

**Section 18 - Negotiations**  
**18.8 - Municipal Property Assessment Corporation (MPAC)**

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MPAC Negotiating Procedures

In accordance with Article 24.1.1 of the Constitution, the following negotiating procedures have been adopted by the Executive Board based on the submissions of the Municipal Property Assessment Corporation ("MPAC") Bargaining Unit of OPSEU.

(Convention 2002; May 15-16, 2002 B, p.20)

I. Purpose and Structure

1.1 The MPAC Bargaining Unit (BU) consists of the employees in the Municipal Property Assessment Corporation bargaining unit represented by OPSEU. Only OPSEU members in good standing may take part in the activities of the Sector, although by law all employees in the unit may vote on collective agreements negotiated for them by the Union.

1.2 The MPAC BU carries out its mandate through:

- (a) local demand setting meetings
- (b) pre-bargaining conference
- (c) final demand setting meetings of local delegates
- (d) a Union Management Committee (hereinafter referred to as the UMC, elected by the Bargaining Team (in accordance with the Property Assessment Sector By-laws)

1.3 The UMC shall act as a negotiating team with respect to all matters arising out of the collective agreement with the employer. It shall act with respect to all matters arising out of the collective agreement during its term, and other matters affecting the bargaining interests of the members.

1.4 After the Bargaining Team is elected it will assume the role of the UMC until a collective agreement is ratified by the membership and implemented.

2. The Pre-Bargaining Conference (PBC)

2.1 Prior to the official notification to bargain a new Collective Agreement the UMC, in consultation with the President, shall convene a Pre-Bargaining conference (PBC).

2.2 Each local of the MPAC BU shall send delegates according to the following formula:

- 1 to 50 MPAC BU members—1 delegate;
- 51 to 98 MPAC BU members—2 delegates;
- 99 and over MPAC BU members—3 delegates.

All delegates shall be elected by a clear majority of the members voting at an MPAC Unit membership meeting. In a composite local, only members from the MPAC BU unit are entitled to be delegates.

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Delegates shall be responsible for representing their local during the entire bargaining process, including responsibility for reading, reviewing, summarizing and communicating bargaining information at the local level.

- 2.3 Each local shall also elect alternates up to the number of delegates to which it is entitled. Attendance by alternates at the PBC shall be at the expense of their local, except where they are replacing a delegate who is unable to attend. Alternates shall have voice but no vote, and shall be identified separately from the delegates (unless the alternate is replacing a delegate in which case the alternate will then have full delegate status).

The delegates and alternates to the Pre-Bargaining Conference and the Final Demand Setting meeting, except in extenuating circumstances, shall be the same delegates/alternates for both meetings.

- 2.4 The UMC & Sector Executive shall also be delegates in their own right, in addition to their local delegate entitlement as determined by Art. 1.2.
- 2.5 An Executive Board member who is a member of the MPAC BU may attend with voice but no vote unless he/she is a delegate in his/her own right by virtue of being a delegate from his/her local or is a member of the UMC/Sector Executive.
- 2.6 Union staff, as assigned by the President, shall also participate with voice but no vote.
- 2.7 The purpose of the PBC shall be to examine in depth a number of broadly-based issues that are relevant to the forthcoming round of negotiations, develop themes for consideration at local demand setting meetings, and, generally, give guidance and a sense of direction to the delegates. The delegates will elect the negotiation team.
- 2.8 The PBC shall be chaired by the President of the Union or his/her designee.
- 2.9 The delegates shall elect (in accordance with Articles 4.6 and 4.7) five (5) members and 3 alternates to the MPAC Negotiation Team (Team). The Team will elect the chairperson and vice-chair.

3. Local Demand Setting

- 3.1 Following the PBC, the Local President or the highest ranking MPAC official from a composite or multi-unit local, shall be notified to convene a local membership meeting for the purpose of setting bargaining proposals and establishing priorities.
- 3.2 With the notice there shall be an information kit, written in plain language and containing, among other things:
- a copy of these procedures;
  - instructions on how and when to hold the meetings;
  - background information on the economic and political context of the forthcoming negotiations, as appropriate;
  - forms on which to record proposals (with supporting documentation);

