

# NEGOTIATIONS COMMITTEE

## PURPOSE:

Negotiations are a key priority and legal obligation for the Union. The purpose of the Negotiating Committee is to negotiate a collective agreement that reflects ONA's Mission of "advocating for members to improve the economic welfare and quality of work-life for our members, to enable them to provide high quality health care." The negotiations process is the first step in representing members. Ensuring the collective agreement is upheld is the second step.

## ACCOUNTABILITIES:

### TIER 1 ACCOUNTABILITIES

1. **A process is in place for membership input into Bargaining Unit proposal development for Local negotiations.**
  - Consult membership regarding problem areas and potential new proposals.
  - Consult Unit Representatives regarding problem areas and potential new proposals.
  - You may wish to have a Local "Have a Say" questionnaire specific to the Local collective agreement.
2. **A process is in place for the Bargaining Unit Negotiating Committee to utilize Bargaining Unit information to identify gaps or violations in the collective agreement or Local appendices (grievances, trends, labour-management issues, health and safety issues, and LRO trends/direction).**
  - Review recommendations/concerns from Bargaining Unit leadership/ committee leads (e.g. Grievance, Arbitrations, Labour-Management, Occupational Health and Safety, Human Rights and Equity, Professional Development, Unit Reps, Work Accommodation, Benefit Resource, etc.).
  - Review provincial trends and direction.
  - One-to-one communication with members.
3. **Ongoing communication between the LRO and the Negotiating Committee during all stages of the negotiations process.**
  - Bargaining Unit President will liaise with LRO on an ongoing basis to ensure the Negotiating Team is apprised of the status of bargaining throughout the process.
4. **All committee members have the opportunity to participate and collaborate in the development of strategic outcomes for negotiations.**
  - After reviewing the above feedback, provide a list of issues for potential proposal development to LRO.

- LRO will develop proposals based on team's feedback.
  - In conjunction with the LRO, review and maintain time lines for "vetting" of proposals, negotiations, conciliation, preparation for interest arbitration, hearing dates.
- 5. Negotiating Committee members attend negotiations and participate in the process.**
- Role of Negotiations Team during negotiations:**
    - Scribe verbatim comments of employer on each proposal.
    - Provide background material to support our positions and to assist in responding to employer proposals.
    - Review impact of withdrawals or amendments.
    - Sign off proposals as agreed.
    - Caucus with LRO pre, during and post each meeting as necessary.
  - Sign and support Memorandum of Settlement.
- 6. A process is in place for ongoing communication about the status of bargaining to membership and that membership understands the negotiations process.**
- An explanation to membership of the bargaining process including timelines should occur (e.g. through Bargaining Unit meetings, Local newsletter, updates on ONA bulletin board).
- 7. Confidentiality is maintained in accordance with privacy policy during data collection throughout the process.**
- Maintain individual confidentiality in accordance with ONA privacy policy.

## TIER 2 ACCOUNTABILITIES

- 8. A process is in place, through the Local Executive, for committee members to identify their learning needs.**
- Team may be part of modified Negotiations Workshop held with LRO.
  - Mentoring and coaching by seasoned Negotiating Team members for new members on the team.
  - Team building – set expectations on how the team will develop proposals, reach consensus during the ongoing negotiation process.
- 9. All issues brought to the Bargaining Unit have the human rights and equity perspective applied.**
- Review input from Human Rights and Equity Representative for potential proposal development.

### TIER 3 ACCOUNTABILITIES

**10. The Negotiating Committee functions in a fiscally responsible manner in accordance with Local policy.**

- Local policy must be adhered to regarding any paid time for the negotiation process that is not covered by employer, therefore Bargaining Unit President needs to liaise with Local Coordinator on an ongoing basis.

**11. Next steps are planned whether there is a negotiated or awarded collective agreement.**

- a. In the right-to-strike sector, ensure members are aware of the process following a break down in negotiations, including conciliation, meetings for strike mandate/votes and job action preparation.
- b. For HLDAA, ensure decisions/preparation for Local arbitration is complete.
- c. Ensure ratification in accordance with ONA policy.

**If negotiated settlement:**

- Notify the Local Coordinator and Local Treasurer and discuss any financial implications re ratification process.
- See ONA Policies re ratification process.
- Utilize the settlement fact sheet developed by the LRO.
- Inform the LRO of the result of the ratification vote.
- Arrange with the employer for printing and distribution of the collective agreement.

**If no negotiated settlement:**

- Communicate to members.
- Notify the Local Coordinator re potential Local financial implications.
- Take part in conciliation process.
- Prepare any background material required in preparation for Local arbitration e.g. "demonstrated need."
- Attend hearing as necessary.
- Communicate results of the arbitration award to members (e.g. at a meeting, in a newsletter).

**Right to strike:**

- See the Job Action Manual for step-by-step instructions.

**12. Pay is kept whole by the employer for attendance at negotiation meetings in accordance with the collective agreement.**

- Note negotiating teams need to be strategic when choosing bargaining dates with the employer so that the majority of hours spent negotiating with the employer is on employer paid time.

**Reference Materials (Contact your Regional Vice-President for assistance in locating):**

<p>ONA Constitution and Statement of Beliefs [ONA website » Publications &amp; Forms » Booklets, Guides &amp; Manuals]</p>	<p>Job Action Manual [ONA website » Executive Members » Forms &amp; Reference Documents]</p>
<p>Service Delivery Manual/Service Delivery Guidelines [ONA website » Executive Members » Forms &amp; Reference Documents]</p>	<p><i>Hospital Labour Disputes Arbitration Act (HLDA)</i> [e-laws.gov.on.ca]</p>
<p>ONA Policy Manual [ONA website » Publications &amp; Forms » Booklets, Guides &amp; Manuals]</p>	<p>Collective Agreements [ONA website » ONA Members » various sector pages]</p>
<p>Human Rights and Equity: A Guide for ONA Members [ONA website » Publications &amp; Forms » Booklets, Guides &amp; Manuals]</p>	