

NEGOTIATIONS COMMITTEE TERMS OF REFERENCE

Composition

At the commencement of every bargaining cycle, an invitation to submit expressions of interest will be extended to GC members to express their interest to sit on the Negotiations Committee. Notwithstanding anything to the contrary, an expression of interest shall not be a condition precedent to membership on the Negotiations Committee. The Chair of the Negotiations Committee may deem it in the best interests of the AJC to extend invitations to select GC members in order to balance the various considerations set out in Appendix A to this document.

The Chair of the Negotiations Committee shall, following consultation with the Executive Committee, provide a list of proposed Negotiations Committee members to the Governing Council for formal approval of the list as proposed. The Chair may at his or her discretion, without requiring approval of the Governing Council, appoint alternates to serve on the Negotiations Committee when members are unavailable to fulfill their responsibilities. Any changes to the composition of the Negotiations Committee will also require Governing Council approval following a similar consultation process as listed above.

Mandate

The Negotiations Committee shall be responsible for the following:

1. Determining the Association's bargaining strategy;
2. Identifying the Association's bargaining priorities;
3. Attending bargaining sessions with the employer and other related bargaining proceedings;
4. Retaining counsel, in consultation with the Executive Committee, to facilitate bargaining and to represent the Association in other related bargaining proceedings;
5. Collecting and analyzing relevant bargaining information, including, but not limited to:
 - a. demographics of the LP bargaining unit;
 - b. compensation data applicable to the LP bargaining unit;
 - c. compensation data applicable to comparator service providers in the public and private sectors;
 - d. collective agreements governing other comparator service providers;
6. Commissioning bargaining-related studies or surveys where appropriate;
7. Consulting the AJC membership on bargaining priorities;
8. Preparing and tabling bargaining proposals;
9. Considering employer's proposals, and where appropriate, preparing and tabling counter-proposals;
10. Recommending to the Governing Council that a vote of the membership be held to:
 - a. ratify a proposed framework or collective agreement; or

- b. take job action or strike.

Meetings

Meetings of the Negotiations Committee shall be convened by the Chair on an as-needed basis, or at the request of another member of the Negotiations Committee. Meetings may be held in person, by teleconferencing or through other electronic means, as determined by the Chair.

Members unavailable to attend meetings may, with reasonable notice to the Chair, designate the Executive-appointed alternate to attend on their behalf. If the alternate is unable to attend, members may then provide their proxy to an attending member of the Negotiations Committee.

Quorum

Quorum for meetings shall be a majority of the Negotiations Committee.

Governance

Decisions and recommendations shall be taken by consensus or, where required, by a majority vote of the members of the Negotiations Committee. The Negotiations Committee shall regularly report to the Governing Council and the Executive Committee on matters relating to bargaining and any significant matters relating to the bargaining process.

Chair of the Negotiations Committee

The Chair of the Negotiations Committee shall be the President of the Association. In the event the President is not available, he or she shall appoint an alternate member of the Negotiations Committee to act as Chair.

The Chair shall be responsible for the following:

1. Chairing meetings of the Negotiations Committee;
2. Appointing a Secretary of the Negotiations Committee, who shall be responsible for taking the minutes of the meetings of the Negotiations Committee and bargaining sessions with the employer;
3. Instructing retained counsel;
4. Monitoring and approving bargaining related expenditures, consistent with budgetary allowances, and reporting them in a timely manner to the Vice-President Finance, including any anticipated cost overruns; and
5. Reporting in a timely manner on the activities, and where required, advancing recommendations of the Negotiations Committee to the Governing Council.

Communications

The Negotiations Committee shall also be responsible for providing the Communications Committee with essential information about collective bargaining so that it may be communicated to the membership in a timely manner.

APPENDIX A TO THE NEGOTIATIONS COMMITTEE TERMS OF REFERENCE

Factors to Consider regarding the Composition of the Negotiations Committee

1. Best size that enables the group to get its work done effectively and efficiently¹

- a. Efficiency and effectiveness can be measured against the correlation between the group size and the following:
 - i. Quality of decisions
 - ii. Group dynamics
 - iii. Delay in scheduling
 - iv. Length of bargaining process
- b. It is important to note that group size is generally matched by the employer
- c. The optimal size of the team balances these competing factors and may relate to the extent to which meaningful bargaining is expected to take place in any given round.

2. Balance in representation

- a. need for inclusivity and regional representation
- b. seniority (LP levels)
- c. linguistic diversity
- d. gender diversity, racial diversity and other designated minority voices
- e. employer organizations (DoJ, PPSC, ATSSC, etc.)
- f. Certain regional representation may be more important when there are particularly acute issues in a given region at a particular point in time. It must be balanced against the recognition that the AJC is a national organization.
- g. Given the need to balance all factors there can be no guarantee that every region, level, employer organization or other group will always be represented on the team. Our processes in place permit all concerns to be expressed, well understood and duly considered.

¹ <https://cuttingedgepr.com/free-articles/pr-management/whats-ideal-number-people-work-team-committee/>,
<https://sheilamargolis.com/2011/01/24/what-is-the-optimal-group-size-for-decision-making/>

3. Experience and competency considerations

- prior collective bargaining experience
- in-depth knowledge of the collective agreement
- sound knowledge of the labour relations issues affecting the LP membership at large
- prior GC experience
- aptitude for crunching numbers
- ability to remain objective and exercise sound judgement
- strategic thinking
- pragmatism
- decision-making ability
- ability to see the big picture
- detail-oriented
- ability to gather and distill information
- good listening skills
- ability to get along with others who don't share the same point of view
- availability and willingness to contribute to the workload
- appreciation of employment equity considerations and principles
- ability to prioritize and identify the collective interests of the membership

4. Team Dynamic

The team has to work well together.