



MEEWASIN VALLEY AUTHORITY

Local 2083

Bargaining Guidelines

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MEEWASIN VALLEY AUTHORITY

Bargaining Guidelines

PREAMBLE

- a) Upon request, to a Bargaining Committee member, these written guidelines shall be available to the membership.
- b) Upon request, members shall be supplied a copy of the Collective Bargaining Agreement and any Letters of Understanding affecting them signed between negotiations.
- c) The Meewasin Valley Authority Local 2083 is a participating Local of the Crown Sector of the Saskatchewan Government and General Employees' Union and governed by the SGEU Constitution, SGEU Policy Manual and Sector Bylaws.
- d) The Bargaining Unit will consist of all members in good standing employed by the Meewasin Valley Authority.

1. Structure of the Bargaining Unit

The Union members of Meewasin Valley Authority are the in-scope employees as defined by Saskatchewan Labour Relations Board Certification Order.

2. Definitions

- 2.1 Simple majority refers to 50% of the votes plus one of members in attendance.
- 2.2 Plurality refers to the one who receives the most votes.
- 2.3 Recall refers to a process by which an elected official can be removed from his/her office (see section 4).

3. Roles and Responsibilities

3.1 Stewards

- 3.1.1 Any member in good standing may be nominated as a Steward.
- 3.1.2 A call for nominations will be posted in all workplaces for fourteen (14) days. The call shall also identify the nomination period, positions and where nominations shall be returned to.

3.1.3 Notice of Steward elections will be posted at least fourteen (14) days prior to a membership meeting. The election will take place four (4) months prior to the expiration of the Collective Agreement or whenever a vacancy occurs.

3.1.4 The election of a Steward shall be determined by a simple majority.

3.1.5 Stewards will serve for the term of the Collective Agreement.

3.2 **Replacement of Stewards**

3.2.1 In the event of a Steward vacancy, the appointment of a temporary Steward shall be made on an interim basis by the Bargaining Committee Chairperson until an election can be held.

3.3 **SGEU Steward Job Description**

3.3.1 See Appendix A for complete Steward Job Description.

3.4 **Chief Steward**

3.4.1 The duties and responsibilities of the Chief Steward are encompassed in the role held by the Bargaining Committee Chairperson. See Appendix B for complete Chief Steward Job Description

3.5 **Bargaining Committee**

3.5.1 Meewasin Valley Authority shall have a Bargaining Committee of three (3) members as per Article 7.5 of the SGEU Constitution.

3.5.2 Any member in good standing may be nominated as a member of the Bargaining Committee.

3.5.3 A call for nominations will be posted in all workplaces for fourteen (14) days. The call will also identify the nomination period, positions and where nominations shall be returned to.

3.5.4 Notice of Bargaining Committee elections will be posted for at least fourteen (14) days prior to a membership meeting. The election will take place four (4) months prior to the expiration of the Collective Agreement or whenever a vacancy occurs.

3.5.5 The election shall be determined by a simple majority.

3.5.6 The Bargaining Committee will serve until the next Bargaining Committee is elected prior to the start of negotiating the next Collective Agreement.

- 3.5.7 The Bargaining Committee shall have the sole responsibility to negotiate all provisions, proposals and amendments to the Collective Agreement in all matters. When representation from special interest groups is required, the Bargaining Committee shall determine what process will be used.
- 3.5.8 The Bargaining Committee is responsible for short-term decisions with regard to negotiations and bargaining strategies, subject to their responsibility to the Crown Sector Executive.
- 3.5.9 The Bargaining Committee will call for and post the notice of election of all positions.
- 3.6 **Bargaining Committee Chairperson**
- 3.6.1 The Bargaining Committee will elect the Chairperson from among them by majority vote. Should the Chair be unable to fulfill the duties, the Chairperson shall designate those duties to the Vice-Chairperson of the Bargaining Committee.
- 3.6.2 The Chairperson will serve the same term as the Bargaining Committee.
- 3.6.3 Duties of the Chairperson
- 3.6.3.1 Call and chair all committee and membership meetings.
- 3.6.3.2 Be the chief spokesperson for the Bargaining Committee and Bargaining Unit members in consultation with and on written permission of the SGEU President when dealing with the media.
- 3.6.3.3 Organize and distribute information the committee may require;
- 3.6.3.4 Communicate with the Agreement Administration Advisor (AAA), the Sector Chairperson, Provincial Council and the President of the Union, where applicable.
- 3.6.3.5 Appoint a member to fill vacant or recalled positions until an election can be held.
- 3.6.3.6 Ensure Stewards and Bargaining Committees are trained and attend ULD's.
- 3.6.3.7 Assist Stewards with the grievance process.

