



Ontario Nurses' Association

85 Grenville Street, Suite 400, Toronto, Ontario M5S 3A2

TEL: (416) 964-8833 FAX: (416) 964-8864

IMPORTANT NOTICE

PLEASE POST THIS IN YOUR WORKPLACE

To: Board of Directors, Local Coordinators, Bargaining Unit Presidents and Secretaries of all Chartered Local Associations

From: Andrea Kay, RN - Chief Executive Officer

Date: January 4, 2023

Re: **Call for nominations for the position of Provincial President**

Please find attached the following information regarding the nomination process to be followed for the above-noted provincial positions:

- 1) Letter from the Chief Executive Officer.
- 2) ONA Vision, Mission and Values Statements.
- 3) Provincial Election Policy.
- 4) Instructions to Local Coordinators, Secretaries of each Chartered Local Association and all Bargaining Unit Presidents.
- 5) Résumé Criteria.
- 6) Board of Directors' Responsibilities and Duties.
- 7) Board Members' Conflict of Interest and Code of Conduct (Policy 5.15).
- 8) Nomination Form
- 9) Sample Résumé Form and Candidate Article
- 10) Notice of Date for Videotaping Statements by Candidates

The above documents can also be downloaded from the ONA website at www.ona.org/president.

The term of office for this position is the remainder of the term expiring December 31, 2024.

Online voting (web and phone based) will be used for this election. Voting information will be sent to all members with entitlements.

Voting will commence upon receipt of the Ticket of Nominations and conclude at 4:00 pm ET on Wednesday March 29, 2023.

AK/da

Encl(s)

Provincial Office: Toronto

Regional Offices: Ottawa • Hamilton • Kingston • London

Orillia • Sudbury • Thunder Bay • Timmins • Windsor



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Dear ONA Member,

Enclosed, please find materials for the 2023 by-election of Provincial President.

If you are interested in allowing your name to stand, a scanned copy of the completed and signed Nomination Form and a MS Word copy of the attached Résumé Form (see sample attached) must be returned to my attention via email to chiefelectoralofficer@ona.org by **4:00 pm ET, on Wednesday February 1, 2023**. Failure to submit a complete nomination as above will render your nomination null and void. **We recommend that you submit your Nomination Form at least twenty-four (24) hours prior to closing to ensure you do not miss the deadline.**

We are providing a copy of excerpts from ONA's Statement of Beliefs and Constitution (full constitution available <https://www.ona.org/about-ona/constitution/>), Election Policy and ONA's Vision, Mission and Values Statement. You can commence your election campaign upon the close of nominations. **Please read this material carefully prior to beginning your election campaign.**

It is expected that each candidate will conduct themselves in a manner that demonstrates dignity and respect for one another. Election materials must not be in violation of the Human Rights Code and must be truthful, respectful, professional and in good taste. Any alleged breach of the Election Policy will be dealt with by the Chief Electoral Officer via the Election Team pursuant to the ONA Election Policy and Article 9 of the ONA Constitution.

Your résumé and photograph will be included with the Ticket of Nominations, which will be posted on the ONA website. In addition, to have a maximum 1000-word article on the ONA website, you must provide me with an article no later than 4:00 pm ET on February 1, 2023. Note that information provided must be in MS Word format. Please refer to the ONA Provincial Election Policy for details on all campaign communication opportunities.

We pride ourselves on being a democratic union with every member eligible to cast a vote. Thank you.

Yours truly,

ONTARIO NURSES' ASSOCIATION

Andrea Kay, RN
Chief Executive Officer

AK/da



Vision

Our vision is empowered members taking collective action for safe, equitable workplaces and high-quality health-care for all Ontarians.

Mission

Our mission at ONA is to defend the rights of and advocate for nurses and health-care professionals who care for the health of Ontarians.

Values

Strength and Unity: Determined and together, we harness our collective power and achieve our shared goals.

Integrity and Professionalism: We are committed to doing what is right, advancing the interests of our members, and advocating for patients, residents, and clients.

Diversity, Equity, and Inclusion: We embrace our differences and seek to create an organization, a health-care system, and a society where all people are valued, included, and respected.

ONA Provincial Election Policy

This Policy applies to all candidates and anyone acting on behalf of a candidate. Any questions on the Policy should be directed to the ONA Chief Executive Officer (CEO) who serves as ONA's Chief Electoral Officer.

In the event that a provincial election issue is not specifically addressed in this Policy, then the CEO shall apply the intent of the Policy in making any determinations.

Candidate Eligibility

1. A member who allows their name to stand for an elected position must be a member with entitlements of the Ontario Nurses' Association (ONA) and currently employed in an ONA Bargaining Unit.
2. A member running for Provincial Office should be an active union member with a commitment to the advancement of the ONA.

In accordance with article 4.16 of the ONA Constitution, in order to be eligible to be nominated, stand for election and hold a position on the Board of Directors, a member must have first served at least one full term in one of the following Local Executive or Bargaining Unit Leadership Team positions (or equivalent as determined by the Board of Directors):

- Local Coordinator;
- Bargaining Unit President;
- Bargaining Unit Vice-President*; or,
- Grievance Chair.

*For purposes of this policy, the title of "Vice-President" refers to an elected position with a labour relations focus whose duties include acting in the capacity of Bargaining Unit President in their absence.

In assessing equivalency to the above noted positions, the Board will consider such factors as the role, responsibility and accountability of the position as outlined in Local policy. The process to be used by the Board in assessing equivalency is as follows:

The following process will be followed in the event a candidate seeks nomination who does not appear to meet the eligibility requirements outlined in article 4.16:

- (i) the Chief Electoral Officer will advise the prospective candidate that they may, if they wish, make written submissions to the Board of Directors identifying how their local leadership experience was "equivalent" in role, responsibility and accountability to those specified in article 4.16. The CEO will advise the prospective candidate of the time limit for providing such submission taking into consideration the election process.

