

Chapter 10 Labour Relations and Collective Bargaining

MULTIPLE CHOICE

1. Which statement best describes labour relations legislation in Canada?

- a. several different laws at the federal and provincial/territorial levels currently regulate labour relations
- b. the model for labour relations legislation across Canada was P.C.1001
- c. Canada's labour relations system is highly centralized
- d. 90% of the workforce is governed by federal legislation

ANS: A PTS: 1 DIF: Application
REF: 345
OBJ: 1 BLM: R

2. What step in the labour relations process involves the negotiation of a collective agreement?

- a. first step
- b. second step
- c. third step
- d. fourth step

ANS: C PTS: 1 DIF: Key Terms
REF: 346
OBJ: 2 BLM: R

3. What is the major reason for employees to join a union?

- a. union membership is a status symbol in Canada
- b. it is a way to achieve results they cannot achieve individually at the workplace
- c. labour regulations mandate union membership in all industrialized organizations
- d. unions help individuals to fulfil their political ambitions

ANS: B PTS: 1 DIF: Understanding
REF: 345 OBJ: 2 BLM: R

4. What kind of shop makes joining the union a condition of employment?

- a. agency shop
- b. closed shop
- c. dues shop
- d. union shop

ANS: D PTS: 1 DIF: Key Terms
 REF: 347
 OBJ: 2 BLM: R

5. What does the strongest reason to join a union appear to be?

- a. the need to fraternize with similar employees and assert personal leadership skills
- b. dissatisfaction with wages, benefits, and working conditions
- c. favouritism shown by supervisors in promotions, shift assignments, and transfers
- d. personal preference for a union and social pressure to join

ANS: B PTS: 1 DIF: Key Terms
 REF: 347
 OBJ: 2 BLM: R

6. Employees cite favouritism shown by managers as a major reason for joining unions. In which HR areas are employees particularly sensitive to favouritism?

- a. discipline, promotion, and wage increases
- b. training and development opportunities
- c. rewards and recognition
- d. transfers and promotions

ANS: A PTS: 1 DIF: Key Terms
 REF: 347
 OBJ: 2 BLM: R

7. Why might employees who have social status concerns wish to join a union?

- a. to put to use any leadership talents they may have
- b. to increase protection from legislative changes and greater job security
- c. to increase training opportunities and gain more control over promotions
- d. to increase job security and employment equity

ANS: A PTS: 1 DIF: Understanding
 REF: 348 OBJ: 2 BLM: R

8. Contrary to popular belief, by whom are most organizing campaigns begun?

- a. employees
- b. union organizers
- c. rival unions
- d. the CLC organizing department

ANS: A PTS: 1 DIF: Understanding

REF: 349 OBJ: 3 BLM: R

9. There are six progressive steps that can lead to unionization. At which step do labour organizers seek specific information about the employer's finances, supervisory styles, and management practices?

- a. during election petition and voting preparation
- b. at employee–union contact
- c. at the initial organizational meeting
- d. during formation of the in-house organizing committee

ANS: B PTS: 1 DIF: Understanding

REF: 350 OBJ: 3 BLM: R

10. Which organizing step includes identifying leaders among employees who can help the organizer establish communication channels to reach all of the employees in the unit?

- a. application to the labour relations board
- b. initial organizational meeting
- c. employee–union contact
- d. formation of in-house organizing committee

ANS: B PTS: 1 DIF: Key Terms

REF: 350

OBJ: 3 BLM: R

11. In which organizing step does the collection of signed authorization cards play a major role?

- a. employee–union contact
- b. application to the labour relations board
- c. formation of in-house organizing committee
- d. initial organizational meeting

ANS: C PTS: 1 DIF: Key Terms
REF: 309
OBJ: 3 BLM: R

12. What does the labour relations board typically do in Canada if the majority of employees sign authorization cards?

- a. it holds a secret-ballot vote
- b. it notifies the employer that a vote will be held
- c. it reviews the union application form and then decides whether or not to hold a representation vote
- d. it certifies the union without a vote

ANS: D PTS: 1 DIF: Key Terms
REF: 351
OBJ: 3 BLM: R

13. What does a bargaining unit consist of?

- a. employees below the management level
- b. employees being recruited by the union
- c. all employees in the plant at which the union campaign was held
- d. employees to be covered by the agreement

ANS: D PTS: 1 DIF: Application
REF: 351
OBJ: 3 BLM: R

14. Which employer act is prohibited, according to Canadian labour relations legislation?

- a. stressing the favourable employee–employer relationship in the past without a union
- b. expressing views about the disadvantages of unions
- c. presenting unfavourable publicity that the organizing union has received concerning corruption
- d. unilaterally increasing wages during the certification process

ANS: D PTS: 1 DIF: Key Terms
REF: 352
OBJ: 3 BLM: R

15. Which unionization process is relatively rare except in the construction industry?

- a. certification based on majority vote
- b. certification without a representation vote
- c. voluntary recognition
- d. a pre-hearing vote

ANS: C PTS: 1 DIF: Key Terms
 REF: 353
 OBJ: 3 BLM: R

16. When are pre-hearing votes held?

- a. when the union has a great deal of support early in the campaign
- b. when the potential bargaining unit members petition the labour relations board to hold such an election
- c. when the union wants a secret-ballot election right away
- d. when there is evidence of irregularities

ANS: D PTS: 1 DIF: Key Terms
 REF: 353
 OBJ: 3 BLM: R

17. What is the employer required to do once a bargaining unit becomes certified?

- a. sign a collective agreement
- b. deduct union dues from the employees' pay cheques
- c. begin negotiations leading toward a collective agreement
- d. notify employees of the bargaining relationship

ANS: C PTS: 1 DIF: Application
 REF: 353
 OBJ: 3 BLM: R

18. How long do the terms of a collective agreement normally apply for?

- a. six months
- b. one year
- c. two years
- d. five years

ANS: B PTS: 1 DIF: Key Terms
 REF: 353
 OBJ: 3 BLM: R

19. Management generally claims exclusive rights to decisions regarding issues relating to subcontracting, productivity standards and job content. What is management's claim properly called?

