

**CONSTITUTION AND BY-LAWS
OF THE
OTTAWA PROFESSIONAL FIRE FIGHTERS' ASSOCIATION
SICK BENEFIT FUND**

**OTTAWA PROFESSIONAL FIREFIGHTERS' ASSOCIATION
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OF THE
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SICK BENEFIT FUND**

ARTICLE I

NAME OF ORGANIZATION

This fund shall be called the Ottawa Professional Fire Fighters' Association Sick Benefit Fund. Its object shall be to assist its members and dependents by providing information regarding benefits while dealing with the care provider. The Fund shall also provide benefits to its members as determined by the Board of Directors. The Board of Directors will always take into consideration that the Sick Benefit fund is a third position top-up fund, meaning that members will always claim benefits available from their City benefits plan first, followed by their spouse's plan if applicable, and then thirdly the Sick Benefit Fund. The Board of directors will also strive to maintain a 3-1 monthly dues ratio in favour of the retiree versus the active member. Historically the Sick Benefit fund has consisted of both active and retired OPFFA members, with the active member supporting the retirees.

ARTICLE II

CONDITIONS OF MEMBERSHIP

- (a) Active members in good standing shall be:
- (i) Those members in good standing of the Ottawa Professional Fire Fighters' Association who are now members of the fund;
 - (ii) A member in good standing of the Ottawa Professional Fire Fighters' Association, Local 162, such member shall be allowed another opportunity to become a member of this Fund between September 1, 2023 and December 31, 2023. Any such member that elects not to join this Fund during this time will be deemed to have irrevocably surrendered any form or type of membership in the Fund and all benefits from the Fund. The Executive Board of the Fund shall determine the manner, method, cost, and all other matters regarding this opportunity; The estimated cost to join the Fund is between \$1,400.00 and \$1,600.00;
 - (iii) All new members of the Ottawa Professional Fire Fighters' Association shall be required to become members of the Fund effective at the date of their hire or the date of this constitutional amendment whichever is the latter; and,
 - (iv) All members who are in the Sick Benefit Fund shall remain in the Fund until their date of retirement, or until they are promoted out of the bargaining unit.

- (b) Retired members of the above-mentioned Association who have signified in writing before retiring to the Manager of the Fund their intention of retaining membership in the Ottawa Professional Fire Fighters' Association Sick Benefit Fund.
- (c) Be part of a major medical insurance plan offered by the City.
- (d) A member in good standing for 20 years who has left the membership of the Ottawa Professional Fire Fighters' Association but continues to work for the Ottawa Fire Service and has a primary benefit plan. The dues of the member would be the same as that of an active member of the Association and their entitlement to benefit would only occur once they had exhausted their existing benefits to a comparable level of the benefit provided for an active member of the Association. When the aforementioned member retires from the OFS, the dues of membership would be the same as that of a retired member. Their entitlement to benefits as a retired member would only occur once they have exhausted their existing benefits or an amount equivalent to a comparable amount of benefit available to a retired member of the Association at the same point in time.
- (e) Any member of the Ottawa Professional Fire Fighters' Association who chooses not to join or who withdraws their membership from the Sick Benefit Fund shall not be admitted or readmitted to the Fund unless accepted by the Executive Board of the Ottawa Professional Fire Fighters' Association.

ARTICLE III

BENEFITS

Section No. 1:

When a member of the Fund, as specified in Article 11 sections (a) and (b) of the By-Laws receives such injuries to his/her body or health, or suffers illness, he/her shall receive full benefits subject to the limitations that may be imposed by the Board of Directors contingent upon the overall financial condition of the Fund.

Section No. 2:

The Sick Benefit Fund shall not be liable for the treatment of injuries or disease for which treatment is available to the member under Worker's Compensation, the Public Health Act, venereal diseases or under any statute providing such benefits for a member or discharged member of His Majesty's Forces or the Merchant Marine.

Section No. 3:

All members described in Article 11 Sections (a) and (b), shall be responsible for submitting directly to the insuring companies all dental and medical bills.

Section No. 4:

The Maximum Dental Benefit in any 12-month period shall be determined by the Board of Directors.

ARTICLE IV

DUES

The monthly dues for active members shall be \$7.00 per month. All pensioners shall pay the rate of \$21.00 per month.

