



BC's Union for Professionals

LOCAL REPRESENTATIVE MANUAL

All Chapters | 2018

TABLE OF CONTENTS

FOREWORD	i
I. STRUCTURE OF THE PROFESSIONAL EMPLOYEES ASSOCIATION	1
II. ROLE OF LOCAL REPRESENTATIVES.....	7
III. GRIEVANCE PROCEDURE	15
APPENDIX 1: THE LABOUR DICTIONARY	

FOREWORD

Welcome to the PEA team of local representatives. Association effectiveness depends on many factors, not least of which is a complete and active local representatives network.

In combination with your collective agreement and the resources available on the PEA website (pea.org), this *Local Representative's Manual* should enable you to deal with questions that members may have. Get acquainted with the contents of this manual, but don't be intimidated. It is a reference source; you don't need to know it inside out or make it an everyday part of your life.

The manual describes your role in some detail, but the functions of a local rep really boil down to six things. These functions are:

1. **Recruitment.** Assist PEA in having new employees join the Association by completing membership applications and helping with finding future successors for your local representative position.
2. **Records Maintenance.** Assist PEA in keeping membership lists current and up-to-date.
3. **Communications.** Particularly during critical bargaining times, assist PEA to communicate with the membership. Direct members to appropriate resources.
4. **Grievances and Appeals.** Assist individual members (in conjunction with the Labour Relations Officer) wishing to pursue contract grievances or appeals.
5. **'Watchdog'.** Assist PEA to monitor contract violations.
6. **Engagement.** Encourage members to participate in union activities and membership meetings in your area.

The PEA supports local representatives by providing periodic training opportunities. Contact a PEA staff person should you require assistance or have suggestions for making your job easier.

Again, welcome to the local rep team, and thank you for making this personal contribution for the good and welfare of your fellow PEA members.

A handwritten signature in blue ink, appearing to read "Scott McCannell". The signature is stylized with overlapping loops and a long horizontal stroke at the end.

Scott McCannell
Executive Director

I. STRUCTURE OF THE PROFESSIONAL EMPLOYEES ASSOCIATION

The Professional Employees Association's number one purpose is to serve the membership by regulating relations with employers in such matters as working conditions, general welfare and salaries. Your union currently serves as bargaining agent for nine bargaining units:

- Government Licensd Professionals
- Family Maintenance Enforcement Program Lawyers
- Health Science Professionals
- Hospital Employees' Staff Union
- Law Society of British Columbia Lawyers
- Legal Services Society Lawyers
- Okanagan Regional Librarians
- Oil and Gas Commission
- St. Margaret's School
- University of Victoria Academic and Administrative Professionals

Convention

The ultimate decision-making authority in the union rests with the PEA Convention. Delegates elected to represent their colleagues at convention have the authority to determine union policy, amend the constitution and bylaws and to elect the union's Table Officers. Convention receives and decides any resolutions which arise from the membership, from chapter executives and from the Association Executive.

The union's bylaws require that convention be held biennially in April, May or June.

The Membership

The general membership retains a direct hand in shaping the future of the Professional Employees Association through ratification of chapter bylaws and collective agreements, by election of convention delegates and chapter executives, and by voting on questions of changes to membership dues.

Association Executive

The Association Executive consists of the President, First Vice-President, Second Vice-President and Secretary-Treasurer (the Table Officers) and chapter representatives appointed by their chapters. Each chapter or combined group of chapters is entitled to appoint a member to the Association Executive. Larger chapters are entitled to appoint an additional Association Executive member for each additional 400 members or major part thereof.

Table Officers are elected at convention from among and by convention delegates. Table Officers take office at the conclusion of the biennial convention.

The Association Executive's function is to govern the Association between conventions. The executive sets the day-to-day operational policies of the Association. It has established a range of committees and retains staff to carry out those policies.

Chapters

The constitution permits the executive to recognize chapters, which exist to promote and pursue the particular interests of various bargaining units in the Association.

The executive has recognized nine chapters. Chapters' executives appoint members to the Association Executive.