3.7 Bargaining Committee Vice-Chairperson

- 3.7.1 The Bargaining Committee Vice-Chairperson shall be appointed the Chairperson.
- 3.7.2 The Vice-Chairperson shall perform the duties of the Chairperson in their absence, or during the suspension of a Chairperson.
- 3.7.3 The Vice-Chairperson shall perform such other duties as may be delegated by the Chairperson.

3.8 Bargaining Committee Secretary

- 3.8.1 The Bargaining Committee Secretary shall be appointed by the Bargaining Committee Chairperson.
- 3.8.2.1 The Bargaining Committee Secretary shall maintain an accurate record of all committee and membership meetings and a register of attendees.
- 3.8.3.1 A copy of the approved, signed minutes shall be forwarded to the Sector Secretary and the Director of Administrative Services.

3.9 Grievance Committee

- 3.9.1 The Bargaining Committee shall act as the Grievance Committee.
- 3.9.2 The Grievance Committee shall process the initial stages of grievances in the Bargaining Unit.

3.10 Oath of Office for Elected Officials

- 3.10.1 All elected officials will take the Oath of Office as follows:

“In accepting nomination, I _____ do hereby sincerely pledge my word to the Saskatchewan Government and General Employees’ Union, that I will truly and faithfully perform the duties of my Office in accordance with the SGEU Constitution, the Statement of Equality, the Policies and Bylaws of the Union.”

4. Recall of Elected Officials

4.1 Petition Process

4.1.1 Recall must be petitioned for by 25% of the members who are represented by the person being recalled. The petition must outline the reasons for recall in clear concise language.

4.1.2 Upon receiving the duly signed petition, the elected official responsible for the person being recalled will call a meeting for that purpose. The notice of meeting must be advertised at least fourteen (14) days in advance. The notice must include the time, date, location and purpose.

4.1.3 The official facing recall shall receive a copy of the petition, reasons for the recall and notice of the meeting where the vote will take place. Such notice shall be at least fourteen (14) days prior to the meeting.

4.2 Recall Process

4.2.1 The official facing recall shall have the opportunity to present his/her position or response to the petition prior to the vote occurring.

4.2.2 The two-thirds (2/3) majority vote of those members in attendance shall be required to unseat the incumbent. Only those who are members of the committee/councils or delegates to the body that elected the person being recalled can vote on the recall.

4.2.3 Voting shall be done by secret ballot.

4.2.4 Vacancies created by a recall will be filled following the elected process for other vacant positions.

5. Role of Staff Assigned - Agreement Administration Advisor (AAA)

5.1 The AAA's role is advisory subject to assistance required by the Bargaining Unit with the exception of bargaining where the AAA will always be in attendance.

5.2 The SGEU Executive Director of Operations appoints the AAA.

5.3 The Bargaining Committee can request the EDO remove the AAA from the assignment, if the Committee has sufficient reasons.

6. **Proposals Gathering and Package Ratification**

6.1 The Bargaining Committee is responsible for notifying the membership to submit proposals.

6.1.1 Every member of the Bargaining Unit has the right to submit proposals for changes to the Collective Agreement.

6.2 **Format of Proposals**

6.2.1 A proposal must be in written form and worded clearly.

6.2.2 Proposals shall include:

6.2.3 Statement of the desired change.

6.2.4 Reasons for the change.

6.2.5 References to current articles in the agreement.

6.2.6 References to other agreements. If applicable.

6.2.7 Shall be accompanied by the member's full name for purposes of clarification and verification.

6.3 **Proposals Gathering**

6.3.1 The Bargaining Committee must notify the membership when and how to submit proposals by a notice on the Union bulletin board.

