to be the official spokesperson in all matters of the bargaining unit pertaining to collective bargaining and contract management;
 - 12.2.3. to ensure that a minutes book be kept for all financial motions for audit.
 - 12.2.4. to be one (1) of three (3) authorized signing officers responsible for financial transactions;
 - 12.2.5. to be the Chief Signing Officer in all financial transactions;
 - 12.2.6. to set the Agenda for Executive Meetings and when possible to provide such Agendas (outlining any important items which may arise and which require voting) at least forty-eight (48) hours prior to such meetings;
 - 12.2.7. to be Chairperson at Executive meetings and to act as Chairperson or appoint a Chairperson at General Meetings;
 - 12.2.8. to vote only in the event of a tie; if the President chooses not to vote, the motion is lost;
 - 12.2.9. to call bargaining unit meetings, preside thereat and plan the program thereof;
 - 12.2.10. to be an ex-officio member of all committees except for the Negotiations Committee which shall be chaired by the President;
 - 12.2.11. to represent the bargaining unit on Board committees, as required;
 - 12.2.12. to act as Chief Negotiations Officer of the bargaining unit in all negotiations;
 - 12.2.13. to act as a liaison between the bargaining unit, the Board and OECTA in matters related to collective bargaining;
 - 12.2.14. to oversee the maintenance of the Collective Agreement;
 - 12.2.15. to act as Grievance Officer in matters of grievances with the Board;
 - 12.2.16. to be responsible for assisting in the preparation of the delegation to the annual general meeting to discharge its duties and responsibilities. It is essential that the delegation consider the majority opinion of the members in the unit;
 - 12.2.17. to forward the names of bargaining unit delegates and alternate delegates to the annual general meeting and other provincial conferences;
 - 12.2.18. to promote the interests of the Association;
 - 12.2.19. to attend to all correspondence;
 - 12.2.20. to file and keep in good order all bargaining unit records;
 - 12.2.21. to keep on file a record of all members;
 - 12.2.22. to forward by the prescribed date to the general secretary the names and addresses of the members of the bargaining unit executive immediately following their election;

- 12.2.23. to notify the provincial office of all bargaining unit meetings.

Vice-President

- 12.3. The duties of the bargaining unit vice-president shall be:
 - 12.3.1. to assist the president in all matters of the bargaining unit. In the absence of the president, duties shall be performed by the vice-president, or in the vice-presidents absence, by the treasurer or recording secretary or the councillor;
 - 12.3.2. in conjunction with the unit president, to be responsible for the assisting in the preparation of delegates to the annual general meeting;
 - 12.3.3. to be one (1) of three (3) authorized signing officers responsible for financial transactions;
 - 12.3.4. if the president fails to call a mandatory meeting of the bargaining unit, the vice-president shall call the meeting and notify the president and general secretary of this action.

Treasurer

- 12.4. The duties of the bargaining unit treasurer shall be:
 - 12.4.1. to work with the finance committee in the preparation of the bargaining unit budget;
 - 12.4.2. to present a balanced bargaining unit budget for approval by the membership at the Fall General Meeting;
 - 12.4.3. to present a financial statement at executive meetings;
 - 12.4.4. to present a financial statement at all general meetings;
 - 12.4.5. to prepare motions for executive meetings for expenditure approvals;
 - 12.4.6. to be one (1) of three (3) authorized signing officers responsible for financial transactions;
 - 12.4.7. to receive and acknowledge all money from the Association;
 - 12.4.8. to deposit all funds in the name of the bargaining unit in a financial institution that is a member of the Canada Deposit Insurance Corporation or in an accredited teachers' credit union chosen by the bargaining unit executive;
 - 12.4.9. to keep an account of all money received and spent;
 - 12.4.10. to pay all authorized accounts and expenses incurred by the bargaining unit;
 - 12.4.11. to give a detailed annual report to the membership at the Spring Annual General Meeting of the bargaining unit;
 - 12.4.12. to submit a detailed annual financial report covering operations for the entire fiscal year. This report, audited by a licensed public accountant, is to be presented to the membership at the first general meeting following the completion of such audit and a copy sent to the provincial office.

