

OSSTF

DISTRICT 9

**OCCASIONAL TEACHERS'
BARGAINING UNIT**

CONSTITUTION AND BY-LAWS



As approved by D9 OTBU Membership – October 10, 2017

TABLE OF CONTENTS

Article 1	DEFINITIONS
Article 2	NAME & MEMBERSHIP
Article 3	OBJECTS
Article 4	RESPONSIBILITIES OF THE OTBU EXECUTIVE
Article 5	BARGAINING UNIT ORGANIZATION
Article 6	AMENDMENTS
Bylaw 1	FEDERATION/FISCAL YEAR
Bylaw 2	DUTIES OF THE BARGAINING UNIT EXECUTIVE
Bylaw 3	DUTIES OF MEMBERS
Bylaw 4	BARGAINING UNIT MEETINGS AND ELECTIONS
Bylaw 5	DUES & LEVY
Bylaw 6	TIME RELEASE
Bylaw 7	APPEALS
Bylaw 8	ANTI-HARASSMENT & EQUITY
Bylaw 9	PROCEDURES

ARTICLE 1 DEFINITIONS

In this Constitution and Bylaws and in the Procedures

- 1.1 “AGM” shall mean the Annual General Meeting of the District 9 Occasional Teachers’ Bargaining Unit.
- 1.2 “AMPA” shall mean the Annual Meeting of the Provincial Assembly of OSSTF.
- 1.3 “Board/Employer” shall mean the Greater Essex County District School Board.
- 1.4 “Bargaining Unit” shall mean all secondary occasional teachers employed by the Greater Essex County District School Board (GECDSB).
- 1.5 “Bylaws” shall mean the standing rules made under the Constitution which are enactments binding upon all members of the Bargaining Unit.
- 1.6 “CBC” shall mean the Collective Bargaining Committee.
- 1.7 “Constitution” shall mean a system of fundamental principles according to which OSSTF D9 OTBU is governed.
- 1.8 “District” shall mean District 9 OSSTF.
- 1.9 “District Executive” shall mean District 9 Executive as defined by the District 9 Constitution.
- 1.10 “Executive” shall mean the members of the OTBU Executive (as defined by Article 5 of this document).
- 1.11 “Federation” shall mean the Ontario Secondary School Teachers’ Federation.
- 1.12 “General Meeting” shall mean a meeting of all members of the bargaining unit called by the President.
- 1.13 “Member” shall mean an active member employed by the GECDSB as a secondary occasional teacher.
- 1.14 “Policy” shall mean a stand or position taken by the OTBU in accordance with its bylaws on matters whose resolution is beyond the internal legislative power of the Occasional Teachers Bargaining Unit of the District 9 OSSTF.
- 1.15 “Grievance” shall mean a complaint concerning the interpretation, administration or alleged violation of the local or central collective agreement, including a question as to whether or not a matter is arbitrable.
- 1.16 “Objects” shall mean the goals or purpose of an organization.
- 1.17 “Roster” shall mean a list or plan showing turns of duty or leave for occasional teacher members.

- 1.18 “Long Term Occasional List” shall mean a list of those occasional teacher members ranked by seniority.
- 1.19 “Seniority” shall mean the date of hire combined with days worked as an occasional teacher employed by the GECDSB.
- 1.20 “Trusteeship” shall mean the resumption by Provincial OSSTF of those duties delegated to a local organization in accordance with the OSSTF Bylaws.

ARTICLE 2 **NAME & MEMBERSHIP**

- 2.1 The name will be the Occasional Teachers’ Bargaining Unit – District 9 of the Ontario Secondary School Teachers’ Federation, hereafter and herein referred to as the OTBU.
- 2.2 Membership shall consist of all active members as defined by the OSSTF Provincial Constitution & Bylaws within the OTBU employed by the Board.

ARTICLE 3 **OBJECTS**

The Objects of the Bargaining Unit shall be in accordance with Article 3 of the OSSTF Constitution:

- 3.1 First and foremost to protect its members, both individually and collectively, in their profession, and to ensure that none of the civil, human, and legal rights enjoyed by other Ontario residents shall be denied its members;
- 3.2 to secure and maintain for all Active members of the OTBU equal collective bargaining rights including the right to strike;
- 3.3 to bargain collectively on behalf of its members to improve their working conditions based upon members’ input;
- 3.4 to promote and advance the cause of public education;
- 3.5 to promote a high standard of professional ethics and a high standard of professional competence;
- 3.6 to secure the opportunity for members active participation in formulating policies and practices affecting education;
- 3.7 to work toward greater control of our professional future;
- 3.8 to promote political action to ensure that legislation, policies and procedures are in the best interest of members, public education, students and the community;
- 3.9 to support and promote equal opportunities for members and students;
- 3.10 to foster and promote the dignity of all persons in keeping with the Ontario Human Rights Code;
- 3.11 to associate and collaborate with other unions.

