

ECONOMIC POLICY COMMITTEE – FRAME OF REFERENCE

Wetaskiwin Regional Division No 11

1. Preamble

This committee shall be called the Wetaskiwin Economic Policy Committee, hereafter referred to as the EPC. It shall prepare for and oversee negotiations and oversee the enforcement of the collective agreement on behalf of the teachers who are employed by the Wetaskiwin Regional School Division No 11.

2. Duties and Responsibilities

The EPC shall exist for the following reasons:

- 2.1 To gather and study data for the purpose of setting objectives for collective bargaining.
- 2.2 To identify and interpret the economic and working conditions needs of teachers.
- 2.3 To effect changes to the collective agreement as negotiated and ratified by the teachers.
- 2.4 To select the Negotiating Subcommittee (NSC) and establish operational guidelines for its effective operation.
- 2.5 To keep teachers of the bargaining unit informed on matters pertaining to the progress of negotiations and the specific details of the collective agreement.
- 2.6 To consult with Teacher Welfare staff officers, district representative, consultants (as assigned) and members of the bargaining unit before, during and after negotiations.
- 2.7 To identify areas of concern for teachers and to provide the necessary assistance and direction in enforcing the provisions of the collective agreement.
- 2.8 To generally exercise leadership in all matters pertaining to collective bargaining.
- 2.9 To refer the dispute to a Representative of the Bargaining Agent (RBA) or may, at any time, request the services of an RBA following appropriate consultation with the membership.

3. Membership

The EPC shall consist of:

- 3.1 Eleven (11) members of the bargaining unit elected pursuant to this Frame of Reference. They shall be the voting members of the EPC.
- 3.2 The district representative and those staff officers and consultants assigned from time to time to the EPC by The Alberta Teachers' Association. They shall be non-voting members of the EPC.
- 3.3 The president of the Local or appointee acting in an ex officio capacity.

4. Election of EPC

Members of the EPC shall be elected at the annual general meeting, or in the 90 days following the ratification of a collective agreement.

5. Executive

The executive officers of the EPC shall consist of the chair, vice-chair and secretary.

6. Duties

The officers, elected from and by voting members of the EPC shall:

- 6.1 Chair—chair EPC meetings, represent the EPC in its relationship with the general membership, attend Local council meetings as required by the Local constitution and request the calling of bargaining unit meetings by the Local president.
- 6.2 Vice-chair—act on behalf of the chair in his/her absence.
- 6.3 Secretary—keeps an accurate record of all EPC meetings and performs such other internal communications functions as may be assigned from time to time.
- 6.4 Absence from three consecutive meetings without reasonable cause or consent will result in that position being declared vacant by a motion of the EPC. The member shall be informed of the committee's decision by the chair.

7. Committees

- 7.1 Negotiating Subcommittee (NSC)—The NSC shall consist of five (5) voting members elected from and by the voting members of the EPC. These members shall engage in collective bargaining with authorized representatives of the Board. The NSC shall select, from its members, an NSC chair.
- 7.2 Grievance Committee—The Grievance Committee shall consist of three (3) voting members elected from and by the voting members of the EPC to represent teachers on the Grievance Committee established by the collective agreement. One of these members shall be from the NSC. The Grievance Committee shall select from among its members a Grievance Committee chair.
- 7.3 The EPC may appoint such other subcommittees as deemed necessary.
- 7.4 A chair shall act only with the consent of a majority of the committee or subcommittee.

8. Term of Office

All EPC members shall be elected for two years, five (5) in odd years and six (6) in even years; the executive and subcommittee members shall be elected annually. When business related to a given collective agreement has not been concluded, terms of office shall be extended until such business has been finalized.

9. Emergency Replacements

Vacancies in any office or subcommittee shall be filled at the next properly called meeting of the EPC.

10. Meetings

- 10.1 Meetings of the EPC shall be called by the chair of the EPC on the chair's initiative or at the request of:
 - 10.1.1 a majority of voting members on the EPC,
 - 10.1.2 a majority of the EPC executive,
 - 10.1.3 the Representative of the Bargaining Agent (RBA),
 - 10.1.4 the chair of the NSC,
 - 10.1.5 the president of the Local

- 10.2 Meetings of the bargaining unit shall be called by the president of the Local on the president's initiative or at the request of the chair of the EPC on the chair's initiative or at the request of:
 - 10.2.1 a majority of the EPC executive
 - 10.2.2 a majority of voting members on the EPC
 - 10.2.3 the chair of the NSC
 - 10.2.4 the RBA or
 - 10.2.5 thirty (30) or more teachers representing at least 10 percent of the membership.
- 10.3 Notice of intent to hold a meeting shall be given to members as soon as possible.
- 10.4 It is the duty of each elected member of the EPC to attend meetings required by the Local association structure for purposes of reporting and communicating.

11. Quorum

A majority of the voting representatives on the EPC shall constitute a quorum.

12. Rules of Procedure

The proceedings of all meetings shall be regulated by the official rules of procedure as published in the *ATA Members' Handbook*, except that the chair shall have full rights to debate and vote as accorded to all other members.

