

QUFA Protocol
Regarding Authority and Process for Collective Bargaining
(Revised September 20, 2010)

This protocol is designed to clarify the process by which decisions related to collective bargaining are made within and by the Queen's University Faculty Association.

1. Membership

The Association is the sole bargaining agent for members of the Faculty, Librarian and Archivists (FLA) Bargaining Unit and the Queen's School of Religion (QSR Bargaining Unit. In 2007, members in QUFA's Faculty, Librarian and Archivist (FLABU) and Sessional Adjunct (SABU) Bargaining Units amalgamated to form the current FLA Bargaining Unit. The QSR Bargaining Unit certified in 2009 under the aegis of QUFA. Membership in each bargaining unit is defined in the respective Certificates issued by the Ontario Labour Relations Board. There are two types of QUFA memberships; membership in the Bargaining Unit and membership in the Association.

A) Membership in the Bargaining Units

Faculty, Librarians and Archivists and Contract Academic Staff (Adjuncts) covered by the amalgamated Collective Agreement of 2008-11, are members of the FLA Bargaining Unit. All Queen's University Faculty (with a few exceptions, e.g. clinician faculty who are members of the OMA and therefore excluded by the OLRB) are automatically members of the FLA Bargaining Unit. Faculty in the Queen's School of Religion, who are still bargaining for their first collective agreement as of late August 2010, are members of the QSR Bargaining Unit. Members of the Bargaining Units can vote on their respective Collective Agreements: ratification and strike action.

Dues are deducted automatically by the University's Financial Services.

B) Membership in the Association (Union)

Membership in the Association is open to all members of the Bargaining Units.

Membership is voluntary and may be obtained by completing an application form and ensuring that it has been received by the QUFA office. No additional payment of dues is required to become a member of the Association. Members can participate in the day-to-day decision making processes of the Association by being elected to hold an office on the Executive Committee or on the Council of Representatives, or by serving on the Negotiating Team and/or on supporting committees. Members of the Association may vote on the election of officers and on policy matters of the Association at general meetings.

In addition to those members of the Bargaining Units consisting of the Faculty, Librarian, and Archivist, and the Term Adjuncts [some formerly known as Sessional Adjuncts and some who were Term Adjuncts in the FLA bargaining unit] and the Queen's School of Religion (QSR) Bargaining Unit, membership in the Association is open to clinical faculty in the Faculty of Health Sciences who are eligible for membership in the Clinical Teachers' Association of Queen's University (CTAQ), and to such other groups as the Association may determine.

2. **Enabling Power or Authority**

A) Members of the Bargaining Units have the power or authority to accept or reject a negotiated Collective Agreement for their respective bargaining unit. Ratification of a negotiated Collective Agreement shall be conducted by secret ballot.

B) Members of the Queen's University Faculty Association have the power or authority to delegate authority to run the affairs of the Association and manage the negotiated contracts. Members of each Council unit have the power to elect Council representatives. Members of the Association have the power to elect Officers of the Association, the right to convene special meetings, and alter the Constitution, under the authority provided by the QUFA Constitution.

- C) All members of the Bargaining Units may attend meetings of their respective Bargaining Unit, which may be convened to present negotiating objectives in principle or to ratify a proposed Collective Agreement, or vote on a request for strike or other action.
- D) Progress reports on negotiations may be presented as part of the agenda at regular general meetings of the Association which are open only to members of the Association. When this is the case, members of the Bargaining Units who are not members of the Association may attend with the permission of the Association membership then in attendance at the meeting. Special general meetings called solely for the purpose of progress reports on negotiations or a vote on a request for strike or other action for their Bargaining Unit are open to all members of the respective Bargaining Unit.

3. **Delegated Authority**

A) The Executive Committee

Under the QUFA Constitution, the Executive Committee of the Association has the responsibility to select and appoint and, if necessary, remove or replace the members of a Negotiating Team. The Executive Committee must report the composition of a Negotiating Team to Council for approval. Under the QUFA Constitution, the Executive Committee is responsible for supervising the work of a Negotiating Team and approving bargaining positions and strategies recommended by a Negotiating Team. Accordingly, the responsibility for instructing a Negotiating Team rests with the Executive Committee.

B) The Negotiating Team

The Negotiating Team for the Bargaining Unit will choose its own spokesperson(s) and recorder(s). The QUFA President and other members of the Executive or staff, and selected members of the Bargaining Unit, may, on the invitation of the Negotiating Team, attend at the negotiating table from time to time as observers or experts on particular negotiating issues.

The Negotiating Team has the sole authority to represent the Bargaining Unit in Collective Bargaining negotiations with the Employer. The Negotiating Team will develop proposals supported by the Executive Committee, and consult regularly with and take instruction from the Executive Committee as to general strategy and responses in principle to proposals from the Employer.

C) The Council of Representatives

Upon recommendation by the Executive Committee and the respective Negotiating Team, and in accordance with the QUFA Constitution, the Council will be asked to approve general collective bargaining principles, as well as approving a Collective Bargaining Protocol. However, the authority to instruct the Negotiation Team rests with the Executive. The Council also serves as a mechanism for communicating information from the Executive Committee to the general membership, and vice versa.