- a. management rights
- b. provisional rights security
- c. decision rights
- d. company rights

ANS: A PTS: 1 DIF: Key Terms
REF: 354
OBJ: 3 BLM: R

20. A supervisor has suspended an employee covered by a typical collective agreement. In a grievance hearing, what will the supervisor be called upon to demonstrate in support of the suspension?

- a. reasonable review
- b. equity and fairness of treatment
- c. just cause
- d. documented evidence

ANS: C PTS: 1 DIF: Application
REF: 354
OBJ: 3 BLM: R

21. What type of unions are the International Brotherhood of Electrical Workers and the Brotherhood of Boilermakers classified as?

- a. apprenticeship unions
- b. industrial unions
- c. craft unions
- d. mixed unions

ANS: C PTS: 1 DIF: Key Terms
REF: 356
OBJ: 4 BLM: R

22. What are the Canadian Union of Postal Workers, the Ontario Secondary School Teachers' Federation, and the Office and Professional Employees International Union all classified as?

- a. mixed unions
- b. craft unions
- c. industrial unions

d. skilled unions

ANS: C PTS: 1 DIF: Key Terms
REF: 356
OBJ: 4 BLM: R

23. What are the Federation of Quebec Nurses and the Alberta Teachers' Association classified as?

- a. employee associations
- b. union associations
- c. labour associations
- d. industrial associations

ANS: A PTS: 1 DIF: Understanding
REF: 356 OBJ: 4 BLM: R

24. Where is the majority of power within the Canadian labour movement concentrated?

- a. in local unions
- b. in the CLC's governing board
- c. in national unions
- d. in international unions

ANS: A PTS: 1 DIF: Application
REF: 357
OBJ: 4 BLM: R

25. Whose major responsibilities include negotiating and administering the labour agreement and working to resolve problems arising in connection with it?

- a. business agent
- b. bargaining agent
- c. local union executive
- d. shop steward

ANS: A PTS: 1 DIF: Key Terms
REF: 358
OBJ: 4 BLM: R

26. When comparing the president of a national union with the president of a local union, who should feel more secure in his elected position?

- a. the national leader because they develop political alliances to keep themselves in office
- b. the local leader, since they know the membership well and thus have greater security
- c. the local leader, since local unions only hold elections every few years
- d. the national leader, since national unions only hold elections every few years

ANS: A PTS: 1 DIF: Application
 REF: 358
 OBJ: 4 BLM: R

27. A public sector manager and a private sector manager are discussing the rights they each possess to make employment decisions. On what points will they likely agree?

- a. they will lose their rights when their employees unionize
- b. there is little difference in their rights to make employment decisions
- c. the private sector manager has more rights
- d. the public sector manager has more rights

ANS: D PTS: 1 DIF: Application
 REF: 361
 OBJ: 4 BLM: R

28. What strike status do public-sector employees have?

- a. they are generally denied the right to strike
- b. they generally have the right to strike
- c. they cannot strike if the services they provide are considered essential
- d. they can strike if they give enough notice, regardless of the services they provide

ANS: C PTS: 1 DIF: Understanding
 REF: 361 OBJ: 4 BLM: R

29. What are public-sector employees entitled to in order to resolve collective bargaining deadlocks?

- a. government intervention
- b. binding arbitration
- c. court injunctions
- d. binding mediation

ANS: B PTS: 1 DIF: Key Terms
 REF: 362

OBJ: 4 BLM: R

30. What is the process of settling a contract deadlock known as in which an arbitrator has no power to compromise?

- a. grievance arbitration
- b. rights arbitration
- c. meet-and-confer arbitration
- d. final-offer arbitration

ANS: D PTS: 1 DIF: Key Terms

REF: 362

OBJ: 4 BLM: R

31. What does good-faith bargaining require the employer to do?

- a. compromise with the union until an agreement is finally made; such negotiations must end in a collective agreement
- b. meet the union at a reasonable time/place to discuss conditions of employment, and trade realistic proposals
- c. compromise with the union until an agreement is finally made; such negotiations must end in a collective agreement
- d. meet and confer over only permissive subjects of bargaining

ANS: B PTS: 1 DIF: Key Terms

REF: 363

OBJ: 5 BLM: R

32. What is the practice of an employer who makes an offer directly to unionized employees deemed to be?

- a. acceptable, as long as the union bargaining committee feels the offer is fair
- b. acceptable and known as surface bargaining
- c. an example of bad-faith employer bargaining
- d. acceptable, as long as employees have an opportunity for a ratification vote

ANS: C PTS: 1 DIF: Understanding

REF: 363 OBJ: 5 BLM: R

33. Which type of bargaining is a rational approach to problem solving that helps management and labour reduce conflict that occurs during collective bargaining?