Chapter executives are also responsible for the appointment of local representatives and contract/bargaining committees.

Bargaining Committee

The task of the Bargaining Committee representing each of the bargaining units is to solicit bargaining recommendations from the membership, to assess which recommendations should go forward to the employer, to put together a complete package of proposals for negotiating a new collective agreement with the employer and to carry out actual negotiations. In most chapters, contract proposals are submitted for review in

membership meetings or by mail prior to presentation to employers. Once a tentative collective agreement is reached in negotiations, the agreement is sent out to the membership of the bargaining unit for formal ratification.

Executive Committees

Two types of internal committees are established from time to time by the Association Executive: standing committees of the executive and special purpose committees. What follows is a brief description of the work carried out by committees in each category.

Standing Committees

These committees exist from year to year to serve ongoing functions.

Finance & Investment Committee

The Finance & Investment Committee is responsible for investing Association surpluses in order to develop assured funds for such contingencies as strike pay. The Finance & Investment Committee includes the Secretary-Treasurer (chair), the First Vice-President, Second Vice-President, an executive member and the Executive Director.

Staff Relations Committee

The Staff Relations Committee appoints a bargaining committee to negotiate the collective agreement for PEA staff and addresses staff relations problems which may arise from time to time. The committee consists of the First Vice-President (chair), three additional executive members and the Executive Director.

Education Committee

The Education Committee on various PEA education initiatives. The committee consists of the Second Vice-President (chair), two additional executive members and two PEA members-at-large.

Awards Committee

The Awards Committee assesses the applications for PEA scholarships, bursaries and the nominations for the PEA Service Award. The committee is created annually and consists of two executive members and up to two members-at-large, and the Executive Director or their designate.

Service Awards

In 1986 the Association began awarding service pins to former and present members in recognition of special contributions to the Association. Prior to the Annual Convention the Awards Committee recommends members for service awards.

PEA Scholarships

The Association awards up to ten scholarships of \$1000 each to students based on essays received on a topic chosen each year.

PEA Bursaries

The Association awards up to ten bursaries of \$500 each to

Policy Review Committee

The Policy Review Committee periodically reviews all existing policies to ensure their continued relevance and appropriateness. The committee also reviews and makes recommendations on issues or proposed policies referred to it by the executive or by convention. The committee consists of three executive members, one of whom must be a table officer, and up to two PEA members-at-large.

Grants and Donations Committee

The job of the Grants and Donations Committee is to adjudicate on requests for charitable contributions from individuals and organizations other than labour unions. The committee may recommend donations to organizations or individuals whose objectives are generally consistent with or complementary to those of the PEA. The committee consists of the three executive members and two PEA members-at-large.

Special Purpose Committees

From time to time the executive appoints committees to deal with specific problems. Executive members may or may not be part of such committees.

In the past committees have been established to deal with issues as diverse as government privatization programs, employer reorganizations, the mandatory retirement question, and others.

Executive Director

An Executive Director is retained by the Association Executive to coordinate all Association activities, to implement executive decisions and policies and to assist the executive in planning ways to ensure the Professional Employees Association continues to develop as an effective bargaining agent for professionals.

The Executive Director takes a leading role in the development and negotiation of collective agreements and coordinates the policing and administration of concluded agreements by managing and directing the remaining staff members of the Association.

In addition to the Executive Director the PEA staff includes labour relations officers, communications, financial and administrative staff.

The Association services the membership out of the Victoria office.

Professional Employees Association
505 - 1207 Douglas Street, Victoria, B.C. V8W 2E7
Telephone (250) 385-8791 • Fax (250) 385-6629
Toll-free within B.C. 1-800-779-7736
www.pea.org

II. ROLE OF LOCAL REPRESENTATIVES

In this section we outline six local representative functions, summarized as follows.