Recording Secretary

- 12.5. The duties of the bargaining unit recording secretary shall be:
- 12.5.1. to take the minutes of bargaining unit meetings, noting especially motions carried, with mover and seconder;
- 12.5.2. to maintain for the provincial office a copy of the Minutes of bargaining unit meetings;
- 12.5.3. to forward copies of minutes to the general secretary, when requested.

Councillor

- 12.6. The duties of the bargaining unit councillor shall be:
- 12.6.1. to assist in carrying out the duties of the Executive;
- 12.6.2. to act as a liaison between the bargaining unit Executive and the members of the bargaining unit.

SECTION 4 – Bargaining Unit General Meetings

- 13. Notice of meeting and the major agenda items shall be sent to the membership at least 10 calendar days prior to the meeting date except in the case of emergency meetings.
- 14. When the meeting has been called to order the chairperson shall announce the number of members present. A quorum shall continue until the number of members present is less than two-thirds (2/3) of the announced number.
- 15. At least two (2) bargaining unit general meetings shall be held annually:
 - a) Fall - for budget proposal;
 - b) Spring - (annual general meeting) election of bargaining unit executive, and changes to the bargaining unit by-laws.
- 16. The official minutes for a general meeting shall be those taken by the recording secretary. The recording secretary shall be able to create an audio recording of the meeting. If the recording secretary chooses to do so, the secretary shall inform the membership once the recording begins. If a member objects to an audio recording, the recording must stop.
- 17. For all general meetings consideration shall be made regarding the time and location so that members can access meetings in a fair and equitable manner.

SECTION 5 – Duties of Committees

18. The duties of all committees shall be as per the determinations and directives of the Executive. Such duties cannot contravene the Provincial Handbook or the bargaining unit by-laws and must be consistent with the Provincial Handbook.
19. Committee membership shall consist of:
 - 19.1. at least three (3) members;
 - 19.2. an Executive liaison member who will be assigned by the Executive;
 - 19.3. the bargaining unit president who is an ex-officio member of all committees.
20. Each committee is responsible to the Executive.
21. All financial transactions conducted by committees must be directed to the bargaining unit Treasurer or appropriate bargaining unit official for approval of payment.

Collective Bargaining Committee

22. The duties of the Collective Bargaining Committee shall be:
 - 22.1. To receive all information pertinent to conditions of service and be familiar with all legislation pertinent to teacher employment and the Association the Association collective bargaining procedures and policies;
 - 22.2. To conduct a membership needs survey;
 - 22.3. To draft proposals and provide rationale and costs;
 - 22.4. To present the proposals to the executive for approval prior to presentation to the membership;
 - 22.5. To present to the executive recommendations regarding a tentative agreement, sanctions or conclusions of the negotiating process.

Awards Committee

23. The duties of the Awards Committee shall be:
 - 23.1. To receive and evaluate nominations for the Occasional Teacher of the Year Award and the OECTA Windsor-Essex Occasional Teachers Service Award by April 30;
 - 23.2. To confer and present the Occasional Teacher of the Year Award and the OECTA Windsor-Essex Occasional Teachers Service Award.

ARTICLE III - AMENDMENTS TO BY-LAWS

24. The by-laws may be established, amended, rescinded or suspended by a two-thirds (2/3) majority vote of the members present at a general meeting provided notice of the proposed change has been distributed to

the members at least ten (10) calendar days prior to the bargaining unit general meeting. If notice of the proposed change has not been distributed to the members ten (10) calendar days prior, the by-laws may be established, amended, rescinded or suspended by a nine-tenths (9/10) majority vote of the members present at a general meeting.

B. PROCEDURES

SECTION 1 - Unit Elections

1. To continue to hold office on the bargaining unit executive, a member shall continue to be a member of that bargaining unit.
2. The officers of the bargaining unit executive shall assume office on July 1 of each year.
3. Elections shall take place before June 30 of each year.
4. A member of the bargaining unit executive who fails to perform the duties inherent in the office may be removed from office by a two-thirds vote of the bargaining unit executive, provided at least 10 days written notice of such proposed action shall be given to the member. Such member, if removed, may appeal to the bargaining unit membership at its next general meeting.

