

You will likely come across many of the following Labour Relations-related terms in your role as a union activist, in discussions with a Labour Relations Officer, in your Collective Agreement, or when meeting with members or employer representatives.

Application for certification A request by a union to a labour relations board for designation as the bargaining agent for a particular unit of employees.

Arbitration A method of settling disputes through the intervention of a third party whose decision is final and binding. Such a third party can be either a single arbitrator, or a board consisting of a chairman and one or more representatives. Arbitration is often used to settle major grievances and for settling contract interpretation disputes. Voluntary arbitration is that agreed to by the parties without statutory compulsion. Compulsory arbitration is that imposed by law. Governments sometimes impose it to avoid a strike or to end one.

Arbitrator Third party chosen to hear a case or group of cases which are submitted for arbitration.

Assessments Special charges levied by unions to meet particular financial needs.

Attrition Erosion of membership or of the workforce. Natural reduction through death, retirement, illness, or voluntary termination of employment.

Automatic Wage Adjustment A wage increase or decrease which takes place because of some event – for example, cost-of-living adjustment fixed by the Consumer Price Index or length-of-service increases based upon fixed periods of service.

Award The ruling of an arbitrator or majority of a panel of arbitrators.

Back Pay Wages due for past services – often the difference between money already received and a higher amount resulting from a change in wage rate.

Bargaining Agent Union designated by a labour relations board or similar representative of all employees in a bargaining unit for the purpose of collective bargaining.

Bargaining Unit Group of workers in a craft, department, plant, firm, industry or occupation, determined by a labour relations board or similar body as appropriate for representation by a union for purposes of collective bargaining.

Base Rate The straight-time rate of pay per hour, job or unit, excluding premiums, incentive bonuses, etc.

Bumping Exercise of seniority rights by workers to displace junior employees when business conditions require layoffs in the workplace or workforce.

By-Laws Specific provisions supplementing constitutions of labour union and other organizations.

Canadian Labour Congress (CLC) Canada's national labour body representing over 80 per cent of organized labour in the country.

Call-Back-Pay Wages for a minimum number of hours guaranteed to workers who are called back to work outside of scheduled working hours.

Canada Labour Code Legislation applicable to employers whose operations fall within federal jurisdiction and to their employees.

Canadian Federation of Labour The CFL includes mainly international construction unions. The members were once part of the CLC but were denied continued membership because of numerous differences.

Certification Official designation by a labour relations board or similar government agency of a union as sole and exclusive bargaining agent, following proof of majority support among employees in a bargaining unit.

Classification A grouping of jobs of similar kind and level of duties and responsibilities. Often confused with job description.

Collective Agreement An agreement in writing between an employer and the union representing its employees which contains provisions respecting conditions of employment, rates of pay, hours of work and the rights or duties of the parties to the agreement for a defined period of time.

Collective Bargaining Method of determining wages, hours and other conditions of employment through direct negotiations between the union and employer. Normally the result of collective bargaining is a written contract which covers all employees in the bargaining unit, both union members and non-members.

Compensatory Time off 1. Time off which, instead of overtime pay, is given to employees who work overtime.
2. Extra time allowed an employee when a holiday falls on a regular day off.

Conciliation and Mediation A process which attempts to resolve labour disputes by compromise or voluntary agreement. The conciliator (government appointee or official) meets each party separately, and acts as a go-between to affect an agreement on outstanding issues. The mediator is usually a private individual who meets with both sides and proposes a settlement, sometimes publicly, for the parties to accept or reject.

Consumer Price Index A monthly statistical study by Statistics Canada which checks retail prices of selected consumer items in a representative group of cities. Strictly, it is not a "cost-of-living" index, though it is often so described.

Contract A written or oral agreement between an employer and employee fixing the terms and working conditions under which the employee is to work. It is also known as the Collective Agreement.

Contracting Out Practice of employer having work preformed by an outside contractor and not by regular employees in the unit. Not to be confused with subcontracting, which is the practice of a contractor delegating part of his work to a subcontractor.