Outline of Local Representatives' Functions

1. **Recruitment.** Assist PEA in having new employees join the Association by completing membership applications and helping find future successors for your local representative position.
2. **Records Maintenance.** Assist PEA in keeping membership lists correct and up-to-date.
3. **Communications.** Particularly during critical bargaining times, assist PEA to communicate with the membership.
4. **Grievances and Appeals.** Assist individual members (in conjunction with the Labour Relations Officer) wishing to pursue contract grievances or appeals.
5. **'Watchdog'.** Assist PEA to monitor contract violations, particularly in matters relating to the security of the bargaining unit.
6. **Engagement.** Encourage members to participate in union activities and membership meetings in your area.

A. THE RECRUITMENT ROLE

Meet The New Employee

The first responsibility of the local representative is recruiting new members to the Association. As soon as possible after a new employee enters the bargaining unit make a point of introducing yourself to him or her – their future level of engagement will be impacted positively with early contact. Don't delay your first contact with a new employee. Briefly describe the purpose and activities of the Association and answer any questions the new employee may have about the PEA. There are a number of tools available to local representatives to as-

sist with meeting new members (see pea.org/resources/for-local-reps).

Complete an Application

Have the employee complete a membership application if they have not done so already. The membership form is available on the PEA website. Ensure they complete the form in its entirety.

Forward the Application

Ask the employee to forward the form to the Association's head office in Victoria. Once a completed application form is received by the Association, a membership card is forwarded to the new member, together with a letter of welcome from the Association President, a copy of the Association constitution and other membership information. As soon as new members' applications are received by the Association they are entitled to participate in Association activities with full voice and vote.

Helping with Succession Planning

Another important role is to identify members who are interested in becoming involved with the PEA and helping them understand those opportunities. As well, local representatives are best positioned to help identify, and where possible help develop members who could replace them as a local representative should they resign from their role.

B. THE RECORDS MAINTENANCE ROLE

PEA Provides Periodic Lists

From time to time the Association provides local representatives with a list of the names of all the members included in the jurisdiction that they represent.

The PEA provides local representatives with access to lists of the members in their own jurisdiction for the sole use of membership record maintenance and assisting members in the jurisdiction.

Local representatives have a responsibility to maintain the confidentiality of membership lists in accordance with applicable privacy legislation and Association Executive policy. Membership lists are to be held private and confidential and are not to be shared with any other individual or organization.

Please ensure that you store your membership list in a secure manner to protect and maintain the confidentiality of PEA member information. When you receive a new or updated list, please destroy any old lists in a confidential and secure fashion, preferably by shredding.

Membership lists indicate each members' work location, home or office phone number, email and work site location – at least to the extent that the data is available to us. However, the data in these lists is only as good as our members enable us to make it.

Employer Data Is Incomplete

A certain amount of information is provided by the employer, but much more is not. Some employers do not give us the work or home address or phone numbers of members. The employer does not usually tell us when members' classifications change or when work sites are moved from one location to another.

PEA Depends on Members – And Local Reps

It is possible for the PEA to gather some of this information from employer directories and other sources. However, we rely primarily on *members*, and to a lesser extent on *local representatives*, to keep information up to date. When the Association sends you a new list of the members in your jurisdiction we ask you to not just file it, but review it for errors and omissions and advise us on the necessary corrections and additions. Members update their contact information and other information by logging in at pea.org or they may contact us at membership@pea.org.

You Contribute to Negotiating Effectiveness

Particularly at bargaining time, the PEA absolutely depends on up-to-date membership data – to prepare our proposals, to respond to employer demands, to facilitate fast communications, and to get prepared when and if job action is contemplated. Inadequate membership data impairs the Association's ability to represent members adequately. By helping the PEA to keep membership records current, you materially contribute to the PEA's negotiating effectiveness.

C. THE COMMUNICATIONS ROLE

The Association's experience in past bargaining rounds has shown just how vital local representatives are in ensuring that Association officials have a feel for the membership "pulse" on important issues.

Local Reps Vital To Negotiations

When the time comes to gauge the membership's willingness to raise the stakes in collective bargaining it is the network of local representatives that has sounded the membership and reported its results to Association negotiators.

