

BARGAINING FORMAT

1. There shall be a program known as the “Energy and Chemical National Bargaining Program”.
2. The National President shall be responsible for the implementation of the program and shall have full authority to direct participating Locals and Bargaining Units in the necessary action to conclude the program successfully.
3. A senior staff member shall be assigned to co-ordinate the program and will be known as the “Energy and Chemical National Bargaining Program Coordinator”.
4. Locals and Bargaining Units will receive early advice of the pre-bargaining conference in order that they may submit suggested proposals to be included in the Energy and Chemical National Bargaining Program.
5. There will be a pre-bargaining conference at least six (6) months prior to the expiry date of the main agreements.
6. Locals or Bargaining Units participating in the conference will be by invitation from the National Office. The criteria will be:
 - i) Common interests
 - ii) Units affected directly by settlements achieved in plants or locations other than their own
 - iii) Wage rates
 - iv) A Unit’s desire or ability to adopt a common program
 - v) Previous participation
7. A three day Pre-Bargaining Conference will be held as follows:
 - (A) The Energy and Chemical National Bargaining Format will be adopted on the first day of the conference. In addition, there will be a review of the Bargaining Format to clarify the process, the functions of the committees, and the responsibilities of the Locals and Bargaining Units in the program.
 - (B) Nominations and elections for the Advisory Committee will be conducted on the first day of the conference before the committee goes into caucus to draft bargaining proposals.

The Advisory Committee will be elected from voting delegates as follows:

British Columbia	1 Member
Alberta	1 Member representing the oil industry 1 Member representing the chemical industry
Saskatchewan	1 Member
Ontario	1 Member representing the oil industry 1 Member representing the chemical industry
Québec	1 Member
Atlantic	1 Member
Gas Processing	1 Member
Oil sands	1 Member

Should the above structure result in a delegate not being elected as a representative from Imperial Oil, Shell or Suncor, the delegates from the unrepresented groups will select a member to serve on the committee.


The members of the Advisory Committee are elected by delegates of their particular caucus. In the case of a tie score, after two rounds of voting, the result will be determined by the flip of a coin.

Members of the Advisory Committee will be the voting delegates representing their local/bargaining unit.

- (C) There will be an economic presentation on the first day of the Conference.
- (D) The proposals made by Local Unions and Bargaining Units will be researched and dealt with on the first day of the Conference.
- (E) The second day of the Conference will provide time for the Advisory Committee to prepare a recommended bargaining program.

Other delegates will attend an organized education program.

- (F) The third day of the Conference will deal with the Advisory Committee recommendations and adopt a bargaining program.
8. (A) The Pre-bargaining conference will establish a policy to be recommended to participating Locals and Bargaining Units.

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- (B) The National Bargaining program will deal only with issues such as wages, term, union programs and other economic and employment security issues that are common to the participants in the program.
- (C) In the event that a company does not volunteer to meet the National Bargaining Committee for the purpose of negotiating the program, the Bargaining Committee, in consultation with the Advisory Committee, will select a target at one or more locations. The selection will be made taking into account these criteria:
- The target company should have national significance
 - The company should be representative of the economic situation facing a majority of participating locals and bargaining units
 - The membership at the target company are well prepared to be the pattern setters and agree by a specific membership vote to assume this responsibility
- (D) If a target company is selected, the National Bargaining Committee will participate in the bargaining and the National President or designate will act as spokesperson on the agenda items adopted at the Pre-Bargaining conference.
9. Locals or Bargaining Units will vote on the proposed program and promptly advise the Program Coordinator of the results. An affirmative vote to adopt the bargaining program will be the Local Union's acceptance of the National President's authority. If necessary the Local or Bargaining Unit will be expected to deliver a strike vote under the applicable Federal or Provincial legislation.
10. (A) The Advisory Committee will remain constituted until the next Pre-Bargaining Conference.
- (i) If a vacancy occurs on the Committee for any reason following the pre-bargaining conference, the Committee will decide if the vacancy should be filled.
 - (ii) If a replacement is to be made then the region/group in which the vacancy occurs will select its replacement.
- (B) An Advisory Committee member elected from a bargaining unit which does not ratify the National Bargaining Program, will be replaced, as in 10 (A) above.
- (C) The Advisory Committee will select from the committee a member from the volunteer or target pattern setting company to sit on the National Bargaining Committee at all bargaining sessions.
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- (D) The National Bargaining Committee will consult with the Advisory Committee throughout the bargaining process by meetings or teleconferencing as required by the National Bargaining Committee.
- (E) All Locals and Bargaining Units participating in the National Bargaining Program are responsible for the costs incurred by the Advisory Committee members and will be billed on a per capita basis capped at 1,000 members for reimbursement to the Locals incurring the expense.
- (F) The Advisory Committee will review the proposed offer of settlement prior to the scheduling of the National Ratification Conference.
- (G) The Local or Bargaining Units from the company affected will be notified by the National Bargaining Committee about the details of the settlement prior to the start of the ratification conference.
- (H) No one other than the Energy and Chemical National Bargaining Conference shall be advised of any offer except as provided in (F) above.
- (I) The Bargaining Conference delegates will vote, by secret ballot, on the National Bargaining Committee recommendation. The vote shall determine whether the Bargaining Conference recommends settlement to the participating Locals and Bargaining Units.
- (J) The Advisory Committee will review the bargaining process and report its findings to the delegates at the Ratification Conference for discussion.

11. Conference voting procedures for each Bargaining Unit are as follows:

1 – 500 members	1 voting delegate
501 – 1000 members	2 voting delegates
1001 – 1500 members	3 voting delegates
1501 – 2000 members	4 voting delegates
2001 + members	5 voting delegates

12. The National President reserves the right to call a National Conference whenever it is considered that there is sufficient reason to do so – e.g. planning, strategy, rejections, etc.

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13. Locals or Bargaining Units that vote not to participate in the Energy and Chemical National Bargaining Program shall be permitted to attend future conferences of that program year without vote. They shall be permitted voice only and their intervention shall be limited to once at each conference.
 14. The National Bargaining Settlement shall be considered as a final settlement not subject to amendments by participating Local Unions and Bargaining Units. This will not include “catch up” improvements nor result in the reduction of any current conditions that may be contained in current collective agreements.

Locals that try to exceed the National Bargaining Settlement shall be considered out of the Program and will not be eligible for strike pay.

NOTE: This last paragraph does not apply to Local Unions or Bargaining Units that may take strike action to resolve local issues, nor attempt to “catch up” to previously negotiated National Bargaining Standards. It is expected that close consultation with the National Representative assigned and the National Bargaining Committee will take place prior to such an occurrence.

15. All tentative settlements shall be reported to the assistants responsible for bargaining and the National President before Local Union or Bargaining Unit ratification votes proceed.

In the event that the National president finds a tentative settlement to be inconsistent with the pattern or detrimental to the National Bargaining Program, the President shall be empowered to delay ratification of that proposed settlement.

Amended May 27, 2014 (Montréal)