- a. good faith bargaining
- b. progression bargaining
- c. interest-based bargaining
- d. distributive bargaining

ANS: C PTS: 1 DIF: Key Terms
 REF: 364
 OBJ: 5 BLM: R

34. What must the employer's bargaining strategy address when preparing for negotiations?

- a. the number of initiatives the union will table
- b. the deadline for establishing the bargaining zone
- c. the company's willingness to lock out or take a strike
- d. developing the anticipated support for management's bargaining proposals

ANS: C PTS: 1 DIF: Understanding
 REF: 364 OBJ: 5 BLM: R

35. What is the written document prepared by management that includes a contingency operating plan in case of a strike?

- a. bargaining book
- b. bargaining conditions book
- c. contingency operating plan
- d. bargaining strategy plan

ANS: D PTS: 1 DIF: Understanding
 REF: 364 OBJ: 5 BLM: R

36. What are the three categories of proposals one side makes during negotiation?

- a. proposals that are mandatory/permissive/important
- b. proposals that must be achieved/are just for trade/are designed to provoke
- c. proposals that must be achieved/need to be achieved/should be achieved
- d. proposals that must be achieved/are just to trade/they would like to achieve

ANS: D PTS: 1 DIF: Understanding
 REF: 365 OBJ: 5 BLM: R

37. What does the bargaining zone refer to?

- a. the area within which management can agree
- b. the rooms where the negotiations take place
- c. the area where it costs the union less to agree than to disagree
- d. the area within which the union and management are willing to agree

ANS: D PTS: 1 DIF: Understanding

REF: 366 OBJ: 5 BLM: R

38. Weber Can Co. has made an initial wage offer of 2% for the one-year contract with the International Canworkers Union. The Canworkers have demanded a 10% increase, but will accept as low as 6%. What will probably happen if Weber feels that the most it can offer is 4%?

- a. a deadlock will result
- b. the Canworkers will have to live with 4%
- c. the parties will have to compromise
- d. Weber will have to raise its offer to 6%

ANS: A PTS: 1 DIF: Understanding

REF: 366 OBJ: 5 BLM: R

39. Which of the following tactics would an employer likely use in an effort to exert economic power to achieve its demands?

- a. boycotting the employees
- b. locking out the employees
- c. shortening the employees' work day
- d. firing the employees

ANS: B PTS: 1 DIF: Understanding

REF: 368 OBJ: 6 BLM: R

40. Why is a strike authorization vote usually undertaken?

- a. to determine if the union is being truthful about striking
- b. to signal that a union has gone on strike
- c. to indicate that management is now ready to take a strike
- d. to increase pressure on the employer by raising the potential for a strike

ANS: D PTS: 1 DIF: Key Terms

REF: 366

OBJ: 6 BLM: R

41. If the ability of the employer to continue operations during a strike is great, how likely is it that the union will finally win on its strike issues?

- a. about the same
- b. no impact on likelihood
- c. less likely
- d. more likely

ANS: C PTS: 1 DIF: Understanding

REF: 366 OBJ: 6 BLM: R

42. What are workers taking part in if they stand at business entrances to gain attention to a dispute and to discourage people from entering or leaving the premises?

- a. lockout
- b. strike
- c. boycott
- d. picket

ANS: D PTS: 1 DIF: Key Terms

REF: 366

OBJ: 6 BLM: R

43. What is subcontracting and transferring work to other locations called?

- a. production continuation
- b. outsourcing
- c. work transfer
- d. production shifting

ANS: B PTS: 1 DIF: Key Terms

REF: 368

OBJ: 6 BLM: R

44. What is the neutral third-party role that suggests compromises or concessions to the parties that have reached a bargaining deadlock?

- a. negotiator
- b. facilitator

- c. arbitrator
- d. mediator

ANS: D PTS: 1 DIF: Key Terms
REF: 369
OBJ: 6 BLM: R

45. What is the neutral third-party role that decides what the settlement shall be when the parties are at a deadlock?

- a. facilitator
- b. mediator
- c. arbitrator
- d. investigator

ANS: C PTS: 1 DIF: Key Terms
REF: 369
OBJ: 6 BLM: R

46. The contract between the City of Toronto and the Firefighters' Union requires that unresolved contract terms be settled by arbitration. What is the correct term for this arbitration process?

- a. interest arbitration
- b. fact-finding arbitration
- c. grievance arbitration
- d. compromise arbitration

ANS: A PTS: 1 DIF: Key Terms
REF: 370
OBJ: 6 BLM: R

47. What does "management rights" refer to?

- a. employment conditions over which management has exclusive jurisdiction
- b. the rights of management to obtain an NLRB decertification election
- c. the rights of management to recognize union members
- d. periods during negotiations when management can withdraw economic proposals

ANS: A PTS: 1 DIF: Key Terms
REF: 371
OBJ: 7 BLM: R

48. Management's authority is supreme on all issues except those explicitly given up in the collective agreement. Which management rights concept does this express?

- a. contractual rights
- b. residual rights
- c. applied rights
- d. defined rights

ANS: B PTS: 1 DIF: Understanding

REF: 371 OBJ: 7 BLM: R

49. Which management rights concept is indicated by an article in the collective agreement that lists the various rights of management?

- a. agreed rights
- b. applied rights
- c. defined rights
- d. residual rights

ANS: C PTS: 1 DIF: Key Terms

REF: 371

OBJ: 7 BLM: R

50. Over which area could management state that it has residual rights?

- a. setting of employee wage rates
- b. discipline of employees
- c. selecting which grievances to go to arbitration
- d. determining the product to be produced for a market

ANS: D PTS: 1 DIF:

Understanding/Application

REF: 371 OBJ: 7 BLM: R

51. Which union security provision allows employees to join or not join the union and does not require non-members to pay dues?

- a. open shop provision
- b. union shop provision
- c. closed shop provision
- d. agency shop provision

ANS: A PTS: 1 DIF: Key Terms

REF: 372

OBJ: 7 BLM: R

52. What is said to be the 'heart' of the bargaining agreement, because it is a safety valve that allows flexibility in the entire collective bargaining system?

- a. mediation
- b. collective bargaining procedures
- c. the strike and the lockout
- d. the grievance procedure

ANS: D PTS: 1 DIF: Understanding

REF: 373 OBJ: 8 BLM: R

53. What must the grievance arbitrator do after listening to a dispute over administration of the collective agreement?

- a. mandate a particular resolution to the grievance
- b. force the parties to renegotiate the disputed language
- c. nullify the collective agreement because of the dispute
- d. help the two parties reach their own compromise

ANS: A PTS: 1 DIF: Understanding

REF: 374 OBJ: 8 BLM: R

54. What is the name of the technique sometimes used when an issue is particularly important or urgent, and which involves bypassing some steps in the grievance process?