ARTICLE 4 RESPONSIBILITIES OF THE OTBU EXECUTIVE

- 4.1 To abide by the bylaws, regulations and policies of OSSTF and the decisions of General Meetings;
- 4.2 to act as the highest decision making body of the OTBU between General Meetings;
- 4.3 to meet regularly, and as needed to conduct the business of the OTBU;
- 4.4 to obtain, and account for funds from OSSTF or the District in order to carry out the objects and responsibilities of the OTBU;
- 4.5 to ensure that all members of the OTBU are informed of their rights, duties, obligations and privileges as part of OSSTF;
- 4.6 to communicate with OTBU members, District 9 Executive and Provincial Office in matters relating to the OTBU;
- 4.7 to provide professional development opportunities to members;
- 4.8 to encourage participation in OTBU activities and provide leadership opportunities;
- 4.9 to co-ordinate, promote and/or participate in District and Provincial OSSTF activities;
- 4.10 to represent members in cooperation with other Affiliates of the Ontario Teachers' Federation in any matter of shared professional interest;
- 4.11 to communicate with the media and the public on behalf of the OTBU;
- 4.12 to notify members and provide access to a copy of the newly amended Constitution of the OTBU;
- 4.13 to notify members and provide access to a copy of any tentative agreement with the Employer at least 48 hours before the General Meeting;
- 4.14 to conduct the business of the OTBU in keeping with established OSSTF policies and to consider interim policies as required.

ARTICLE 5 BARGAINING UNIT ORGANIZATION

- 5.1 There shall be an OTBU Executive consisting of the following voting members:
 - 5.1.1 President – Grievance Officer
 - 5.1.2 Vice-President – Health & Safety Officer
 - 5.1.3 Chief Negotiator
 - 5.1.4 Communications Officer
 - 5.1.5 Educational Services Officer
 - 5.1.6 Political Action Officer
 - 5.1.7 Treasurer

5.1.8 Secretary

5.1.9 Constitution Officer

5.1.10 Equity Officer

5.2 The members of the Executive shall be elected at the Annual General Meeting of the District 9 OTBU with duties from July 1 to June 30 of the election year.

5.3 In the event that a member of the OTBU Executive is elected to or assumes more than one office, the member is entitled to a single vote as a member of the Executive.

5.4 With the exception of the role of the President, whenever and for whatever reason a vacancy occurs on the OTBU Executive, the OTBU membership will be informed of the vacancy and interested members will be invited to put their names forward to be considered by the OTBU Executive. Upon approval by the OTBU Executive, the vacancy will be filled for the remainder of the elected term of office.

5.5 **COLLECTIVE BARGAINING COMMITTEE**

5.5.1 The Collective Bargaining Committee of the OTBU shall consist of the following voting members:

5.5.1.1 Chief Negotiator – Chair

5.5.1.2 President – Grievance Officer

5.5.1.3 Vice-President – Health & Safety Officer

5.5.1.4 up to four members approved by the OTBU Executive, which may include the former Chief Negotiator in the event that a change in office has occurred.

5.5.2 The Table Team shall consist of the following members:

5.5.2.1 Chief Negotiator,

5.5.2.2 President – Grievance Officer and

5.5.2.3 up to two members from the CBC approved by the OTBU Executive.

5.5 **GRIEVANCE COMMITTEE**

5.5.3 The Grievance Committee of the OTBU shall consist of the following members:

5.5.3.1 President – Grievance Officer;

5.5.3.2 Chief Negotiator, and

5.5.3.3 one additional member approved by the OTBU Executive.

5.5 GRIEVANCE APPEALS COMMITTEE

5.5.4 The Grievance Appeals Committee shall be chaired by the Vice-President and convened as required per the Bylaws. The Committee will include three (3) members of the OTBU Executive with no earlier involvement with the decision upon which the appeal is based.

