

# **Collective Bargaining Committee Terms of Reference**

## **1.0 COLLECTIVE BARGAINING COMMITTEE**

### **1.1 Definitions**

**Board** means the Thames Valley District School Board.

**CBC** means the Collective Bargaining Committee.

**Chief Negotiator** means the Chief Negotiator / Grievance Officer as elected at the Local Annual Meeting.

**ETFO** means the Elementary Teachers' Federation of Ontario.

**Executive Members** means Committee Members as outlined in the ETFO Thames Valley Teacher Local By-Law 7.5.2 (a).

**Local** means ETFO Thames Valley Teacher Local.

**Members** are Active Members of ETFO Thames Valley Teacher Local.

**Observer Member** means a Member who attends meetings of the Collective Bargaining Committee, but who may not vote. Observer Members may enter discussion at Committee meetings, sit on Sub-Committee groups and attend negotiation sessions. Observer Members may be selected by the Committee to become Voting Members in the case of the resignation or absence of a Voting Member of the CBC.

**Quorum** shall mean eight (8) Voting Members of the CBC, and must include the President and / or Chief Negotiator / Grievance Officer and another released Executive Member to total a minimum of two (2) released Executive Members.

**Voting Members** means Committee Members and Executive Members as outlined in the ETFO Thames Valley Teacher Local By-Law 7.7.2 (a).

## 1.0 **COLLECTIVE BARGAINING COMMITTEE**

### 1.2 **Name**

1.2.1 The name of the Committee shall be:

The Collective Bargaining Committee and may be referred to as the ETFO Thames Valley Teacher Local Collective Bargaining Committee, Collective Bargaining Committee or the CBC.

1.2.2 The name ETFO Thames Valley Teacher Local Collective Bargaining Committee shall appear on all documents and communications at least once. Thereafter, the abbreviation CBC may be used.

### 1.3 **Organization and Membership**

1.3.1 The CBC shall consist of:

- a) the Chief Negotiator/Grievance Officer, President, First Vice President, Vice President(s);
- b) remaining members of Executive (as Ex Officio);
- c) 15 Regional Captains.

1.3.2 a) A maximum of six (6) Observer Members may participate as outlined in Section 1.5.4. If there are more than six (6) potential Observer Members a vote will take place at the first CBC meeting of the bargaining year.

b) Observer Members may be placed on a waiting list. Should an Observer Member vacancy arise, the position will be filled from this list, by vote.

1.3.3 The Executive Liaison to the CBC shall be the President. Procedures for forming a new CBC are as follows:

- a) The Executive Liaison to the CBC will contact each volunteer Member to confirm their potential involvement;
- b) The Executive Liaison will convene a meeting of the Members who have volunteered;
- c) The CBC will recommend which of the volunteers shall be Observer Members;
- d) The recommendation of the CBC will be conveyed to the Executive for approval.

## 1.0 **COLLECTIVE BARGAINING COMMITTEE**

### 1.3 **Organization and Membership** - *continued...*

1.3.4 The CBC shall serve until a Collective Agreement has been negotiated with the Board and ratified by the Members of the Local.

1.3.5 The CBC shall select from among its Voting Members the following officers:

a) Chair;

b) Secretary.

1.3.6 Resignations:

a) Resignations of CBC Members shall be in writing to the Chair of the CBC;

b) The resignation of a Member may be requested by the Chair as directed by the CBC for reasons of absenteeism or breach of duty;

c) The Members of the CBC shall select a new CBC Member to fill a vacancy and complete the term of office. Voting Members of the CBC shall be replaced first by Observer Members then by new Members;

d) The new appointment shall be made at the next meeting after receipt of notice of resignation.

### 1.4 **Role and Authority of the CBC**

1.4.1 The CBC shall abide by the Constitution and By-Laws of the Local.

1.4.2 The CBC shall collect information from and distribute information to the Membership of the Local.

1.4.3 The CBC shall approve the draft Preliminary Submission, prior to submitting it to ETFO.

1.4.4 The CBC, in conjunction with the Local Executive Committee, shall determine the number and location of meetings for the purpose of communicating information to the Members with regard to a Preliminary Submission or a Tentative Agreement.

1.4.5 The Chief Negotiator shall send a copy of the Preliminary Submission to ETFO for approval prior to its presentation to the Membership and the Board.

## 1.0 **COLLECTIVE BARGAINING COMMITTEE**

### 1.4 **Role and Authority of the CBC - *continued...***

- 1.4.6 The final draft of the Preliminary Submission shall be communicated to the Members.
- 1.4.7 The Preliminary Submission shall be approved by a simple majority through an all Member vote.
- 1.4.8 The CBC shall prepare for and conduct negotiations for a Collective Agreement governing terms and conditions of employment, including salaries and allowances, on behalf of the Members of the Local.
- 1.4.9 Highlights of the Tentative Terms of Agreement shall be communicated to each school or work site a minimum of three (3) teaching days prior to meeting(s).
- 1.4.10 Tentative Terms of Agreement shall be presented to the Membership by the CBC at meeting(s).
- 1.4.11 The Tentative Terms of Agreement shall be ratified by a simple majority through an all Member vote.
- 1.4.12 The Chief Negotiator, CBC Chair and the Local President shall sign any ratified agreement with the Board.