- a. abbreviated mediation
- b. abbreviated arbitration
- c. expedited mediation
- d. expedited arbitration

ANS: D PTS: 1 DIF: Key Terms

REF: 375

OBJ: 8 BLM: R

55. In a disciplinary arbitration, the arbitrator will first decide whether the employee was given due process, then whether the employer had good reasons for dismissal. What must the arbitrator examine if those two conditions have been met?

- a. whether just cause exists
- b. union involvement
- c. severity of the penalty
- d. the argument made by management

ANS: C PTS: 1 DIF: Understanding

REF: 376 OBJ: 8 BLM: R

56. A manager is preparing an arbitration case involving the dismissal of her employee. According to one study in your text, what should she do to prevent the arbitrator from overturning the case?

- a. select the arbitrator based on type of prior cases handled
- b. make sure the evidence supports the charge of wrongdoing
- c. determine whether the case is timely under the contract
- d. prepare her case based upon leading arbitration cases of this nature

ANS: B PTS: 1 DIF: Understanding

REF: 376 OBJ: 8 BLM: R

Scenario 10.1: Big Business, Big Union

A union drive at the Weyburn, Saskatchewan Walmart, by the United Food and Commercial Workers (UFCW), has been involved in lengthy court battles resulting from continuing unresolved matters between these two organizations for a decade. The UFCW, one of Canada's largest unions, first applied to the Saskatchewan Labour Relations Board (SLRB) to represent the Weyburn Saskatchewan Walmart workers in 2004. The union was certified in 2008, but it was overturned in court. Then in 2010, the Court of Appeal upheld the earlier decision. In December 2010, a de-certification vote by the Walmart employees was held, which is now at the Court of Appeal to see if the votes will be counted. While the union has been certified, it has yet to achieve a first collective agreement. Recently the Walmart store in Weyburn, Saskatchewan, has been found guilty of unfair labour practices by the SLRB and has been charged with interfering with the union's efforts to communicate with the workers.

57. Please refer to Scenario 10.1. Under what labour relations jurisdiction does the Weyburn Walmart unionized workforce fall?

- a. federal
- b. provincial
- c. regional

d. national

ANS: B PTS: 1 DIF: Understanding

REF: 345 OBJ: 1 BLM: HO

58. Please refer to Scenario 10.1. Around a decade ago, a group of Weyburn Walmart employees wanted to be represented by a union that would be legally recognized as the exclusive bargaining agent for the Weyburn Walmart employees. What is this recognition called?

- a. collective agreement
- b. certification
- c. defined labour rights and obligations
- d. labour practices

ANS: B PTS: 1 DIF: Understanding

REF: 352 OBJ: 3 BLM: HO

59. Please refer to Scenario 10.1. What is a core feature of labour legislation?

- a. the right of people to join unions
- b. the right of employers to prohibit unions
- c. the right of employers to strike
- d. the right of unions to lock out employers

ANS: A PTS: 1 DIF: Understanding

REF: 345 OBJ: 1 BLM: HO

60. Please refer to Scenario 10.1. What is the labour relations board in Saskatchewan generally responsible for?

- a. administering the labour legislation
- b. hearing grievance complaints
- c. overseeing workplace labour practices
- d. setting common core legislation

ANS: A PTS: 1 DIF: Understanding

REF: 345 OBJ: 1 BLM: HO

61. Please refer to Scenario 10.1. What is the labour relations board in Saskatchewan currently responsible for, with respect to Walmart?

- a. hearing grievance complaints
- b. overseeing workplace labour practices
- c. setting common core legislation
- d. hearing complaints related to unfair labour practices

ANS: D PTS: 1 DIF: Understanding

REF: 345 OBJ: 1 BLM: HO

62. Please refer to Scenario 10.1. The employer Walmart, and the union UFCW, have not been able to negotiate the employment conditions between the employer and its employees when there is a union in the workplace? What is this process called?

- a. collective bargaining process
- b. union management negotiation tactics
- c. organizing campaign process
- d. labour negotiations

ANS: A PTS: 1 DIF: Understanding

REF: 346 OBJ: 2 BLM: HO

63. Please refer to Scenario 10.1. The labour relations board has asked the union and Walmart to negotiate the terms and conditions of employment for the Weyburn Walmart store. What would this negotiated contract be called?

- a. employee rights
- b. collective agreement
- c. management rights
- d. labour relations code

ANS: B PTS: 1 DIF: Understanding

REF: 362 OBJ: 5 BLM: HO

64. Please refer to Scenario 10.1. What was the strongest reason that the Walmart employees wanted to join a union?

- a. the need to communicate with similar employees and assert personal leadership skills

- b. dissatisfaction with wages, benefits, and working conditions
- c. favouritism shown by supervisors in promotions, shift assignments, and transfers
- d. personal preference for a union, and social pressure to join

ANS: B PTS: 1 DIF: Understanding

REF: 345 OBJ: 2 BLM: HO

65. Please refer to Scenario 10.1. Contrary to popular belief, most organizing campaigns are begun by employees. Who began the organizing campaign at the Weyburn Walmart store?

- a. employees
- b. union organizers
- c. rival unions
- d. the UFCW organizing department

ANS: A PTS: 1 DIF: Understanding

REF: 308 OBJ: 2 BLM: HO

66. Please refer to Scenario 10.1. What is one major reason why the Walmart employees joined the UFCW union?

- a. union membership is a status symbol
- b. it was a way to achieve results they could not achieve individually at the workplace
- c. labour regulations mandate union membership in all industrialized organizations
- d. unions help individuals to fulfil their political ambitions

ANS: B PTS: 1 DIF: Understanding

REF: 348 OBJ: 2 BLM: HO

67. Please refer to Scenario 10.1. There are four progressive steps in the labour relations process. What labour relations step are Walmart and UFCW at?

