

CUPE 3761 Local Bargaining Process

2010 April

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1. Negotiations Committee

- a) The Negotiations Committee shall be a special ad hoc committee established at least six (6) months prior to the expiry of the Local's collective agreement and automatically disbanded when a new collective agreement has been signed.
- b) The function of the committee is
 - to gather and prepare collective bargaining proposals
 - to negotiate a collective agreement
 - to recommend bargaining principles to the local executive and present at the bargaining conference for ratification by the members in attendance, prior to the exchange of proposals
 - to ensure communication between the committee, the local executive and the local members
 - to determine bargaining strategy
 - to at any time if necessary, recommend a strike vote to the local executive
 - to conduct an information meeting where the tentative agreement is presented for ratification
 - to evaluate the local bargaining process after its conclusion and make recommendations for changes to the membership
- c) As per Bylaw 14, the Committee shall consist of three (3) members, all elected at a membership meeting. If not an elected Negotiating Committee member, the Local President shall be a non-voting member of the committee, ex-officio.
- d) The CUPE representative assigned to the Local shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

2. Election of Committee

- a) President will advise membership of the Call for Nominations via e-mail and posting at least 14 days prior to a special membership meeting to deal with this election.
- b) Nomination Forms will be available from the Shop Stewards.
- c) The Nominations Form for a position on the Negotiations Committee must be signed by the nominee and two other members and received by the President by the date of the meeting. Nominations will be accepted from the floor at the membership meeting, then nominations will cease.
- d) A scrutineer from each office as appointed by the president, will receive results of the vote. The scrutineers will advise the president of the results of the vote. The president will record the count and report the names of the three elected committee members.
- e) Chairperson of the committee shall be elected from and by the committee.
- f) In the event of the resignation of a member of the Negotiations Committee, the position shall be dealt with according to the decision of the executive.

3. Bargaining Proposals Conference

Bargaining Proposals

- a) Every member has the right to submit proposals for consideration and shall be notified of the process to do so.
- b) The Negotiations Committee shall be responsible for putting out the Call for Proposals three (3) months prior to the Proposals Conference.
- c) Proposals shall be submitted in electronic form to the Negotiations Committee two (2) months prior to the bargaining conference.
- d) If there is more than one proposal per issue, the Committee, after consultation with members who submitted, may group those proposals.
- e) A proposal package will be developed by the Negotiations Committee, based on bargaining issues as submitted by local members and/or the committee. The proposal package may include recommendation of bargaining principles as determined by the committee, for discussion and ratification at the Proposals Conference.

- f) Amendments or additions to the proposals package may occur based on developments outside the bargaining unit and/or union policies and objectives.
- g) Late proposals may be submitted to the Negotiations Committee, who may present them as emergency proposals at the conference. In order for them to be accepted for discussion at the conference, they require a two-thirds majority vote of the delegates.
- h) The Negotiations Committee shall provide copies of the proposals package, to the membership two (2) weeks prior to the Proposals Conference.
- i) Prior to the conclusion of the Bargaining conference, the members in attendance at the meeting will vote on the proposals package, as presented or amended.
- j) Following the Proposals Conference, the Negotiations Committee shall send a ratified copy of the proposals package to the membership for information purposes.

Bargaining Conference

- a) Negotiations Committee shall be responsible for organizing the Proposals Conference and will advise membership of arrangements made.
- b) The Proposals Conference shall be scheduled two (2) months after the Call for Proposal cutoff.
- c) The location of the Proposals Conference shall be at Davidson, on a weekend day.
- d) The Proposals Conference shall be chaired by the Negotiations Committee Chairperson and shall follow CUPE 3761 Bylaws, Section 15 – Rules of Order, except as otherwise determined.
- e) A member of the Negotiations Committee or other person as assigned shall keep accurate minutes.
- f) A CUPE National representative will be requested to attend.
- g) Proposals shall be dealt with and discussed according to the package distributed by the Negotiations Committee.
- h) In order to facilitate discussion of the complete proposals package, the committee may institute a time limit per issue. If applicable, that time limit will be announced at the beginning of the meeting. If a discussion regarding a particular issue is over time limit, that issue may be tabled for further discussion. If time allows and a 2/3 vote of the members occurs, the issue may be discussed further.