6.3.2 A Call for Proposals shall be made by the Bargaining Committee at least ninety (90) days prior to the expiration of the Collective Agreement.

6.3.3 These proposals must be submitted not less than sixty (60) days prior to the expiration of the Collective Agreement.

6.3.4 A membership meeting will be called by the Bargaining Committee to discuss changes to the Collective Agreement and construct proposals. All Bargaining Unit members will be invited to attend. The notice of meeting must be posted at least fourteen (14) days in advance.

6.3.5 The Bargaining Committee will put together a proposals package taking into consideration the intentions of the membership and the policies and objectives of the Union.

6.4 **Ratification of the Proposals Package**

6.4.1 Ratification by the Membership

6.4.2 The Bargaining Committee Chairperson shall call a membership meeting to ratify the Proposals Package.

6.4.3 Notice shall be posted at least fourteen (14) days in advance stating the purpose, date, location and time of the meeting.

6.4.4 Late proposals may be presented at a ratification meeting and shall be considered for inclusion in the final package by a simple majority of the members at the meeting.

6.4.5 Following ratification by the membership the proposals package will be finalized for presentation to the employer by the Bargaining Committee.

7. **Ratification of the Tentative Agreement/Memorandum of Agreement**

7.1 Through negotiations with the Employer a tentative agreement or memorandum of agreement is agreed to and must be ratified by both parties of the Agreement (the Bargaining Unit membership and the Employer).

7.1.1 Ratification is in accordance with the SGEU Constitution Article 7.10.

7.1.2 The tentative agreement/memorandum of agreement must be presented to the Crown Sector Executive for review and approval prior to ratification by the Bargaining Unit members.

7.1.3 The tentative agreement/memorandum of agreement must be presented to the Administration Committee for approval after Crown Sector approval and before ratification by the Bargaining Unit members.

7.1.4 The Bargaining Committee Chairperson shall call a membership meeting to ratify the tentative agreement/memorandum of agreement (MOA) after the above approvals have been obtained.

7.1.5 Notice shall be posted on the Union bulletin board fourteen (14) days in advance stating the purpose, date, locations and time of the meeting.

7.1.6 The tentative agreement shall be considered ratified with a vote of 50% plus one of the voting members in attendance.

- 7.1.7 When ratification ballots are being counted, the Bargaining Committee Chairperson or the AAA shall ensure that a Provincial Council member, not representing that committee directly, is there as a scrutineer.
8. **Job Action /Strikes**
- 8.1 **Strikes**
- 8.2 Only the SGEU President (or the SGEU Acting President whenever the President is not available), in consultation with the Bargaining Unit Chair, is authorized to serve notice of Job Action/Strike Action to the Employer on behalf of SGEU.
- 8.3 Prior to withdrawal of services by all or part of a Bargaining Unit, the Bargaining Committee shall conduct a vote by secret ballot.
- 8.4 The secret ballot vote shall be conducted at special meetings called for this purpose and/or mailed ballots.
- 8.5 Those members who vote shall constitute a quorum, and the decision shall be 50% plus one of those voting.
- 8.6 If there is a withdrawal of services, without there being a secret ballot vote on the withdrawal, such withdrawal of services shall be deemed to be voluntary and not subject to discipline procedures.
- 8.7 The Provincial Council shall be kept informed on strike situations. The Provincial Council shall, at the request of the Bargaining Unit, assist by disseminating information, providing moral and financial support, as well as assistance with the planning, preparation and conduct of a strike.
- 8.8 Results of a strike ballot shall be released at the discretion of the Bargaining Committee.
- 8.9 When strike ballots are being counted, the Bargaining Committee shall ensure that a Provincial Council Member, not representing that Sector, is there as a scrutineer.
- 8.10 In the case of strike action, the regulations as laid down from time to time in the Strike Manual shall be adhered to.
- 8.11 The notice of meeting will be posted, in all work locations, at least fourteen (14) days in advance stating the purpose, date, location and time of the meeting.