- a. election petition
- b. collective contract negotiations
- c. contract administration
- d. in-house organizing committee

ANS: B PTS: 1 DIF: Understanding

REF: 362 OBJ: 5 BLM: HO

68. Please refer to Scenario 10.1. What is Walmart required to do once a bargaining unit becomes certified?

- a. sign a collective agreement
- b. deduct union dues from the employees' paycheques
- c. begin negotiations leading toward a collective agreement
- d. notify employees of the bargaining relationship

ANS: C PTS: 1 DIF: Understanding

REF: 352 OBJ: 3 BLM: HO

69. Please refer to Scenario 10.1. There are six progressive steps that can lead to unionization, (i.e. unionizing campaign). At which step did the UFCW labour organizers seek specific information about Walmart's finances, supervisory styles, and management practices?

- a. election petition and voting preparation
- b. employee and union contact
- c. initial organizing meeting
- d. formation of an in-house organizing committee

ANS: B PTS: 1 DIF: Understanding

REF: 350 OBJ: 3 BLM: HO

70. Please refer to Scenario 10.1. Which organizing step included identifying leaders among Walmart employees who could help the union organizer establish communication channels to reach all of the Walmart employees?

- a. application to the labour relations board
- b. initial organizing meeting
- c. employee and union contact
- d. formation of an in-house organizing committee

ANS: B PTS: 1 DIF: Understanding

REF: 350 OBJ: 3 BLM: HO

71. Please refer to Scenario 10.1. In which organizing step did the collection of signed authorization cards play a major role?

- a. employee and union contact
- b. application to the labour relations board
- c. formation of in-house organizing committee
- d. initial organizing meeting

ANS: C PTS: 1 DIF: Understanding

REF: 350 OBJ: 3 BLM: HO

TRUE/FALSE

1. Unions can significantly affect the ability of managers to direct and control HR processes.

ANS: T PTS: 1 DIF: Key Terms

REF: 344

OBJ: 1

2. A yellow-dog contract was an early anti-union tactic whereby employers circulated the names of known union supporters so they wouldn't be hired.

ANS: F PTS: 1 DIF: Key Terms

REF: 344

OBJ: 1

3. The first Canadian labour relations legislation, the Trades Union Act, was passed by parliament in 1872.

ANS: T PTS: 1 DIF: Key Terms

REF: 344

OBJ: 1

4. The Trades Union Act allowed unions to pursue the goals of collective bargaining without persecution, and gave them the ability to strike.

ANS: T PTS: 1 DIF: Key Terms

REF: 344
OBJ: 1

5. The labour relations board is a department within Human Resources Development Canada.

ANS: F PTS: 1 DIF: Application
REF: 345
OBJ: 1

6. Most of Canada's unionized workforce is under federal labour relations jurisdiction.

ANS: F PTS: 1 DIF: Understanding
REF: 345 OBJ: 1

7. Laws and regulations ensure that the labour relations process is conducted in a fair manner.

ANS: T PTS: 1 DIF: Understanding
REF: 345 OBJ: 1

8. The labour relations boards are responsible for administering the legislation and hearing complaints related to unfair labour practices.

ANS: T PTS: 1 DIF: Key Terms
REF: 345
OBJ: 1

9. Employees might consider organizing and joining a union an effective alternative to quitting a job in which they feel they are being treated unfairly.

ANS: T PTS: 1 DIF: Understanding
REF: 345 OBJ: 2

10. A union shop is a provision of the collective agreement that requires applicants to join the union before they are hired.

ANS: F PTS: 1 DIF: Key Terms
REF: 347
OBJ: 2

11. Closed shop is a provision of the collective agreement that requires employers to hire only union members.

ANS: T PTS: 1 DIF: Key Terms
REF: 347
OBJ: 2

12. If an employee personally decides that the benefits will outweigh the costs of joining the union, then she or he is using the open shop provision of the collective agreement.

ANS: T PTS: 1 DIF: Application
REF: 347
OBJ: 2

13. Employees will join a union if they perceive inequity in pay and benefits, experience dissatisfaction with supervisors and managers, and feel that their needs for status and recognition are frustrated.

ANS: T PTS: 1 DIF: Application
REF: 345
OBJ: 2

14. Large national unions, like the Canadian Auto Workers, have formal organizing departments to identify organizing opportunities and launch organizing campaigns.

ANS: T PTS: 1 DIF: Key Terms
REF: 349
OBJ: 3

15. Union leaders carefully evaluate their chances of success and the possible benefits to be gained from their organizing campaign.

ANS: T PTS: 1 DIF: Understanding

REF: 349 OBJ: 3

16. The typical organizing campaign follows a series of progressive steps that can lead to employee representation. One of those steps is bargaining negotiation.

ANS: F PTS: 1 DIF: Understanding

REF: 349|350 OBJ: 3

17. During an organizing campaign, the organizer will schedule an initial union meeting to attract more supporters.

ANS: T PTS: 1 DIF: Key Terms

REF: 350

OBJ: 3

18. An authorization card gives authority to a union to act as a representative of an employee for purposes of collective bargaining.

ANS: T PTS: 1 DIF: Understanding

REF: 350 OBJ: 3

19. Employers can interfere with the union certification process.

ANS: F PTS: 1 DIF: Key Terms

REF: 351

OBJ: 3

20. A bargaining unit is a group of two or more employees with similar interests and working conditions, who are grouped together for collective bargaining purposes.

ANS: T PTS: 1 DIF: Key Terms

REF: 351

OBJ: 3

21. Unions can force employers to dismiss, discipline, or discriminate against non-union employees.

ANS: F PTS: 1 DIF: Application
REF: 351
OBJ: 3

22. Unilateral changes of working conditions during the certification campaign are an example of unfair labour practice.

ANS: T PTS: 1 DIF: Understanding
REF: 352 OBJ: 3

23. It is possible for a union to be decertified if the majority of bargaining unit members decide they would rather be represented by another union.

