

## Slide 1

### Chapter Sixteen: Labour Relations

## Slide 2

### Introduction to Labour Relations

**Labour-Management Relations:** ongoing interactions between:

- labour unions
- management

**Labour Union (Union):** officially recognized association of employees:

- in similar trade
- employed in same company/industry
- collective voice in dealings with management

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### Management's Labour Relations Strategy

- Union acceptance strategy
- Union avoidance strategy
  - Union substitution
  - Union suppression

## Slide 4

Canada's Labour Laws: Objectives	
<b>To provide a common set of rules for fair negotiations</b>	<b>To ensure protection of the public interest</b>

## Slide 5

Canada's Labour Laws: Jurisdiction	
<b>Provincial/Territorial (13 jurisdictions)</b>	<b>Federal (1 jurisdiction)</b>
90% of labour-management relations	10% of labour-management relations

## Slide 6

Labour Legislation – Commonalities
<ul style="list-style-type: none"><li>• certification procedures</li><li>• minimum one year collective agreements</li><li>• procedures preceding legal strike/lockout</li><li>• no strikes/lockouts during life of contract</li><li>• interpretation disputes settle by binding arbitration</li><li>• prohibition of unfair labour practices</li><li>• labour relations boards to enforce legislation</li></ul>

## Slide 7

The Labour Movement in Canada Today		
Types of Unions		
Type of Worker Eligible for Membership	Geographic Scope	Labour Congress Affiliation
<ul style="list-style-type: none"><li>• craft</li><li>• industrial</li></ul>	<ul style="list-style-type: none"><li>• international</li><li>• national</li><li>• local</li></ul>	<ul style="list-style-type: none"><li>• CLC</li><li>• CSN</li><li>• AFL-CIO</li></ul>

## Slide 8

Labour Movement: Current Challenges
<ul style="list-style-type: none"><li>• global competition and technological change</li><li>• privatization and unionization of white-collar employees</li><li>• innovative workplace practices</li></ul>

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The Labour Relations Process
<ol style="list-style-type: none"><li>1. Employees seek collective representation</li><li>2. Union organizing campaign begins</li><li>3. Official recognition of union</li><li>4. Collective bargaining</li><li>5. Contract administration</li></ol>

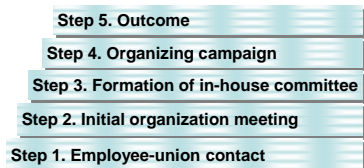
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### Reasons for Desire to Unionize

- job dissatisfaction
- lack of job security
- perceived inequities in pay
- unfair administration of policies
- lack of opportunity for advancement
- lack of influence on work-related decisions
- belief that unions can improve working conditions

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### Union Organizing Process

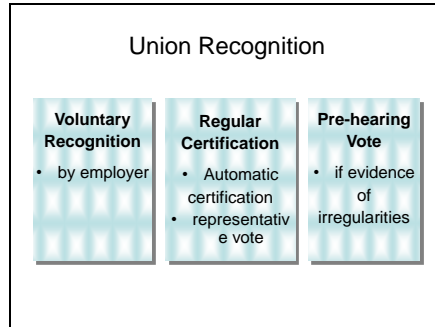


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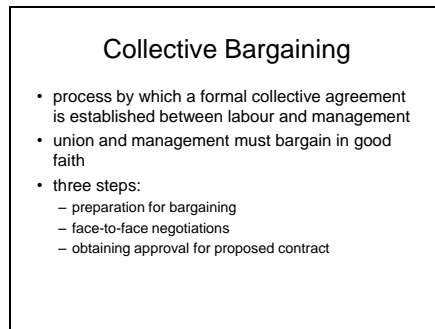
### Union Organizing: Employer Rights

- express views on unions
- state position on remaining non-union
- prohibit union activity on company property/time
- increase wages in normal course of business
- gather employees to state company's position if:
  - purpose stated in advance
  - attendance optional
  - no threats/promises

