



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
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Cross References:

School Boards Collective Bargaining Act, 2014

Labour Relations Act, 1995

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 implementing 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 Trustees** of impending negotiations.
2. The Director of Education will prepare a recommendation for the Board **of Trustee'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 **approved** by the Board **of Trustees** from time to time.
4. The Board **of Trustees**, as a whole, will deliberate any administrative recommendation(s) and, from its findings, ~~formulate~~ **approve** the parameters for the ensuing negotiations.
5. The Board **of Trustees** will instruct the Director of Education to proceed with negotiations based on the understanding that staff must return to the Board **of Trustees** for further instruction if these **approved** parameters are not reached and a settlement remains unlikely.



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6. ~~Administration~~ **The Director of Education** is expected to keep the Board of **Trustees** 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.~~ **The Board of Trustees may appoint Trustees to a local Board bargaining committee.**
8. **The Roles and Responsibilities of the Board of Trustees include:**
 - a. **Advise the employer bargaining agency of the Board's proposed central bargaining parameters as the agency develops its central bargaining mandate;**
 - b. **Bring the Board's concerns to the bargaining agency throughout the central bargaining process;**
 - c. **Participate in the ratification process of central terms;**
 - d. **Approve/modify the local bargaining mandate;**
 - e. **Ratify settlements of locally negotiated terms and conditions of the Board's agreements;**
 - f. **Authorize lockouts at the local tier; and**
 - g. **Pay any fees required by regulation under the School Boards Collective Bargaining Act to a school board/Trustees' association to carry out central bargaining duties.**
9. **The roles and responsibilities of individual Trustees include:**



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- 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;**
- c. Uphold the implementation of any Board resolution after it is passed by the Board; and**
- d. Inform the Board of Trustees if requested to take part in central or local bargaining negotiations.**

10. 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 approved 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.

APPENDIX A