Pre-election

5. A Chairperson of Elections shall be nominated and approved by the Executive prior to the General Meeting.
6. The Executive shall ensure that the Chairperson of Elections shall not:
 - 6.1. be running for an Executive office of the bargaining unit;
 - 6.2. be a member of the nominations committee;
 - 6.3. be the current bargaining unit President.
7. The Chairperson of Elections shall:
 - 7.1. call for nominations at least twenty-one (21) calendar days prior to the election date;
 - 7.2. receive nominations at least ten (10) calendar days prior to the election date;
 - 7.3. post the slate of candidates to the membership within five (5) calendar days of the date of the election. This posting shall include a means of contact as provided by candidates who have indicated to the Chair as

- interest in receiving member inquiries;
- 7.4. conduct the elections at the Annual General Meeting as per Article B.20.
8. Solicitation of members' support by candidates through use of the Board's e-mail system or through use of contact information provided by the Board and members for Association business is prohibited.

Nominating Process

9. Only occasional teachers as defined in Article A.3 shall be eligible for election to any office of the bargaining unit.
10. A candidate for any office must be nominated by two (2) members. All nominations must be in writing and signed by the nominating members and the candidate.

Election procedures

11. The first election at the Annual General Meeting shall be a timed item on the Agenda.
12. Elections shall occur in order of office starting with the President, if it is an election year for the position, or Vice President.
13. The Chairperson of Elections shall appoint two members to act as tellers for the counting of ballots. Two additional members shall be appointed as backup tellers who are to perform their duties if more than one hundred (100) voting members are present at an election. One additional member shall be appointed by the Chairperson of Elections to act as Scrutineer to observe the counting. None of these shall be a nominee, a signatory to a nomination, or the Chairperson of Elections.
14. Each nominee may choose another member to act as a Scrutineer who will observe the counting of the ballots.
15. The slate of nominees, as received by the bargaining unit Executive shall be presented to the members at the General Meeting and introduced by the Chairperson of Elections at the beginning of the bargaining unit election.
16. On the date of the election, nominations for positions eligible for an election may be made from the floor. Each nomination must be seconded by another member who is present and the consent of the

nominee, who must be present, must be declared.

17. Candidates may choose to speak for up to two (2) minutes at the election meeting;
 - 17.1. following each candidate's opportunity to speak, a question period of no more than five (5) minutes per candidate shall take place;
 - 17.2. during the question period, members may ask questions of the candidate(s). Each question shall not exceed two (2) minutes;
 - 17.3. each candidate's response to the question shall not exceed two (2) minutes.
18. Voting shall be by secret ballot for contested positions.
19. During an election, the duties of the Chairperson of Elections shall be:
 - 19.1. to ensure that all members present during the election have signed the attendance sheet for the meeting;
 - 19.2. to ensure that any non-members leave the room prior to closing the doors for the election;
 - 19.3. to ensure all members are seated and shall remain seated until the ballots have been collected by the tellers;
 - 19.4. to provide the Tellers with the ballots for distribution to the membership;
 - 19.5. to call for the ballots to be collected by the tellers;
 - 19.6. to declare voting closed after all ballots have been collected;
 - 19.7. to direct the tellers and scrutineer(s) to proceed to another previously determined room and to ensure the counting of ballots is done in this room;
 - 19.8. to return the Meeting to the Speaker who shall direct that the doors of the meeting room may be opened until the time of the next vote.
20. In addition to the nomination procedures described in B.9, B.10, and B.11, unsuccessful candidates for an office on the bargaining unit executive may declare their candidacy for another office on the bargaining unit executive. The Chairperson of Elections shall give candidates five (5) minutes to state their intention to step-down.
21. The Chairperson of Elections shall declare election by acclamation where there is no more than one candidate for any office.
22. The Chairperson of Elections shall receive the results of the voting from the Tellers following the completion of the counting of the ballots. This information shall include the number of ballots distributed, received, counted and spoiled. These results shall be announced to the membership and recorded in the Minutes of the meeting.