ANS: T PTS: 1 DIF: Key Terms
REF: 353
OBJ: 3

24. Unions typically do not attempt to achieve greater participation in management decisions involving issues such as job content, productivity standards, and subcontracting of work.

ANS: F PTS: 1 DIF: Understanding
REF: 354 OBJ: 3

25. Unionization restricts the freedom of management to formulate HR policy and can challenge the authority of supervisors.

ANS: T PTS: 1 DIF: Understanding
REF: 354 OBJ: 3

26. Unions that represent skilled craft workers are called industrial unions.

ANS: F PTS: 1 DIF: Key Terms
REF: 356
OBJ: 4

27. Industrial unions are those which represent unskilled workers employed along industry lines.

ANS: T PTS: 1 DIF: Key Terms
REF: 356
OBJ: 4

28. Employee associations may function in the same way as unions, being just as aggressive in organizing and representing their members.

ANS: T PTS: 1 DIF: Key Terms
REF: 356
OBJ: 4

29. Regardless of their type, all labour organizations have basically the same governance and objectives.

ANS: F PTS: 1 DIF: Key Terms
REF: 356
OBJ: 4

30. The umbrella organization that unions have formed in Canada is called the Canadian Labour Congress (CLC).

ANS: T PTS: 1 DIF: Understanding
REF: 357 OBJ: 4

31. Union stewards are full-time employees at the workplace and generally are paid by the union.

ANS: F PTS: 1 DIF: Key Terms
REF: 358

OBJ: 4

32. Union stewards are often insightful individuals working for the betterment of employees and the organization.

ANS: T PTS: 1 DIF: Key Terms
REF: 358
OBJ: 4

33. The individual who is responsible for negotiating and administering the collective agreement and resolving union members' problems is called the problem solver.

ANS: F PTS: 1 DIF: Application
REF: 358
OBJ: 4

34. Union leaders occupy positions of power within their organizations; therefore, they cannot be removed from office even if they ignore the demands of union members.

ANS: F PTS: 1 DIF: Understanding
REF: 358 OBJ: 4

35. The National Union of Provincial Government Employees (NUPGE) is currently the largest union in Canada.

ANS: F PTS: 1 DIF: Key Terms
REF: 360
OBJ: 4

36. Collective bargaining in the public sector has grown significantly since the 1960s.

ANS: T PTS: 1 DIF: Key Terms
REF: 360
OBJ: 4

37. Federal civil servants have bargaining rights, including the right to strike and right to bargain for wages, hours, and working conditions.

ANS: T PTS: 1 DIF: Key Terms
REF: 361
OBJ: 4

38. Because governments must continue to operate, and since there are generally no alternatives for their services, public unions are very reluctant to press for financial benefits that must be paid for by the public.

ANS: F PTS: 1 DIF: Understanding
REF: 361 OBJ: 4

39. Employers who are willing to meet at reasonable times and places with union negotiators and to submit realistic proposals are engaging in good-faith collective bargaining.

ANS: T PTS: 1 DIF: Understanding
REF: 362 OBJ: 5

40. There is no requirement that the parties actually sign the written document if they come to an agreement; they simply must come to an agreement.

ANS: F PTS: 1 DIF: Understanding
REF: 362 OBJ: 5

41. Negotiators often develop a bargaining book which contains a history of contract terms and their relative importance to management.

ANS: T PTS: 1 DIF: Understanding
REF: 363 OBJ: 5

42. Management really does not need any information from sources external to the organization to prepare adequately for negotiations.

ANS: F PTS: 1 DIF: Understanding

REF: 363 OBJ: 5

43. Kathryn, a management negotiator, and Mark, the negotiator for the union, are both likely to present demands that are larger than either person hopes to achieve.

ANS: T PTS: 1 DIF: Understanding

REF: 364 OBJ: 5

44. Distributive bargaining is based on the identification and resolution of mutual interests rather than the resolve of specific bargaining demands.

ANS: F PTS: 1 DIF: Understanding

REF: 365 OBJ: 5

45. Interest-based bargaining is based on the identification and resolution of mutual interests rather than the resolve of specific bargaining demands.

ANS: T PTS: 1 DIF: Understanding

REF: 365 OBJ: 5

46. Participants' use of brainstorming, consensus decision making and active listening are bargaining tools typically used in interest-based bargaining.

ANS: T PTS: 1 DIF: Understanding

REF: 365 OBJ: 5

47. The composition and size of bargaining teams are often reflections of the desires and practices of the parties.

ANS: T PTS: 1 DIF: Key Terms

REF: 365
OBJ: 5

48. The initial meeting in labour negotiations is an important one because it establishes the climate for negotiations. Therefore, it is not advisable to attempt to inject humour into the process.

ANS: F PTS: 1 DIF: Understanding

REF: 365 OBJ: 5

49. In negotiations, each party will normally try to avoid revealing the importance of its proposals.

ANS: T PTS: 1 DIF: Understanding

REF: 322 OBJ: 5

50. A bargaining deadlock will result if the expectations of the parties fall within the bargaining zone.

ANS: F PTS: 1 DIF: Understanding

REF: 365 OBJ: 5

51. The economic power of a union in collective bargaining refers to its ability to harm the employer financially.

ANS: T PTS: 1 DIF: Understanding

REF: 366 OBJ: 6

52. Strikes account for a large portion of total workdays lost each year.

ANS: F PTS: 1 DIF: Key Terms

REF: 366

OBJ: 6

53. Because of technological change, striking in many industries has the effect of curtailing the employer's operations significantly.

