

CONSTITUTION

FOR

**THE DURHAM DESIGNATED EARLY CHILDHOOD
EDUCATOR LOCAL**

OF THE

**ELEMENTARY TEACHERS' FEDERATION OF
ONTARIO**

Revised May 3, 2018

TABLE OF CONTENTS

TABLE OF CONTENTS.....	
DEFINITIONS	1
ARTICLE 1 – NAME	1
ARTICLE II – AFFILIATION	1
ARTICLE III – OBJECTS.....	1
ARTICLE IV – MEMBERSHIP	2
Section 1 - Active Membership	2
Section 2 - Associate Membership	2
ARTICLE V - RIGHTS AND PRIVILEGES OF MEMBERSHIP	2
Section 1 -Rights and Privileges of Active Membership.....	2
Section 2 -Rights and Privileges of Associate Membership.....	2
ARTICLE VI - CODE OF PROFESSIONAL CONDUCT.....	3
ARTICLE VII - LOCAL ORGANIZATION	4
Section 1 - Local Executive.....	4
Section 3 – Committees.....	4
Section 4 - Filling Vacant Positions of the Executive.....	5
Section 5 - Executive Leave.....	5
Section 6 - Responsibility Allowance	5
ARTICLE VIII - ORGANIZATIONAL DUTIES.....	6
Section 1 - Duties of the Executive	6
Section 2 - Duties of the Officers	6-8
Section 3 - Duties of Committees	8-9
ARTICLE IX – MEETINGS	9
Section 1 - Membership Meetings.....	9
SECTION 2 - LOCAL ANNUAL MEETING	10
ARTICLE X – ELECTIONS	10
Section 1 - Eligibility.....	10
Section 2 - Nominations.....	10
Section 3 - ElectionProcedure.....	11
ARTICLE XI - DELEGATES TO THE FEDERATION ANNUAL MEETING	11
ARTICLE XII - RESOLUTIONS TO THE FEDERATION ANNUAL MEETING	12
ARTICLE XIII - AMENDMENTS TO THE LOCAL CONSTITUTION	12
ARTICLE XIV-FINANCES	12

DEFINITIONS:

In this Constitution:

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

ARTICLE 1 – NAME

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

ARTICLE II – AFFILIATION

- 2.1 The Durham 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 Durham Designated Early Childhood Educator Local.
- 3.2 to regulate relations between the members of the Durham Designated Early Childhood Educator Local 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 Durham District School Board.

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 5, Section 2 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

6.1 A member shall:

- a. recognize the Federation as the official voice of all the Active Members of the Federation;
- b. adhere to the Constitution and Bylaws and Directives of the Federation;
- c. support collective bargaining initiatives, including a strike authorized by the Executive;
- d. refrain from undertaking or supporting actions which undermine established bargaining procedures;
- e. honour the terms of the Collective Agreement;
- f. strive to eliminate all forms of harassment between individuals in the educational system;
- g. endeavour to ensure equity and inclusiveness in the workplace;
- h. strive to achieve and maintain a high degree of professionalism and to uphold the honour, dignity, and ethical standards of our profession;

ARTICLE VII - LOCAL ORGANIZATION

Section 1 - Local Executive

7.1.1 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. Executive Member;
- g. When no Past President is available, one additional Executive Member shall be elected.

- 7.1.2 The Executive of the Local shall be elected at the Local Annual Meeting.
- 7.1.3 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.
- 7.1.4 The term of office for the Local Executive shall be two years per fiscal year.
- 7.1.5 The Local Executive shall take office on July 1.
- 7.1.6 The quorum for a Local Executive meeting shall be the majority of the voting Executive members.
- 7.1.7 The Executive shall appoint a Health and Safety Representative

Section 3 - Committees

- 7.3.1 There shall be the following standing committees:
 - (i) Collective Bargaining;
 - (ii) Elections;
 - (iii) Budget;
 - (iv) Professional Learning (PL)
 - (v) ETFO Annual Meeting
- 7.3.2 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.
- 7.3.3 Committees shall function at the direction of the Executive and report to the Executive upon request.
- 7.3.4 Each committee shall establish a set of terms of reference to be reviewed and approved by the Executive.

