

1980

c 495 Teaching Profession Act

Ontario

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CHAPTER 495

Teaching Profession Act

1. In this Act,

Interpre-
tation

(a) "Board of Governors" means the Board of Governors of the Federation;

(b) "board of trustees" means a board of education, board of secondary school trustees, board of public school trustees, board of separate school trustees or divisional board of education;

(c) "executive" means the executive of the Federation;

(d) "Federation" means The Ontario Teachers' Federation;

(e) "member" means a member of the Federation;

(f) "Minister" means the Minister of Education;

(g) "Ministry" means the Ministry of Education;

(h) "regulations" means the regulations made under this Act;

(i) "teacher" means a person who is legally qualified to teach in an elementary or secondary school and is under contract in accordance with Part IX of the *Education Act* but does not include a supervisory officer, an instructor in a teacher-training institution or a person employed to teach in a school for a period not exceeding one month. R.S.O. 1970, c. 456, s. 1; 1972, c. 1, s. 66.

R.S.O. 1980,
c. 129

2. The federation of teachers known as The Ontario Teachers' Federation is continued as a body corporate. R.S.O. 1970, c. 456, s. 2.

Body
corporate

3. The objects of the Federation are,

Objects

(a) to promote and advance the cause of education;

(b) to raise the status of the teaching profession;

- (c) to promote and advance the interests of teachers and to secure conditions that will make possible the best professional service;
- (d) to arouse and increase public interest in educational affairs; and
- (e) to co-operate with other teachers' organizations throughout the world having the same or like objects. R.S.O. 1970, c. 456, s. 3.

Membership
in Federa-
tion

4.—(1) Every teacher is a member of the Federation except,

1944, c. 64

- (a) a teacher who has withdrawn from membership under subsection 4 (1) or (2) of *The Teaching Profession Act, 1944*;
- (b) a teacher who,
 - (i) at any time during World War II was a member of Her Majesty's forces or engaged on special war service designated by the regulations, and
 - (ii) at the time of entering the forces or becoming engaged on such service was a teacher or was training to be a teacher at a provincial normal school or the Ontario College of Education, and
 - (iii) notifies the Minister and the secretary of the Board of Governors of his withdrawal from membership by registered letter posted not later than six months after he ceases to be in the forces or on special war service.

Associate
members

(2) Every student in a teachers' college or in a college of education in Ontario is an associate member of the Federation.

Persons
receiving
pension
under
R.S.O. 1980,
c. 494

(3) Every person who was a member of the Federation upon retirement and who is receiving a pension or an allowance under the *Teachers' Superannuation Act* may, on request, be an associate member of the Federation. R.S.O. 1970, c. 456, s. 4.

Board of
Governors

5.—(1) There shall be a Board of Governors of the Federation, which shall be composed of fifty members

consisting of the immediate past president, the president, the first vice-president, the second vice-president and the secretary-treasurer of each of, The Ontario Secondary School Teachers' Federation, The Federation of Women Teachers' Associations of Ontario, The Ontario Public School Men Teachers' Federation, L'Association des Enseignants Franco-Ontariens and The Ontario English Catholic Teachers' Association, and five representatives of each of such federations or associations, who shall be elected annually at the annual meeting of the federation or association from among its members.

(2) The members of the Board of Governors shall take ^{Term of office} office at the conclusion of the annual meeting of the Federation and shall hold office until their successors take office.

(3) If a vacancy occurs on the Board of Governors, ^{Vacancies} it shall be filled by the executive of the affiliated body that the person who vacated the office represented and the person so named to fill the vacancy shall hold office for the remainder of the term of the person who vacated the office. R.S.O. 1970, c. 456, s. 5.

6.—(1) There shall be an executive of the Federation, ^{Executive} which shall be composed of eleven members as follows:

(a) the immediate past president, the president, the first vice-president, the second vice-president and the third vice-president of the Federation;

(b) one representative of The Ontario Secondary School Teachers' Federation, one representative of The Federation of Women Teachers' Associations of Ontario, one representative of The Ontario Public School Men Teachers' Federation, one representative of L'Association des Enseignants Franco-Ontariens and one representative of The Ontario English Catholic Teachers' Association, who shall be elected annually at the annual meeting of the Board of Governors from among its members; and

(c) the secretary-treasurer of the Federation.

