

## **GLOSSARY OF LABOUR TERMS**

### **ACROSS-THE-BOARD ADJUSTMENT**

Change in pay rates made for all employees in a workplace or particular group.

### **ADJUDICATION**

The equivalent to grievance arbitration; a method under the Public Service Employee Relations Act of providing a settlement of disputes arising out of the terms of any agreement.

### **AFFILIATED UNION**

A Union which is a member of a group of Unions.

### **AGENCY SHOP**

A clause in a Collective Agreement similar to the rand formula.

### **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 interruption 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.

### **ASSESSMENT**

Special charges levied by Unions to meet particular financial needs.

### **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**

Unions designated by a Labour Relations Board or similar government agency as the exclusive representative of all employees in a Bargaining Unit for the purpose of Collective Bargaining.

### **BARGAINING RIGHTS**

The exclusive authority given to a Trade Union to represent a group of employees of a particular employer or to a registered employers organization to represent a group of employers in the construction industry.

### **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 lowest rate of pay, expressed in hourly terms, for the lowest paid qualified worker classification in the bargaining unit. Not to be confused with basic rate, which is the straight-time rate of pay per hours, job or unit, excluding premium, incentive bonuses, etc.

**BLUE-COLLAR WORKERS**

Production and maintenance workers as contrasted to office and professional personnel.

**CANADIAN LABOUR CONGRESS (CLC)**

Canada's National Labour body representing over 70 per cent of organized labour in the country, 2.3 million workers.

**CEASE-AND-DESIST DECLARATION**

A declaration by the Labour Relations Board directing a party to stop an activity that is prohibited under the Labour Relation Code.

**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.

**CHECKOFF**

A clause in a collective agreement authorizing an employer to deduct Union dues and sometimes other assessments, and transmit these funds to the Union. There are four main types: the first three apply to Union members only and the rand formula – dues deducted from Union and non-Union employees.

**CLASSIFICATION PLAN**

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

**CLOSED SHOP**

A provision in a collective agreement whereby all employees in a Contractual Unit must be Union members in good standing before being hired, and new employees hired through the Union.

**COLLECTIVE AGREEMENT**

A contract between one or more Unions, acting as bargaining agents, and one or more employees covering wages, hours, working conditions, fringe benefits, rights of workers and Union and procedures to be followed in settling disputes and grievances.

**COLLECTIVE BARGAINING**

A method of determining wages, hours and other conditions of employment through direct negotiations between a Union and an employer.

**COMPANY UNION (BOUTIQUE UNION)**

A one-company group of employees frequently organized or inspired by management and usually dominated by the employer.

## **CONCILIATION AND MEDIATION**

A process which attempts to resolve labour disputes by compromise or voluntary agreement. By contrast with Arbitration the Mediator, Conciliator or Conciliation Board does not bring in a binding award and the parties are free to accept or reject its recommendation. The Conciliator is often a government official while the Mediator is usually a private individual appointed as a last resort, sometimes even after the start of a strike.

## **CONSUMER PRICE INDEX**

Statistics Canada's monthly statistical study 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**

Practice of employer having work performed 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.

## **COST-OF-LIVING ALLOWANCE**

Periodic pay increase based on changes in the consumer price index sometime stated with a top limit.

## **CRAFT UNION**

Also called a Horizontal Union. A Trade Union which organizes on the principle of limiting membership to some specific craft or skill, e.g. electricians, plumbers, etc. In practice many traditional craft Unions now also enroll members outside the craft field, thereby resembling industrial Unions.

## **DECERTIFICATION**

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

## **DEMOTION**

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

## **DISCIPLINE CAUSE**

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

## **DISCRIMINATION**

Discrimination is the differential treatment of an individual based on race, creed, sex, sexual orientation, physical or mental attributes or any other personal attributes.

**DISPUTE**

When an employer and a Trade Union representing the employees cannot agree upon the terms and conditions of a collective agreement.

**DISPUTES INQUIRY BOARD**

A board established by the Minister of Labour to inquire into and endeavour to settle a collective bargaining dispute.

**DOWNTIME**

Period when a machine is not operating due to mechanical failure, lack of materials, etc. through no fault of the operators, but with the machine operator still on the job. Under a Union contract, down time is usually paid for.

**DUES**

Periodic payments by Union members for the financial support of their Union.