On the occasions when strike votes have been necessary, it is local representatives who have conveyed the importance of the vote to members and then have assisted in getting the votes that strengthened the union's position in negotiations with employers.

You Are A Conduit

On many other questions, the Association Executive relies on local representatives to be both conveyors and gatherers of information, to ensure that the elected officers of the union and its general membership know and understand what each other is thinking and feeling. Local representatives are the conduits of these two-way communications.

Know Your Members

It is the role of local representatives to know the members in their jurisdiction, know their concerns, their priorities, and their aspirations. Where problems arise that affect your members generally, and you think the Association might be able to help, make sure the union knows about it, so that the appropriate action might be initiated. Conversely, make it your job to know why the Association takes given actions so that you can explain those actions to the membership.

Be Prepared

The communications role is the local representative's most important one. As a local representative you will be relied upon from time to time to expend real efforts in carrying out important communications between members and leaders. Be prepared by being a good "fence mender". Ensure that contacts are maintained with your members.

D. THE GRIEVANCE AND APPEAL ROLE

Know The Procedures

Chapter III of this manual describes the various mechanisms by which a member can air a complaint against their employer. Make it your business to know these procedures and to know how they relate to one another.

Make Yourself Available

Make yourself available to members who feel they have been aggrieved by their employer. Listen to a member's problem and encourage them to call their labour relations officer.

Rights Of Local Representatives

The authority of local representatives to assist in the resolution of grievances is established in the collective agreement. Each PEA collective agreement contains an article, often titled *Recognition and Rights of Association Representatives*, which establishes the employer's recognition of local representatives for purposes of carrying on formal relations between the employer and the union.

The first steps of the grievance procedure set out in each collective agreement provides that local representatives have the right to be present during any meeting between an employee in their area and the employee's supervisor which is aimed at resolving a grievance.

Employers have an obligation to inform an employee of their right to have a local representative present at all meetings which involve or potentially involve discipline matters.

E. THE 'WATCHDOG' ROLE

The PEA Needs Watchdogs

Some people think that once a union has negotiated a collective agreement the major work has been done. This is not the case. Employers will sometimes take actions which violate the negotiated provisions. These actions can arise as a result of a genuine disagreement over the meaning of the language in the agreement. Occasionally violations also arise from a concerted effort to undermine the benefits employees have won through collective bargaining. Local reps have a special role in assisting the PEA in identifying these violations.

Advise Staff of Violations of the Collective Agreement

Many members are less familiar than local reps with the content of their agreement. They might not know that certain actions of the employer constitute violations. Furthermore, if these actions don't affect them directly they might not think to contact the union to inquire about the employer's action. This means violations can be occurring which aren't being addressed by the Association. Consequently the PEA needs local reps who pay attention for violations and report them to the PEA staff.

Prevent the Erosion of the Agreement

If the PEA fails to respond to an employer practice which is in violation of the agreement the employer is then put into a position where it can argue that its practice should be allowed to continue either permanently or until the next round of collective bargaining. This is possible because arbitrators will hear evidence of past practice in interpreting the language of an agreement, especially if the language is ambiguous. Furthermore, the employer can argue that there is an "estoppel" in place if it can demonstrate that it has relied on a practice to which the union has not objected.

F. ENGAGEMENT

As a local representative it is important to encourage members to take an active role in their union. You can do this by reminding members of meetings, directing them to online resources and making them aware of upcoming events such as conferences, workshops, rallies, luncheons, conventions, elections, etc. If a member seems keen to participate you may encourage them to run for a position of leadership within the union (e.g., local rep, officer the Chapter Executive, member of a committee, etc.) There are many ways to be active in the union. Members may have skills and talents that would be of benefit to the union. Get to know your members and help them be involved!

III. GRIEVANCE PROCEDURE

What Is A Grievance?

A grievance is a dispute relating either to the interpretation, application or violation of a collective agreement or to the dismissal, discipline or suspension of an employee.

A grievance concerning the suspension or dismissal of an employee goes directly to a higher step of the grievance procedure.