13. Finances

- 13.1 The EPC shall prepare and submit to the Local an annual budget.

14. Preparation Procedure

- 14.1 The EPC shall request and consider suggested amendments to the collective agreement from the membership of the bargaining unit, members of the EPC and Barnett House.
 - 14.1.1 In addition, the EPC may propose suggested amendments to the members of the bargaining unit.
- 14.2 A draft initial proposal of amendments shall be prepared and submitted to the members of the bargaining unit for discussion, amendment and approval.

- 14.3 Subsequent to the procedures outlined above, the EPC shall prepare a final initial proposal for transmission to Teacher Welfare of The Alberta Teachers' Association accompanied by a request for the Association to serve notice to commence bargaining on the Board. The EPC shall provide members of the bargaining unit with a copy of the initial proposal.

15. Negotiating an Agreement

- 15.1 The NSC shall work toward a settlement utilizing the following procedures:
- 15.1.1 they may sign a memorandum of agreement when, in their opinion, the conclusion of such a memorandum of agreement is warranted, or
 - 15.1.2 they may bring a Board offer to teachers, or
 - 15.1.3 they may report back to meetings of the teachers when they are of the opinion that further negotiations are not likely to be productive and may request further instructions.

16. Ratification of the Collective Agreement

- 16.1 A collective agreement shall be ratified by a simple majority of the members of the bargaining unit present at a properly called meeting of that unit, voting in favour of acceptance of the proposed agreement by means of a secret ballot vote.
- 16.1.1 Notwithstanding 16.1, the requirement for a secret ballot vote may be waived provided no member objects.

- 16.2 Members shall register upon entry to the assembly.

- 16.3 Ratification votes shall be conducted consistent with the following agenda:

Call to Order

- Declaration of closed meeting of the bargaining unit
- Introductions
- Explanation of procedures to be used during meeting (voting and other)

History of Negotiations

Presentation of the Issue (eg, board offer, memorandum, etc)

Question Period for Clarification (no debate)

Explanation of Future Procedures, if applicable

Motion on the Issue (eg, Motion to accept the Memorandum of Agreement)

Recommendations to Membership (from EPC, NSC, etc)

Debate on Motion

Vote (by secret ballot, the ballots and ballot boxes are made available at this point and only one ballot shall be accepted from each voter)

Other Business (if votes on other issues are required, the procedures used shall be in accordance with the above items).

- 16.4 Except where time is of the essence the text of proposed amendments to the collective agreement shall be made available in writing to the members of the bargaining unit prior to the meeting.

17. Ratification of this Frame of Reference

This Frame of Reference takes effect and shall become binding upon:

- 17.1 Affirmative vote of a simple majority of the EPC members,
17.2 Affirmative vote by a majority of the teachers of the bargaining unit at a properly called meeting/or Local executive,
17.3 Ratification by Provincial Executive Council.

18. Amendments to this Frame of Reference

Amendments to this Frame of Reference shall be made in accordance with the following procedure:

- 18.1 Notice of motion of intent to amend shall be given at a preceding EPC meeting,
18.2 The amendment shall be approved by a majority of the EPC members,
18.3 The amendment shall be subject to approval by the Local Council after a notice of a motion of intent.
18.4 Amendments may be initiated by the Local Council. Such amendments require:
18.4.1 that notice of motion of intent to amend be given at a preceding meeting of Local Council
18.4.2 consultation with the EPC prior to a vote being taken
18.4.3 approval by a majority of the members of the Local Council
18.5 The amendment shall take effect when ratified by Provincial Executive Council.

19. Provincial Association Intervention

- 19.1 In this section,
- 19.1.1 *investigated officer* means an officer of the economic policy committee whose conduct is under investigation pursuant to subsection (2);
 - 19.1.2 *investigator* is the individual appointed by the table officers pursuant to subsection (2);
 - 19.1.3 *officer* means the chair, vice-chair or secretary of an economic policy committee or any other person appointed or elected to an economic policy committee or a subcommittee thereof;
 - 19.1.4 *Provincial Executive Council* means the executive council as defined in section 11 of the *Teaching Profession Act*;
 - 19.1.5 *table officers* means the Association's officers as defined in Bylaw 35;
 - 19.1.6 *executive secretary* means the chief executive officer of the Association or a person designated by the executive secretary; and
 - 19.1.7 *staff officer* means a member of executive staff designated by the executive secretary.
- 19.2 Suspension or removal from office of officers
- 19.2.1 Where the table officers have or receive information which leads them to believe that an officer:
 - 19.2.1.1 has neglected his or her duties to the extent that the proper operation of the economic policy committee is being negatively affected,
 - 19.2.1.2 is mentally incapacitated,
 - 19.2.1.3 is engaging in corrupt practices,
 - 19.2.1.4 is engaging in financial malpractice or
 - 19.2.1.5 has undertaken activities inconsistent with the principles and policies of the Alberta Teachers' Association,the table officers may initiate an investigation into the conduct of the economic policy committee officer by appointing an individual to conduct an investigation and to provide a written report to the table officers within a specified time with respect to the results of the investigation.
- 19.3 In the course of the intervention under section 19, an investigated officer is entitled to have access to a staff officer for advice.
- 19.4 The table officers may, taking into account the nature of the alleged conduct and the urgency of the matter in question and any submission from the investigated officer, suspend an investigated officer from office pending the completion of the investigation and may terminate the suspension at any time if the table officers conclude that the suspension is no longer warranted.