- (ii) Such written submission shall be provided to the Board who will expeditiously consider the submission and make a determination, with short written reasons, as to whether the candidate has the required equivalent experience making them qualified to stand for election under Article 4.16.
 - (iii) Any Board member who would be running for election against the prospective candidate will be recused from participating in this decision.
 - (iv) The candidate will be notified of the decision as soon as possible. The decision will be final and binding.
3. A member may not run as a candidate for more than one (1) position on the Board of Directors during any one election.

Posting of Call for Nominations

4. All Bargaining Units will post the Call for Nominations in accordance with Article 7, Elections of the ONA Constitution.
5. The Call for Nominations will also be posted on the provincial ONA website.

Nomination Process

6. All candidates must sign a Nomination Form which stipulates that they have read, understand and agree to abide by the ONA Provincial Election Policy. The Nomination Form must also be signed and dated by five (5) members with entitlements. (For Regional Vice-Presidents the Nomination Form must be signed by members with entitlements from their region.) **Note:** Board members and Election Team members cannot sign Nomination Forms for candidates.
7. When determining if a candidate or the nominators are members with entitlements, the CEO will check the membership status against the information maintained in the membership database.
8. A scanned copy of the completed and signed Nomination Form is to be sent in to the CEO via email by 4:00 p.m. ET on the date specified in the Call for Nominations. Candidates are responsible for confirming receipt by calling the CEO. Within two (2) business days the CEO shall verify to the candidate whether they have been nominated in accordance with the Constitution.

Ticket of Nominations

9. Candidates are required to submit a resume/CV, article and photograph to the CEO along with their Nomination Form. The resume/CV is to contain an overview of their past experience. The article should contain their aims and objectives for election to the office and their present beliefs in relation to the issues confronting the Ontario Nurses' Association relevant to the position they are seeking. The CEO is responsible for including these resumes/CVs and articles with the Ticket of Nominations.

10. The font size and length of information for inclusion in the Ticket of Nominations will be consistent. The article shall contain no more than 1,000 words.
11. The information provided by the candidate for inclusion in the Ticket of Nominations must be in MS Word format.
12. For the Ticket of Nominations and for any other election purposes, the candidates will be listed in alphabetical order by last name, by office.
13. Candidate contact information to be included on the Ticket of Nominations shall be at the candidate's discretion.
14. In accordance with article 7.07 of the Constitution, the Ticket of Nominations shall be posted on the ONA website.

Acclamations/Nominations from the Floor

15. Candidates whose nomination forms are received before the deadline will be acclaimed if there are only enough nominations to fill the number of positions. Nominations from the floor will only be for positions not filled in the first call for nominations. This call for nominations will occur at the first available Area Coordinators Conference, Provincial Coordinators Meeting or Biennial Convention as outlined in the Constitution.

Casting of Votes

16. Voting information will be provided to all members with entitlements up to the cutoff date determined by the Chief Electoral Officer.
17. A vote can only be cast by the person to whom the voting information is intended; voting by proxy is not permitted.
18. Members who do not receive or lose their voting information can request this information up to the cut-off time determined by the Chief Electoral Officer. Voting packages can only be provided to the member themselves.

Election Communication by Provincial Office

Notice for Posting

19. ONA will send out one notice to be posted in each relevant Bargaining Unit that contains the following information:
 - i) The name and email address of each candidate.
 - ii) 1-800 ONA number.
 - iii) Basic voting information.

- iv) ONA provincial website address.
- v) Contact information for the Chief Electoral Officer (the CEO).

Provincial Website

20. ONA will publish each candidate's article (of no more than 1,000 words) that is submitted with their Nomination along with their photograph on the ONA provincial website.

Each candidate's article, photograph, resume/CV and email address will be promoted on the ONA provincial website. A link to any candidate's personal website can also be included when a request is made in writing with the website address to the CEO.

Mailing Labels

21. ONA leadership mailing labels will be provided for the use of candidates upon written request to the Office of the CEO. Candidates must specify which specific leadership mailing labels they are requesting. Such labels will be held in strict confidence by all candidates and will only be utilized for ONA election purposes. Candidates will be provided a maximum of two sets of labels at no cost. The candidate is responsible for all other costs associated with any mailings.

ONA Membership Email

22. On behalf of the candidates, ONA will facilitate the sending of up to two (2) emails to ONA membership using ONA-sponsored mass email to members' personal email addresses. These emails will be sent from the CEO. After receiving the first email, a member may choose to have their name removed and not receive any further correspondence relating to the candidates.

Emails will be reviewed and approved by the Chief Electoral Officer (the CEO) to ensure compliance with the Policy. Candidates will be advised as to the date that email content must be provided to the CEO in order to be included in the email to ONA membership.

ONA Leadership Email

23. On behalf of each candidate, ONA will facilitate the sending of up to three (3) emails to all local leaders using the Association's email system. These emails will be sent from the CEO. After receiving the first email from a candidate, a leader may choose to have their name removed and not receive any further correspondence from that candidate.

Emails will be reviewed and approved by the Chief Electoral Officer (the CEO) to ensure compliance with the Policy. Candidates are to provide two business days notice of the proposed content of their email.

24. With the exception of the mailing labels or the email communications provided in #21 above, candidates must not utilize the ONA email system or any ONA contact lists for the purpose of campaigning. Any information gathered from any source must not be used unless permission has been granted by the member. **Note:** If consent is provided then a candidate may communicate to a leader's individual ONA email address.
25. For clarity, candidates who hold executive positions within the Association are expected to continue fulfilling their duties during the election period. If a candidate must use the ONA email system in order to fulfil his/her duties, the candidate must ensure that the emails sent are not directly or indirectly campaign emails. Personal promotion on the ONA email system is strictly prohibited.

Meet the Candidates Session

26. ONA will host a virtual Meet the Candidates Session so that members can hear candidates explain their platforms and answer questions. These sessions will be arranged and facilitated by the Chief Electoral Officer. They will be recorded and then posted on the ONA provincial website so that members may access.