Contract Proposals Proposed changes to the collective agreement put forward by the union or the employer and subject to collective bargaining.

Cooling-off period Period of time which must elapse before a strike or lock-out may begin.

Cost of Living Relationship between the retail cost of consumer goods and services with the purchasing power of wages/salaries or income.

Cost-of-living Adjustment (COLA) An adjustment of wages or salaries in ratio to changes in the cost of living (above).

Craft Union, Trade Union A union whose membership is defined by having a particular skill or working in a particular industry.

Decertification Withdrawal by a Labour Relations Board of its certification of a union as exclusive bargaining representative.

Defense Fund A fund of money set aside specifically to aid in collective bargaining. A strike Fund is money set aside to provide payments to striking union members; a defense fund can also be used in this way, but it can also be used to influence the outcome of collective bargaining.

Demotion Transferring an employee to a job involving reduced responsibilities and duties and possibly a reduction in pay.

Discipline Clause A section of a collective bargaining agreement reserving to management the right to penalize employees for disobedience.

Discrimination Overt, direct, intent are terms used where the prejudice or ill-will directly contravenes the Human Rights Act. Human Rights legislation guarantees every person the right to equal treatment in employment, regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, record of offenses, marital status, family status, physical or mental disability or sexual orientation.

Disparity Variation in pay to workers engaged in similar work in similar industries or in different economic regions.

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Dues Periodic payments by union members for the financial support of their union.

Employee Benefit Plan A system to increase workers security – for example, group insurance, hospitalization insurance, paid-up insurance, sick-period cash benefits.

Employment Equity Strategies and programmes for ensuring effective and equitable means of promoting fair employment opportunities and eliminating systemic discrimination for designated groups-women, persons with disabilities, aboriginal people and persons in visible minorities.

Equal Pay for Equal Work Principle that wage rates should be based on the job rather than upon the sex, race, etc. of the worker, or upon other factors not related to his or her ability to perform.

Flextime A variation but not a reduction, in working hours intended to provide better “time-planning” for employees and for flow of work.

Green-circling The maintenance of a rate of pay for a particular employee which is higher than the rate for the job the employee performs. Green-circled employees continue to receive all future wage increases.

Grievance In general, any disagreement respecting the application, interpretation of a collective agreement.

Harassment Any unwelcome or unwanted action by any person against another, in particular by management or a co-worker. It can be a verbal or physical action on a single or repeated basis, which humiliates, insults, degrades or threatens.

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Increments An automatic wage progression system in which wage increases are based upon the length of the employees’ continuous service.

Incumbent The holder of an office or position.

Injunction A court order restraining an employer or union from committing or engaging in certain acts.

In-scope Those employees included in a certified collective bargaining unit.

Interim Agreement A collective bargaining agreement which sets conditions only for the period from the lapse of one contract until the completion of negotiations on another.

Job Action Action taken by workers to improve, protect and enforce their union contract.

Job Description A part of job evaluation involving a review of the nature of the work, its relation to other jobs, the working conditions, the degree of responsibilities and the other qualifications called for by the work that is within a certain classification.

Job Evaluation System for fixing the relative value of jobs as they exist in a workplace.

Job Security Provision in a collective agreement protecting a worker's job, as in the introduction of new methods of machines.

Jurisdiction 1. Authority of an administrative agency or court to hear and pass judgment upon the merits of a case. 2. Extent of a union's authority over certain workers or certain types of work.

Jurisdictional Dispute, Inter-Union Dispute A conflict between two or more unions as to which one shall represent a group of employees in collective bargaining or as to which one's members shall perform a certain type of work.

Labour - Management Committee A group of employer and employee representatives that meet to discuss workplace issues of joint concern such as shift schedules, safety and general working conditions with a view to resolve issues without resorting to the grievance procedure.

Labour Movement A description of organized labour and social activism in Canada that is representative of working people's issues that relate to interaction between industry, labour, and government for the betterment and fair treatment of working people, their families and society as a whole.