ARTICLE 6 AMENDMENTS

6.1 Amendments to the Constitution and Bylaws may be made at the Annual General Meeting of the Occasional Teachers' Bargaining Unit:

6.1.1 by two-thirds (2/3) vote of the members present, qualified to vote and voting, provided that the notice of any proposed amendment shall have been given to the Bargaining Unit Secretary thirty (30) days prior to the meeting and provided that written notice of the proposed amendment has been electronically posted/emailed to members current personal e-mail address of the Bargaining Unit 15 days prior to the meeting;

6.1.2 by a nine-tenths (9/10) vote of the members present, qualified to vote and voting, given previous notice as in Article 6.1.1 not having been provided.

BYLAWS

BYLAW 1 FEDERATION/FISCAL YEAR

1.1 The Federation fiscal year and OTBU Executive membership year shall be from July 1 to the following June 30.

BYLAW 2 DUTIES OF THE BARGAINING UNIT EXECUTIVE

DUTIES OF THE PRESIDENT – GRIEVANCE OFFICER

2.1 It shall be the duty of the OTBU President:

2.1.1 To call and preside over all meetings of the OTBU Executive and the OTBU Membership. There shall be at least six (6) OTBU Executive meetings per year.

2.1.2 To prepare agendas for all meetings of the OTBU Executive and the OTBU Membership that include any items submitted by either the Executive or the Membership;

2.1.3 To represent the OTBU at meetings of the District Executive, District Council and the District Annual General Meeting.

2.1.4 To be an ex officio member of all OTBU Committees, including the Collective Bargaining Committee.

2.1.5 To regularly report to the Executive the activities of the OTBU and of District Council.

2.1.6 To receive, answer and retain all correspondence regarding members for a period of no less than 7 years.

2.1.7 To liaise regularly with the District President.

- 2.1.8 To communicate in a timely fashion to the District President and the District Secretary any resolutions from the OTBU Executive to be considered at the next meeting of District Council.
- 2.1.9 To submit a written report to the OTBU Annual General Meeting.
- 2.1.10 To act as a signing authority for the OTBU.
- 2.1.11 To communicate with the media and the public on behalf of the OTBU.
- 2.1.12 To represent the OTBU at all meetings of Provincial Council. In the event that the President is unable to attend, to appoint a designate from the OTBU Executive.
- 2.1.13 To regularly report to the Executive the activities of Provincial Council.
- 2.1.14 To attend the annual OSSTF Leadership Conference.
- 2.1.15 To represent the OTBU at any other meetings called for either provincially or locally. In the event that the President is unable to attend, to appoint a designate from the OTBU Executive.
- 2.1.16 To represent the OTBU membership at meetings of the Joint Relations Committee.
- 2.1.17 In consultation with the Chief Negotiator, to arrange for information and/or ratification meetings of the OTBU.
- 2.1.18 In consultation with the District 9 Office Manager and the OTBU Executive, coordinate the Annual Report for distribution at the Annual General Meeting.
- 2.1.19 At minimum, to be available and accessible to the membership for the number of days specified by the bargaining unit levy as outlined in Bylaw 6 and approved in the OTBU budget as approved at the Annual General Meeting.
- 2.1.20 To act as the OTBU Grievance Officer:
 - 2.1.20.1 to investigate potential grievances on behalf of OTBU members in a timely fashion to ensure timelines are met;
 - 2.1.20.2 to seek informal resolution with the Employer through communication with the appropriate administration or through the Joint Relations Committee;
 - 2.1.20.3 to keep confidential records;
 - 2.1.20.4 to consult with Grievance Committee and/or the Field Secretary regarding potential grievances;
 - 2.1.20.5 to update the Executive about the status of grievances including the informal resolution of potential grievances;
 - 2.1.20.6 to inform the Collective Bargaining Committee of concerns, which are related to the grievance process relevant to future negotiating briefs.