**DUTY OF FAIR REPRESENTATION**

A clause of many labour codes, provincial and federal, which states that all workers, whether members of the Union or not, have the right to representation by the Union that represents their workplace. It also states that the Union must not act in a manner which is arbitrary, discriminatory, or in bad faith towards any employee of their bargaining unit.

**EMPLOYMENT EQUITY**

The principle that the workplace should be truly representative of the general population in its inclusion of minority groups, women and workers with disabilities.

**EXPEDITED ARBITRATION**

A fast track arbitration system where cases are presented within a specified time limit. They also imply that the arbitrator(s) will issue awards in a specified time and that such awards will not be “precedent setting” (or create jurisprudence).

**FEDERATION OF LABOUR**

A federation, chartered by the Canadian Labour Congress, grouping local Unions and Labour Councils in a given province. C.S.U. 52 is not a member of the Canadian Labour Congress.

**FRINGE BENEFITS**

Non-wage benefits, such as paid vacations, pensions, health and welfare provisions, life insurance etc., the cost of which is borne in whole or in part by the employer.

**GOOD-FAITH BARGAINING**

Bargaining in which the two parties make every reasonable effort to reach a collective agreement.

**GRIEVANCE**

Complaint against management by one or more employees, or a Union, concerning an alleged breach of the collective agreement or an alleged injustice. Procedure for the handling of grievances is usually defined in the agreement. The last step of the procedure is usually Arbitration.

## **HARASSMENT**

Harassment is an expression of perceived power and superiority by the harasser over another person or group, usually for reasons of sex, race, ethnicity, age, sexual orientation, disability, family or marital status, social or economic class, political or religious affiliation or language.

Harassment is unwelcome, unwanted and uninvited; it may be expressed verbally or physically; it is usually coercive and it can occur as a single incident or on a repeated basis. It comprises actions, attitude, language or gestures which the harasser knows or reasonably ought to know are abusive, unwelcome and wrong

## **HIRING HALL**

A headquarter from which a Union fills requests for workers. A central hiring hall is a place where Union workers gather for referral to seasonal or casual jobs. A joint hiring hall is sponsored by employers as well as the Union. A preferential hiring hall is one in which Union members get first referral to jobs.

## **INDUSTRIAL UNION**

Also called a Vertical Union. A Trade Union which organized on the principle of including all workers from one industry, regardless of their craft or whether or not they are skilled or unskilled.

## **INCENTIVE PAY**

Method of pay which varies according to production. Pay may depend upon number of pieces or work completed by individuals or groups of workers. Wages may be paid on a piece, bonus or premium basis. Contracts guarantee incentive workers a minimum hourly rate.

## **INJUNCTION**

A court order restraining an Employer or Union from committing or engaging in certain acts.

## **INTEREST ARBITRATION (COLLECTIVE AGREEMENT ARBITRATION)**

A method of settling a collective bargaining dispute by having an impartial arbitrator or arbitration board render a decision about the contents of a collective agreement that is binding on both the trade union and the employer.

## **INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (ICFTU)**

An International Trade Union body formed in 1949, composed of a large number of national central labour bodies such as the Canadian Labour Congress. It represents 80 million members in non-communist countries.

## **INTERNATIONAL LABOUR ORGANIZATION (ILO)**

Tripartite world body representative of labour, management and government; an agency of the United Nations. It disseminates labour information and sets minimum international labour standards, called "conventions", offered to member nations for adoption. Its headquarters is in Geneva, Switzerland.

**INTERNATIONAL UNION**

A Union which has members in both Canada and the United States.

**JOB ANALYSIS**

Investigation of duties and operations of a job to determine its requirements in terms of human abilities and relationships.

**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 responsibility and the other qualifications called for by the work.

**JOB EVALUATION**

A system designed to create a hierarchy of jobs based on factors such as skills, responsibilities or experience, time and effort. Often used for the purpose of arriving at a rational system of wage differential between jobs or classes of jobs.

**JOB SECURITY**

A provision in a collective agreement protecting the worker's job, as in the introduction of new methods or machines.

**JURISDICTIONAL DISPUTE**

A dispute between two or more Unions as to which one shall represent a group of employees in collective bargaining or as to whose members shall perform a certain kind of work.

