

PARAMETERS FOR THE EMPLOYER BARGAINING ASSOCIATION

As set out in the parameters adopted at the Fall General Meeting the Employer Bargaining Association will be centralized, legislated and school board controlled.

DESIRED OUTCOMES FOR TEACHER BARGAINING MODEL:

Within the context of collective bargaining with the ATA, the collective bargaining model that achieves the interests of school boards best, should:

- Be the voice of school boards in the collective bargaining process.
- Allow for school boards to be equitably represented.
- Maintain a positive learning environment for students during the collective bargaining process.
- Have the Employer Bargaining Association hold the bargaining certificate for all school boards.
- Minimize the potential for school boards to adversely impact each other in collective bargaining.
- Enable school boards collectively to negotiate contract settlements within their fiscal and economic realities.
- Reduce the duplication in bargaining efforts across the province.
- Enable trustees, administration, teachers and other stakeholders to focus on education rather than collective bargaining.
- Ensure that school boards have flexibility to address local needs.

EMPLOYER BARGAINING ASSOCIATION (EBA)

MEMBERSHIP OF THE EBA

By legislation, all school boards will be members of the EBA. (Policy 7.P.04 adopted FGM 2004)

ROLE OF THE EBA

Guided by the direction provided by school boards the EBA will develop a bargaining mandate, conduct and finalize all negotiations with the Alberta Teachers Association (ATA).

GOVERNANCE OF THE EBA

EBA Representative Assembly:

Each school board will identify a trustee to serve as its liaison to the EBA Representative Assembly. This trustee:

- will be given the authority to act as his/her board's representative to the EBA Representative Assembly.
- will be the communication link between the EBA and his/her school board.

Role

The EBA Representative Assembly is responsible for establishing the constitution, bylaws and policies for the operation of the EBA. **NOTE: At the April 30 Special General Meeting school boards amended this to specify that the EBA will establish the bargaining association's initial constitution and bylaws using a double majority, such that 2/3 of the boards must support it and these boards must collectively educate 2/3 of the students in Alberta.**

The EBA Representative Assembly will provide direction to the EBA Council for development of the bargaining mandate. Within the EBA Representative Assembly, board liaison trustees may meet in groups/clusters to provide input with regard to unique needs.

The EBA Representative Assembly will ratify the collective agreement using a system of one board - one vote and requiring a double majority such that 2/3 of the boards must be in support and collectively, the boards supporting the proposed agreement must represent 2/3 of the students in the province.

The EBA Representative Assembly is responsible for establishing an accountability and communication framework for the EBA.

ASBA, CASS and ASBOA representatives will act as communication links between their respective organizations and the EBA.

The EBA Representative Assembly will elect the EBA Council. The EBA Representative Assembly will elect, on the basis of one board – one vote, a chair who shall also serve as chair of the EBA Council.

(See description of EBA Council)

EBA Council:

Only members of the EBA Representative Assembly are eligible to serve on the EBA Council. To achieve equitable representation for school boards, the Task Force recommends that the EBA Council generally reflect the structure of the ASBA Board of Directors. Therefore:

- each geographical ASBA Zone in the EBA Representative Assembly will elect a representative to the EBA Council on the basis of one board – one vote, excepting metro boards.
- each metro board trustee liaison will automatically be on the EBA Council.

Role

The EBA Council will govern the EBA according to the established constitution, bylaws and policies.

The EBA Council will develop the bargaining mandate.

The EBA Council will oversee negotiations.

The EBA Council will determine if any tentative settlement should be placed before the EBA Representative Assembly for ratification.

Advisors to the EBA Council

The EBA's key negotiator and representatives from ASBA, CASS and ASBOA will advise the EBA Council as required.

Negotiating Team:

Professional negotiators will negotiate on behalf of the Employer Bargaining Association. The negotiating team will also include trustee representation from the EBA Council and as required, will access support resources from CASS, ASBOA or other entities.

RELATIONSHIP TO THE ASBA

The Employer Bargaining Association, related to – but at arms length from – the Alberta School Boards Association, will:

- focus exclusively on teacher bargaining and collective agreement administration.
- have its own governing council.
- utilize existing and contracted ASBA resources.
- levy separate fees from school boards as established by the EBA bylaws.
- will establish, through the EBA chair, a joint communications protocol with the ASBA President.

THE BARGAINING STRUCTURE

- The Task Force recommends a single collective agreement using addenda, appendices and schedules to address unique issues.

- The Task Force strongly recommends that Alberta Commission on Learning Recommendation 81c be adopted through legislation. This recommendation excludes instruction time, class sizes and pupil teacher ratios from any teacher collective agreement. **NOTE: At the April 30 Special General Meeting, school boards reinforced this, passing a resolution calling for legislation to be implemented that will exclude these items from collective agreements**

and saying that implementation of 1DA 04, which sets out the new bargaining model, be subject to this legislation passing.

- The Task Force recognizes the importance of creating venues where local school boards and their teachers can discuss issues that are important to them at the local level. The Task Force recommends every school board establish a process where local issues can be discussed and resolved through policy and other means.

TRANSITION

- The Task Force recommends that government adopt a transition plan to ensure that the actions necessary to establish the EBA and the teacher bargaining model are implemented forthwith, thereby enabling a single collective agreement to take effect September 1, 2006. The Task Force recommends that binding arbitration be used to finalize the first collective agreement if the parties are unable to reach an agreement within a timeframe that would see the new contract in effect September 1, 2006.
- Through legislation, those collective agreements with an expiry date beyond August 31, 2006 should be terminated on the day prior to the commencement date of the first collective agreement between the EBA and the ATA. **NOTE: At the April 30 Special General Meeting school boards changed the Task Force's proposal as follows: provide that all existing collective agreements will continue to be in effect until their duly negotiated expiration date. The single collective agreement provisions between the Employer Bargaining Association and the Alberta Teachers' Association would come into effect upon the expiration of these collective agreements. Legislation would further provide that the conclusion of new collective agreements be embargoed effective June 30th, 2005. If the parties are unable to reach a single collective agreement by September 1, 2006, binding arbitration will be used to conclude an agreement that is effective on that date.**
- There will be an evaluation of the EBA structure and the processes used after the first collective agreement cycle is completed.