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- a summary of the recommendations from the PBC
  - Delegate/alternate credentials
- 3.3 If the Local's delegate(s) to the PBC are not among the two top local officers mentioned in 3.1 above, such delegate(s) shall also receive a copy of the kit. It is the responsibility of the delegate(s) and local officers to bring the results of the PBC before the members at the local demand setting meeting for their information and consideration.
- 3.4 Normally, proposals shall be presented in person by the members attending the local demand setting meeting. However, proposals and supporting documentation may be submitted in writing, to the Chair of the meeting, in advance, by members unable to attend.
- 3.5 The only proposals that will be considered official are those that are adopted by majority vote of the local membership meeting, entered on the appropriate forms, signed by the delegate(s) to the PBC to show they are the local's official proposals, and sent with supporting documentation to arrive at the Collective Bargaining Department at OPSEU Head Office by a date to be determined by the UMC and the Collective Bargaining Department.
- 3.6 Delegate/alternate credentials for those attending the final demand setting meeting shall be included with the proposals sent to Head Office to provide sufficient accommodation, seating, documents and other materials for the delegates and alternates.
4. Final demand setting
- 4.1 The delegate entitlement for the final demand setting meeting is the same as prescribed for the Pre-Bargaining Conference (Article 2).
- 4.2 Bargaining proposals that meet the requirements set out in 3.5 above shall be compiled into kits for the final demand setting meeting. The kits shall be prepared with input from the Team and from union staff, and may include recommendations. Head Office shall endeavour to mail out the kits so that they will reach the delegates at least one (1) week before the meeting.
- 4.3 Notice to bargain shall be given to the employer as required.
- 4.4 On a weekend determined by the Team, a final demand setting meeting shall be convened. A proposed agenda shall be developed by the Team and voted on by the delegates at the start of the meeting.
- 4.5 The delegates shall discuss and adopt their final demands.
- 4.6 An Executive Board Member who is a member of the MPAC BU may attend with voice but no vote unless he/she is a delegate in his/her own right by virtue of being a delegate from his/her local or is a member of the Team/Sector Executive.
- 4.7 Any member in good standing may stand for election regardless of whether or not he/she is a delegate to the meeting provided there is a nomination received in writing. The nomination must be signed and dated by both the nominator and the nominee and in the hands of the person

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chairing the meeting prior to the election taking place. Nominations may also be made from the floor. A nominee who is ineligible/unable to attend the meeting shall remain eligible to be a candidate provided that he or she follows the nomination procedure above.

- 4.8 Nominees in attendance as delegates/alternates shall be given up to three minutes to address the delegates about their candidacy. Those ineligible/unable to attend may have their speech read by a delegate or alternate attending the meeting.

5. Quorum and Majority

- 5.1 The quorum for all provincial meetings referred to in these procedures shall be fifty (50%) per cent of the delegates who have registered for the meeting in question, in accordance with Convention procedures.

- 5.2 All delegates, standing committee members, and alternates shall be elected by a majority (more than fifty per cent) of those present and voting, except for the automatic delegates as per Article 2.2.

- 5.3 For any local demand setting and/or MPAC unit membership meeting the quorum shall be as per the Constitution.

6. Negotiations

- 6.1 The chairperson (or in the chairperson's absence, the vice-chairperson) of the Team shall:
- a) chair all meetings of the team;
  - b) draft negotiation reports with the team and the staff negotiator to be sent to all members of the bargaining unit during negotiations.
  - c) be responsible for the orderly conduct and discipline of the team;
  - d) explain allowable expense claims for the team in light of Union policies;
  - e) in emergency situations, using discretion, provide food, refreshments and incidentals for the team during negotiation sessions (such expenses to be accompanied by receipts);
  - f) not make a decision regarding the employer's offer without a vote of the team.
- 6.2 The staff negotiator may lead the groups discussions while the team is in caucus.
- 6.3 Members of staff assigned to negotiations may attend all official meetings of the team.
- 6.4 Any contract negotiated with the employer in the name of the Union shall be ratified in accordance with the Labour Relations Act, and signed by the President of the Union.

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General Protocol and Team Conduct

All members of the bargaining team are reminded that they represent the Union and the membership while at the table with the employer, and are expected to govern themselves accordingly at all times.

Solidarity and Dissent

The policy regarding solidarity and dissent contained in OPSEU policy will be followed.

NOTE: Any amendment to these Negotiation Procedures may result in an amendment to the Property Assessment Sector By-laws.

(Convention 2002, p.20)