Know Your Agreement

Make certain that you know your collective agreement before advising a member on whether or not they have a grievance. In order to advise members of rights you should have a broad knowledge of the contract. Ensure particularly that you are conversant with provisions that apply to members in your jurisdiction and areas of the agreement which are of ongoing concern to members. Examples of the latter: performance appraisals, hours of work, overtime compensation, vacation, the various kinds of special leave, health and welfare benefits, merit increase rules, and redeployment/layoff provisions.

Ask For Help

If you know your agreement you will be able to answer most questions of interpretation and advise whether or not a given complaint is grievable. If you are in doubt, however, say so. It is far better to contact union staff for assistance than to jeopardize a legitimate grievance or raise a false expectation by giving incorrect advice to members.

Convey Your Advice

After deciding that a given complaint is not a matter for a formal grievance advise the member concerned. Make sure that members understand the reasons for your advice, and tell them to contact union staff if they are not satisfied with your advice. Remember, your grievance role is strictly advisory. *Members have the right to take up a complaint with PEA staff if they do not agree with your decision.*

Don't Miss Deadlines

The grievance procedure has deadlines requiring that grievances be filed at the second step of the procedure not later than a specific number of days after the events giving rise to the complaint. Failure to formally file a written grievance at the second step of the procedure means that the grievance will be considered to have been abandoned and no further action will be possible. In order to avoid forfeiting a grievance always ensure that members contact union staff before the deadline expires.

Below is a general description of the steps common to most PEA collective agreements. **Refer to your collective agreement for the steps applicable to your bargaining unit.**

Step One: Discussion With Supervisor

The first step of the grievance procedure is a verbal but necessary one. Before proceeding to the following steps, employees must attempt to resolve their problems through a discussion with their supervisors. As a Local Representative you are entitled to be present at such discussions, at the invitation of the member, and to attempt to facilitate resolutions of grievances before they move on to subsequent written stages. If this informal first step fails to achieve the desired result the employee may proceed to the second step. Members must remember again the agreement contains **a deadline** requiring them to proceed to the second step within a specific number of days after the occurrence of the grievance. Refer to your collective agreement for the deadlines for your bargaining unit.

Step Two: Staff Files Written Grievance

The second step is a formal written one. Refer the aggrieved member to the Association staff person assigned to your area. Having concurred that a grievable violation has occurred the staff person will write to the person designated by the employer to receive second step grievances in the affected work unit. Typically this letter will advise the recipient to take notice of a formal grievance, describe the nature of the violation, and indicate the desired remedy.

Copies of this letter will be sent to the employee's immediate supervisor as well as to the employer's bargaining agent. At this stage the employer's representative must reply to the Association within time limits established in the agreement. If this fails to occur or if the reply is not satisfactory the Association is then free to proceed to an arbitrator within the specified deadline.

Step Three: Arbitration

Arbitration hearings are normally conducted by a single person. During a hearing oral and written submissions are made by representatives for both the union and the employer and required testimony is given in a quasi-legal setting. The decision of the arbitrator is final and binding.

Appendix 1

THE LABOUR DICTIONARY

Affiliated Union. A union, which is a member of a group of unions.

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

Arbitration. The procedure by which a board or a single arbitrator, acting under the authority of both parties to a dispute, hears both sides of the controversy and issues an award, usually accompanied by a written decision, which is ordinarily binding on both parties. Arbitrators are usually appointed by the parties concerned, but under special circumstances, they are appointed by the Minister of Labour. Compulsory arbitration is that required by law and is the usual procedure for settling contract interpretation disputes. Voluntary arbitration is in the absence of statutory compulsion.

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

Award. Ruling handed down by an arbitrator.

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

Bargaining Agent. A trade union that acts on behalf of employees either in collective bargaining or as a party to a collective agreement with an employer.

Bargaining Unit. The employee group which is the appropriate unit for collective bargaining. Principal determining factors are history of collective bargaining, work performed, organization and representation of employees, their desires, interests and interchangeability.