ANS: F PTS: 1 DIF: Understanding

REF: 366 OBJ: 6

54. A union boycott is a tactic used by a union to encourage others to refuse to patronize an employer.

ANS: T PTS: 1 DIF: Key Terms

REF: 368

OBJ: 6

55. When an employer has part of its operations conducted by another employer, it is engaged in outsourcing.

ANS: T PTS: 1 DIF: Key Terms

REF: 368

OBJ: 6

56. Marcia, a striking employee, has just told her employer she is willing to return to work. Marcia must be offered her job back within six months or she loses her re-employment rights.

ANS: F PTS: 1 DIF: Understanding

REF: 368 OBJ: 6

57. Employers are often reluctant to resort to lockouts because of their impact on striking employees.

ANS: F PTS: 1 DIF: Understanding

REF: 368 OBJ: 6

58. In most jurisdictions, mediation is compulsory prior to a strike or lockout.

ANS: F PTS: 1 DIF: Key Terms

REF: 369

OBJ: 6

59. Mediators serve as fact finders and as a bridge for better communications during deadlocks in labour negotiations.

ANS: T PTS: 1 DIF: Key Terms
REF: 369
OBJ: 6

60. A mechanism to renew or establish a new collective agreement for parties is referred to as Rights arbitration.

ANS: F PTS: 1 DIF: Key Terms
REF: 369
OBJ: 6

61. A mechanism to resolve disputes about the interpretation and application of a collective agreement during the term of that collective agreement is referred to as rights arbitration.

ANS: T PTS: 1 DIF: Key Terms
REF: 369
OBJ: 6

62. After an agreement is reached in negotiations, it must be put into writing and be ratified by the union membership, not just endorsed by the leaders.

ANS: T PTS: 1 DIF: Understanding
REF: 369 OBJ: 7

63. The right of management to select production equipment and procedures is an example of defined right.

ANS: F PTS: 1 DIF: Key Terms
REF: 370
OBJ: 7

64. The Tom-Mack Corporation would be exercising its residual rights by unilaterally setting the price for the firm's products.

ANS: T PTS: 1 DIF: Key Terms
REF: 370
OBJ: 7

65. Once a union wins negotiating rights for bargaining union members, it must represent all the unit employees, except those who refused to join or pay dues.

ANS: F PTS: 1 DIF: Understanding
REF: 372 OBJ: 7

66. A dues checkoff provision means that the employer can keep the monies deducted as dues from the pay of employees who did not join the union.

ANS: F PTS: 1 DIF: Understanding
REF: 372 OBJ: 7

67. A union shop security clause requires that all bargaining unit employees join the union within 30 days or be terminated.

ANS: T PTS: 1 DIF: Key Terms
REF: 372
OBJ: 7

68. An agency shop security provision means that the employer will hire only union members.

ANS: F PTS: 1 DIF: Key Terms
REF: 372
OBJ: 7

69. A formal procedure that provides for the union to represent members and non-members in processing a grievance is known as a grievance procedure.

ANS: T PTS: 1 DIF: Key Terms
REF: 373
OBJ: 8

70. The operation of a grievance procedure is unique to each individual's collective bargaining relationship and is not required under Canadian Labour Relations codes.

ANS: F PTS: 1 DIF: Understanding
REF: 373 OBJ: 8

71. In order for an employee's grievance to be considered formally, it must be expressed orally and/or in writing ideally to the immediate supervisor.

ANS: T PTS: 1 DIF: Key Terms
REF: 373
OBJ: 8

72. Parties should look upon a grievance as something to be won or lost.

ANS: F PTS: 1 DIF: Understanding
REF: 374 OBJ: 8

73. One criticism of the arbitration process is that it is slow and costly.

ANS: T PTS: 1 DIF: Key Terms
REF: 375
OBJ: 8

74. A party who believes that the arbitrator's award is unfair and in conflict with the collective agreement is under no obligation to comply with the award.

ANS: F PTS: 1 DIF: Understanding
REF: 375 OBJ: 8

75. One reason why a union will advance a weak grievance to arbitration is because a member can bring suit against them for failing to adequately represent their grievance.

ANS: T PTS: 1 DIF: Understanding

REF: 376 OBJ: 8

76. In all grievance arbitrations except those involving any form of discipline, the “burden of proof” rests with the employer.

ANS: F PTS: 1 DIF: Understanding

REF: 376 OBJ: 8

77. A submission to arbitrate is a statement that formally describes what issues and remedies the arbitrator must address.

ANS: T PTS: 1 DIF: Key Terms

REF: 376

OBJ: 8

78. The final and binding word issued by an arbitrator in a labour-management dispute is known as an arbitration award.

ANS: T PTS: 1 DIF: Key Terms

REF: 376

OBJ: 8

79. The foundation for an arbitrator’s decision is the wording in the collective agreement and the rights it establishes for each party.

ANS: T PTS: 1 DIF: Understanding

REF: 376 OBJ: 8

80. If after hearing an arbitration case, the arbitrator agrees that the employee is guilty of the infraction, the arbitrator cannot change the penalty imposed by management on the grievor.

ANS:	F	PTS:	1	DIF:	Understanding
REF:	377	OBJ:	8		

ESSAY

1. What are the primary reasons for employee unionization?

ANS:

Some employees join unions because of the union-shop provisions of the collective agreement, which specify that union membership is a condition of employment.

Studies have generally concluded that those who unionize voluntarily do so for three key reasons: economic need, dissatisfaction with management practices, and/or as a way to fulfil social and status needs.

Economic Need: Dissatisfaction with wages, benefits, and working conditions appears to provide the strongest reason to join a union. It is these traditional issues on which unions are built. Research indicates that unions are effective in achieving employees' economic goals. One study has estimated that unionized employees in Canada receive approximately 15% more in wages than non-unionized workers who possess similar attributes and work in similar jobs.