- i) Minutes of the Proposals Conference will be available upon request.
- j) Following Proposals Conference, Negotiations Committee shall prepare the bargaining package based on the ratified proposals package from the Proposals Conference. The bargaining package will be presented to the local executive for approval.

4. Notice of Intent to Bargain

The president of the local shall ensure that Notice of Intent to Bargain is given to employer not less than thirty (30) and not more than sixty (60) days prior to expiry to the collective agreement. A copy of the notice shall be provided to the Negotiations Committee and the National Rep.

5. Ratification Vote

- a) Negotiations Committee shall provide a summary of the tentative agreement to the membership with new language highlighted, as soon as possible after bargaining. The committee will recommend acceptance or rejection of the tentative agreement.
- b) Notice of Ratification meeting and vote shall be sent out by the President at least fourteen (14) days prior to the meeting/vote.
- c) In case of job action, the Executive may waive the notice period for a strike vote.
- d) Ratification meeting shall be held by teleconference between both offices at a date set by the Executive. The meeting will occur within a two (2) week period after distribution of a copy of the summary of the tentative agreement.
- e) Voting will be by secret ballot and will be held on several dates as determined by the Executive. Polls will be open immediately following Ratification meeting and for specific time periods during the next week at both offices.
- f) The Shop Stewards or alternate, shall be returning officers and will be responsible for having members sign voters lists. A voters list will be supplied to each returning officer.
- g) Members may vote in either office.

- h) The returning officer and one (1) other member (not on the Negotiations Committee) will count votes and give results to the President. The President will inform members of results.
- i) If ratified, Negotiations Committee will arrange for signing with the employer and will arrange for printing of contract.
- j) Shop Stewards will ensure each member receives a copy.

6. Strike Vote

Secret ballot, using procedures as outlined for the Ratification Vote, will be used for strike vote.

7. Communication

- a) Various methods of communication may be utilized by the committee, including but not limited to CUPE local website, CUPE email group, newsletters, written updates, articles, meetings, etc.
- b) Members on leave or casual status must notify the committee of their preferred method of communication.
- c) The Negotiations Committee shall report to the membership and receive feedback from the members after each bargaining session.

8. Appendices

- A. Nominations Form
- B. Notice of Poll
- C. Ballots

Appendix A

NOMINATIONS FORM CUPE 3761

We nominate _____ for the position of _____

Print name: _____ *Signature:* _____

Print name: _____ *Signature:* _____

I agree to let my name stand for the position noted above.

Print name: _____ *Signature:* _____

NOMINATIONS FORM CUPE 3761

We nominate _____ for the position of _____.

Print name: _____ *Signature:* _____

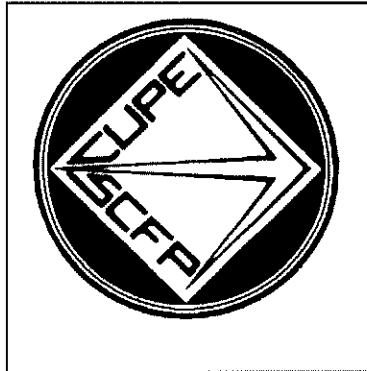
Print name: _____ *Signature:* _____

I agree to let my name stand for the position noted above.

Print name: _____ *Signature:* _____

Appendix B

SAMPLE NOTICE OF POLL



NOTICE OF POLL

This Notice is to inform all CUPE 3761 members

that a RATIFICATION VOTE will be conducted.

You are entitled to cast ONE secret ballot

You Can Vote Only Once In Either Office

HOURS OF POLL:

Date	Time

PLACE: See your shop steward

RETURNING OFFICERS: Saskatoon Shop Steward _____

Regina Shop Steward _____

- - -NO PROXY VOTES - - -

Appendix C

SAMPLE BALLOTS FOR STRIKE AND RATIFICATION

Are you in favour of a strike?

Yes _____

No _____

Are you in favour of the tentative agreement?

Yes _____

No _____