DUTIES OF THE VICE-PRESIDENT – HEALTH & SAFETY OFFICER

- 2.2 It shall be the duty of the OTBU Vice-President:
 - 2.2.1 To act in the President's absence or at the President's request;
 - 2.2.2 To act as a signing authority for the OTBU;
 - 2.2.3 To communicate regularly with the President;
 - 2.2.4 To be a member of the Collective Bargaining Committee;
 - 2.2.5 To chair the Grievance Appeals Committee;
 - 2.2.6 To act as the Health & Safety Officer for the OTBU;
 - 2.2.6.1 To represent OTBU members in Health & Safety issues or concerns;
 - 2.2.6.2 To assist OTBU members in completing Health & Safety forms;
 - 2.2.6.3 to advise members on matters related to the Occupational Health & Safety Act;
 - 2.2.6.4 to regularly provide updates to the OTBU Executive on Health & Safety matters related to the OTBU membership with consideration to any follow-up action needed;
 - 2.2.6.5 To act as the OTBU representative on the District Health & Safety Committee;
 - 2.2.6.6 to attend regional or provincial Health & Safety Conferences;
 - 2.2.7 To assist with any Presidential duties at the request of the President or Executive's request;
 - 2.2.8 To replace the President in the event of the President's resignation, illness, death or termination until the end of the term;
 - 2.2.9 To provide a written report to the President for the General Membership for the Annual General Meeting.

DUTIES OF THE CHIEF NEGOTIATOR

- 2.3 It shall be the duty of the Chief Negotiator:
 - 2.3.1 To be a member of the Collective Bargaining Committee;
 - 2.3.2 To be a member of the Grievance Committee;
 - 2.3.3 To call and chair meetings of the CBC;
 - 2.3.4 To report on the discussions of the Collective Bargaining Committee to the OTBU Executive;
 - 2.3.5 To bring the OTBU negotiating brief to the OTBU Executive for consideration for final approval;
 - 2.3.6 To attend regional and provincial Collective Bargaining Committee conferences;

- 2.3.7 To survey the OTBU membership with regards to bargaining priorities;
- 2.3.8 To participate in negotiations with the employer;
- 2.3.9 In consultation with the President, to arrange for information and/or ratification meetings of the OTBU;
- 2.3.10 To provide a written report to the President for the General Membership for the Annual General Meeting.

DUTIES OF THE COMMUNICATIONS OFFICER

- 2.4.1 To maintain an up-to-date contact list of the OTBU membership;
- 2.4.2 To ensure that the membership is kept informed through regular publication of news and information;
- 2.4.3 To carry out duties as may be delegated by the President or approved by the OTBU Executive;
- 2.4.4 To provide a written report to the President for the General Membership for the Annual General Meeting.

DUTIES OF THE EDUCATIONAL SERVICES OFFICER

- 2.5.1 To attend meetings of the District Educational Services Committee;
- 2.5.2 To attend regional or provincial Educational Services conferences;
- 2.5.3 To provide opportunities for the Professional Development of OTBU members.
- 2.5.4 to provide regular reports to the OTBU Executive;
- 2.5.5 to provide a written report to the President for the General Membership for the Annual General Meeting.

DUTIES OF THE POLITICAL ACTION OFFICER

- 2.6.1 To attend meetings of the District Political Action Committee;
- 2.6.2 To attend regional or provincial Political Action conferences;
- 2.6.3 to provide regular reports to the OTBU Executive;
- 2.6.4 to provide a written report to the President for the General Membership for the Annual General Meeting.

DUTIES OF THE TREASURER

- 2.7.1 To keep account of all monies received and disbursed by the OTBU;
- 2.7.2 to prepare a financial report for the OTBU Executive at each meeting, Annual General Meeting and as requested by the Executive;
- 2.7.3 to meet with the District Treasurer and/or Associate General Secretary-Operational Services Division Provincial Office as required;
- 2.7.4 to prepare a projected budget in consultation with the District Treasurer and OTBU Executive for presentation at the Annual General Meeting;
- 2.7.5 to act as a signing authority for the OTBU;
- 2.7.6 to provide a written report to the President for the General Membership for the Annual General Meeting.

DUTIES OF THE SECRETARY

- 2.8.1 to record and arrange for the keeping of minutes of OTBU Executive meetings and OTBU General Membership meetings;
- 2.8.2 to distribute the draft minutes of meetings of the OTBU Executive and General Membership to the OTBU Executive for review and approval.

DUTIES OF THE CONSTITUTION OFFICER

- 2.9.1 to be familiar with the Constitution and Bylaws of the OTBU, District 9 and OSSTF.
- 2.9.2 to oversee the democratic procedures and meetings and identify any action that is in contravention with the Constitution and Bylaws of the OTBU, District 9 or OSSTF;
- 2.9.3 to identify any amendments or changes of the OTBU Constitution and Bylaws that should be brought forward to the next OTBU Annual General Meeting;
- 2.9.4 in consultation with the OTBU Executive, convene a Constitution Committee, if required.

