

Collective Bargaining Committee

Terms of Reference

Hastings-Prince Edward Teacher Local
amended October 28, 2021

1.00 General

1.01 The Collective Bargaining Committee (CBC) represents the Teacher Bargaining Unit composed of the Local and all members employed by the Hastings and Prince Edward District School Board, for the purpose of negotiations with Hastings and Prince Edward District School Board. The Committee shall hereinafter be called the CBC.

2.00 Definitions

- 2.01 “Committee” means the Collective Bargaining Committee of the Local.
- 2.02 “Teacher” means a teacher employed by the Board to teach, but does not include a supervisory officer, a principal, a vice-principal, or an instructor in a teacher-training institution.
- 2.03 “Union” means the Elementary Teachers’ Federation of Ontario.
- 2.04 “Teacher Bargaining Unit” means a bargaining unit composed of every teacher, other than occasional teachers, who is assigned to one or more public elementary schools or to perform duties in respect of such schools.
- 2.05 “Local” is a certified group of members (i.e. Hastings-Prince Edward ETFO Local, organized under the Ontario or Canada Labour Relations Act.
- 2.06 “Bargaining Agent” is the Union.
- 2.07 “Executive” means the elected representatives of the Hastings-Prince Edward Local.

3.00 Composition and Terms of Office of the CBC

- 3.01 The CBC shall consist of a maximum of ten (10) members: the Chief Negotiator, the Local President, the Local Vice-Presidents, the Local Treasurer, and additional members, approved by the Executive, to provide equity in terms of geography, experience, gender, and teaching assignment.
- 3.02 3.02 CBC membership shall continue until:
1. a written resignation has been submitted to the Chair of the CBC

2. the retirement of a sitting member
 3. a member is replaced according to Bylaw 4(d) of the Local Constitution
 4. the successful ratification of a new Local Collective Agreement when a new CBC will be formed by the Executive for the next round of negotiations.
- 3.03 The Executive shall recruit additional members as defined in 3.01 from the active membership of the Local.

4.00 Internal Organization

- 4.01 Meetings of the CBC shall be called and chaired by the Chief Negotiator.
- 4.02 At the inaugural meeting, the Committee shall elect from within its own body, the following officers:
- Vice-Chair / Deputy Chief Negotiator
 - Secretary
- 4.03 The Chief Negotiator shall be the President or a designate from among the members.
- 4.04 The Table Team shall consist of the Local President, the Local Vice-Presidents, the Chief Negotiator (if a designate of the Local President), the Provincial Executive Assistant, and additional Committee members as provided by Provincial ETFO guidelines and appointed by the Local Executive.

5.00 Procedure of Resignation from the CBC

- 5.01 All resignations should be made in writing to the Local Executive. A copy of the resignation should be sent to the Chair of the CBC.
- 5.02 Vacancies on the CBC will be filled by the Local Executive in accordance with Bylaw 4.

6.00 Roles and Responsibilities of the CBC

- 6.01 Members of the CBC shall reflect the priorities and the Central and Local collective bargaining goals of ETFO.
- 6.02 Each member of the CBC should be familiar with the contents of the Collective Agreement and the current Terms of Reference for the CBC.
- 6.03 The Committee shall negotiate directly with the Hastings and Prince Edward District School Board in matters related to the Collective Agreement on behalf of the Teacher Bargaining Unit in accordance with legislation.

6.04 The Committee shall review member input for amendments to the Collective Agreement.

7.00 Confidentiality

7.01 Due to the sensitive nature of negotiations, all Executive and CBC members must maintain confidentiality on all matters until it is agreed by the Committee to divulge specific information.

7.02 News releases and other prepared information releases directly related to negotiations shall only be released with the full approval of the Local President. The Local ETFO President is the official spokesperson for the Local.

8.00 Duties of Members of the CBC

8.01 The Chair/Chief Negotiator shall:

1. Call all meetings.
2. Conduct all meetings according to the official Robert's Rules of Order.
3. Submit all correspondence and communication relating to the CBC to the Local President.
4. Be the official contact for the CBC.
5. Be responsible for preparation and distribution of correspondence to the membership with the approval of the Local President.

8.02 The Vice-Chair / Deputy Chief Negotiator shall:

1. Work in cooperation with the Chair / Chief Negotiator.
2. Fulfill the obligations of the Chair in the absence of the Chair/ Chief Negotiator.
3. Forward materials to absent Committee members with notification of the next meeting.

8.03 The Secretary shall:

1. Keep the complete record of all meetings of the Committee.
2. Distribute the minutes of all meetings to each member of the Committee.

8.04 The Local President shall be responsible for the approval and distribution of communications to the membership.

9.00 Finances

9.01 The Local is responsible for the financial costs incurred by members of the current CBC.

9.02 The CBC shall submit a budget proposal to the Budget Committee for consideration.

10.00 Procedures

- 10.01 The Union, the Local, and all members of the bargaining unit are responsible for carrying out negotiations in accordance with The Education Act and its regulations, the Labour Relations Act, other relevant Legislation and Regulations and the policies, procedures, and directives of the Union which is the designated bargaining unit.
- 10.02 The quorum for a meeting of the CBC shall be greater than 50% of the Committee membership.
- 10.03 The CBC shall make decisions by consensus wherever possible.

11.00 Delegated Bargaining

11.01 Preliminary Submission

- 11.01.01 The Preliminary Submission shall be prepared by the Committee in accordance with provincial policies, directives, and guidelines.
- 11.01.02 The Local President shall send the Preliminary Submission to the Union for amendment, comment, and approval at least 15 days prior to presentation to the membership at one or more central meetings.
- 11.01.03 The Preliminary Submission must be endorsed by a simple majority of the membership present at the central meeting(s) before being presented to the Board.
- 11.01.04 For confidentiality purposes, the Preliminary Submission shall not be distributed to the membership.
- 11.01.05 The CBC shall decide on the method of communicating the approval of the Preliminary Submission to the membership.

11.02 Impasse

- 11.02.01 The Local CBC shall make a determination that negotiations have reached an impasse, and shall refer this to the General Secretary or designate for a formal determination.
- 11.02.02 The Local shall recommend to ETFO if they wish to refer disputes with respect to local bargaining to Voluntary Binding Arbitration under Section 40 of the Ontario Labour Relations Act.
- 11.02.03 The Local shall recommend to ETFO if they wish to conduct a strike vote regarding the Local terms.
- 11.02.04 Strike votes must be conducted at the end of an approved information meeting. Approval will be made by the General Secretary of designate.
- 11.02.05 Strike votes shall be conducted by secret ballot. Proxy voting or advanced polls are not allowed except with the consent of the General Secretary or designate.

11.02.06 A simple majority is required for approval of a strike vote.

11.03 Tentative Agreement

11.03.01 A Tentative Agreement on Local issues is subject to the approval of the General Secretary or designate.

11.03.02 The membership shall have the opportunity to vote on the Tentative Agreement according to the following process:

- The CBC will present the approved Tentative Agreement to the general membership at approved information meeting(s).
- Voting to ratify the Tentative Agreement shall take place at, or directly following, the meeting(s) Only members in attendance at the meeting(s) will be able to vote.
- A simple majority is required for approval.

11.04 Ratified Agreement

11.03.01 The new Collective Agreement shall be signed by the Local President, the Local Chief Negotiator, and the Provincial Executive Assistant.

11.03.02 A signed copy of the Collective Agreement shall be forwarded to the Union and the Ministry of Labour.