Labour Relations Board The board, established by the provincial labour legislation (the Labour Relations Act), which is responsible for certifications of trade unions, the entering of dispute settling provisions into collective agreements and investigation of complaints of bad faith in collective bargaining.

Layoff Temporary, prolonged or final separation from employment as a result of lack of work.

Leave of Absence Permitted absence of an employee for a specified period, with or without pay and benefits.

Lockout Act of an employer to close a place of employment, suspend work, or refuse to continue to employ a number of employees, done with the purpose of compelling their employees or those of another employer to agree to conditions of employment or to have employees refrain from exercising their existing rights and privileges.

Make Whole A legal notion that contemplates a person or persons be brought back to a pre-existing state or condition. For example - To reimburse a discriminatorily discharged employee for the difference between what they would have earned if they had not been discharged and what they did earn, exclusive of unemployment compensation, during the period.

Manitoba Federation of Labour The major provincial labour organization in Manitoba. In order to join, unions must also be members of the CLC.

Management Rights, Employer Rights Rights, including hiring, operations scheduling, contracting and price fixing which management generally contends are not proper subjects for collective bargaining.

Master Agreement 1. A union contract executed by the leading employer in an industry which sets the general pattern that will be followed by the industry. 2. A union contract setting basic standards for employers and unions covered by the agreement who will negotiate further on local subjects; also known as “model agreement”.

Mediation A means of settling labour disputes whereby the contending parties use a third person - called a mediator - as a neutral go-between.

Member Advocate A union official who represents a specific group of members and the union in union duties, grievance matters, and other employment conditions. Stewards are usually part of the workforce they represent.

Memorandum of Agreement A draft or outline resulting from the negotiation of a collective agreement. Both parties agree to various clauses during the negotiation process and the memorandum forms the ruling document on which the collective agreement is drafted.

Nepotism The act of providing employment, promotions, higher earnings, and other benefits to employees who are related (relatives) to management.

Open Picket Line When two or more unions’ members work at the same job site, and one sets up a picket line but allows the other members to cross, this is an “open picket line”. Members of the other unions are not permitted to perform the work of the picketing unions’ members.

Overtime Hours worked in excess of a maximum regular number of hours fixed by statute, union contract or custom. Clock overtime is a premium, paid for work during specified regular working hours, required by collective bargaining agreement.

Overtime Rate Higher rate of pay fixed by statute, union contract or custom for hours worked in excess of a specified straight time maximum.

Parity When wage rates and/or benefits between two different occupational groups or unions are equal, they are at parity.

Picketing Patrolling near employer’s place of business by union members – pickets – to publicize the existence of a labour dispute, persuade workers to join a strike or join the union, discouraging customers from buying or using employer’s goods or service, etc.

Posting Required display of vacancies available for completion within the bargaining unit.

Premium Pay A wage rate higher than straight time payable for overtime work, work on holidays or scheduled days off, etc., or for work under extraordinary conditions such as dangerous, dirty or unpleasant work.

Probationary Period Trial period. Time during which a new employee is on trial by the company and usually subject to discharge without union challenge, except where the discharge is discriminatory.

Promotion Advancing an employee to a position paying a higher salary.

Raiding An attempt by one union to induce members of another union to defect and join its ranks.

Rand Formula A landmark arbitration award handed down by Supreme Court Justice Ivan Rand on 29 January 1946, following a 100-day strike by Ford auto workers in Windsor, Ontario in 1945. The Rand Formula is a form of union security whereby an employer deducts a portion of the salaries of all employees within a bargaining unit, union members or not, to go to the union as union dues (checkoff). The original formula was based on the assumption that the union is essential for all workers and must be responsible for them. Two interrelated provisions following from this assumption guaranteed the union the financial means to carry out its programs, and established the financial penalties for employees and unions engaging in work stoppages or illegal strikes.