Campaigning

27. Active campaigning (speaking engagements, distributing materials/pamphleting, posting materials on websites and or bulletin boards, sending group emails, hosting campaign events, etc.) may begin upon the close of nominations and must cease on the close of the election (November 1 unless it is a by-election). **Note:** This does not prohibit seeking support from members by or on behalf of a candidate prior to the close of nominations.
28. There will be no campaigning in workplaces without the consent of the Local Executive pursuant to Local policy and where required, the consent of the employer. Consent of the Local Executive will be given on a fair and equitable basis.
29. Candidates may provide election material to members for distribution to other members in their own Bargaining Unit on behalf of the candidate (subject to #28 above).
30. With the exception of meetings called in accordance with #47 below, candidates and their supporters will not go in to worksites, other than their own, for the purposes of campaigning.
31. Members and candidates shall ensure that patient care is not interrupted by campaigning. There shall be no distribution of campaign materials to members while providing patient care or during delivery of patient care.
32. Provincially elected Board members who are candidates must continue the business of the Association during the election period (Article 7, Elections A – Election of the

Board of Directors). Board of Directors candidates may attend booked engagements but must not campaign while in attendance at said functions.

33. Campaigning is permitted before or after ONA functions/booked engagements but not during any breaks or meal periods.
34. No candidate may use the provincial resources of ONA (including financial, physical and human) to campaign except where identified specifically in this Policy. For example, candidates may not use photos taken by ONA staff or contractors. Official ONA logo promotional items, including ONA promotional pins, may not be used as giveaways as part of an election campaign.

Campaign Material/Behaviour

35. Election materials and behaviour must not violate the Ontario *Human Rights Code*. It is also a requirement that such materials and behaviour be truthful, respectful, professional and in good taste.
36. Candidates who wish to post an image of a person in any campaign material on any medium (including hard copy and electronic) must have the expressed written consent of that individual prior to the publication of their image.
37. Campaign material may contain the ONA logo. Candidates should contact the Communications and Government Relations Team (CGRT) Intake to obtain the logo.
38. There will be no posting of campaign materials in workplaces without the agreement of the Local Executive and/or Bargaining Unit Leadership Team as defined by Local policy. In addition, where the collective agreement so requires, the consent of the employer must be sought. Should consent be granted, all posting of election materials will be done by the Local/Bargaining Unit Executive or designate. The only material required to be posted is the notice sent out by ONA referenced in #19 above.
39. The utilization of a Local or Bargaining Unit database is determined by the Local or Bargaining Unit Leadership Team as appropriate. The Local/Bargaining Unit may send out emails to their members on behalf of a candidate.

Electronic Communications and Social Media

40. Candidates may create and utilize personal election social media accounts during the campaign. Any use of such accounts must comply with this Policy. **Note:** This also applies to social media accounts that the candidate is not the administrator of.
41. Candidates will not call or send electronic communications to members at their employer email address for the purpose of campaigning. Candidates may use their campaign material to request members to contact them directly if they wish to speak to a candidate.

42. Candidates will respect requests from individuals not to send them any campaign-related electronic or social media communications.

Personal Endorsements

43. All members and leaders (except for ONA Board and Election Team members) can openly support the candidate of their choice.
44. Candidates who wish to utilize an image of a person must have the expressed written consent of that individual prior to the publication of their image.
45. With the permission of the endorser, endorsements for the purpose of campaigning may include the person's position within ONA.

Videos for President/First Vice-President

46. ONA will develop a personal video message (not to exceed five minutes in length) for the candidates running for President and First Vice-President. The Call for Nominations will include the date, time and place that the video message will be recorded.

Candidates will be video-taped in alphabetical order by last name, by office. There shall be no props or special backdrops used in the video. Candidates may utilize the teleprompter available from the videographer.

47. The personal video messages will be added to the ONA provincial website so that members can view them at their convenience.

Local/Bargaining Unit Meetings

48. If a Local Executive and/or a Bargaining Unit Leadership Team chooses to hold any meeting(s) for the purpose of personally getting to know candidates, then all candidates must be offered the same courtesy and all be invited.
49. Invitations to Local/Bargaining Unit meetings will be sent to all candidates by a member of the Local Executive/Bargaining Unit leadership team at least two weeks in advance of the meeting. Candidates will be provided with the date and time of the meeting, including the amount of time available to them to speak.
50. If a candidate cannot attend the Local/ Bargaining Unit meeting to which she/he has been invited, the candidate may choose to send a letter or a personal video. The Local Coordinator/Bargaining Unit President holding the meeting will read the letter or show the personal video from the candidate.

51. A Local Executive, at its discretion, may choose to provide teleconferencing or videoconferencing where a candidate cannot attend the Local meeting in person. This shall be at the Local's expense. A Local that chooses to provide this option must do so to all candidates on a fair and equitable basis.

Area Coordinators Conference(s)

52. Candidates will be provided an opportunity to speak at the fall Area Coordinators Conference(s) (ACCs), for a specific amount of time as determined by the Region. All candidates must request attendance at an ACC through the Chair of the ACC. If a candidate cannot attend the ACC, the candidate may choose to send a letter or a personal video. A personal video of the candidate will be shown or a letter will be read by a designate to a maximum time as determined by the Region. Candidates will be provided with the date and their allotted time to speak. Arrangements may also be made for teleconferencing or videoconferencing where a candidate cannot attend the ACC in person.

The five regional Vice-Presidents will gather information on upcoming ACCs and forward to the Office of the CEO. A letter will be sent to all candidates giving ACC dates and the names of who to contact to request attendance.

Close of Election

53. Candidates are to advise the CEO of the telephone number that they can be reached at upon close of the election. The CEO will place one call to each candidate prior to releasing the results of the election to membership.