9. **Communications**

9.1 **Media**

9.1.1 The Bargaining Committee shall determine who will act as spokesperson on behalf of the Bargaining Unit.

9.1.2 All public statements shall be consistent with Union policy and principles.

9.1.3 Public statements issued shall be approved in advance by the Bargaining Committee subject to written approval by the President of the Union or his/her designate.

9.2 **Membership**

9.2.1 Membership meetings shall be held during the course of collective bargaining to report to members and to receive feedback from the membership.

9.2.2 Written bargaining reports shall be made available to the Bargaining Unit membership during the course of collective bargaining.

9.3 **Sector/Provincial Council**

9.3.1 Any pertinent information arising during the course of collective bargaining shall be communicated via written bargaining reports to the Sector Executive and the Administration Committee.

10. **Rules of Order for all Membership Meetings**

10.1 In accordance with Article 11 of the SGEU Constitution and Bourinot's Rules of Order.

10.2 When the order of business is listed in the Bargaining Guidelines it must include: Statement of Equality, Appointment of Ombudsmun, adopting of the agenda and adoption of the previous minutes.

10.3 In accordance with SGEU Policy Articles 7.3, 7.4 and 7.5, 7.6 an accurate record of all meetings and a register of attendees will be kept. After the adoption of the minutes, they will be signed by the Chair or the Secretary and kept in a minute book or binder. They will be the official records of all business done in the Bargaining Unit.

10.5 A quorum will be fifty (50) percent of those members in attendance at the start of the meeting.

- 10.6 The Chairperson of the meeting will vote only in the event of a tie.
- 10.7 There will be no proxy voting.
- 11. **Amendments to Bargaining Guidelines**
- 11.1 Amendments to the Bargaining Guidelines will be made utilizing the same call for amendments and ratification process outlined in the Article 6.3 and 6.4 of this document.
- 11.2 All amendments must conform to the SGEU Constitution and Policy Manual and Sector Bylaws.
- 11.3 Amendments must be ratified by a simple majority.
- 11.4 Bargaining Guidelines become effective after they are approved by the membership pending approval of the Membership, Constitution and Legislation Committee (MC&L).
- 11.5 The amended Bargaining Guidelines will be sent to the MC&L Committee within sixty (60) days of approval by the membership as per Constitution Article 7.3.1.

Appendix A

SGEU Steward Job Description

You are the first person that members in your assigned area contact for information about the workplace and SGEU, and for help solving workplace issues. Under the guidance of your chief steward, you work collectively with other stewards, elected leaders, and SGEU staff in your workplace, Bargaining Unit, and sector.

Duties:

Advocate

- Enforce the Collective Agreement by identifying violations, investigating complaints, and meeting with management to solve problems or file grievances
- Deal with harassment and other conflicts in the workplace
- Identify future collective agreement proposals

Be a Sounding Board

- Listen to members' concerns while maintaining confidentiality
- Empower members to help themselves by providing them with information and support
- Provide information on programs available to members through the union and employer, such as Workers' Compensation, Long-Term Disability, and Employee & Family Assistance Plans

Educate

- Answer questions about your collective agreement
- Inform members (both face-to-face and in meetings) of workplace issues and what SGEU is doing to address them
- Inform members (both face-to-face and in meetings) of issues and actions affecting them in the union and community

Organize

- Be familiar with your workplace and your members
- Welcome and orient new employees
- Advise other elected SGEU leaders of issues and developments in your workplace

- Mobilize members to take part in proposals gathering, collective-bargaining support activities, internal union meetings and elections, and other union campaigns
- Support the membership in providing relevant changes in work and personal data to SGEU Membership Records.

(The blend of duties and level of responsibility may vary, depending on the structure of your workplace, Bargaining Unit, and sector.)