DUTIES OF THE EQUITY OFFICER

- 2.10.1 to attend District meetings of the Equity, Human Rights and/or Status of Women Committee;
- 2.10.2 to act as the OTBU Anti-Harassment Officer;
- 2.10.2 to attend regional or provincial Human Rights/Status of Women conferences;
- 2.10.3 to promote policy, events and resources which fosters the dignity of all persons;
- 2.10.4 to provide a written report to the President for the General Membership at the Annual General Meeting.

DUTIES OF THE COLLECTIVE BARGAINING COMMITTEE

- 2.11.1 to develop the Negotiations Brief based upon input of the OTBU membership and OSSTF Negotiation Priorities;
- 2.11.2 to present a Negotiation Brief to the OTBU Executive for approval;
- 2.11.3 to represent the membership in negotiating a collective agreement with the Employer;
- 2.11.4 to maintain up-to-date material on salary, employee benefits, working conditions for OTBU members;
- 2.11.5 to attend information and/or ratification meetings of the OTBU.

DUTIES OF THE NEGOTIATION TEAM

- 2.12.1 The Negotiation Team shall submit any tentative agreement to the OTBU Executive for consideration prior to presentation to the OTBU membership.

OTHER DUTIES & RESPONSIBILITIES

- 2.13.1 Other non-voting members on the OTBU Executive who are appointed or elected by a group other than the Bargaining Unit Membership to sit on committees deemed necessary by the OTBU Executive.

BYLAW 3 DUTIES OF MEMBERS

- 3.1 The duties of Members are those prescribed in the Provincial OSSTF Constitution and Bylaws specifically by Bylaw 2 Membership.
- 3.2 Members shall notify the President – Grievance Officer of any alleged violation of the Collective Agreement in a timely fashion.
- 3.3 The duties of Members at OTBU Annual General Membership Meetings are:
 - 3.3.1 to consider amendments to the OTBU Constitution and Bylaws;
 - 3.3.2 to elect OTBU Executive Members as outlined in Article 5;
 - 3.3.3 to receive and act on reports from the OTBU President, Executive Members and Committees.

BYLAW 4 BARGAINING UNIT MEETINGS AND ELECTIONS

BARGAINING UNIT EXECUTIVE MEETINGS

- 4.1 The Bargaining Unit Executive shall meet for regularly scheduled meetings, at the call of the Bargaining Unit President or additional meetings shall be called at the request of a minimum of three members of the Executive.
- 4.1.2 The Quorum for an OTBU Executive meeting shall be above fifty percent (50% +1) of the Members of the OTBU Executive.

GENERAL MEMBERSHIP MEETINGS

- 4.2 The OTBU Membership shall meet:
 - 4.2.1 at a minimum, at an Annual General Meeting,
 - 4.2.2 at the call of the OTBU President, or
 - 4.2.3 to provide information meeting with respect to the ratification of a contract, a strike vote or any other matters deemed necessary for the welfare and interest of OTBU members or
 - 4.2.4 at the request of ten (10) Active Members of the OTBU forwarded to any member of the Executive. Such requests are to be in a written form including the specific issue(s) to be brought forward to the membership and signed by each of the requesting members. The meeting shall be held within twenty (20) working days of the request being forwarded to the President.
 - 4.2.5 The Quorum for a OTBU Annual General Meeting shall be twelve percent (12%) of the OTBU Full Time Equivalent Members as of April 1st prior to the AGM.

4.3 PROCEDURES AT MEETINGS

- 4.3.1 General meetings will be conducted in accordance with the established procedures (Bylaw 9) of District 9 and the Rules of Order outlined in the OSSTF Constitution and Bylaws.
- 4.3.2 Each speaker will be allotted a total maximum of two (2) minutes to speak to any single motion on the floor.
- 4.3.3 At the Annual General Meeting, each candidate for an office of the OTBU Executive will be allotted a maximum of three (3) minutes to speak prior to elections.
- 4.3.4 A Returning Officer, who is not running for an elected position, shall be appointed by the OTBU Executive to oversee the Election process at the Annual General Meeting.

4.4 ELECTIONS

- 4.4.1 Election to the offices of the OTBU Executive shall take place at the Annual General Meeting.
- 4.4.2 Nominations for the offices of the OTBU Executive shall be submitted by email to the District 9 Office Manager two (2) weeks in advance of the Annual General Meeting.