The Election Team

54. A formal acknowledgement letter will be sent to any member elected/selected to the Provincial Election Team. The Chair of the Election Team will hold an orientation with the team so that they can be educated on their role and ONA's Election Policy.
55. The names of the Election Team will be made public and shared with candidates so they are not approached by a candidate for support. The Election Team will be provided a copy of the Ticket of Nominations.
56. The CEO will be an advisor to the Election Team.

Questions or Complaints Under the Election Policy

57. It is understood that candidates will abide by the Election Policy of the ONA. Any alleged breach of the Policy will be addressed in accordance with this Policy and Article 7.19 of the ONA Constitution. For clarity, Article 7.19 states:

“Any member who wishes to make a complaint that the Union’s Election Policy has been breached shall promptly do so in writing to the Chief Executive Officer providing as much detail as possible. The Chief Executive Officer shall investigate the complaint and forward the results of the investigation to the Election Team. If the Election Team is satisfied that the Election Policy has been breached by one or more members it may refer the matter directly to the Board of Directors for a hearing pursuant to Article 9. When such a referral is made the Election Team shall be the complainant for the purposes of pursuing the complaint.”

Any hearing dealing with a breach of the Election Policy will be expedited and not subject to the timelines outlined in Policy 16.16. The date of such hearing will be determined by the Provincial President or designate.

58. The CEO and the Election Team Chair will work together to address any questions/concerns/complaints in an expeditious manner. The CEO can provide direction and/or guidance to candidates and members. The Election Team will be notified immediately by the CEO of the direction provided.
59. For clarity, where a breach of the Election Policy is found as a result of an investigation under Article 7.19 of the ONA Constitution, the CEO may provide direction to the candidate with a view to mitigating the impact of the breach in a timely manner. The results of the investigation will then be forwarded to the Election Team for their deliberation pursuant to Article 7.19.

If you require further information or wish to confirm receipt of your nomination or have any questions in regards to this Policy, please contact the Office of the CEO at ONA’s Toronto Office at 416-964-8833, ext. 2801, or (toll-free) 1-800-387-5580. Press 1 for “English” or 2 for “French,” then press 0 for the Toronto Office and enter 2801 when prompted to enter the extension.

Instructions to Local Coordinators, Bargaining Unit Presidents and Secretaries of Chartered Local Associations

PLEASE READ CAREFULLY

Nominations of Candidates for election

1. It is the responsibility of the Local Coordinator, Bargaining Unit President and Secretary of each Chartered Local Association to make every reasonable effort to inform members that the Chief Executive Officer will receive nominations (Constitution - Article 7) for the following position:
 - 1) Provincial President
2. Nomination Forms must be **FULLY** completed and **RECEIVED** by The Chief Executive Officer via email to chiefelectoralofficer@ona.org no later than **4:00pm ET on February 1, 2023.**
3. A Ticket of Nominations, with résumés of the candidates, will be posted on the ONA website.

Résumé Criteria

The following information on candidates is necessary for circulation to membership:

- ◆ Name of the Nominee, Local # and the position for which the member is nominated must appear on the résumé sheet.
- ◆ Résumé is to be "typed" so that copies can be made for circulation to membership. (Please refer to Provincial Election Policy.)
- ◆ Resume to confirm that the member has served at least one full term in a Local Executive or Bargaining Unit Leadership position as outlined in article 4.16 of the Constitution and paragraph 2 of the Provincial Election Policy.
- ◆ All forms will be reproduced as originally submitted. Spelling and grammar errors will **NOT** be corrected.
- ◆ You must supply a JPEG or PDF photograph with your résumé, preferably larger than passport size.
- ◆ **The résumé MUST be in MS Word format using Arial 12 and received by the CEO via email to chiefelectoralofficer@ona.org by 4:00 pm ET on February 1, 2023.**
- ◆ Your ONA ID# can be found on your Membership Card.
- ◆ To have a 1,000 words maximum article included on the ONA website, it must also be provided no later than 4:00 pm ET on February 1, 2023.

PLEASE NOTE: DUE TO SEVERE ALLERGIC REACTIONS, PERFUME SAMPLES AND LATEX BALLOONS ARE NOT APPROPRIATE GIVEAWAYS. PLEASE SEE OTHER RESTRICTIONS FOUND IN THE PROVINCIAL ELECTION POLICY.

2022 ONA Constitution: Board of Directors

ARTICLE 4 – STRUCTURE

A. Geographic Regions

4.01 The Union shall be divided into the following five (5) regions.

Region 1

Districts of Kenora, Rainy River, Thunder Bay, Algoma, Temiskaming, Nipissing, Cochrane, Manitoulin, Regional Municipality of Sudbury.

Region 2

Counties of Prescott, Russell, Glengarry, Renfrew, Lanark, Grenville, Leeds, Dundas, Stormont, Frontenac, Hastings, Prince Edward, Lennox, Addington, Haliburton, Victoria, Peterborough, Northumberland, Regional Municipalities of Ottawa Carlton and Kingston.

Region 3

Regional Municipality of Durham, Municipalities of York, Peel and Toronto.

Region 4

Counties of Simcoe, Brant, Wellington, Dufferin, Haldimand, Norfolk, Regional Municipalities of Waterloo, Hamilton-Wentworth, Niagara, Halton, District Municipality of Muskoka and District of Parry Sound.

Region 5

Counties of Bruce, Grey, Huron, Perth, Oxford, Middlesex, Lambton, Elgin, Kent and Essex.

4.02 The Board of Directors may, where it appears to be in the interests of the Union, order that any Chartered Local Association or any member of the Union shall, for the purposes of this Constitution, be deemed to be located in a region specified by the Board of Directors, notwithstanding the fact that any such Chartered Local Association or member of the Union is in fact located in another region.

