

Sample Terms of Reference

Public Service Alliance of Canada (the Union)

and Company A (the Employer)

Joint Union-Management Consultation Committee (UMCC) adopted by the UMCC (insert date here)

Purpose of the Joint UMCC:

- The purpose of the Joint UMCC is to work toward the collective interests of the parties in a positive work environment that promotes the principles of Labour-management relations which reflect the highest regard for those the parties represent.

Structure:

- The Joint Union-Management Consultation Committee (UMCC) consists of an equal number of PSAC and management representatives, not to exceed a total of (insert number here) committee members. The committee should be representative of the geographical make-up, various branches, and sections of the organization where PSAC members are located. In addition, committee make-up should reflect language diversity, occupational categories, applicable bargaining units, and equity-seeking group representation.
- The Joint UMCC will endeavour to hold meetings at such times that include all representatives. However, meetings will not take place without a quorum of at least (insert # here) representatives from each party.
- Co-Chairpersons are appointed, one for The Employer and one for the PSAC. The Co-Chairpersons are included in the committee representatives from each party on the Joint UMCC.
- Consistency regarding representation on this committee is important in ensuring a viable working committee. Therefore, when committee members are replaced, the parties will guarantee that a thorough and complete orientation is provided for each new committee member.

UMCC Mandate:

- The parties are mandated by their contractual agreement; article(s) (insert article(s) here) to “consult on areas of concern to both parties”.
- This committee is committed to consultation as a regular aspect of the development of policies and practices in those work-areas and workplaces where PSAC members from the above noted units are represented. For clarification, this means that the parties are committed to full disclosure, at the earliest possible opportunity and to the maximum extent possible, of actions, or contemplated actions, with the view of ascertaining the full implications of those actions on the legitimate interests of the other party, and to resolving any problems which are identified.
- Further, the parties agree to work together in anticipation of outside decisions, influences, and/or trends that may impact the work or work environment of those they represent.

- To be effective, consultation must take place in an atmosphere of good faith, mutual respect, and trust.

Co-chairperson Responsibilities

- The appointed Co-Chairpersons will share the responsibility of chairing Joint UMCC meetings on an alternating basis. They will also assume responsibility for the conduct and participation of their respective members.
- Co-Chairpersons responsible for chairing will obtain input for the meeting agenda and ensure that it is distributed, along with relevant documentation, in advance of the meeting date.
- Co-Chairpersons will have the responsibility for decision-making where time sensitive issues arise between meetings. It is expected that these decisions will have the appropriate support of respective committee members.
- The Co-chairpersons will be responsible for communication with their respective representatives on the Joint UMCC, including keeping their representatives informed of ongoing issues and discussions between Joint UMCC meetings.

UMCC Members Roles and Responsibilities:

- Members of the Joint UMCC will ensure that they are properly informed on issues being discussed at each meeting.
- Members of the Joint UMCC will undertake to obtain/provide information, guidance and direction from/to the individuals and groups they represent.
- The Joint UMCC is responsible for any communication requirements concerning the status and progress of their work. The parties agree to provide timely reports in a format and manner to be determined and jointly agreed to, on a regular basis, but at a minimum, after each Joint UMCC meeting. All joint communication from the Joint UMCC will be released in both official languages simultaneously.
- The Joint UMCC may create sub-committees with equal participation from both parties to investigate specific areas, and to formulate recommendations to the appropriate parties for action.

UMCC Process:

- Joint UMCC members are expected to fully participate, including offering differing perspectives and/or dissenting opinions. Such discussions will be held in a thoughtful and respectful manner. Each committee member will make every effort to hear all the views and perspectives tabled and to thoroughly explore all issues and concerns with an open and creative approach to jointly resolving problems and addressing concerns.
- The Joint UMCC will seek to operate on a consensual basis whenever possible. Where all avenues for consensus have been exhausted and issues remain outstanding, the Joint UMCC will note, in its proceedings and minutes, any issues that require referral to another committee for further action or any points of disagreement.
- In the event of a serious dispute, or the inability for committee members to reach a decision on the interpretation of these Terms of Reference or on key issues that might impede the progress of the

work of the Joint UMCC, the committee may decide to call upon a third party to mediate and settle the dispute.

- The Joint UMCC will hold meetings on an as-needed basis but no less than once every three months. Joint UMCC meetings should be scheduled in blocks (2-3 in advance) and should be considered a priority responsibility for all committee members.
- The parties will endeavour to respect identified priorities and timeframes set out on meeting agendas. Suggested adjustments to the agenda during the meeting should be agreed upon by the parties accordingly.
- All members appointed to the Joint UMCC will be provided with paid leave to allow them to prepare for, participate in, and follow-up on, meetings of the Joint UMCC.

Meeting Preparation:

- Where possible, the parties agree to share pertinent information related to issues being addressed at the meeting, at least two weeks in advance of each meeting.
- Committee members agree to meet with their respective representatives, in advance of each meeting, to discuss how to address issues on the agenda. Where possible, questions and/or concerns regarding agenda items will be forwarded to the other party far enough in advance of the meeting to provide time for committee representatives to prepare for a meaningful and effective dialogue and problem-solving process.
- The parties agree to consult with appropriate individuals, committees, and/or groups, to ensure that they have the mandate and support for the positions they bring to Joint UMCC meetings.

Meeting Agendas:

- Finalizing and distribution of the meeting agenda is the responsibility of the Co-Chairperson who will be chairing the meeting.
- Prior to distribution, both Co-Chairpersons will prioritize and allocate proposed timeframes to each agenda item.
- Agenda items should reflect the purpose and mandate of the Joint UMCC.

Minute-taking:

- Minute-taking will alternate with responsibility for 1st draft allocated to the party whose Co-Chairperson is responsible for chairing the meeting.
- All UMCC minutes will be reviewed by the parties and approved jointly by the Co-Chairpersons.
- Minutes will be finalized and distributed as soon as possible after a UMCC meeting but no later than four (4) weeks after a meeting has taken place.
- Minutes will be factual and unbiased, reflecting key positions and contributions of the parties, as well as final decisions and/or further action required.

Follow-up:

- The parties agree to allocate adequate time and resources to ensure follow-up of commitments made at or between UMCC meetings. Where, in extraordinary circumstances, committee members are unable to meet their commitment(s), they should undertake the responsibility of informing their respective Co-Chairperson who will then delegate such responsibilities to another representative of their party on the UMCC.
- The parties agree to refer pertinent discussion/decisions to applicable joint committees and/or other levels of consultation where they are better suited to deal with such issues.
- The parties agree that where decisions are made jointly at the UMCC, they will support such decisions fully and completely when reporting to and working with those individuals and groups that they represent.

Administrative Support for the Working Group:

- Where needed, administrative support related to the functions and activities of the UMCC will be resourced from the Human Resources Section. Direction to resourced staff will be given exclusively by the Employer Co-Chair to the UMCC.

Agreement to Terms of Reference:

- The parties agree that from this day forward, they will respect the principles, guidelines, and agreements herein during their work together on the Union-Management Committee.

Signed on behalf of the parties by,

_____ PSAC Co-Chair
 Employer Co-Chair

on _____ (date signed)