(2) The members of the executive shall take office at ^{Term of office} the conclusion of the annual meeting of the Federation and shall hold office until their successors take office.

(3) If a vacancy occurs on the executive, it may be ^{Vacancies} filled by the Board of Governors from among its members

who represent the affiliated body that the person who vacated the office represented, and the person so named shall hold office for the remainder of the term of the person who vacated the office. R.S.O. 1970, c. 456, s. 6.

President
and vice-
presidents

7. There shall be a president, a first vice-president, a second vice-president and a third vice-president of the Federation who shall be elected annually at the annual meeting of the Board of Governors from among its members in such a manner that the officers of the immediate past president, president, first vice-president, second vice-president and third vice-president shall represent each of the affiliated bodies. R.S.O. 1970, c. 456, s. 7.

Secretary-
treasurer

8. There shall be a secretary-treasurer of the Federation appointed by the Board of Governors who may be a member of the Board of Governors and who shall receive such remuneration as may be fixed by the Board of Governors. R.S.O. 1970, c. 456, s. 8.

Functions
of executive

9. The executive is responsible for carrying on the business of the Federation and may,

- (a) subject to the approval of the Minister, acquire and hold in the name of the Federation such real and personal property as may be necessary for the purposes of the Federation and may alienate, mortgage, lease or otherwise dispose of such property as occasion may require;
- (b) invest the funds of the Federation in any securities in which a trustee is authorized to invest money in his hands under the *Trustee Act*;
- (c) make such grants as it considers advisable to organizations having the same or like objects as the Federation. R.S.O. 1970, c. 456, s. 9.

R.S.O. 1980,
c. 512

Conferences

10. In the interests of the advancement of education and the improvement of teaching conditions in Ontario, the Board of Governors shall meet annually and confer with the Minister and the senior officials of the Ministry on matters touching and concerning the objects of the Federation, and the Board of Governors shall at such meeting and may at any other time make such representations and recommendations either of a general nature or which relate to any particular school, teacher or matter as it considers advisable and as are in keeping with the objects of the Federation. R.S.O. 1970, c. 456, s. 10; 1972, c. 1, s. 1.

11. The prescribed membership fee shall be deducted by the board of trustees from the salary of each teacher, ^{Collection of fees}

(a) where a single deduction is made, once in the month of November, or in the first full month thereafter in which the teacher begins a term of employment; or

(b) where instalment deductions are made,

(i) where a teacher is employed for ten months or more, in not fewer than ten instalments, and

(ii) where a teacher is employed for fewer than ten months, in fewer than ten instalments,

and shall be forwarded to the treasurer of the Federation. R.S.O. 1970, c. 456, s. 11.

12. Subject to the approval of the Lieutenant Governor in Council, the Board of Governors may make regulations, ^{Regulations}

(a) prescribing a code of ethics for teachers;

(b) prescribing the fees to be paid by members of the Federation and the dates by which they are to be forwarded to the treasurer of the Federation;

(c) providing for voluntary membership in the Federation of persons who are not members thereof and prescribing the duties, responsibilities and privileges of voluntary members;

(d) prescribing the duties, responsibilities and privileges of associate members;

(e) providing for the suspension and expulsion of members from the Federation and other disciplinary measures;

(f) designating the services and organizations that shall be deemed to be special war services for the purposes of clause 4 (1) (b);

(g) providing for the holding of meetings of the Board of Governors and of the executive and prescribing the manner of calling and the notice to be given in respect of such meetings;

- (*h*) prescribing the procedure to be followed at meetings of the Board of Governors and of the executive;
 - (*i*) providing for the payment of necessary expenses to the members of the Board of Governors and the executive;
 - (*j*) conferring powers upon or extending or restricting the powers of and prescribing the duties of the Board of Governors and of the executive;
 - (*k*) providing for the appointment of standing and special committees;
 - (*l*) providing for the establishment of branches of the Federation or of the recognition by the Federation of local bodies, groups or associations of teachers which shall be affiliated with the Federation.
- R.S.O. 1970, c. 456, s. 12.