ARTICLE V

FUNDS

- (a) The funds of the Ottawa Professional Fire Fighters' Association Sick Benefit Fund shall be accumulated by the dues structure as set out in Article IV.
- (b) Funds shall be accumulated from interest on deposits in a Chartered Bank or the Frontline Financial Credit Union, formerly known as the Ottawa Professional Fire Fighters' Credit Union.
- (c) By any donation to the Ottawa Professional Fire Fighters' Association Sick Benefit Fund.
- (d) Any rebate or monetary allowance to the Fund shall be considered as part of the general funds of the Ottawa Professional Fire Fighters' Association Sick Benefit Fund.
- (e) By any other legal means.

ARTICLE VI

MANAGEMENT

- (a) The Fund shall be managed under the direct supervision of three members who are appointed as directors of the Fund and one retired member appointed by the President.
- (b) The Manager shall be chosen from the general membership of the Fund by the Board of Directors after calling for applications from the general membership of the Fund. Applications shall be addressed to the Chair of the Sick Benefit Fund.
- (c) The Manager shall not be a voting member of the Board of Directors.
- (d) The Board of Directors may hire office help on a part time basis as required.
- (e) Board approval is required for any additional expense over and above those currently or normally incurred by the Fund.

ARTICLE VII

DISABILITIES OR PENALTIES

- (a) Should any member leave the City for the benefit of his/her health while in receipt of benefits from this fund, he/she shall acquaint the Management Board of same or forfeit all claim to benefits from date of departure.
- (b) Any member of this Fund, who for any reason has complaint, shall place it in writing before the Board of Directors.
- (c) Should any member while his/her illness or injury is under investigation by compensation or other agency, go against, drop or change on his/her own volition, their prescribed doctor or treatment, this fund shall not be liable for any debts contracted by this member.

ARTICLE VIII

MEETINGS

Section No. 1: Annual Meetings

- (a) An Annual Meeting of the fund membership shall be called by the Chair prior to August 31st of each year. A circular calling the Annual Meeting together with an outline of the agenda, copy of the auditor's report, proposed amendments, and the Board of Directors recommendations shall be sent to all workplaces at least 30 (thirty) days prior to the date of the Meeting. A notice of the Meeting shall be sent to all retired members through Canada Post or email at their preference. A quorum for the Annual Meeting shall be 7 members, excluding the SBF Board of Directors. The Meeting shall commence at a time determined by the Board of Directors.
- (b) The agenda for the Annual Meeting shall be:
 - 1. Minutes of previous meeting
 - 2. Reports of Board of Directors
 - 3. Auditor's Report
 - 4. Amendments (2/3 majority vote)
 - 5. Unfinished business
 - 6. New business
 - 7. Good and Welfare
 - 8. Adjournment
- (c) Should there not be a quorum for the Annual Meeting, the amendments that were to be presented at the Meeting will be brought to the Executive Board of the Ottawa Professional Fire Fighters' Association for approval. Once passed by the Executive Board of the Ottawa Professional Fire Fighters' Association these amendments will become part of the Constitution.

Section No. 2: Board Meetings

- (a) A meeting of the Board of Directors shall be held at the discretion of the Chair. The quorum for the meeting shall be 3 members of the Board of Directors excluding the Manager. At least 3 days' notice shall be provided. A meeting may be called by any two board members.
- (b) The agenda shall be:
 - 1. Minutes of the previous meeting
 - 2. Financial statement
 - 3. Special committee report
 - 4. Communications
 - 5. Bills
 - 6. Unfinished business
 - 7. New business
 - 8. Adjournment

Section No. 3: Special Meetings:

- (a) Special Meetings of the Board may be called by any two members of the Board to deal with a question submitted to the Chair or Board, seven days before date of meeting.
- (b) The Chair may call a Special Meeting of the Board or of the membership at any time.
- (c) A quorum of 25 Members, exclusive of the Board of Directors, is required to conduct business.
- (d) A Special Meeting shall be called within 14 days of receiving a petition bearing 25 members' signatures.

Section No. 4: Emergency Meeting of the Sick Benefit Fund:

- (a) The Executive of the Ottawa Professional Fire Fighters Association shall have the power to call an Emergency Meeting for the Board of Directors or the membership.

