

Your support is essential to our union's strength at the bargaining table. This glossary will help you understand key union terminology. Some of these terms might show up in our communications about what is going on throughout the negotiation process and in the event of job action.

Bargaining terms:

Bargaining in Bad Faith
 Bargaining breakdown / Talks break down
 Bargaining Committee / Negotiating team
 Bargaining Council
 Central Bargaining
 Collective Bargaining
 Concession
 Conciliation
 Conciliation or Mediation Officer
 Coordinated Bargaining
 Interest Arbitration
 Labour Board
 Letter / Memorandum of Understanding
 Memorandum of Settlement / Agreement
 Proposals / Demands
 Ratification / Ratify
 Ratification Vote
 Retroactive
 Table(d) / On or Off the table
 Two-tier contract provision
 Vote on Employer's Offer

Q U I C K N A V I G A T I O N

Strike / Lockout Terms:

Accommodation
 Boycott
 Essential Services
 Flying Squads
 Incident Report Form
 Injunction
 Job Action
 Lockout
 Picket Captain
 Picket Line Monitor
 Picket Protocol
 Right to Strike
 Scab
 Scab Report
 Secondary Picketing
 Security Guards
 Strike Averting
 Strike Date / Deadline
 Strike Vote / Strike Mandate
 Work-to-Rule

Bargaining terms

Bargaining in Bad Faith

When one side is bargaining in a way that violates labour relations legislation or accepted practices for how bargaining is done.

Bargaining breakdown / Talks break down

Both sides have run out of things to try to keep moving towards a deal. There is a sense that continuing to bargain will not be productive.

Bargaining Committee / Negotiating team

The group of members who have been officially selected or elected (per Bylaws) to negotiate on behalf of all bargaining unit members.

Bargaining Council

A structure created by a group of locals in one sector to bargain on behalf of the group of locals.

Central Bargaining

When bargaining is done for a group of locals, for example in one sector, at a central table.

Collective Bargaining

Method of determining wages, hours and other conditions of employment through direct negotiations between the union and employer. The result of collective bargaining is a written contract, which covers all employees in the bargaining unit.

Concession

A concession occurs when a local union accepts an employer's demand for a lesser wage. A concession also occurs when a local union accepts an employer's demand for a lesser contract provision than previously agreed, without at least receiving a like benefit, or provision of higher value or importance in return.

Conciliation

The process of non-binding, third party intervention designed to assist the union and the employer in the resolution of differences in negotiations, so that they can arrive at a collective agreement. The process is generally a prerequisite to a legal **strike** or **lockout**.

Usually, when **talks break down** one of the parties' requests that the Labour Board appoint a **Conciliation Officer** to help reach a settlement.

In some cases, though, the employer or the union apply for conciliation earlier in the bargaining process, as a method to speed things up or to secure a desired **strike/lockout deadline**.

Conciliation or Mediation Officer

A person appointed by the Ministry of Labour to lead the process of conciliation. Conciliation Officers work with the parties on an informal, confidential basis, and do not issue public reports.

Coordinated Bargaining

A strategic process where groups of different bargaining units agree to work together to align and execute their strategic plans for bargaining in a way that achieves a common outcome for all.

Interest Arbitration

A process for imposing the terms of a collective agreement when the parties cannot reach a settlement in collective bargaining. Interest arbitration can be voluntary, required under the collective agreement or imposed by law, sometimes by back-to-work legislation.

Labour Board

An independent tribunal created by legislation to interpret and rule on labour legislation. For example, a labour board has the power to certify unions as bargaining agents, investigate and decide on unfair labour practice complaints and the appointment of conciliation and mediation officers.

Letter / Memorandum of Understanding

An agreement in writing between the union and the employer. An LOU / MOU is often part of the collective agreement.

Memorandum of Settlement / Agreement

A written, signed agreement that identifies what the union and employer have agreed to in settling a collective agreement or other dispute. The union and/or the employer may have to **ratify** the agreement before it becomes a collective agreement.

Proposals / Demands

What the union or the employer want in the collective agreement. The two parties suggest these changes in collective bargaining.

Ratification / Ratify

When the members agree with the recommendation of the bargaining committee, for example ratification of proposals and ratification of the Memorandum of Settlement.

Ratification Vote

A secret ballot vote that is held at a special membership meeting to accept or reject the Memorandum of Settlement brought forward by the bargaining committee. In most cases, the legislation outlines how a ratification vote must be held, who can vote and what is considered a majority for the settlement to be deemed ratified.

Retroactive

A change comes into effect on a date that has passed. For example, if the union negotiates a wage increase during bargaining, you may be owed that increase back to when the collective agreement starts.

Table(d) / On or Off the table

A proposal or document is considered tabled, when it is presented to the other side at the bargaining table. Unless there is a time limit attached to it, it is on the table and open for discussion and consideration. It is off the table when it is withdrawn by the party that submitted it.

Two-tier contract provision

A two-tier contract provision offers a lesser condition of employment for certain employees than for others performing the same work, based solely on their date of hire. Two-tier provisions are always considered a concession, regardless of what may be negotiated in return.

