

OSSTF/FEESO COLLECTIVE BARGAINING PROCESS



1

NOTICE TO BARGAIN

The *School Boards Collective Bargaining Act (SBCBA)* states that only OSSTF/FEESO and the employer bargaining agency, Council of Ontario Directors of Education (CODE) can give notice to bargain. Local parties do not serve a notice to bargain. The Government (Crown) is considered a "participant" under the SBCBA. Central and/or local strike votes are only permitted within 30 days of the expiry of the collective agreement or anytime after.

2

PARTIES MEET TO DETERMINE CENTRAL TABLE ITEMS

OSSTF/FEESO and CODE meet to determine which issues will be negotiated at the central table. The Crown is also part of these discussions. Any remaining issues will be negotiated at the local tables. If there is disagreement on this, parties will refer this to the Ontario Labour Relations Board for a decision.

3

CENTRAL NEGOTIATIONS BEGIN/LOCAL NEGOTIATIONS BEGIN

Negotiations at the central table and local can occur simultaneously or sequentially, but remain separate. These negotiations can take a similar or different path.

IF NO TENTATIVE AGREEMENT

4

REQUEST FOR CONCILIATION

If negotiations between the parties do not lead to a tentative agreement, either party can request conciliation. The request for conciliation can occur at any point in the bargaining process.

IF NO TENTATIVE AGREEMENT

5

"NO BOARD" REPORT

If conciliation does not lead to a tentative agreement, then either side can request a "no board" report from the Minister of Labour. The expired collective agreement continues to remain in place until 17 days after the "no board" report is issued.

IF NO TENTATIVE AGREEMENT

6

STRIKE/LOCKOUT

Following strike votes and approval from the membership, OSSTF/FEESO can take strike action 17 days after a "no board" report. Strike action can come in many different forms; from a selective withdrawal of services through to a full withdrawal. Also, the employer bargaining agent at the central table or the school board, at a local table, with the permission of the Crown can unilaterally change terms and conditions of the collective agreement, or lock-out members. Bargaining may continue during this time.

STRIKE VOTES

A strike vote by secret ballot may take place within 30 days of the expiration of the collective agreement, or at any time after the agreement expires.

Before any strike action can be taken, a majority of eligible Members in attendance at a strike vote must give their approval and five days notice must be provided to the parties and the Crown.

TENTATIVE AGREEMENT

RATIFICATION

A tentative central agreement must be approved by a secret ballot all-member vote. OSSTF/FEESO's regulations require a double-majority vote for approval—majority of the bargaining units eligible to vote and voting AND a majority of Members eligible to vote and voting. The employer bargaining agent must also hold a ratification vote.

A tentative local agreement must be approved by a secret ballot vote of local Members and the school board.

ENFORCEMENT

Both the central and local agreement must be ratified before a complete collective agreement is in place. Once in effect, implementation and ongoing enforcement of the collective agreement occurs.