ARTICLE IX

DUTIES OF OFFICERS

- (a) The Board of Directors shall administer the Fund in compliance with the Constitution of the Fund and shall from time to time establish or adjust policies governing the operation of the Fund. Said policies are not to conflict with the Constitution.
- (b) The Chair, or in his/her absence the Vice-Chair, of the Fund shall chair all meetings of the Board or the membership.
- (c) The duties of the Manager shall be:

1. Keep a true and complete record of all proceeding, and all other records, and any property of the Fund;
2. Receive communications and conduct the correspondence;
3. Keep true and complete records of the membership of the fund;
4. Forward such reports as may be required by the Ottawa Professional Fire Fighters' Association promptly;
5. Keep a true and complete record of the proceedings of the Board of Directors and perform such other duties as are required of him/her by this Constitution and the Constitution of the Ottawa Professional Fire Fighters' Association;
6. Keep minutes of the Board and membership meetings and read same at the next Board meeting. He/she shall also read the minutes of the Annual Meeting to the following Annual Meeting;
7. Present all correspondence to the Board of Directors and handle all correspondence under the direction of the Board of Directors;
8. Receive all monies that are entrusted to this fund, same to be deposited in a Chartered Bank or The Credit Union under the name of the Ottawa Professional Fire Fighters' Association Sick Benefit Fund;
9. Make all collections of monies whenever necessary, giving his/her receipt for same;
10. Disburse all monies of this Fund by cheque duly signed by an authorized signee and himself/herself on authority of the Constitution and the direction of the Board of Directors of the Fund.
11. Prepare a financial statement of receipts and disbursements of all monies under his control to be presented at the regular meetings of the OPFFA.
12. Report to the Board of Directors the name of all members who are in arrears or otherwise financially indebted to the Fund and make such other reports as may be called or required of him/her.
13. The Manager and a member of the Board of Directors shall turn all books and records relative to monies and expenditures to the auditor of this Fund in sufficient time for the auditor to present to the Annual Meeting of the Fund a certified annual report and any other time when so ordered by the Ottawa Professional Fire Fighters' Association. (Auditor shall be duly appointed by the Board of Directors); and,
14. The Manager shall give financial comments of the Fund at the AGM.

ARTICLE X

AMENDMENTS

Section No. 1:

No part of this Constitution shall be amended except in the following manner:

- (a) The amendments shall be submitted in writing by any member in good standing and shall be placed in the hands of the Manager before January 15. At least 30 (thirty) days prior to January 15, a circular shall be sent to all workplaces and

- provided to the Retired Ottawa Fire Fighters Association for distribution to its members;
- (b) The Board of Directors shall deal with the amendments and make recommendations or amendments to same;
 - (c) Copies of the Constitution shall be sent to all stations along with amendments and recommendations in the circular to call the Annual Meeting;
 - (d) Retired members shall be made aware that there are changes to the Constitution in the circular to call the Annual Meeting;
 - (e) Copies of the Constitution along with amendments shall be made available to retired members at the office of the Sick Benefit Fund; and,
 - (f) A 2/3 majority vote of those present is required to pass amendments at the Annual Meeting.

Section No. 3: Emergency Amendments at the Emergency Meeting:

- (a) Emergency amendments may be presented by the Executive at this Emergency Meeting;
- (b) Emergency amendments shall be placed in all stations and mailed to retired members 15 days prior to the date of the Meeting;
- (c) A quorum for the Emergency Meeting shall be 25 members excluding the Executive of the Ottawa Professional Fire Fighters' Association;
- (d) The meeting shall commence at a time to be determined by the Executive Board; and,
- (e) A 2/3 majority vote of those present is required to pass amendments at the Emergency Meeting called for this purpose.

ARTICLE XI

BOARD OF DIRECTORS

- (a) The President of the Ottawa Professional Fire Fighters' Association shall appoint a Chair from the Executive of the Ottawa Professional Fire Fighters' Association who will act as the Chair of the SBF as well as the Benefits Committee. The President shall also appoint 2 Directors whose responsibilities shall be to administer the Fund as well as a retired member of the OPFFA who is also a member of the SBF as a 3rd director.
- (b) The Board of Directors shall be appointed in January after the general election of the Association is held.
- (c) The Board of Directors shall provide a guarantee fidelity bond in such amounts and form as approved by the Board at the Fund's expense.
- (d) The Board of Directors will be responsible for the determination of honorariums.