23. The Chairperson of Elections shall announce the members of the new Executive following the election of the bargaining unit Executive.
24. All ballots shall be destroyed by motion following the election of bargaining unit officers.
25. The Executive shall solicit and appoint members to fill the vacancies where there is no candidate for a position.

SECTION 2 - Delegates to the Annual General Meeting

The Supreme Body of the Association is the Annual General Meeting that makes the policy by which the members are governed. Therefore, the bargaining unit has the responsibility to select the delegates to represent the members of the bargaining unit at the Annual General Meeting.

26. When selecting delegates to the Annual General Meeting, the following guidelines shall be considered:
 - 26.1. Delegates will be considered in the following order of priorities:
 - i) Executive members
 - ii) Committee members
 - iii) Membership-at-large
 - 26.2. The final approval and selection of all delegates shall be the responsibility of the bargaining unit executive.
 - 26.3. All delegates and alternates are obliged to attend all sessions, except in cases of emergency as approved by the head of delegation

SECTION 3 - Expenses

27. All expenses shall be paid in accordance with the provincial guidelines.
28. The bargaining unit executive may refuse to reimburse a member for any personal expense beyond provincial guidelines or for any other expense related to bargaining unit business, unless the member and the executive have agreed upon other arrangements.
29. All claims shall be submitted, within ninety (90) days to the treasurer.
30. Mileage shall be paid to committee members upon receipt of an itemized claim. This will be extended to those committee members attending authorized meetings and conducting authorized committee business.

31. When making hotel reservations, members are expected to request and use the corporate rate available to OECTA members at many hotels.

SECTION 4 - Committee Procedures

Local Bargaining Unit Awards Occasional Teacher of the Year

32. The Occasional Teacher of the Year Award shall be awarded annually to a distinguished member of the bargaining unit in recognition of outstanding contributions to teaching, including personal professional growth, creativity in the classroom, professional interaction with staff and students, and involvement in school, community and parish;
 - 32.1. Any employee of the Windsor-Essex Catholic District School Board may forward a name of a nominee to the Awards Committee;
 - 32.2. The nominee must be a current member of the bargaining unit at the time of his or her nomination;
 - 32.3. The nomination shall be accompanied by a statement detailing the contributions made by the individual to education in Catholic schools;
 - 32.4. The nomination shall be received by the Awards Committee by April 30;
 - 32.5. Nomination forms shall be made available on the bargaining unit website.

OECTA Windsor-Essex Occasional Teachers Service Award

33. The OECTA Windsor-Essex Occasional Teachers Service Award shall be awarded annually to a distinguished member of the bargaining unit in recognition of outstanding contributions to the membership for the betterment of the Windsor-Essex Occasional Teachers' bargaining unit as a whole;
 - 33.1. Any member of the bargaining unit may forward a name of a nominee to the Awards Committee;
 - 33.2. The nominee must be a current member of the bargaining unit at the time of his or her nomination;
 - 33.3. The nomination shall be accompanied by a statement detailing the contributions made by the individual to the Windsor-Essex Occasional Teachers bargaining unit;
 - 33.4. The nomination shall be received by the Awards Committee by April 30;
 - 33.5. Nomination forms shall be made available on the bargaining unit website.

SECTION 5 - Amendments To Procedures

34. Procedures may be established, amended, rescinded or suspended by:
 - 34.1. a two-thirds (2/3) majority vote of the membership present at a general meeting provided notice has been given at least ten (10) calendar days prior to the general meeting; OR

- 34.2. by a nine-tenths (9/10) majority vote of the members present at a general meeting, if notice of the proposed change has not been distributed to the members ten (10) calendar days prior;
- 34.3. a four-fifths (4/5) majority of the bargaining unit executive, subject to ratification at the next bargaining unit general meeting.