Section 4 - Filling Vacant Positions of the Executive

- 7.4.1 The Executive shall appoint a successor to an unexpired term or vacant position that occurs between July 1 and December 31.
- 7.4.2 The Executive may appoint a successor to an unexpired term or vacant position that occurs between January 1 and June 30.
- 7.4.3 A vacancy at the position of President shall be filled by the Vice President.
- 7.4.4 A vacancy at the position of the Vice President shall be filled by Secretary/Treasurer or Executive Member.
- 7.4.5 Candidates for appointment to fill a vacancy at the position of Treasurer or Secretary shall be members of the Executive.
- 7.4.6 Candidates for appointment to fill a vacancy at the position of Executive Member shall be active members in good standing of the Local.

Section 5 – Executive Leaves

7.5.1 An Executive Member on a leave may return to their elected position during the current term.

Section 6 – Local Executive Responsibility Allowance

7.6.1 The Local Executive Shall receive the following responsibility allowance:

President.....	10% of annual salary per year
Vice President.....	\$500.00 per year
Treasurer.....	\$350.00 per year
Secretary.....	\$300.00 per year
Executive Member(s).....	\$250.00 per year

ARTICLE VIII - ORGANIZATIONAL DUTIES

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

Section 1 - Duties of the Executive

The Executive shall:

- 8.1.1 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.
- 8.1.2 hold at least 4 regular Executive meetings per fiscal year.
- 8.1.3 hold an Executive meeting at the call of the President.
- 8.1.4 receive a financial report at each Executive meeting.
- 8.1.5 forward to the provincial office by September 30 of each year the annual audited financial statement.
- 8.1.6 forward to the provincial office by June 1 of each year the annual report of the Local.
- 8.1.7 appoint and develop terms of reference for ad hoc committees.
- 8.1.8 appoint at least 2 signing officers of the Local.

- 8.1.9 appoint when necessary, in accordance with Article VI, a successor to complete any unexpired term of an elected or appointed Local representative.
- 8.1.10 to recommend the appointment of the auditors to the Local Annual Meeting.
- 8.1.11 to develop investment policy.

Section 2 - Duties of Officers

8.2.1 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 and General Membership;
- f. to inform and advise members on issues concerning the Local;
- g. to attend the ETFO provincial Annual Meeting as a delegate
- h. to administer the affairs of the Local between meetings of the Local Executive in accordance with the Constitution and Bylaws.
- i. to consult with the treasurer regarding financial matters
- i. to maintain accurate records of correspondences received by and sent on behalf of the local;

8.2.2 The duties of the Vice-President 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. to attend the ETFO Provincial Annual Meeting as a delegate

8.2.3 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 according to Provincial timelines, and to present the audited financial statements as the Fall General Membership Meeting;
- f. to forward the annual audited financial statement of the Local to the provincial office of the Federation by September 30.
- g. to be responsible for additional duties as assigned by the President and/or Local Executive.
- h. To be a member of the Budget Committee.

8.2.4 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 Executive and Membership meetings;
- d. to forward the annual report of the Local to the provincial office of the federation by June 1
- e. to be responsible for additional clerical duties as assigned by the Local Executive

8.2.5 The duties of the Executive Member(s) shall be:

- a. to be responsible for additional duties assigned by the President and/or Local Executive
- b. to be a liaison between the assigned Local Committee and report to the Executive

Section 3 - Duties of Committees

8.3.1 Committees are responsible to the Local Executive.

8.3.2 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.
- d. Shall be willing to waive their membership right to accept a nomination for an elected position at the current years Local Annual Meeting.

8.3.3 Collective Bargaining Committee:

- a. the committee shall consist of 4 members;
- b. the President and Vice President shall be members on the committee;
- c. remaining members shall be voted in by the membership;
- d. shall be responsible to assist in the preparation and negotiation of an approved preliminary submission.

8.3.4 The Budget Committee:

- a. shall consist of the President, Treasurer and 1 other member;
- b. shall be appointed by the Executive;
- c. the term of the office for the Budget Committee shall be 1 year.
- d. shall be responsible to develop and present a budget for approval by the membership at the Local Annual Meeting.
- e. The treasurer shall be the chair of the budget committee.