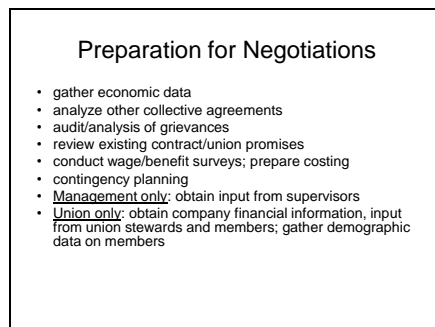
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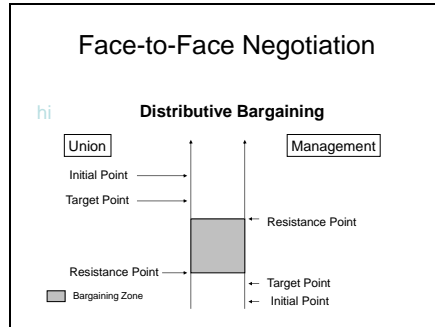
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### Negotiation

**Distributive bargaining:** win-lose approach

**Integrative bargaining:** win-win approach

- interest-based/mutual gains takes interests of all stakeholders into account

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### Approving Proposed Contract

- **Memorandum of Agreement**
  - summary of terms and conditions agreed to by negotiators that is submitted to management and union membership for approval
- **Ratification**
  - formal approval of agreement by union members
  - secret ballot

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### Third Party Assistance in Negotiation

#### **Conciliation**

- assistance of neutral outside third party
- required prior to strike/lockout

#### **Mediation**

- assistance of neutral outside third party
- usually voluntary

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### Bargaining Impasses in Negotiation

- strikes
  - strike vote
  - picketing
  - boycott
  - wildcat strikes
- lockout
- interest arbitration (final agreement imposed)

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### Collective Agreement: Typical Clauses

- union recognition
- union security/checkoff
- no strikes or lockout
- management rights
- arbitration

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### Union Security Clause

- closed shop
- union shop
- modified union shop
- maintenance-of-membership
- Rand formula (dues/agency shop)
- open shop

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### Contract Administration: Seniority

- seniority refers to length of service in the bargaining unit
- basis for transfer, layoff, promotion decisions when two candidates have relatively equal skill/ability

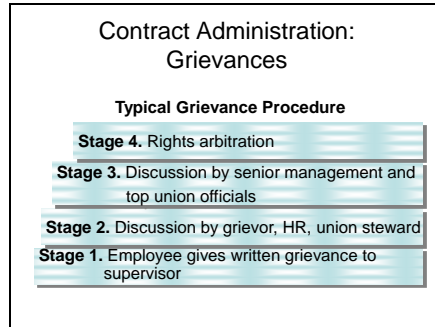
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### Contract Administration: Discipline

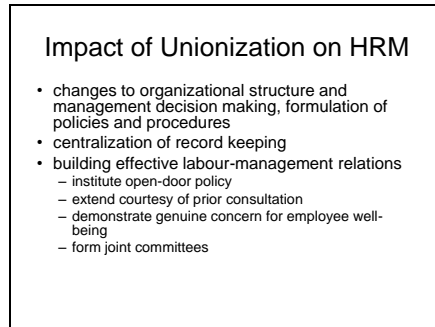
- employee has right to grieve disciplinary action considered:
  - too harsh
  - without just cause
- burden of proof on employer
- must strike a delicate balance between fairness and consistency



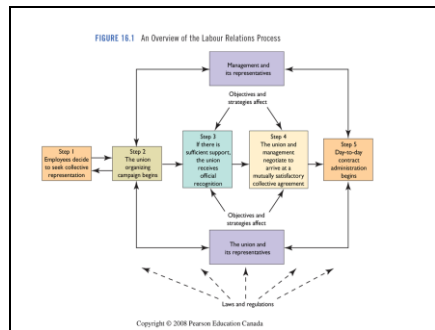
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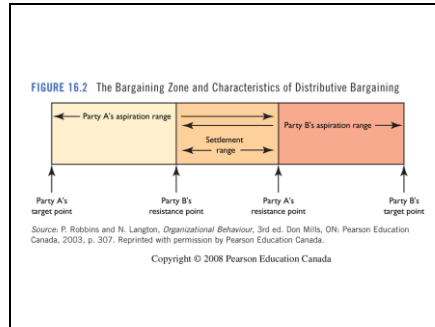
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**TABLE 16.1 Union Security Provisions in Canada, 2004**

	% of Agreements	% of Employees
Closed shop	10	10
Union shop	40	31
Modified union shop	14	15
Maintenance of membership	3	2
Rand formula	92	95

Source: Suzanne Payette, "Union Security Provisions," from Human Resources and Social Development Canada, *Workplace Gazette* 71(2), Summer 2004, p. 81. Reproduced with the permission of Her Majesty the Queen in Right of Canada 2006.

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