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

B.C. Federation of Labour. The major provincial labour organization in BC. In order to join, unions must first be members of the CLC.

Bumping. Exercise of seniority rights by workers to displace junior employees when business conditions require temporary layoffs or the discontinuance of departments.

Canadian Labour Congress. The central labour congress formed out of the merger of the Trades and Labour Congress and the Canadian Congress of Labour.

Ceiling. Upper limit on wages and hours.

Certification. The official designation by a labour relations board of a trade union as the exclusive bargaining representative for employees in a particular bargaining unit.

Check-off. A system whereby union dues and assessments are deducted by the employer from the employees' pay cheques and remitted to the union. A *check-off assignment* is a signed authorization from the employee permitting a *voluntary check-off*. An *automatic* or *compulsory check-off* is one made without specific authorization by each employee.

Classification Plan. A job evaluation method based on comparison of jobs against a money scale.

Closed Shop. A place of employment where the employer has obligated himself to hire and retain in employment only union members.

COLA clause. A provision in a collective agreement which provides for payment of a cost-of-living allowance based on increases in the Consumer Price Index which is compiled by Statistics Canada.

Collective Agreement. An agreement in writing between an employer and the union representing their 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. Ordinarily, the agreement is for a definite period such as one, two or three years.

Collective Bargaining. The process of negotiating a collective agreement or settling grievances in line with the grievance procedure provided in an existing contract.

Compensation. The total package paid to an employee for working, including wages and benefits.

Compensatory Time Off. Time off which, instead of overtime pay, is given to employees who work overtime or; extra time allowed to an employee when a holiday falls on his regular day off.

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.

Contracting Out. Allocating work to be performed by others where such work had previously been performed by the employer or contractor.

Conventions. Form of international treaty by which labour standards are set by the International Labour Organization, subject to ratification by its member countries or; assemblies of union delegates which meet to act upon basic union policies.

Cost-of-Living. Relationship of the retail cost of consumer goods and services to the purchasing power of wages.

Cost-of-Living Adjustment. Adjustment of wages or salaries in ratio to changes in the cost-of-living.

Craft Union. A union whose membership is restricted to workers having a particular skill but which admits workers having that skill regardless of the industry in which they work.

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

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

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

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 ability to perform.

Exclusive Bargaining Right. Right of the union, designated as bargaining representative by a majority of the employees in the appropriate bargaining unit, to bargain collectively for all employees in the unit.

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

Grievance. Any disagreement respecting the interpretation or application of a collective agreement.

Incumbent. The holder of an office or position.

Industrial Union. A union whose membership includes any worker in a particular industry regardless of the particular skill he/she is exercising.

Injunction. A court order which either imposes restraints upon action or, if in mandatory form, directs that action be

taken, and is in either case backed by the court's power to hold disobedient parties in contempt.

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

International Union. A union which charters locals in more than one country.

Job Action. Action taken by workers to gain concessions not provided in their union contract or; action to enforce the union contract in the best interests of the workers or to prevent its violation by the employer.

Job Classification. Job rating based on an analysis of the requirements of the work.

Job Content. The actual duties which make up a job.

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.

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

Jurisdiction. Authority of an administrative agency or court to hear and pass judgement upon the merits of a case or; 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 Movement. Endeavours of organized labour to increase its ranks and to promote the welfare of the working class.

Labour Relations. All matters arising out of the employer-employee relationship, most intimately connected, however, with collective bargaining and associated activities.

Labour Relations Board. The board, provided for under the provincial Labour Code, which is responsible for certifications of trade unions, the entering of dispute settling provisions into collective agreements and investigating 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 limited period, ordinarily without pay.

Local Union. The basic unit of union organization. The local has its own bylaws and elects its own officers, but is chartered by the parent union of which it is a part. An *amalgamated local* is composed of units in several plants, each of which is partially self-governing.

Lockout. The closing of a place of employment, a suspension of work, or a refusal by an employer to continue to employ a number of employees done with the purpose of compelling employees or those of another employer to agree to conditions of employment or to refrain from exercising their existing rights and privileges.