- 19.5 The table officers may appoint another individual to assume the duties of the investigated officer during the period of the suspension.
- 19.6 The investigated officer may appeal a suspension from office under subsection 19.4 to the Provincial Executive Council by filing a notice of appeal with the executive secretary within 30 days of being notified of the suspension.
- 19.7 If an investigated officer appeals his or her suspension, Provincial Executive Council shall, as soon as practicable, consider representations of the table officers and the investigated officer and shall determine if the suspension should be continued pending the conclusion of the investigation or should be set aside.
- 19.8 During the investigation the investigated officer shall be provided with an opportunity to provide a response to the investigator with respect to the concerns about the investigated officer's conduct.
- 19.9 An investigated officer may, in the course of the investigation, submit his or her resignation to the executive secretary.
- 19.10 Where an investigated officer resigns in accordance with subsection (9), the investigation shall be continued with the cooperation of the investigated officer and the resignation does not extinguish any liability that the investigated local officer may have with respect to acts which occurred during the period the office was held.
- 19.11 The investigated officer has a duty to cooperate during the investigation and the investigator may direct the investigated officer or any other member of the Alberta Teachers' Association to
 - 19.11.1 answer any inquiries the investigator may have relating to the investigation;
 - 19.11.2 produce any records or other property in the investigated officer's possession or under his or her control that are or may be related in any way to the investigation;
 - 19.11.3 give up possession of any record for the purpose of allowing the investigator to make a copy and return the records within a reasonable time of receiving the records; and
 - 19.11.4 attend before the investigator for the purpose of complying with 19.11.1, 19.11.2 or 19.11.3 of this subsection.
- 19.12 In the event that the investigated officer fails or refuses to cooperate with the investigator, the failure to do so shall be noted by the investigator in his or her report to the table officers.
- 19.13 Upon completion of the investigation, the investigator shall submit a written

report to the table officers and a copy of the written report shall be provided to the investigated officer.

- 19.14 The table officers, upon consideration of the report of the investigator, may make one or more of the following orders:
- 19.14.1 remove the investigated officer from office;
 - 19.14.2 restrict the investigated officer's eligibility for office in the future;
 - 19.14.3 if the investigated officer was suspended during the investigation, reinstate the investigated officer to office and impose any conditions or restrictions that the table officers consider appropriate in the circumstances;
- and shall advise the investigated officer and Provincial Executive Council of their decision.
- 19.15 If the table officers remove the investigated officer from office, then the table officers may appoint another individual to assume the duties of the investigated officer until a new officer is elected or appointed to the position in accordance with this frame of reference.
- 19.16 The investigated officer may appeal the decision of the table officers under subsection 19.14 by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.
- 19.17 If an investigated officer appeals the decision of the table officers, Provincial Executive Council shall, as soon as practicable, consider representations of the table officers and the investigated officer and shall determine if the decision of the table officers shall be confirmed, varied or set aside.
- 19.18 In an appeal under subsection 19.7 or 19.17, the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.
- 19.19 Official Trustee
- Subject to a two-thirds majority vote, Provincial Executive Council may appoint an official trustee to conduct the affairs of the economic policy committee, subject to any terms and conditions the Provincial Executive Council considers necessary:
- 19.19.1 when the economic policy committee fails to comply with the requirements of section 19.2;
 - 19.19.2 when the economic policy committee fails to comply with the requirements of section 19.13;
 - 19.19.3 when the Provincial Executive Council considers it in the interests of the Association to do so.

- 19.20 The economic policy committee may appeal the appointment of an official trustee to a representative assembly.
- 19.21 An official trustee appointed under subsection 19.19 has the powers and duties conferred by the General Bylaws on an economic policy committee and conferred by this frame of reference;
- 19.22 On appointment of an official trustee to the economic policy committee, the officers of the economic policy committee cease to hold office as officers of the economic policy committee.
- 19.23 An official trustee continues in office until the Provincial Executive Council or a representative assembly determines that the official trusteeship is no longer necessary.

20. Effective Period

This Frame of Reference shall be in place for as long as bargaining is conducted at the Local level. Upon appointment of a Representative of the Bargaining Agent (RBA), it shall be superseded to the extent required by the procedures established by Provincial Executive Council for bargaining at the RBA level.

[Ratified by membership 1994 11 07; Provincial Executive Council (PEC) 1995 01 19]

[Amended and Ratified by Local Council 2004 03 30; PEC 2004 05 06-07]

[Amended by PEC 2007 09 21]

[Amended by membership 2008 12; Ratified by Local Council 2009 03 26; PEC 2009 04 09]

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