8.3.5 Professional Learning Committee (PL):

- a. shall consist of the President, PL Chair and up to 3 other members;
- b. shall be appointed by the Executive;
- c. shall be responsible to plan, develop and present Professional Learning

for the membership;

- d. the term of office for the PL committee shall be 2 years.

8.3.6 ETFO Annual Meeting Committee:

- a. shall consist of delegates attending the Annual Meeting for the current year;
- b. shall be responsible to represent the members of the local;
- c. shall meet prior to the annual Meeting to discuss resolutions.

ARTICLE IX – MEETINGS

Section 1 - Membership Meetings

- 9.1.1 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.
- 9.1.2 The official authority for conducting all Local meetings is the current Roberts Rules of Order.
- 9.1.3 The Local Annual Meeting shall be presided over by a Parliamentarian who is not an active member of the Local.

Section 2 - Local Annual Meeting

- 9.2.1 A Local Annual Meeting of the members of the Local shall be held no later than May 15.
- 9.2.2 The Local Annual Meeting shall:
 - a. receive the annual reports of the officers and committees of the Local;
 - b. on elections years elect the Local Executive for the next term;
 - c. approve the budget for the next year;
 - d. approve the signing officers;
 - e. receive the financial statements as certified by the auditors;
 - f. approve changes to the Constitution and Bylaws of the Local.

ARTICLE X – ELECTIONS

Section 1 - Eligibility

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

Section 2 - Nominations

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

10.2.2 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.

- a. Only members who have served on the Executive for a minimum of one full term may be nominated for the position of President.
- b. Only members who have served on the Executive for a minimum of one year may be nominated for the position of Vice-President.

10.2.3 Notwithstanding the above, nominations duly moved and seconded and with the consent of the nominee, shall be accepted at the Local Annual Meeting, for which no nominations were received.

Section 3 - Election Procedures

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

10.3.2 Candidates shall have the opportunity to address the Local Annual Meeting before the election.

10.3.3 The election shall be by secret ballot.

10.3.4 Each candidate may appoint one scrutineer to observe the counting of the ballots for that candidate's election.

10.3.5 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 Local Annual Meeting.

10.3.6 To be declared successful a candidate for President, Vice-President, or Secretary/Treasurer must obtain a majority of the ballots cast by the members present.

10.3.7 An unsuccessful candidate may seek another position on the Executive for which the member is eligible by dropping down.

10.3.8 The ballots will be destroyed by motion of the Local Annual Meeting immediately following the elections.

ARTICLE XI - DELEGATES TO THE FEDERATION ANNUAL MEETING

11.1 An active member of the Local may be nominated as a delegate to the Federation Annual Meeting.

11.2 Delegates to the Federation Annual Meeting shall be elected at a Local Membership meeting called by the Local Executive prior to June 1.

11.3 Names of delegates elected to the Federation Annual Meeting shall be forwarded to the provincial office of the Federation prior to June 1.

11.4 The President and Vice President shall be a delegate to the Federation Annual Meeting.

11.5 The Local shall have 4 delegates and up to 2 alternatives attend the Federation Annual Meeting

ARTICLE XII- RESOLUTIONS TO THE FEDERATION ANNUAL MEETING

12.1 Resolutions to the Federation Annual Meeting shall be considered at a Local membership meeting to be held prior to March 1.

12.2 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.

12.3 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.

12.4 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

- 13.1 Proposed amendments to the Local Constitution must be submitted to the Executive 30 days prior to the Local Annual Meeting.
- 13.2 The Executive shall publish all proposed amendments to the membership at least 14 days prior to the Local Annual Meeting.
- 13.3 The Constitution shall be amended if 60% of the members present at the Local Annual Meeting vote in favour of the proposed amendment.
- 13.4 Constitutional amendments dealing with designated positions on the Executive may only be voted on by members of the designated group.

ARTICLE XIV-FINANCES

- 14.1 The Local shall retain the financial records of the Local for a period of six years plus the current year.
- 14.2 All financial transactions shall be signed by two signing officers, one of whom shall be the President.
- 14.3 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.