Roles and Responsibilities:

You bring these qualities to the role of steward:

- Take initiative to learn and understand relevant grievance procedures
- Follow through on tasks and commitments to members
- Keep members' information confidential (except in discussions with the chief steward or as required in the grievance process)
- Willing to complete Union Leadership Development training (ULD 10, 20, 30)
- Listen effectively
- Care about the well-being of others

SGEU will provide education and support so you can:

- Actively challenge inappropriate or harassing behaviour in the workplace and not take part in it
- Be familiar with the collective agreement, workplace policies and procedures, SGEU policies, Steward Manual, and union resource people
- Speak out when members' rights are harmed
- Research complaints, questions, and workplace issues, and weigh conflicting information
- Present an argument clearly, assertively, and respectfully
- Follow SGEU's Code of Conduct for Elected Officers and the Statement of Equality
- Listen effectively
- Take and maintain clear records
- Believe in the trade union movement

Working Environment:

- Stewards are elected to a two-year term. Some duties can be performed on work time or are compensated by the union. Stewards may be required to perform other tasks on their own time.
- Stewards' rights and union activity are protected by law and your Collective Agreement. Some employers may try to challenge your role, but other stewards, your chief steward, your Agreement Administration Advisor, and the larger Union are there for advice and support.
- It's a rewarding experience to help others and be part of a larger Union family.

(Approved by Provincial Council April 2009)

Appendix B

Chief Steward Job Description

You are a workplace leader representing SGEU, co-ordinating stewards, and enforcing the collective bargaining agreement. You work collectively with stewards, elected leaders, and SGEU staff in your workplace, Bargaining Unit, and sector.

As chief steward, you fulfill the duties of a steward, but also work with other stewards in your zone to do the following:

Communication

- Encourage stewards to approach you first with questions about processes and contract interpretation and with reports of workplace conflicts and issues (rather than going directly to the AAA)
- Advise stewards and members about union activities and advise Bargaining Unit and sector leaders about workplace developments
- Ensure new-member orientations are occurring as needed
- Inform stewards and members of changes in the collective agreement or interpretation, and of relevant arbitration decisions
- Be accessible to your stewards by telephone or in person

Grievance Co-ordination

- Assign complaints and grievances to stewards in your zone, taking into account:
 - o Stewards' specialized knowledge
 - o The chance for new stewards to gain experience
 - o The need to prevent steward burn-out
- Members' right to the steward of their choice shall be adhered to
- Assist stewards, as needed, in writing and investigating grievances properly and in judging whether a complaint is a grievance
- In communications with AAA, keep track of filed grievances, to ensure that they are moving through the process in a timely fashion and that necessary tasks are completed
- Educate stewards about the grievance and appeal processes, including about the need to discuss potential grievances with you first before filing
- Ensure contract enforcement by:
 - o Not agreeing to any deals that violates the collective agreement or other rights in statute

- Challenging violations of collective-agreement and other rights in statute

Leadership

- Promote maximum involvement by members in union activities, especially including collective bargaining
- Delegate duties to stewards (and panel reps where relevant)
- Call and chair regular steward meetings to strategize, share information, identify best practices, and review grievance and other workplace issues
- Chair other meetings when necessary, such as membership or union-management committee

Conflict Resolution

- Assist in resolving conflicts between members or between members and the employer
- Be knowledgeable about both workplace and union harassment policies and procedures
- Encourage stewards to talk to you when they encounter harassment in the union or in the workplace and work with stewards to resolve the problem
- Hold regular meetings of all stewards. Topics should include current workplace issues, barriers facing equity-group stewards, discrimination/harassment of stewards and in the workplace, and strategies to address issues.
- Work to dispel, not encourage, rumours.

Recruitment

- Actively recruit new stewards with the goal of achieving a representative steward body in SGEU

Mentoring & Training

- Ensure you are familiar with your collective agreement, related legislation, workplace policies and procedures, SGEU policies, Steward Manual, and union resource people
- Complete training as set out in SGEU policy
- Orient new stewards and support them to meet the expectations set out in the steward job description
- Provide or arrange mentoring for new stewards
- Encourage stewards to take appropriate training, such as ULD 10, ULD 11, ULD 20, ULD 30, and conflict-resolution
- Update stewards about education opportunities

- Encourage stewards to set appropriate limits to prevent stress and burn-out

Administrative Duties

- Ensure elections are held for stewards and OH & S committee
- Ensure that stewards are being registered with SGEU Membership Records after each election
- Ensure distribution and posting of union information within your zone

Approved by Provincial Council April 2009)