

TERMS OF REFERENCE FOR THE DURHAM LOCAL COLLECTIVE BARGAINING COMMITTEE

Terms of Reference for the Durham Teachers' Local are subject to ratification of the Executive of the Elementary Teachers' Federation of Ontario, Durham Teachers' Local. The Terms of Reference shall not supersede the ETFO Negotiations Procedures for Teacher Bargaining Units (November 2001).

1. Name:

- 1.01 The name of this Committee shall be the Durham Teachers' Local Collective Bargaining Committee.
- 1.02 The name Durham Collective Bargaining Committee written in full shall appear on each communication once (i.e. letters, notices, etc.) . Thereafter the abbreviation C.B.C. may be used.

2. Committee Organization:

- 2.01
 - a) The C.B.C. shall consist of the President, one member of the executive (chosen by the Executive) and up to five members of the Durham Teachers' Local.
 - b) The (up to) five members must be elected from the general membership at a General Membership Meeting. Two (of the five) positions are designated as "Women Only" positions.
 - c) Any member of the elementary teaching staff of the Durham District School Board, in good standing with ETFO, is eligible to be elected to the C.B.C. at a General Membership Meeting.
 - d) The C.B.C. will elect a Chairperson/Chief Negotiator and members to fill various positions as it sees fit. These positions will be filled from within its own body. Elections shall be held at the third meeting of the committee and preliminary to a new set of negotiations.
 - e) The Collective Bargaining Chairperson /Chief Negotiator shall be a member of the C.B.C. and s/he shall be present at the negotiating table.
 - f) Each member shall serve for a complete set of negotiations whenever possible.
 - g) The members of the C.B.C., under the direction of the Provincial Federation, shall represent fairly all Elementary Teachers of The Durham District School Board.
- 2.02 Procedures for Resignation:
 - a) All resignations shall be by letter to the President of the Durham Teachers' Local and the Chairperson/Chief Negotiator. The Executive of the Durham Teachers' Local may make a new appointment as required.
 - b) If a member fails to assume his/her duties, the C.B.C. Chairperson shall notify the President.
- 2.03 Duties of Members of the Committee:
 - a) President:
 - (i) The President shall be responsible for calling the first meeting of the committee and shall be responsible for presiding over the election subject to Section 2.01 b).
 - (ii) The President as ad hoc member can report, or the Chairperson/Chief Negotiator can be invited to report, to the Executive.
 - b) Chairperson/Chief Negotiator:

- (i) The Chairperson / Chief Negotiator shall be responsible for keeping the Provincial Affiliate informed of meeting dates.
- (ii) The Chairperson/ Chief Negotiator shall be responsible for the receipt all correspondence.
- (iii) The Chairperson/ Chief Negotiator shall take direction from the C.B.C. with regards to negotiations with the Durham District School Board or its designated negotiator.
- (iv) The Chairperson/Chief Negotiator shall report to the Executive of the Durham Teachers' Local.

3) Preliminary Submission:

- 3.01
 - a) The committee will duly consider all requests by a group or individuals.
 - b) All requests to be considered for the preliminary submission shall be received in writing by the C.B.C. by a date to be determined by the committee. Oral presentations may augment written submissions.
 - c) Copies of these requests shall be distributed to each member of the C.B.C. by the chairperson prior to the meeting at which they will be considered.
 - d) Requests shall be acknowledged, in writing, by the committee chairperson.
 - e) This committee shall consider written requests and must inform the party concerned of its decision and the reason for such a decision in writing, if requested.
 - f) The party concerned may ask for a meeting with the C.B.C. to discuss the decision of the committee.
- 3.02 The Chair of the C.B.C. shall send a copy of the Preliminary Submission to the Provincial federation for approval fifteen school days prior to its presentation to the members.
- 3.03 A summary of the Preliminary submission shall be presented to the membership prior to submission to the Board.
- 3.04
 - a) An IN-SCHOOL VOTE, supervised by the Workplace Steward, to approve the preliminary submission shall be held on a designated day.
 - b) Or, at the discretion of the C.B.C., in consultation with the Executive, a vote may be held at an alternate site.
 - c) The Preliminary Submission must be approved by a simple majority of votes cast.

4. Negotiations:

- 4.01 The Negotiating team shall negotiate directly with The Durham District School Board or its designated negotiator.
- 4.02 When a tentative agreement has been reached the tentative agreement shall be presented to the ETFO General Secretary or designate for approval. Subsequent to the ETFO approval, the C.B.C. Chairperson/Chief Negotiator shall call an information meeting of the membership.
- 4.03 The C.B.C. shall keep teachers informed on the status of negotiations by developing a communication plan.
- 4.04 The committee shall ensure that records of all negotiating sessions be kept for reference.
- 4.05
 - (a) Unless under Provincial Takeover, once a tentative agreement has been reached, it shall be forwarded to the ETFO General Secretary or designate for approval. Following Provincial approval, the tentative agreement shall be presented to the membership at an information meeting at a venue chosen by the CBC, in consultation with the Executive. A vote to ratify the agreement will be taken. Up to three table officers, appointed by the Executive, shall supervise the vote.
 - (b) The collective agreement must be approved by a simple majority of votes cast.

5. C.B.C. Quorum and Voting Procedures:

- 5.01 A quorum of the C.B.C. shall consist of a majority of the members.
- 5.02 A simple majority of the committee members present shall decide all motions.
- 5.03 Roberts' Rules of Order shall be used for proceedings at the C.B.C. meetings.

5. Revision of Collective Bargaining Terms of Reference:

The Terms of Reference for the C.B.C. shall be ratified by the Executive of the Durham Teachers' Local prior to a new set of negotiations, subject to approval by the ETFO General Secretary or designate.

Revised: February 1998
February 2000
May 2000
February 2001
February 2002
May 2004
September 2011
October 2013