



## NTW POWER CORPORATION BARGAINING PROCESS

### Gathering of Proposals

Before a contract is due to expire, Locals having NTPC employees are sent out forms asking for bargaining proposals and nomination forms for delegates to the bargaining conference.

Regulation **Membership Affairs - Collective Bargaining** (attached) sets rules in which proposals are to be gathered. The deadline date for proposals to be received by UNW Headquarters is outlined in the Input Call and Nomination Call.

Once the deadline for proposals has past, the proposals will be initially reviewed by the UNW Headquarters staff. If it is determined that further information is necessary for the proposals to be fully understood the submitting Local will be contacted. The intent of the proposals will not be altered by headquarters staff, but it may be necessary to provide further information for the Bargaining Conference.

The Full Executive also has the ability to submit proposals to the Bargaining Conference.

### Local Level Bargaining Committee

Each Local will elect a Local Level Bargaining Committee. Each Committee shall consist of a minimum of 3 members and wherever possible only 1/3 of the members will be Local Officers.

Refer to the section above titled "Gathering of Proposals". These, along with the following will help you in gathering the proposals from your Local members.

1. Post a notice in all worksites in your Local outlining the dates, times and places for the submission of proposals.
2. Ensure you have enough information to understand and discuss/debate the proposals within the Local Level Bargaining Committee meetings.
3. Have all Local Level Bargaining Committee members vote on the proposals.
4. Once the proposals are passed, prioritize them from 1-5. (Only 5 proposals are to be sent to UNW Headquarters.)
5. Provide the proposals to the Headquarters Office, to the contact named on the input call. Ensure the rationales, priority listing and the minutes of the meetings passing the motions are attached. Ensure you get them to the office on time, as no extensions will be given.



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### **UNW Bargaining Conference**

#### **Make Up:**

Delegates to the Bargaining Conference are elected by each Local.

Each Local shall be allotted two (2) seats. Only Officers of the UNW (including Shop Stewards) can be delegates to the Bargaining Conference.

The President of the UNW is an automatic delegate. Also, the other Full Executive members (First and Second Vice-Presidents and the Regional Vice-Presidents and the Equity Vice-President) may attend as observers if they are members of or have members in the NTPC bargaining Unit.

#### **Duties and Responsibilities:**

The delegates to the Collective Bargaining Conference are responsible for reviewing the proposals submitted by the Locals and the Full Executive, and determining which ones will be put forth to the Bargaining Team. Bargaining Team members will also be elected at the Bargaining Conference.

The Bargaining Conference will be held over 2 days. The pros and cons of all proposals are debated.

The final package presented to the employer shall be of a manageable size, containing only worthwhile and justifiable demands.

The Collective Bargaining Committee must provide the Negotiating Team with a clear mandate in regard to both priorities and threshold minimum standards.

Once the package has been decided upon further research is done on all affected articles of the Collective Agreement. This research is performed by PSAC and UNW. Proposals are then put into a formal package to present to the Government's bargaining team.

#### **Election of Bargaining Team:**

The Bargaining Team is elected at the Bargaining Conference from and by Bargaining Conference Delegates.

At the same time as the team is elected, alternates are also elected in case some members of the team resign, or cannot make it to bargaining. It is not at all unusual in the negotiation process for one or two members to find that they cannot see negotiations to their conclusion.



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### Bargaining Team

#### Make Up:

The UNW Regulation ***Membership Affairs - Collective Bargaining*** and The Public Service Alliance of Canada ***Regulation 15*** outlines some rules regarding the make up of the bargaining team.

The Union of Northern Workers negotiating team will be comprised of the President (or designate) and four members elected at the Collective Bargaining Conference, plus technical personnel provided by the Public Service Alliance of Canada and/or UNW.

**Team members must hold office in the Union.** Shop Steward is considered an office in the Union.

Technical and professional individuals on the negotiating team have voice but no vote.

At least four alternates will be elected for the negotiating team by the delegates of the Collective Bargaining Conference at the same time as the regular members are. These alternates will be ranked during the balloting process to determine the order in which they will be called upon to serve.

An Executive Vice-President will be called upon to serve as alternate team member for the President, as required.