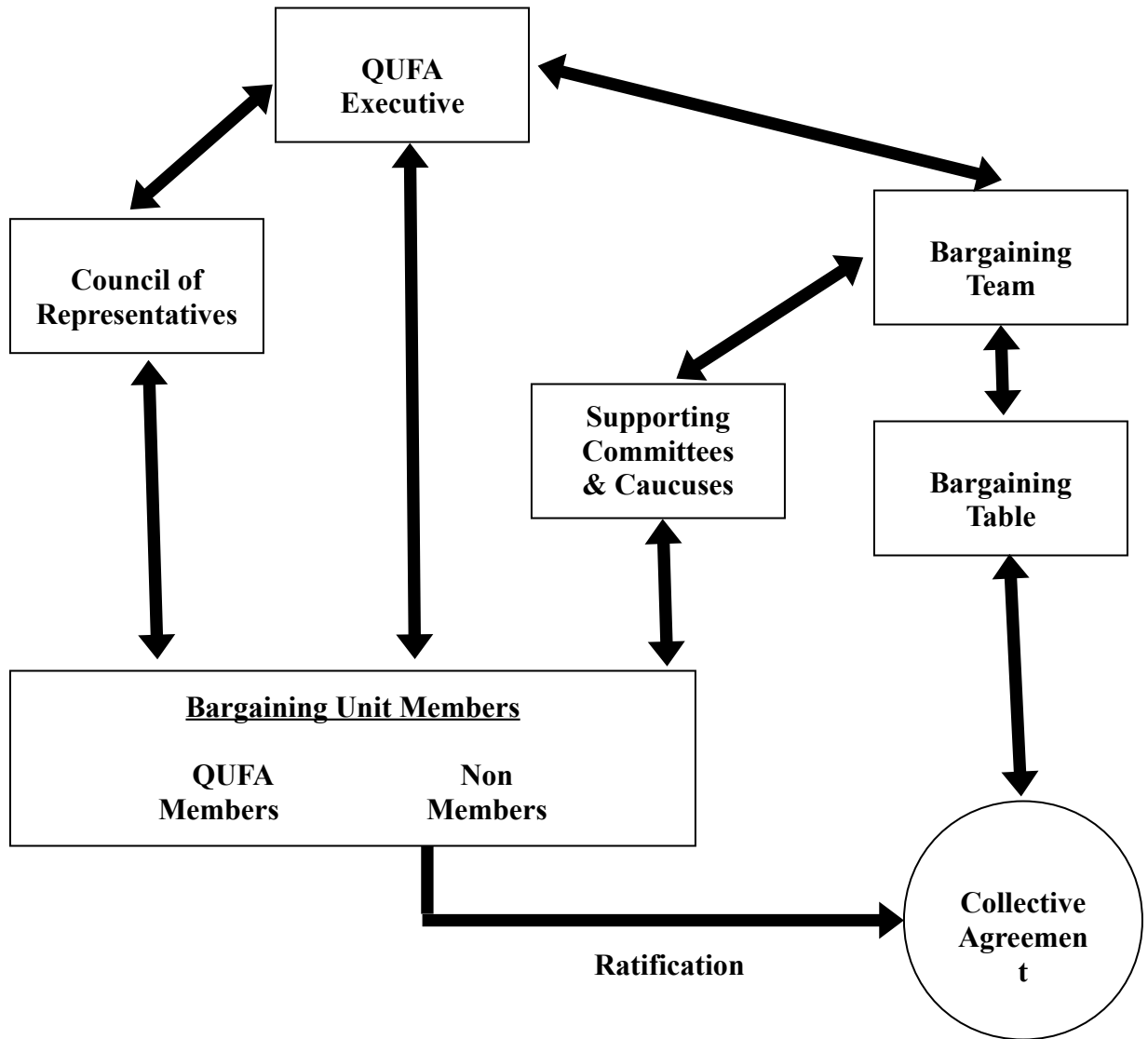
4. **Supportive Committees**

Any committees to support negotiations, such as a Normative Issues Advisory Group or a Compensation and Benefits Advisory Group, shall be appointed by the Executive and announced to the Council of Representatives. From time to time, the Executive and Bargaining Team may adopt other mechanisms for consulting the general membership, such as caucus meetings, focus groups, and surveys, etc.

5. **Reporting Structure**

- A) Prior to the start of negotiations, the Negotiating Team shall present a list of bargaining objectives to the Executive for approval.
- B) During the period that a Collective Agreement is being negotiated, a representative of the Negotiating Team will regularly attend meetings of the Executive Committee to report on the development of proposals and the progress of negotiations with the Employer.
- C) Substantive changes in normative or economic provisions will be presented to the Executive Committee for approval.

- D) Regular negotiations reports will be provided to Council, and Council feedback will be solicited on a regular basis. Any oral or written reports to Council or to the membership during the negotiating process will be presented only by the President, the Executive Committee, or, delegated to a member of the Negotiating Team. Detailed discussions of such negotiation reports shall be kept confidential.
- E) When the Negotiating Team determines that negotiations have concluded, members of the Team will present the draft Collective Agreement to the Executive Committee. The Executive Committee may direct the Negotiating Team to return to the table to continue negotiations or the Executive Committee may forward the draft Collective Agreement to the Council of Representatives with a recommendation to either accept or reject it. Council members may then vote on whether to accept the recommendation of the Executive. Council may choose to vote to abstain. After hearing from Council, the Executive can decide whether to present the draft Collective Agreement to the membership or direct the Negotiating Team to return to the table. After Council has voted, the Executive will present the draft Collective Agreement and the recommendations of both the Executive and the Council to Members of the Bargaining Unit. Bargaining Unit Members will then vote by secret ballot whether to ratify or reject the draft Collective Agreement.



This flow chart applies to both the FLA and QSR bargaining units.