



REPORT TO

GOVERNANCE AND POLICY COMMITTEE

UPDATE TO NEGOTIATION PROCEDURES POLICY (H.M.39)

*All the ways of a man are pure in his own eyes, but the Lord weighs the spirit.
Proverbs 16:2*

Created, Draft	First Tabling	Review
October 31, 2017	November 7, 2017	
Caitlin Kavanagh, Coordinator, Employee Relations & Policy Development		

RECOMMENDATION REPORT

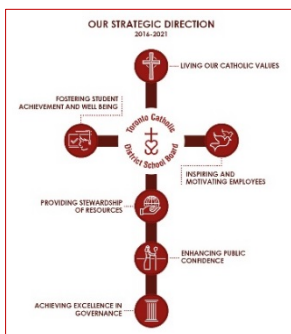
Vision:

At Toronto Catholic we transform the world through witness, faith, innovation and action.

Mission:

The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.

We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.



Rory McGuckin
Director of Education

D. Koenig
Associate Director
of Academic Affairs

A. Sangiorgio
Associate Director
of Planning and Facilities

T.B.D.
Executive Superintendent
of Business Services and
Chief Financial Officer

A. EXECUTIVE SUMMARY

This report recommends updates to the current Negotiation Procedures policy (H.M.39) to reflect recent changes to the structure of collective bargaining subsequent to the introduction of Bill 122, *School Boards Collective Bargaining Act*.

The cumulative staff time required to prepare this report was 3 hours

B. PURPOSE

This Recommendation Report is on the Order Paper of the Governance and Policy Committee as it recommends a policy revision.

C. BACKGROUND

This policy was approved at the March 5, 2008 Board. It has not been reviewed since.

D. EVIDENCE/RESEARCH/ANALYSIS

1. On April 9, 2014, Bill 122, School Boards Collective Bargaining Act (SBCBA), received Royal Assent.
2. The SBCBA overhauled the bargaining framework for school boards in Ontario, namely introducing the concept of central bargaining in addition to local bargaining.
3. With the changes introduced, the responsibilities of the Board of Trustees also evolved in respect its role in central and local collective bargaining. The policy has been updated to reflect these changes.

E. METRICS AND ACCOUNTABILITY

1. Recommendations in this report will be monitored by policy development staff as well as the Employee Relations department.

2. Further reports will be brought to Board in accordance with the policy review schedule.

F. IMPLEMENTATION, STRATEGIC COMMUNICATIONS AND STAKEHOLDER ENGAGEMENT PLAN

The updated policy as approved will be posted on the TCDSB policy register.

G. STAFF RECOMMENDATION

Staff recommend that the Negotiation Procedures policy (H.M.39) provided in APPENDIX A be adopted.



POLICY SECTION: HUMAN RESOURCES
SUB-SECTION: MISCELLANEOUS
POLICY NAME: NEGOTIATION PROCEDURES
POLICY NO: H.M. 39

Date Approved: March 5, 2008- Board	Date of Next Review: November 2022	Dates of Amendments: November 16, 2017
Cross References: <i>School Boards Collective Bargaining Act, 2014</i> <i>Labour Relations Act, 1995</i> Good Governance: A Guide for Trustees, School Boards, Directors of Education and Communities http://cge.ontarioschoolTrustees.org/en/collective-bargaining.html (OPSBA) Catholic Trustee Modules: Good Governance for School Boards (OCSTA/OESC)		
Appendix		

Purpose:

This policy outlines roles and responsibilities regarding collective bargaining negotiation procedures at the Toronto Catholic District School Board.

Scope and Responsibility:

This policy applies to Trustees, the Director of Education and all board staff who prepare for and participate in collective bargaining negotiations with unions or associations representing current staff. The Director of Education is responsible for this policy.

Alignment with MYSP:

Living Our Catholic Values

Strengthening Public Confidence

Achieving Excellence in Governance



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Providing Stewardship of Resources
Inspiring and Motivating Employees

Policy:

The Toronto Catholic District School Board recognizes the need to maintain practices that reflect the leadership role of the Catholic Trustee. Due to the significant impact on budget and the ensuing human resource management implications, it is essential that all Trustees be involved in the decision making process in regards to contract negotiations.

Regulations:

1. The Director of Education will inform the Board of impending negotiations.
2. The Director of Education will prepare a recommendation for the Board's consideration containing budgetary implications, impact of operations, improvements, savings, rationale, etc.
3. Matters may be referred to a Bargaining Committee or Working Group as determined by the Board from time to time.
4. The Board, as a whole, will deliberate any administrative recommendation(s) and, from its findings, formulate the parameters for the ensuing negotiations.
5. The Board will instruct the Director of Education to proceed with negotiations based on the understanding that staff must return to the Board for further instruction if these parameters are not reached and a settlement remains unlikely.



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6. Administration is expected to keep the Board informed of its progress at subsequent and/or special Board meetings.

~~7. Trustees may be members of negotiations between different groups as determined by the Board.~~

7. The Roles and Responsibilities of the Board of Trustees include:

a. Bring the concerns of the Board to the attention of the employer bargaining agency for the purposes of developing a central mandate;

b. Participate in the ratification process of central terms;

c. Approve/modify the local bargaining mandate;

d. Ratify settlements of locally negotiated terms and conditions of the Board's agreements;

e. Authorize lockouts at the local tier; and

f. Pay any fees required by the Minister to a school board/Trustees' association that represents the school board as the employer bargaining agency.

8. The roles and responsibilities of individual Trustees include:

a. Bring forward to their respective Boards of Trustees the concerns of parents, students, and supporters of the Board with respect to collective bargaining;

b. Participate in the decision-making process of the local Board; and

c. Uphold the implementation of any Board resolution after it is passed by the Board.



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9. The roles and responsibilities of the Director of Education include:

- a. Participate in developing recommendations for issues to be included in the central mandate to be considered by the local Board;**
- b. Develop the local bargaining mandate for approval by the local Board;**
- c. Bargain in good faith and make every reasonable effort to agree upon local terms with local bargaining units; and**
- d. Implement the terms and conditions of the collective agreement including both central and local terms.**



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Evaluation and Metrics:

The effectiveness of the policy will be determined by measuring the following:

The Director provides regular updates to the Board of Trustees as required during rounds of collective bargaining negotiations.