#### Duties and Responsibilities:

The guiding principle is that a core negotiating team will represent all members of the NTPC Bargaining Unit at the negotiating table. These members will sit on negotiating teams representing the good and welfare of the UNW members.

Elected negotiating team members are expected to attend all sessions of negotiations. Should a member miss the first round of negotiations or any two subsequent rounds, he or she will be replaced, on a permanent basis, by the appropriate alternate.

The President of the UNW is authorized to invite such technical advisors as they deem necessary to assist them in their duties.

All negotiating team members and members of the UNW Full Executive shall fully support the recommendations of the negotiating team.



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### **Bargaining Process**

Over the next few months the Government, the President of the Union and the Director of Labour Relations discuss possible dates for Collective Bargaining.

Once dates have been settled upon by the parties, the negotiating team will be contacted by the UNW office with the dates and flight arrangements. The members will be expected to apply for leave for those dates in the usual manner and the UNW will send out billing/authorization letters to their employer for the dates and times of bargaining. Members of the team will not lose any income and their pay cheque will continue normally. It is imperative that any members of the team who work shift work, send a copy of their shift schedule into the Union as soon as they are notified of each set of bargaining dates. This will ensure that there will be no loss of salary.

UNW or PSAC will book flights and hotel rooms.

The Union will provide team members with a cheque to pay for their hotel room plus taxes, plus the current Treasury Board per diem rate for each day scheduled for negotiations and travel time. Team members will be given a cheque attached to an expense claim form. This form must be completed, signed, and returned to the Union with all original hotel/taxi receipts before any other cheque can be issued. It is usually best to complete this documentation as quickly as possible.

### **The First Session**

The first negotiating session will have a different format than other sessions.

The team will be brought into Yellowknife two or three days before negotiations are scheduled to start. This time will be used to orient the team and review the bargaining demands. The negotiator will instruct the members what is expected of a "Bargaining Team Member".

The negotiator will give an outline on what can be expected from the Employers' team.

Usually only the negotiator will speak while in negotiations with the Employer. There may be times where the team may wish a member of the team to speak to either explain a proposal or to give examples of problems. This will be decided while in caucus, and it will be discussed what the member will say. Most negotiators find open discussion during caucus sessions, not at the table with the Employer, to be more productive. The negotiator will brief the team members on these things during this first orientation meeting.

On the first day of negotiations both teams will exchange proposals. Each team will then



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return to their “caucus” to review each other’s package. Once these proposals have been exchanged neither team can put “new” proposals on the table, other than counter proposals, without risking a charge of “bad faith bargaining”.

Normally non-monetary items are discussed first. This will include “housekeeping or wording changes” and any other articles proposed by the teams that have no financial implication. The last items normally to be negotiated are monetary items including wage increases, hours of work, etc.

### **Successive Sessions and Impasse or Conclusion**

Usually it will take several sessions to reach the conclusion of bargaining. The same general rules are followed for these sessions.

If at any point along the way an impasse is reached a break may be called by either team. If the impasse is insurmountable, the Public Service Act, Section 41 will be invoked. Section 41, specifically Section 41.1 speaks to what occurs if an agreement cannot be reached. The first step is going to mediation to attempt to reach an agreement. If this is unsuccessful then section 42 of the PSA comes into force, which outlines rules surrounding the right to strike. The negotiator will explain this section of the Public Service Act to the team in detail, if it is deemed necessary.

Hopefully, as it is always the ultimate goal, bargaining will end with the parties reaching a tentative agreement. This brings us to the ratification process.

### **Ratification**

The agreement is not final until both parties have ratified. The NTPC has their own process. Our process will involve everyone who was at the bargaining table, and normally the Regional Vice-Presidents.

All members of the Bargaining Team and the Full Executive must support the decision of the majority of the Bargaining Team as per the UNW Regulations (*Membership Affairs - Collective Bargaining*).

A ratification plan will be developed by UNW Headquarters, that will involve holding ratification meetings in some communities (where the number of members warrant) and mail out ballots where meetings are not going to be held. The RVPs and the Bargaining Team members may be called upon to attend these meetings.

Typically, the ratification process can take up to 2 or 3 months, depending on schedules and also the time of year.