Make Whole. 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.

Management Rights, Employer Rights. The body of rights including hiring, production scheduling, contracting and price fixing which management generally contends are not proper subjects for collective bargaining.

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

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 later drafted.

Open Shop. A shop in which union membership is not required as a condition of securing or retaining employment.

Overtime. Hours worked in excess of a maximum regular number of hours fixed by statute, union contract, or custom.

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

Picket. One who patrols a place of business to publicize the existence of a labour dispute, a union's desire to represent the employees, or the fact of non-union working conditions.

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

Premium Pay. Pay over and above straight-time pay for time actually worked, including contractual overtime for excess hours, clock-time hours and special days, pay for idle time and absences, bonuses and gifts.

Rand Formula. A union-security plan developed by Judge Rand which provides for the employer to deduct union dues from the pay of all employees and remit the amounts to the union. In addition, all strikes must be authorized by a secret ballot in which all employees may vote. Unions must, under threat of penalties, declare members eligible to cross unauthorized picket lines and fines may be imposed on employees who participate in unauthorized 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 or 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. Maintains a rate of pay for a particular employee which is higher than the rate for the job the employee performs. The most common reason this occurs is when work places amalgamate, and there are fewer senior positions. However, “red circled” employees do not receive further increases until their new rate catches up.

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. 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.

Slowdown. Concerted reduction of output by employees

Steward. PEA uses the term “Local Representative.” Volunteer member who is an expert in union activities and is a representative of the union to members.

Strike. A cessation of work, a refusal to work or to continue to work by employees in combination or in accordance with a common understanding, or a slowdown, or other concerted activities by employees for the purpose of compelling an employer to agree to terms or conditions of work by all un-

ion members in a geographical area, usually as a political protest. A wildcat, outlaw, or unauthorized strike is a strike launched without the consent of union officials and is a strike by a minority of the workers in a workplace or bargaining unit.

Strike Benefits. Sums paid by a union to its striking members to help finance them during the strike.

Strike Breakers. Workers hired during a strike primarily for the purpose of defeating the strike.

Strike Fund. Reserve accumulated by a union to provide members with some income while on strike and to pay expenses connected with strikes.

Strike Notice. Formal announcement by a group of workers to their employer or to an appropriate government agency that as of a certain date they will go on strike if the grievance is not settled.

Strike Vote. A vote conducted among employees in the bargaining unit on the question of whether they should go out on strike.

Suspension. A layoff from work as a disciplinary measure.

Sweetheart Deal. A special agreement benefitting an employee, and granted by an employer without the knowledge of the union and therefore in violation of the Collective Agreement.

Take-Home Pay. The net paycheque after allowance for tax withholding and other deductions.

Unfair Labour Practices. Those employer or union activities that are classed as “unfair” by labour relations acts by reason of intimidation, coercion, interference, or failure to bargain in good faith.

Union. The unit of labour organization which organizes and charters locals in the industries or trades as defined in its constitution, sets general policy for its locals, assists them in the conduct of their affairs, and is the medium for coordinating their activities. Finances are obtained from the locals through per capita dues. Unions usually hold regular conventions of delegates from the locals at which general policy is set and at which officers are elected.

Union Jurisdiction. Authority over certain types of work, certain workers, or specific areas which have been assigned to a union by the national or international union with which it is affiliated.

Union Label. Imprint on a product indicating the item is made under union conditions. It is called a “bug”.

Union Shop. Form of union security under which an employer may hire non-union workers who must, however, become members after they are employed as a condition of retaining their employee status.

Voluntary Recognition. An employer and a trade union may agree that the employer shall recognize the trade union as the exclusive bargaining agent of the employees in a defined bargaining unit.

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.

Workers' Compensation. Compensation payable by employers collectively for injuries sustained by workers in the course of their employment. Each province has a Workers' Compensation Act. The industries covered by the Act are divided into groups, the employers in each group being collectively liable for the payment of compensation to the workers in their group.