Dissatisfaction with Management: Employees may seek unionization when they perceive that managerial practices regarding promotion, transfer, shift assignment, or other job-related policies are administered in an unfair or biased manner. Favouritism is particularly resented when it concerns the HR areas of discipline, promotion, and wage increases.

Failure to give employees opportunities to participate in decisions affecting their welfare may also encourage union membership.

Social and Status Concerns: Employees whose needs for status and recognition are being frustrated may join unions as a means of satisfying these needs. Through their union, they have an opportunity to fraternize with other employees who have similar desires, interests, problems, and complaints. Joining the union also enables some individuals to put leadership talents to use.

In the final analysis, the extent to which employees perceive that the benefits of joining a union outweigh the costs associated with membership is likely to be the deciding factor.

PTS: 1 DIF: Understanding
REF: 345|347|348
OBJ: 2

2. Briefly describe the six steps in the organization process.

ANS:

Employee/union contact: The first step begins when employees and union officials make contact to explore the possibility of unionization. Employees investigate the advantages of labour representation, and union officials begin to gather information about employee needs, problems, and grievances. Labour organizers also seek information about the employer's financial health, supervisory styles, and policies and practices. To win employee support, the organizers must build a case against the employer and for the union.

Initial organizational meeting: As the organizing campaign gathers momentum, the organizer schedules an initial union meeting to attract more supporters. The organizer uses the information gathered in step one to address employee needs and explain how the union can meet them. The organizational meeting also enables the organizer to identify employees who can help run the campaign and to establish communication chains that reach all employees.

Formation of an in-house organizing committee: The committee's role is to interest other employees in joining the union and supporting its campaign. One important task of the committee is to have employees sign an authorization card indicating their willingness to be represented by a labour union in collective bargaining with their employer.

Application to the labour relations board: Once the required number of authorization cards have been signed, application for certification is made to the applicable labour relations board. Depending on the number of cards signed, the Labour Relations Board may grant automatic certification or hold a secret-ballot vote. If 50% of those casting ballots vote in favour of the union, the union is certified.

Issuance of certificate by the labour relations board: A certificate is then issued, granting the union the right to represent the employees as a recognized union under the applicable labour relations legislation.

Election of a bargaining committee and contract negotiations: Once the certificate has been issued, a bargaining committee is elected by the union membership. A national or international union representative generally works with this local union committee to negotiate a collective agreement with the company. Bargaining committees are often assisted by specialists in benefits and health and safety.

PTS: 1 DIF: Understanding
REF: 350|351
OBJ: 3

3. Explain two ways unions have an impact on managers.

ANS:

The unionization of employees affects managers in the following two ways:

Challenges to Management Prerogatives: Unions typically attempt to achieve greater participation in management decisions that affect their membership, particularly in the areas of subcontracting of work, productivity standards, and job content. Employers seek to claim many of these decisions as their exclusive management prerogatives—decisions about which management has exclusive rights. However, these prerogatives are subject to challenges and erosion by the union, whether at the bargaining table, through the grievance procedures, or through strikes.

Possible Dilution of Supervisory Authority: The focal point of the union's impact is at the operating level, where supervisors administer the terms of the collective agreement. These terms can determine what corrective action is to be taken in directing and disciplining employees. When disciplining employees, supervisors must be certain they can demonstrate just cause, because these actions can be challenged by the union and the supervisor called as defendant during a grievance hearing. If the challenge is upheld, the supervisor's effectiveness in coping with subsequent disciplinary problems may be impaired.

PTS: 1 DIF: Understanding
REF: 354
OBJ: 4

4. Explain the steps in the collective bargaining process.

ANS:

Step 1 – Prepare for negotiations

The two activities that form step 1 are gathering the necessary background information and current data to adequately prepare for negotiations, and for the bargaining teams.

Step 2 – Develop bargaining strategies

The development of bargaining proposals and determining the limits of concessions is followed by a careful consideration of the other side's goals and anticipation of their bargaining proposals. In case negotiations do not go well, it is important to create strike plans in advance of any labour disruption.

Step 3 – Conduct the negotiations

The negotiations must be conducted with good faith bargaining. The main activities in this step include analyzing the proposals of the other side and attempting to resolve the proposals that were exchanged. All this must occur within the "bargaining zone", meaning the area within each side's limits of concessions.

Step 4 – Formalize agreement

Any contract language referred to or affected by the resolved proposals must be clarified. Once clarification has occurred, management must ensure the board approves the settlement, and the union must ensure their membership ratifies the agreement.

PTS:	1	DIF:	Understanding
REF:	362		
OBJ:	5		

5. Explain the steps that make up a grievance procedure in a typical collective agreement.

ANS:

Each grievance procedure is actually unique to each labour-management setting. However, there seems to be some common elements: most have a series of steps and time limits to govern the procedure, and the individuals involved at each step are often specified. Step 1 is often between the employee and the immediate supervisor. Step 2 often adds the union steward. Step 3 moves up the hierarchy on both sides, with the second-level supervisor or department manager meeting with the second-level supervisor or department manager meeting with the chief steward. Step 4 involves the top parties on both sides, such as the vice-president of industrial relations for management and the local union president for the union. This is the last step before Step 5, arbitration. The arbitration step brings in a third-party neutral to decide the case in a final and binding manner.

PTS: 1 DIF: Understanding
REF: 374
OBJ: 8

6. Typically, arbitrators use four factors when deciding cases. Discuss these four key factors and whether they are the only factors used when arbitrators decide cases.

ANS:

The four factors are (1) the wording of the collective agreement; (2) the submission agreement presented, stating exactly what issues are to be decided; (3) testimony and evidence presented and offered during the hearing itself; and (4) arbitration criteria or standards that guide the judgments of labour arbitrators. These standards are not precedents in the strict legal sense, but they serve as guidelines and examples in the way that common law assists judges.

PTS: 1 DIF: Understanding
REF: 377
OBJ: 8