B. Chartered Local Associations

4.03 The Union may issue a charter to any group of members of the Union, and any such group shall thereafter be referred to as a Chartered Local Association. A Chartered Local Association shall consist of one (1) or more Bargaining Units. A Chartered Local Association that consists of one (1) Bargaining Unit shall be referred to as a Single Bargaining Unit Local. A Chartered Local Association that consists of two (2) or more Bargaining Units shall be referred to as a Multi-Bargaining Unit Local. Multi-Bargaining Unit Locals shall, as much as possible, be composed of Bargaining Units from the three (3) sectors of the Union.

- 4.04 The minimum size of each Chartered Local Association shall be as close to five hundred (500) members as possible. Within certain geographic regions located in Article 4.01, extenuating circumstances may be considered for local size less than five hundred 500 members.
- 4.05 Every Chartered Local Association shall have and be governed by By-Laws as set out in the Appendix.
- 4.06 A Chartered Local Association may, by a majority vote of all members of that Chartered Local Association present at a meeting called for that purpose, merge and combine its jurisdiction, rights, privileges, duties and assets with one (1) or more other Chartered Local Association(s) provided those other Chartered Local Associations also approve the merger in the same manner.
- 4.07 Where the Union has obtained collective bargaining rights for a group or groups of new members, the Board of Directors may, with legitimate cause, by a two-thirds ($\frac{2}{3}$) majority vote, after appropriate consultation with the Chartered Local Association involved, require that the group or groups of new members become members of an existing Chartered Local Association, and, on communication of that decision to the Chartered Local Association in question, the group or groups of new members shall become members of the Chartered Local Associations in question.
- 4.08 In the case of a Multi-Bargaining Unit Local, the Board of Directors may, by a two-thirds ($\frac{2}{3}$) majority vote, after appropriate consultation with the Chartered Local Association(s) in question, order:
- (a) that a charter for a new Chartered Local Association be issued to specified members of the existing Chartered Local Association who belong to one or more Bargaining Units; or
 - (b) that specified members of one or more Bargaining Units within a Chartered Local Association shall become members of another existing Chartered Local Association.

On communication of that decision to the Chartered Local Association(s) in question, the members so designated shall cease to be members of their former Chartered Local Association and shall become members of the new Chartered Local Association. The Board of Directors shall give such direction as it deems fit concerning the disposition of jurisdiction, rights, privileges, duties and assets between the Chartered Local Association(s) in question.

- 4.09 When two (2) or more employers combine to become one (1) employer the Board will consider if it is appropriate to combine all Chartered Local Associations and Bargaining Units within that employer group into one (1) Chartered Local Association and one (1) Bargaining Unit.

In such cases, the Board of Directors shall give such directions as it deems fit to facilitate the merger.

- 4.10 (a) All collective agreements with employers of members shall be signed and entered into by the Union as the contracting party on behalf of the members affected thereby, and the Union shall authorize a person or persons to sign any such agreements on its behalf. Any such agreement shall also be signed by one (1) or more representative(s) of those members of the Bargaining Unit(s) who are affected thereby. Any disagreement between the Union representative(s) and the Bargaining Unit as to whether any such collective agreement should be entered into shall be resolved by the Board of Directors.
- (b) The above provisions shall also apply to Memoranda of Agreement reached at the Bargaining Unit level.
- (c) In the event there are no Bargaining Unit representatives in place, any collective agreements or memoranda of agreements shall be signed by the Provincial President on behalf of the Bargaining Unit.

C. Board of Directors

(i) Composition

- 4.11 The affairs of the Union shall be managed by a Board of Directors which shall be composed of the following, each of whom shall be a member of the Union:
- (1) President;
 - (2) First Vice-President;
 - (3) One (1) Vice-President per Region (see Article 4.01 [geographic regions]).
- 4.12 (a) The term of office for the President, First Vice-President and the Vice-Presidents shall be three (3) years.
- (b) No member shall hold more than one (1) office or represent more than one (1) Region at the same time.
- 4.13 The President, First Vice-President and Vice-Presidents shall hold office from January 1 of the calendar year following the election to December 31 of the third calendar year following the election of said position, pursuant to Article 4.12.
- 4.14 The President and First Vice-President shall be elected by the whole membership of the Union on the basis of one (1) vote per member of the Union.
- 4.15 Each of the five (5) geographic regions listed in Article 4.01 shall elect one (1) Vice-President in and from that specific geographic region. Each Vice-President shall be elected on the basis of one (1) vote per member in the geographic region from which the Vice-President is being elected. At the December Board meeting following the election of the new Vice Presidents, the new Board shall determine from amongst themselves one (1) Vice-

President to fill each of the portfolios included in Article 4.19, but not limited to those portfolios. The new Board will ensure that each Vice-President carries at least one (1) portfolio, and that all portfolios identified, as required, are filled.

4.16 In order to be eligible to be nominated and stand for election and hold a position on the Board of Directors, a member must have first served at least one full term in one of the following Local Executive or Bargaining Unit Leadership Team positions (or equivalent as determined by the Board of Directors):

- Local Coordinator;
- Bargaining Unit President;
- Bargaining Unit Vice-President; or,
- Grievance Chair.

(ii) Responsibilities

4.17 The Board of Directors shall have the power and authority to make policies consistent with this Constitution that relate to the administration of the affairs and activities of the Association.

4.18 The Board of Directors shall have the power and authority to make policies consistent with this Constitution that may limit the rights, privileges and obligations of members of the Association where members are in an actual or potential conflict of interest with the purpose and objectives of the Association. Conflicts of interest shall be determined on a case-by-case basis and includes a conflict of interest for the purpose of the *Labour Relations Act* (Ontario).

4.19 The affairs of the Board of Directors shall be divided into specific portfolios, which will include but are not limited to:

- (1) Communications/Government Relations and Student Liaison
- (2) Political Action and Professional Issues
- (3) Human Rights/Equity
- (4) Local Finance
- (5) Occupational Health and Safety
- (6) Labour Relations
- (7) Education

4.20 The portfolio of Communications/Government Relations and Student Liaison shall be held by the President and the portfolio of Political Action and Professional Issues shall be held by the First Vice-President.