- 4.4.3 Nominations from the floor of the Annual General Meeting will be received prior to nominations being declared closed by the Chair.
- 4.4.4 Election of OTBU Officers shall be in the following order:
- 1) President – Grievance Officer,
 - 2) Vice-President – Health & Safety Officer,
 - 3) Chief Negotiator
 - 4) Communications Officer
 - 5) Educational Services Officer
 - 6) Political Action Officer
 - 7) Treasurer
 - 8) Secretary
 - 9) Constitution Officer
 - 10) Equity Officer
- 4.4.5 An unsuccessful candidate for one position may be nominated from the floor for another position on the OTBU Executive prior to nominations being declared closed.

4.5 BALLOTING

- 4.5.1 Balloting for Executive positions shall be conducted in accordance with Procedures as established at the start of the meeting.
- 4.5.2 Members elected to offices at the Annual General Meeting of the OTBU must have a majority of the ballots cast to win. If there is no majority, the person with the least votes must withdraw and a further ballot must be held. In the event of a tie, this procedure continues until there is a majority vote.

BYLAW 5 DUES & LEVY

- 5.1 The amount of annual dues shall be prescribed in the Bylaws of Provincial OSSTF, District OSSTF and the OTBU;
- 5.2 the bargaining unit levy shall be an ongoing deduction from each member's salary as approved by the membership at the Annual General Meeting;
- 5.3 the employer shall be asked to outline the local OTBU levy deduction amount as a separate item from the provincial OSSTF dues for Active Members;
- 5.4 the method of payment of dues shall be prescribed in the Collective Agreement made between the Secondary Occasional Teachers' Bargaining Unit and the employer;
- 5.5 the OTBU approve a levy of 0.7% (.seven percent) to be used for release time of OTBU Executive Officers or OTBU members as approved at the Annual General Meeting.

BYLAW 6 TIME RELEASE

- 6.1 President – Grievance Officer will be paid at the Long Term Assignment rate according to the current year’s Salary Grid from the District 9 OTBU levy, unless it is agreed upon in the Collective Agreement to be paid from the Board. The amount of Time Release will be clearly specified and determined by the OTBU annual budget as approved at the Annual General Meeting.
- 6.2 District 9 OTBU may distribute time release funds for OTBU members, defined as the reimbursement to the employer for the costs associated with release from a member’s employment duties during normal hours of paid employment, as approved by the OTBU Executive. These funds will be determined by the OTBU annual budget as approved at the Annual General Meeting.

BYLAW 7 APPEALS

- 7.1 Any member of the OTBU affected by decision to deny a grievance may appeal this decisions using the following procedure:
 - 7.1.1 Within three (3) working days of notice of the decision, the affected member shall contact the Vice-President and request in writing a meeting to appeal the decision;
 - 7.1.2 Within three (3) working days of receiving the request, the Vice-President shall notify the OTBU Executive of the appeal and three Executive members with no earlier involvement with the decision upon which the appeal is based will meet as soon as possible to ensure that timelines for the filing of any grievance are met.
 - 7.1.3 The Vice-President will meet with the affected member and allow the member to provide reasons why the grievance should not be denied. These reasons will be noted and reported to the Grievance Appeals Committee.
 - 7.1.4 The President-Grievance Officer will meet with the Grievance Appeals Committee to provide reasons for denying the grievance. Every attempt should be made for this meeting to occur as soon as possible following the meeting with the affected member.
 - 7.1.5 The Grievance Appeals Committee will consider the information provided and render its decision, with reasons, either in support of the grievance or against it.
 - 7.1.6 The Vice-President will communicate with the affected member the decision of the Grievance Appeals Committee. If the denial of the grievance is upheld, the Vice-President shall communicate with the member the reasons for the denial. If the appeal is upheld, the Vice-President will notify the affected member that the grievance will be filed on their behalf and outline the process.
 - 7.1.7 If the Grievance Appeals Committee finds that the grievance should be filed, the President-Grievance Officer shall proceed in the manner outlined in the Collective Agreement.