**JURISPRUDENCE**

The decisions of Arbitrators or Arbitration Boards which make up case law in labour court.

**LABOUR COLLEGE OF CANADA**

Institution of higher education for trade union members operated by the Canadian Labour Congress for the purpose of providing a training ground for future trade union leaders.

**LABOUR COUNCIL**

Organization composed of locals of C.L.C. affiliated Unions in a given community or district.

**LABOUR RELATIONS CODE**

The basic statute regulating labour relations and collective bargaining in Alberta.

## **LABOUR RELATIONS BOARD**

A Board established under provincial or federal labour relations legislation to administer labour laws, including certification of Trade Unions as bargaining agents, investigations of unfair labour practices and other functions prescribed under the legislation.

## **LAYOFF**

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

## **LEAVE OF ABSENCE**

Permitted absence for an employee for a limited period, ordinarily without pay.

## **LOCAL (UNION)**

Also known as Lodge or Branch. The basic unit of Union organization. Trade Unions are usually divided into a number of locals for the purpose of local administration. These locals have their own bylaws and elect their own officers; they are usually responsible for the negotiation and day-to-day administration of the collective agreement.

## **LOCKOUT**

A labour dispute in which management refuses work to employees or closes its establishment in order to force a settlement on its terms.

## **MAILOUT REPRESENTATIVE**

A member who posts the mail and distributes Union information in areas where there is no Shop Steward present.

## **MANAGEMENT RIGHTS, EMPLOYER RIGHTS**

The body of rights including hiring, scheduling of hours of operation and contracting 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, or,
- (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 a “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.

## **MODIFIED UNION SHOP**

A place of work in which non-Union workers already employed need not join the Union, but all new employees must join, and those already members must remain in the Union.

## **MOONLIGHTING**

The holding by a single individual of more than one paid job at the same time.

**NEW DEMOCRATS**

The New Democrats are the “political arm” of organized labour. Since its creation it has fought on behalf of workers for better pensions, labour laws, working conditions, medicare, unemployment insurance, human rights and other progressive ideas in the legislatures across Canada. Many of the benefits working people enjoy today can be credited to the policies, actions and dedication of the N.D.P.

**NATIONAL UNION**

A Union whose membership is confined to Canada only.

**NOTICE TO BARGAIN**

A notice, served by either the trade union or employer on the other, to initiate collective bargaining.

**NO STRIKE CLAUSE**

A contract clause limiting the freedom of workers to strike during the life of the agreement. Used when the contract provides for final settlement of grievances through Arbitration. Compulsory in all provincial labour acts.

**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 numbers of hours, fixed by statute, Union contract, or custom. Clock overtime is a premium paid, during specified regular working hours, as required by a 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.

**PAY EQUITY**

The principle that there should be equal levels of pay/remuneration for all workers who perform equal functions.

**PER CAPITA TAX**

Regular payments by a local to its National or International Union, Labour Council or Federation, or by a Union to its central body. It is based on the number of members.

**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 and services, etc.

**PIECE RATE OR PIECE WORK**

A form of incentive pay under which wages are paid according to the number of pieces produced. Pay may be related to individual or group production. Unlike an hourly rate of pay under which the worker receives a fixed rate which does not vary with output. Most contracts guarantee piece rate workers a minimum hourly rate.

**POSTING**

Required display of the vacancies available for competition within the bargaining unit.

**PREFERENTIAL HIRING**

A system under which employers agree to hire only Union workers as long as the Union is able to fill the demand for workers.

**PREMIUM PAY**

A wage rate higher than straight time, e.g., 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**

Attempt by one Union to induce members of another Union to defect and join its ranks.

**RAND FORMULA**

Also called Agency Shop and named after Judge Rand. A Union security clause in a collective agreement stating that the employer agrees to deduct an amount equal to the Union dues from all workers of the bargaining unit, whether or not they are members of the Union, for the duration of the collective agreement.

**RECOGNITION**

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

**RED CIRCLE RATE**

A rate of pay for a particular employee which is higher than the maximum of the rate range or the rate for the work that the employee is doing. For example, because of old age, disability or like, an employee is demoted to easier, lower-paying work with no reduction in pay.

**REINSTATEMENT**

The restoration of a discriminatory discharge employee to that employee's former job.