4.21 The duties of the Directors of the Union shall be as follows:

(a) President

The President shall preside at all meetings of the Board of Directors, the Biennial Convention, all special meetings and all sector and joint sector meetings. The President shall be the head of the Union and shall carry out the policies, and work toward the objectives of, the Union. In particular, the President, on behalf of the Board of Directors, shall maintain close and regular contact with the Local Coordinators and, in conjunction with the Local Coordinators, ensure that information is made available to members and that members have meaningful input into the affairs of the Union.

(b) First Vice-President

The First Vice-President shall preside at all meetings where the President is absent. The First Vice-President shall carry out the policies and work toward the objectives of the Union and shall be charged with the responsibility and duties of the portfolio of Political Action and Professional Issues.

(c) Vice-Presidents

The Vice-Presidents shall carry out the policies and work toward the objectives of the Union. Each Vice-President shall be charged with the responsibility and duties associated with their particular portfolio(s) and region; chair any committees associated with their portfolio(s); coordinate all membership activities related to their portfolio(s) and serve as the liaison between the Board of Directors and the Local Coordinators, Bargaining Unit Presidents and membership for all matters related to their portfolio(s).

4.22 Any Director who shall for any reason cease to hold office shall forthwith turn over to the Board of Directors all documents, records, books, furniture, funds, chattels, assets and other property of the Union then in their possession, within fourteen calendar days.

4.23 In the event that the President, First Vice-President or a Vice-President should resign, die, be removed from office, pursuant to Article 4.24, or otherwise cease to act, the Board of Directors shall immediately schedule an election to fill the vacant position.

4.24 The President or First Vice-President may be removed from office before the expiry of their term of office by a two-thirds ($\frac{2}{3}$) vote of the Board of Directors. The procedure to be followed with respect to any such removal shall be determined by the Board of Directors.

4.25 A Vice-President may be removed from office before the expiry of their term of office if at least two-thirds ($\frac{2}{3}$) of the Local Coordinators, or their nominees, of the Chartered Local Associations in the region in question vote in favour of that removal at a meeting called by the Board of Directors upon the written

request of at least one-third ($\frac{1}{3}$) of the Chartered Local Associations in the region. The procedure to be followed with respect to the calling and conduct of any such meeting shall be determined by the Board of Directors.

- 4.26 The Board of Directors shall be responsible for the administration of the affairs and activities of the Union when the Union is not in meeting.
- 4.27 The Board of Directors shall be responsible for the formulation and development of the general collective bargaining objectives of the Union and the dissemination of the priorities and objectives to the members.
- 4.28 When not in session, the Board of Directors shall act or meet by letter, telephone, e-mail, or any form of electronic communication, on all matters of any nature requiring action by the Board of Directors. When the President or any other member of the Board of Directors desires that the Board of Directors take action, the President shall contact the other members of the Board of Directors by letter, telephone, e-mail or any form of electronic communication. Any action so taken by the Board of Directors shall constitute action of the Board of Directors as though in formal session and shall be reviewed at the next meeting of the Board of Directors and shall be a part of the minutes thereof.
- 4.29 To the extent necessary for the proper functioning of the Union, the Board of Directors or, with its authorization, the Chief Executive Officer shall employ, retain, direct, or fix compensation for staff personnel, consultants from legal, accounting and other professional personnel, and engage and pay for the use of premises and equipment.
- 4.30 No monies of the Union shall be expended without the authorization of the Board of Directors or of such person or persons as the Board of Directors may authorize for this purpose or of a meeting of the Union, and the manner in which monies may be withdrawn or cheques issued by the Union shall be determined by the Board of Directors.
- 4.31 (a) The Board of Directors shall have full power and authority to set up committees of the Union and to determine the manner in which the chairperson and members of each committee shall be chosen from the members of the Union. Expression of interest forms shall be considered. The Board of Directors may delegate any of its powers to any such committee. These committees shall be subject to any restrictions or regulations imposed upon them by the Board of Directors. Where the members of a committee are elected by the general membership, the committee shall complete the term and task for which it was elected and shall report to membership.
- (b) Every member of any such committee who shall for any reason cease to be a member of that committee shall forthwith turn over to the Board of Directors all documents, records, books, furniture, funds, chattels, assets and other property of the Union then in the member's possession and pertaining to that committee, within fourteen (14) calendar days.

(iii) Meetings

- 4.32 The Board of Directors shall meet at the call of the President or at the request of no fewer than three (3) members of the Board of Directors made in writing to the President. Subject to the provision of Article 4.33, in any event the Board of Directors shall meet at least once in every three (3) month period.
- 4.33 The time and place of meetings of the Board of Directors shall be determined by the President, provided that any meeting requested by no fewer than three (3) members of the Board of Directors pursuant to the provisions of Article 4.32 shall be held within thirty (30) days of the receipt by the President of such request. Every Director shall be given at least fourteen (14) days' notice of such meetings, the notice to be in writing and to be sent by prepaid regular mail, facsimile transmission, e-mail or hand delivery. Such notice shall be deemed to have been received: in the case of regular mail on the seventh (7th) day after the date on which it was mailed; in the case of facsimile transmission or e-mail at the time of transmission; and in the case of hand delivery at the actual time of delivery. If regular mail service is not in operation, notice of such meeting shall be given by telephone or any expedient method of communication to be followed by a written notice when mail service resumes, if applicable.
- 4.34 Two-thirds ($\frac{2}{3}$) of the members of the Board of Directors shall constitute a quorum for the transaction of business.
- 4.35 Unless otherwise provided in the Constitution, any question arising at a meeting of the Board of Directors shall be decided by a majority vote of the Directors. Voting shall be by a show of hands unless a poll is requested. Each member of the Board of Directors shall be entitled to one (1) vote on each question which is voted upon at a meeting where the member is present, provided that in the case of a tie the chairperson shall be entitled to a casting vote in addition to the chairperson's vote as a member of the Board.
- 4.36 Minutes of all meetings of the Board of Directors shall be made available by the President to each Chartered Local Association at its request.