BYLAW 8 ANTI-HARASSMENT & EQUITY

- 8.1 Any member of OSSTF has the right to an equitable work and union environment free from the destructive effects of discrimination and harassment.
- 8.2 Any OTBU member who feels targeted by harassment or discrimination at any OSSTF function must be able to speak up and know their concerns will be responded to immediately in accordance with OSSTF Policies and Procedures.
- 8.3 Any OTBU meeting shall have an identified Anti-Harassment Officer that will be declared at the start of any meeting.
- 8.4 The Anti-Harassment Officer will provide initial assistance to any member who reports being harassed or discriminated against at any OSSTF event. This initial assistance will include providing information on:
 - 8.4.1 informal and formal processes
 - 8.4.2 how to file a formal complaint
 - 8.4.3 external mechanisms (police or Human Rights Commission)
- 8.5 The informal processes may include the Anti-Harassment Officer facilitating communication between the complaining member with the other person either directly or indirectly.
- 8.6 The informal process may include the Anti-Harassment Officer or a member of the OTBU Executive acting as a mediator to help settle the complaint. However, either party has the right to refuse mediation.
- 8.7 The formal use of the Anti-Harassment Complaint Procedure is detailed in Bylaw 9.

BYLAW 9 PROCEDURES

9.1 DEPENDENT CARE

- 9.1.1 OTBU Executive members shall be provided with reimbursement for child care as outlined in the current OSSTF Federation Allowable Expenditure Guidelines for meetings outside of normal working hours.
- 9.1.2 OTBU Members shall be provided with reimbursement for child care as outlined in the current OSSTF Federation Allowable Expenditure Guidelines for any OTBU General Meetings.
- 9.1.3 Expenses must be submitted during the current fiscal year.

9.2 MILEAGE

- 9.2.1 OTBU Executive members shall be paid mileage as outlined in the current OSSTF Federation Allowable Expenditure Guidelines for attendance at meetings related to union business. Mileage claims should reflect the accurate distance from the member's location prior to the meeting and the return to either home or the workplace.

9.2.2 Expenses must be submitted during the current fiscal year.

9.3 ANTI-HARASSMENT & EQUITY

9.3.1 The Anti-Harassment & Equity statement will be read at the start of each OTBU event. An Anti-Harassment Officer will be identified.

9.3.2 Any member who believes they have been the target of harassment or discrimination at an OTBU sponsored meeting or event is encouraged to take immediate action to request the behaviour be stopped. This can be done personally, either in writing or verbally, or with the assistance of a third party.

9.3.3 If the behaviour continues, or if the member does not feel safe approaching the individual(s) responsible for the behaviour, the member is encouraged to speak with the Anti-Harassment Officer.

RESOLUTION & COMPLAINT PROCEDURE

9.3.4 The Anti-Harassment Officer will review the complaint with the member and determine whether informal processes can be utilized to resolve the situation. This may include speaking with the parties privately or if necessary, consulting the Chairperson or Facilitator of the event to determine if the person(s) responsible for the behaviour should be asked to leave should circumstances warrant.

9.3.5 The complaint shall be handled confidentially; however, all complaints will be reported to the President.

9.3.6 In the event that the President is named in the complaint, the complaint will be reported to the Vice-President.

9.3.7 If the complaint cannot be resolved informally, the 'complainant' will be asked to put all relevant information in writing. If the complainant chooses to provide a written complaint, it will be submitted to the President for action. It shall be the joint responsibility of the President and one other OTBU Executive member not connected to the complaint to conduct an investigation, determine if the behaviour falls under the definition of harassment and recommend appropriate action.

9.3.8 Resolutions may include, but are not limited to apologies, mediation, warnings, and limited access to future meetings or events or removal. The President, or in the event the President is named in the complaint, the Vice-President will contact the complainant and respondent about the outcome of the investigation.

9.3.9 Decisions may be reviewed by OTBU Executive members not involved with the complaint or the investigation at the request of the 'respondent'.

APPEAL PROCEDURE

9.3.10 Members of the OTBU affected by a decision resulting from a complaint under the Anti-Harassment & Equity Procedure, may appeal the decision by submitting a request to the President within five (5) days of the decision.

- 9.3.11 Within two (2) days of receiving the request, the President, in consultation with the OTBU Executive, shall appoint an Appeal Committee of up to three (3) members to meet and consider the appeal.
- 9.3.12 The Appeals Committee shall review the complaint, the investigation process and findings, and the decision. Following the review, the Committee shall either confirm or modify the decision.
- 9.3.13 The decision of the Appeal Committee shall be communicated by the President within five (5) days of the review.
- 9.3.14 The decision of the Appeal Committee shall be considered final and not subject to any appeal.