**RE-OPENER**

A provision calling for re-opening a collective agreement as a specified time prior to its expiration for bargaining on stated subjects such as a wage increase, pension, health and welfare, etc.

**RETURNING OFFICER**

A person in charge of a vote.

**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**

Lump sum payment by the employer to a worker laid off permanently through no fault of the worker.

**SHIFT**

The stated daily working period for a group of employees, e.g., 8:00 a.m. to 4:00 p.m.; 4:00 p.m. to midnight or midnight to 8:00 a.m.

**SHIFT DIFFERENTIAL**

Added pay for work performed at other than regular daytime hours.

**SHOP STEWARD**

A Union official who represents a specific group of members and the Union in Union duties, and other employment conditions. Shop Stewards are usually part of the workforce they represent.

**SLOWDOWN**

A deliberate lessening of work effort without an actual strike, in order to force concessions from the employer. A variation of this called a "work-to-rule" strike – a concerted slowdown in which workers, tongue in cheek, simply obey all laws and rules applying to their work.

**SPLIT SHIFT**

Division of an employee's daily working time into two or more working periods to meet peak needs.

**STRETCH-OUT OR SPEED-UP**

An unbearable increase in the worker's pace.

**STRIKE**

A cessation of work or a refusal to work or to continue work by employees in combination or in accordance with a common understanding for the purpose of compelling an employer to agree to terms or conditions of employment.

Usually the last stage of collective bargaining when all other means have failed. Except in special cases, strikes are legal when a collective agreement is not in force. A rotating or hit-and-run strike is a strike organized in such a way that only part of the employees stop work at any given time, each group in turn. A sympathy strike is a strike by workers not directly involved in a labour dispute – an attempt to show labour solidarity and to put pressure on an employer in a labour dispute. A wildcat strike is a strike violating the collective agreement and not authorized by the Union.

**STRIKE-BREAKER, SCAB**

A person who continues to work or who accepts employment to replace workers who are on strike. By filling their jobs, they may weaken or break the strike.

**STRIKE NOTICE**

An announcement that the employees will go out on strike at a certain time, given in writing to the employer and the mediator by the trade union.

**STRIKE VOTE**

Vote conducted among members of a Union to determine whether or not to go on strike.

**SUSPENSION**

A layoff from work or from Union membership as a disciplinary measure.

**TECHNOLOGICAL CHANGE**

Technical changes to the work process, such as the introduction of labour-saving machinery or new production techniques. These often result in workforce reduction or speed-up.

**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.

**TRANSNATIONAL CORPORATION**

Any company that operates in more than one Country.

**TRUSTEESHIP**

The taking over of the administration of a local Union's affairs, including its treasurer, by the parent body.

**UNFAIR LABOUR PRACTICES**

Those employer or Union activities that are classed as "unfair" by Labour Relations Acts.

**UNION LABEL, BUG**

A tag, imprint or design affixed to a product to show it was made by Union labour.

**UNION SECURITY**

Provisions in collective agreements designed to protect the institutional life of the Union.

**UNION SHOP**

A place of work, where every worker covered by the collective agreement must become and remain a member of the Union. New workers need not be Union members but must join after a certain number of days.

**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.

**WAGES**

Any salary, pay, overtime pay and any other remuneration for work or services however computed, but not including tips and other gratuities.

**WALKOUT**

Loose term for strike.

**WHITE-COLLAR WORKERS**

Term applied to workers in offices and other non-production phases of industry.

**WORK-TO-RULE**

A practice where workers obey all laws and rules pertaining to their work, thereby affecting a slow-down, a refusal to perform duties, though related, are not explicitly included in the job description.

**WORKING CONDITIONS**

Conditions pertaining to the 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.

## **SOURCES**

Canadian Labour Congress, The Steward Handbook

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C.S.U. 52 Shop Steward's Manual, 1996

C.S.U. 52 Shop Steward's Manual, 2003

A Guide to Alberta's Labour Relations Laws

T.W.U. Basic Shop Steward's Manual, 2001

Lloyd Egan, Past C.S.U. 52 President

## **SOURCES TO REFER TO:**

- C.S.U. 52 Constitution & Bylaws
- Union 52 Benevolent Society Bylaws
- C.S.U. 52 Policy & Procedures Manual
- Terms of Reference
- Bourinot's Rules of Order