

Bargaining Under the Colleges Collective Bargaining Act (CCBA): A Narrative Guide to the Flowchart

GLOSSARY

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| CA | collective agreement |
| CAAT-A | Colleges of Applied Arts and Technology—Academic (professors, instructors, librarians and counsellors) |
| <i>The Council or CEC</i> | The College Employer Council, they bargain on behalf of management |

1. Pre- bargaining Conference fall of 2016
2. Each academic local sent delegates to the provincial final demand set meeting, held March 4 and 5, 2017 in Toronto. Delegates voted on and ranked demands. Only the demands approved by the delegates can be put on the bargaining table by the provincial CAAT-A Bargaining Team.
3. As early as July 4, 2017, formal bargaining may begin. Notice to bargain can be given as early as 90 days before expiry of the Collective Agreement (CA). July 4 is the first working day of this period.
4. If the parties reach a tentative agreement, a ratification vote is held for members to accept or decline the agreement. The CAAT-A bargaining team would be recommending acceptance of a negotiated tentative agreement. This vote can be at any time when requested by the CAAT-A bargaining team, and is scheduled by the Ontario Labour Relations Board.
5. If the parties have not yet reached an agreement, the CAAT-A bargaining team (the Union) can call for a strike vote no earlier than thirty (30) days before the expiry of the Collective Agreement. This can happen either before or after the CA expires- A vote 'yes' to strike does not necessarily mean there will be a strike; a 'yes' vote increases the pressure on the parties to negotiate a settlement.
6. To assist with the bargaining process the Ministry of Labour can appoint a Conciliator, a person who tries to facilitate and assist the parties to help them reach a collective agreement. The Conciliator may submit a report to the Minister of Labour. If either party asks for a conciliator report, also known as a "no board report", this could be an indication that there are

significant differences between the parties and that a lock-out or a strike are possible.

7. The Council can bring their last offer directly to our members for a vote. This can happen only once and the earliest it can happen is 15 days before the expiry of the CA, which would be September 15, 2017. The union cannot call a formal offer vote (only a ratification or strike vote as noted above).
- 8A. The CCBA (*Colleges Collective Bargaining Act, 2008*) allows the employer to impose terms and conditions of work where the CA has expired and there has been a "no board" report from the Conciliator to the Minister of Labour. The terms could be anything. This action bypasses the bargaining table.

The CEC did impose terms on college faculty once before on November 18, 2009. Although the terms were presented in a format that was like the Collective Agreement, it overrode several member and union rights. All new language was written by Management.
- 8B. There has never been a lockout at Ontario colleges. This is when the employer prevents the employees from working to persuade them to enter into a new CA. Lockouts make employers look very bad to the public, as they have taken the hard line decision to suspend services.
- 8C. Where there has been a 'yes' to a strike vote the Union has the authority to set a strike deadline with 5 days' notice to the employer. A strike deadline does not necessarily mean there will be a strike or that it will happen that day. A strike deadline increases pressures on the parties to reach an agreement.
9. When the membership has voted to ratify a tentative agreement (reached through bargaining between the parties) or the membership has voted to accept the employer's offer, a new Collective Agreement is in place. The OLRB will conduct the ratification vote.