SECTION: BOARD OF DIRECTORS
SUBJECT: CONFLICT OF INTEREST
AND CODE OF CONDUCT

POLICY: 5.15
PAGE: 1 of 6
EFFECTIVE: JUNE 2018
REVISED: JUNE 2020

Policy:

Conflicts of interest, whether actual or perceived, are based on particular facts and circumstances. This policy identifies circumstances which may give rise to a conflict of interest, be it actual, perceived or potential and the process to disclose any such conflict. In addition, this policy provides guidance to Board Members on when to seek the objective and expert advice of ONA Counsel. Often, the sooner the conflict of interest is identified and disclosed, and legal counsel is sought, the easier it is to deal with the consequences of a conflict. In general, Board Members should raise concerns even if they are unsure if a conflict of interest exists.

Board members will sign an annual Agreement and Affirmation of Compliance with the Conflict of Interest and Code of Conduct Policy (attached as Appendix A).

Note: In accordance with ONA Policy 5.14 Whistle-Blower Protection, the ONA Board of Directors have a duty to take appropriate and timely action in respect of any illegal or unethical activity they may witness or become aware of within ONA in order to safeguard ONA assets, protect ONA's reputation and, where crimes appear to have been committed, to ensure wrongdoers are reported to the police.

A. Conflict of Interest

1. Definitions

For the purposes of this Policy:

A "conflict of interest" is a situation in which a Board Member has a professional or personal interest that could reasonably be expected to affect the independence or judgment of the Board Member in the performance of their duties. A conflict of interest may be actual or potential or the situation may have the appearance of a conflict of interest; and,

A "Related Person" in relation to a Board Member, means:

- (i) the Board Member's spouse or common-law partner;
- (ii) any relatives (most typically immediate family members) of the Board Member;
- (iii) any trust, of which the Board Member or a spouse (including a common-law partner) or relative of the Board Member, is a beneficiary, but does not include a registered pension plan or any trust established under a collective agreement;
- (iv) a corporation or partnership over which the Board Member or the Board Member's spouse (including a common-law partner) or relative exercises ownership rights or control; or
- (v) the Board Member's business partner.

2. Obligations - General

Board Members should have a sound understanding of their fiduciary responsibility to ONA members so they can promptly identify and anticipate when a conflict of interest may arise. Board Members are encouraged to seek the advice of ONA Counsel about whether an actual, perceived or potential conflict of interest exists and what steps should be taken in such circumstances. In resolving any conflict, Board Members must ensure that their actions are consistent with their fiduciary responsibilities, this Policy and other applicable law.

A Board Member must not exercise their duties as a Board Member if the Board Member has an actual, perceived or potential conflict of interest. In particular, a Board Member must not participate in decisions, or attempt to influence the Board in making any decisions, that might result in the Board Member's or a Related Person's personal or private gain.

To effectively manage a conflict of interest, the Board Member should seek guidance from ONA Counsel and disclose the conflict in accordance with the process set out below.

3. Disclosure at Meetings

At the opening of each meeting of the ONA Board of Directors or of the Discipline Panel of the Board, as the case may be, the Board Member must declare any actual, perceived or potential conflict of interest that they have in relation to any item on the meeting agenda. Any declaration of a conflict by a Board Member should be recorded in the minutes of the meeting. When a conflict has been declared in relation to any agenda item, conflicted Board Members should absent themselves and not participate in any discussion of the item.

The Board Member must not discuss the matter with any other Board Member or otherwise attempt to influence the decision of another Board Member in relation to the matter.

A conflicted Board Member is not, under any circumstances, permitted to vote on an agenda item in which they have an actual, potential or perceived conflict of interest.

4. Disclosure Other Than at Meetings

If a Board Member becomes aware of a conflict of interest at any time other than during a meeting, the Board Member should disclose the conflict to the Provincial President or ONA Counsel, as appropriate, and the conflict will be recorded at the opening of the next meeting that the Board Member attends.

The prohibition against personal gain in section 2 above applies to all aspects of ONA's or its members' property, including assets, information or opportunities.

Accordingly, Board Members shall not use confidential information obtained as a result of their duties on the ONA Board of Directors for personal or private gain or

advantage, or for the personal or private gain or advantage of a Related Person.

In general, advice of ONA Counsel should be obtained whenever Board Members have any doubts or concerns in relation to a conflict of interest, actual or potential, whether the issue arises at a meeting of the Board or Discipline Committee or otherwise.

5. Obligations

Without limiting the general obligations set out above, Board Members must ensure that they do not (and take reasonable steps to ensure that Related Persons do not):

- (i) engage, directly or indirectly, in any business transaction or private arrangement for personal profit or gain which arises from their position as a ONA Board Member;
- (ii) accept goods or services from a third party vendor or service provider to ONA on terms that are more favourable than those generally available to the public;
- (iii) accept any remuneration, gift or benefit from a third party vendor or service provider to ONA under circumstances from which it could reasonably be concluded that the remuneration, gift or benefit was intended to influence the Board Member in their duties or was intended as a reward for decisions or actions taken by the Board Member. Nothing in this Policy precludes the Board Members from participating in any social or educational event that is sponsored by a third party vendor or service provider to ONA or accepting any gift or benefit (including any invitation for meals or entertainment), provided that such gift or benefit is reasonably modest in value and the giving and receiving of such gift or benefit is consistent with normal industry practice and could not reasonably be perceived as influencing the Board Members' decision-making; or
- (iv) enter into any business or financial transaction, whether directly or indirectly, which would result in a conflict of interest.
- (v) After ceasing to be a Board Member, taking improper advantage of information obtained while serving as a Board Member.