Vote on Employer's Offer

The most recent offer tabled by the employer, which it deems to be its "final offer" may be put to the membership by the Union or the Employer, with the help of the Ministry of Labour. In either case, the Union bargaining committee will make a recommendation to the membership to either ratify it or reject it.

Membership rejection may move the local closer to a strike or put the local on strike if a strike vote has already been taken. It also sends a strong message to the employer that the offer isn't good enough and might get them back to the table.

However, if the majority of members vote "yes" to the terms of the offer, it is deemed ratified, which is binding and the bargaining cycle is over.

Strike / Lockout Terms

Accommodation

Members who cannot picket because of a disability or other issue can request an accommodation with the Strike Committee. This means being provided with suitable work, on comparable shifts, to those members on the picket line.

Boycott

Refuse to buy or use products/services of an employer. Boycotts are used to settle disagreements or to protest an employer's actions.

Essential Services

Work that is considered so important to the health, safety, or security of the public that workers who do it are not allowed to strike. Legislation may say that certain services are essential (a percentage of the members of the bargaining unit), or labour boards may decide it.

Sometimes all workers in a sector, such as health care, are labelled "essential" and lose their **right to strike**. Other times, the Union, Employer and Labour Board predetermine what amount of the bargaining unit has been declared an essential service, therefore, must be working during the legal strike period.

Flying Squads

A mobile and flexible picket line. Members of the flying squad will move to where they are most needed at any given time.

Incident Report Form

This form is completed by your Picket Captain and forwarded to the Strike Headquarters for follow up. Incidents to be reported include the following: accident or injury, intervention by police, security or picket line monitors, aggressive or violent behaviour of anyone coming into contact with the picket line, etc.

Injunction

An injunction is a formal order from either the Labour Relations Board or the jurisdictional Court which may limit picket line activity including, the number of picketers on a line and the delay times of people/vehicles crossing the line. The employer must apply for an injunction and it is usually delivered by police.

Job Action

A concerted refusal, cessation or slowdown of work or other concerted activity by employees that is designed to restrict or limit output of the employer. Examples are **work stoppage**, rotating **strike** or **work-to-rule**.

Lockout

When the employer stops workers from working in order to pressure them to agree to its collective bargaining proposal. In order for a lockout to be legal, the employer must follow certain steps, just as the union must before going on strike. A lockout is legal only after the collective agreement has expired and bargaining has gone through the steps required by law.

Picket Captain

The representative of the union on the picket line. Also:

- The liaison with the **picket line monitor**, police and security guards on the picket line.
- Responsible for maintaining morale on the line.
- Responsible for reporting any incidents to the Strike Committee.

Picket Line Monitor

Management representative on the picket line. They have no authority to give direction to picketers. The picket line belongs to the union.

Picket Protocol

An agreement between the union and the employer, which sets certain rules about picketing. The following may form part of a Picket Protocol:

- Delay times.
- Where picket lines will be.
- Which entrances will be open and which will be closed.
- Where picketers can park.
- Use of facilities.

There are both formally negotiated protocols between the employer and the union, and informal protocols between a Picket Captain and a Picket Line Monitor at a particular picket location.

Right to Strike

A bargaining unit's legal ability to stop providing work they perform and/or use some form of job action once all legislative requirements have been met.

This right applies to all workers in the bargaining unit.

Scab

A worker who fails to respect the picket line, engages in any strike-breaking activity or works for the employer during a legal labour dispute.

Your local should have a policy on how to deal with scabs so that everyone deals with them the same way.

Scab Report

A report completed by the Picket Captain that identifies any local union member engaging in scabbing activity. The report is forwarded, with pictures if possible, to the Strike Headquarters for appropriate action.

Secondary Picketing

The legal act of picketing at locations other than the primary workplace of the union that is on strike. Secondary picket sites will be determined by the Strike Committee.

Security Guards

Security Guards may be hired by the Employer to "protect their interests." They have no vested interest in a contract settlement; their companies financially benefit from a prolonged dispute. Guards are trained to intimidate and provoke strikers. Guards have no authority to give direction to picketers.

Strike / Work Stoppage

Workers stop working as a way to pressure the employer to settle the collective agreement. Strikes are legal only after the collective agreement expires and bargaining has gone through the steps required by law.

Strike Averting

The term used to describe the work done in the local by the Bargaining Committee, the Mobilizing / Strike Committee, the Executive, and the members to put pressure on the employer and build support for the bargaining process up to the **strike deadline**.

Strike Date / Deadline

Under legislation, the date on which a local can legally go on strike, or on which the employer can legally lock the workers out.

Strike Vote / Strike Mandate

To support bargaining demands, the bargaining committee will call for its members to give them a strike mandate by way of a strike vote. Members will be informed of the time and place of the strike vote meeting.

At the meeting they will hear Employer demands in terms of concessions and the demands of the union that the Employer is refusing to grant. Each member will vote, by secret ballot, as to whether they are in favour of the negotiating committee taking strike action if negotiations break down.

If given a strong strike mandate, the bargaining committee will return to the table with the strength of the membership behind them. The stronger the strike mandate, the better the possibility of a strong negotiated collective agreement.

Work-to-Rule

A slowdown where workers do everything “by the book”, following every rule in order to slow down the output of work.

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