Ratification An act of formal approval given to terms negotiated in collective bargaining, by the union members who have the authority to make the final decision of acceptance and rejection. The act of ratification validates the agreement entered into by the negotiators on behalf of the union members.

Recognition Employer acceptance of a union as the exclusive bargaining representative for the employees in the bargaining unit.

Red Circle The maintenance of a rate of pay for a particular employee which is higher than the rate for the job the employee performs. The most common reason for this occurs is when workplaces amalgamate, and there are fewer senior positions. Red circled employees maintain this higher rate and do not receive further increases until their rate of pay equals that of the position. An employee's grade can also be "red circled".

Reinstatement The restoration of a discriminatorily discharged employee to that employee's former job.
Representation Vote A vote ordered by the Labour Relations Board to determine whether employees in an appropriate bargaining unit wish to have a particular union represent them as their bargaining agent.

Right-to-Work Laws Laws which, in guaranteeing the individual employee's right to work, have the effect of outlawing union-security contract provisions.

Scab A worker who refuses to join co-workers in a strike. Sometimes applied to members of a non-striking union who pass through a striking union's picket line, or a non-union person hired as a replacement worker.

Seniority Term used to designate an employee's status relative to other employees, as in determining order of lay-off, promotion, recall, transfer, vacations, etc. Depending on the provisions of the collective agreement, seniority can be based on length of service alone or on additional factors such as ability or union duties.

Severance Pay, Dismissal Pay A lump-sum payment by an employer to a worker whose employment is permanently ended, usually for cause beyond the worker's control. This payment is in addition to any back wages due the worker.

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Shift The stated daily working period for a group of employees, e.g., 8 a.m. to 4 p.m., 4 p.m. to midnight, midnight to 8 a.m. See Split Shift.

Shift Differential, Premium Added pay for work performed at other than regular daytime hours.
Split Shift Division of an employee's daily working time into two or more working periods to meet peak needs.

Sweetheart Deal A special agreement between the employer and an employee without the knowledge of the union and in violation of the collective agreement.

Strike A withdrawal of work by employees for the purpose of compelling an employer to agree to certain terms or conditions of employment.

Strike Fund Reserve money allocated by a union to provide income during a strike. Expenses related to the strike are also used from this fund.

Strike Breakers Replacement workers hired by the employer or firms/individuals hired by the employer with the purpose of defeating the strike.

Strike Vote Vote conducted among members of a union to determine whether or not to go on strike.
Successor Rights Legislated rights of a union representing the employees of an employer, to continue to represent those employees in the event that a business is sold or transferred to other owners.

Suspension A layoff from work or from union membership as a disciplinary measure.

Technological Change Technical changes to production methods such as the introduction of labour-saving machinery or new production techniques. These often result in person-power reductions.

Trade Union Workers organized into a voluntary association, or union, to further their mutual interests with respect to wages, hours, working conditions and other matters of interest to the workers.

Unfair Labour Practices Those employer or union activities that are defined in legislation as "unfair" by reason of intimidation, coercion, interference, or failure to bargain in good faith.

Union Security Provisions in collective agreements designed to protect the institutional life of the union. See Checkoff, Closed Shop, Maintenance of Membership, Rand Formula, Union Shop, Modified Union Shop.

Vested Rights Pension and profit-sharing plan benefits which are guaranteed to an employee after a prescribed amount of participation in the plan has been achieved.

Wage Differentials Different rates of pay for the same general type of work, the variations resulting from differences in working conditions, performance standards and types of workers.

Walkout Loose term for a strike.

Work to rule A practice where workers obey all laws and rules pertaining to their work, thereby effecting a slowdown; a refusal to perform duties which, though related, are not explicitly included in the job description.

Working Conditions Conditions pertaining to the workers' job environment, such as hours of work, safety, paid holidays and vacations, rest period, free clothing or uniforms, possibilities of advancement, etc. Many of these are included in the collective agreement and subject to collective bargaining.

Workers' Compensation Compensation payable to a worker for injuries or illness sustained in the course of their employment.