6. Compliance

To assist the Board fulfil its fiduciary responsibilities and obligations to ONA members, and to assist fellow Board Members, where a Board Member believes that another person has an actual or perceived conflict of interest, such Board Member shall:

- (i) advise the person of their belief, and if necessary, advise the Provincial President or Chair of the Discipline Committee at the commencement of the meeting or during the course of the meeting as the conflict arises; or
- (ii) seek advice as necessary from the Provincial President and/or ONA Counsel.

The ONA Board of Directors may approve exceptions to this Policy on the basis of individual events and circumstances where they determine, after due

consideration and with the benefit of advice from ONA Counsel, that no material conflict of interest is likely to arise and the interests of ONA members and Board Members will not be adversely affected.

If the ONA Board of Directors is satisfied that a Board Member has breached this Policy, the Board may impose any sanction it considers appropriate in the circumstances.

B. Code of Conduct

The Board commits itself to ethical, business-like and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

1. The loyalty and good faith of Board members is unwavering in its dedication to act in the best interests of membership. This accountability supersedes any advocacy or interest groups and membership on other Boards or administrations as well the personal interest of any Board member acting as an individual consumer of the organization's services.
2. Board members understand and are in compliance at all times with their fiduciary responsibility.
 - A. Board members ensure procedures are open and that opportunities are equally accessible through fair and transparent competitive processes.
 - B. Board members declare possible and unavoidable conflict of interest; absenting themselves without comment during deliberations and from any vote.
 - C. If Board members are interested in employment within ONA or should their family members or close associates be similarly interested, they respect ONA's Employment Policy and due process in recruitment.
 - D. Should a Board member be interviewed for employment within ONA, they must temporarily withdraw from Board deliberations, voting and access to applicable Board information at point of interview.
3. Board members are compliant with expectations that are explicitly set forth in Board policies.
4. Board members promote a safe environment free from harassment and discrimination.
5. Board members respect the seriousness of conducting the business of governance.
 - A. Board members will come prepared to participate in informed dialogue and decision-making.
 - B. Board members maintain in-camera Board business confidences and present a unified front to members and the public. Board members speak with one voice and maintain solidarity.

6. Board members hold the organization in the highest regard, safeguarding its reputation as a passionate advocate for the improved economic status and working conditions for RNs and health-care professionals.
7. Board members, Local Executives and Bargaining Unit leaders must conduct elections in compliance with Constitutional requirements and policies. Board members may openly support the candidate of their choice during ONA provincial elections recognizing that:
 - A. Board members must respect ONA's resources as tools in support of political action on behalf of members rather than individual political aspirations.
 - B. Board members must exclusively conduct the work of the Union during the performance of their Board activities that excludes campaigning for themselves or any other member during the performance of these duties.



**ONTARIO NURSES' ASSOCIATION
BOARD MEMBERS CONFLICT OF INTEREST AND CODE OF CONDUCT POLICY
AGREEMENT & AFFIRMATION OF COMPLIANCE**

I, _____, am a member of the ONA Board of Directors.

I hereby affirm that I have reviewed ONA's Board Members Conflict of Interest and Code of Conduct Policy and all applicable Principles, Policies & Procedures and I acknowledge and confirm my agreement to be bound by them.

(Signature)

(Date)

**ONTARIO NURSES' ASSOCIATION
NOMINATION FORM FOR
PROVINCIAL PRESIDENT**

IMPORTANT: Please print all information except where signing

NAME OF CANDIDATE:

Region _____
Surname _____ Given Names _____

Local # _____ Address _____

Phone No. Home: () _____ Cell. () _____ Email: _____
Area Area

ONA IDENTIFICATION NUMBER _____ (as found on your Membership Card)

NOMINATORS

(1) _____
Surname Given Names Signature Local # _____
ONA ID# _____

(2) _____
Surname Given Names Signature Local # _____
ONA ID # _____

(3) _____
Surname Given Names Signature Local # _____
ONA ID # _____

(4) _____
Surname Given Names Signature Local # _____
ONA ID # _____

(5) _____
Surname Given Names Signature Local # _____
ONA ID # _____

CONSENT OF CANDIDATE

I, the undersigned, am a member in good standing of the Ontario Nurses' Association and consent to allow my name to stand for election as Provincial President for the term of office expiring December 31, 2024 and to act if so elected.

I have also read, understand and agree to abide by the ONA Provincial Election Policy.

DATE _____
Signature _____

NOTE: This Nomination Form is to be accompanied by a résumé (see instructions regarding résumé) and must be RECEIVED by the CEO, via email to chiefelectoralofficer@ona.org NO LATER THAN 4:00 pm February 1, 2023. Candidates should confirm receipt of the Nomination Form by calling Nazarine Ali at (416) 964-8833 ext. 2303 or toll free at 1-800-387-5580 ext. 2303 or at nazarinea@ona.org.

**ONTARIO NURSES' ASSOCIATION
Suite 400, 85 Grenville
Street Toronto, Ontario
M5S 3A2**

**IMPORTANT: Please type or print all information except where
signing.**

SAMPLE RÉSUMÉ FORM

NOMINEE FOR: _____
(Fill in position nominated for)

1. NAME: _____

2. Local # _____ Region # _____

3. Local and Bargaining Unit leadership positions served in:

CANDIDATE ARTICLE
(Maximum 1,000 words)

PLEASE INCLUDE A CLEAR, CONCISE STATEMENT OF YOUR AIMS AND OBJECTIVES FOR ELECTION TO THIS OFFICE. ILLUSTRATE HOW YOU PLAN TO UTILIZE YOUR LEADERSHIP ABILITY. YOU MAY ALSO WANT TO INCLUDE LEADERSHIP AND OTHER EXPERIENCE.

(Signature of Candidate)

Notice of Date for Videotaping Statements by Candidates for President

Thursday, February 9, 2023 is the date set for the videotaping of candidates for the 2023 ONA President By-Election.

Taping will begin at **09:00 am** at the ONA Provincial office at 85 Grenville Street, Toronto.

Candidates must ensure they are available for this taping session in order that the completed video of all candidates can be posted.