### 1.5 **Duties of the Members of the CBC**

#### 1.5.1 **Chief Negotiator**

The Chief Negotiator shall:

- a) be responsible for preparing an agenda in consultation with the Chair for each CBC meeting;
- b) prepare the letter of intent to negotiate to be forwarded to the Board in the appropriate time frame, as outlined in the Collective Agreement;
- c) draft the Preliminary Submission for approval by the CBC and forward copies to ETFO for approval;
- d) conduct negotiations based upon the priorities of the Membership and ETFO directives;
- e) collect the necessary background information and organize a thorough bargaining presentation;
- f) be the spokesperson for the CBC at the negotiations table;

## 1.0 **COLLECTIVE BARGAINING COMMITTEE**

### 1.5 **Duties of the Members of the CBC**

#### 1.5.1 **Chief Negotiator** - *Continued ...*

- g) be responsible with the President for communicating the status of negotiations to the Executive and the Membership;
- h) be responsible with the President for the completeness of the signed Memorandum of Agreement;
- i) submit a written report for inclusion in the Annual Report.

#### 1.5.2 **Chair**

The Chair of the CBC shall:

- a) call meetings of the CBC;
- b) preside at meetings of the CBC;
- c) submit a proposed CBC budget to the Budget Committee for approval annually;
- d) be responsible for preparing an agenda in consultation with the Chief Negotiator for each CBC meeting;
- e) bring to the attention of the CBC any breach of duty of any Member of the CBC;
- f) sign any ratified agreement with the Board.

#### 1.5.3 **Recording Secretary**

The Recording Secretary of the CBC shall:

- a) ensure that accurate records of all CBC meetings are maintained and filed;
- b) be responsible for keeping accurate notes during negotiations including caucus and sidebar discussions;
- c) be responsible for distribution of minutes to CBC Members.

## 1.0 **COLLECTIVE BARGAINING COMMITTEE**

### 1.5 **Duties of the Members of the CBC - *Continued ...***

#### 1.5.4 **Voting Members**

Voting Members of the CBC shall:

- a) represent the priorities of the Membership and the directives of ETFO;
- b) maintain confidentiality of all matters discussed at CBC meetings or negotiation meetings;
- c) endeavour to attend all meetings.

#### 1.5.5 **Observer Members**

- a) may participate in discussions, but may not vote unless replacing a Voting Member who is absent to establish a quorum;
- b) may sit on Sub-Committees, as assigned;
- c) shall maintain confidentiality of all matters discussed at CBC meetings or negotiation meetings;
- d) may attend negotiation meetings at the discretion of the Chair and the Chief Negotiator;
- e) may not hold an office on the CBC;
- f) endeavour to attend all meetings.

#### 1.5.6 **President**

The President shall:

- a) call for Members for a new CBC;
- b) call the first meeting of a new CBC and act as Chair until a Chair is selected;
- c) be the sole spokesperson of the Local and the CBC with media at all times;
- d) be responsible, with the Chief Negotiator, for communicating the status of negotiations to the Executive and the membership;

## 1.0 **COLLECTIVE BARGAINING COMMITTEE**

### 1.5 **Duties of the Members of the CBC**

#### 1.5.6 **President - Continued ...**

- e) sign any ratified agreement with the Board;
- f) oversee appropriate procedures for ratification votes.

### 1.6 **Selection of Officers of the CBC**

1.6.1 Any voting member of the CBC is entitled to stand for office.

1.6.2 Selection of the Chair and Secretary shall be carried out no later than the third CBC Meeting, under Robert's Rules of Order, using the following methods:

- a) Candidates shall be nominated from the floor by a Voting Member of the CBC;
- b) Elections, if necessary, shall be by secret ballot;
- c) If only one candidate is nominated, the Chair shall rule the candidate acclaimed, and no ballot is required.

#### 1.6.3 **Voting:**

- a) The Chair may vote;
- b) Only Voting Members of the CBC in attendance may vote;
- c) If a position is contested by more than two candidates, the candidate with the least votes will be dropped from the ballot, and balloting will continue;
- d) A successful candidate must have the majority of votes cast;
- e) The ballots shall be counted by two individuals named by the Chair who are not Observer Members of the CBC;
- f) The ballots shall subsequently be destroyed.

## 1.0 **COLLECTIVE BARGAINING COMMITTEE**

### 1.7 **Expenses**

- 1.7.1 The CBC shall reimburse Voting and Observer Members for mileage costs and dependent care incurred, at the rate established by the Local;
- 1.7.2 Any other incidental expenses incurred by CBC Members must receive prior approval of the Chair of the CBC.