

Glossary of Labour Terms

WHAT DOES THAT MEAN?

Arbitration: A method of resolving disputes (typically grievances) between the union and the employer through the intervention of a neutral third party – an arbitrator – whose decision is binding and final.

Bargaining Agent: A legally-certified union is designated by law as the sole and exclusive bargaining agent for a specific group of employees (the bargaining unit). This legal status is intended to prevent the formation of “company unions” – organizations that pretend to represent the workers but are dominated and controlled by management.

Bargaining Unit: A group (or groups) of workers in a craft, department, plant, company or occupation, which the Labour Relations Board has determined is appropriate for representation by a union for the purposes of collective bargaining.

Black List: A “do not hire” list compiled and circulated among employers identifying union activists and sympathizers. Black lists are illegal.

Boycott: A tactic used by workers and consumers to pressure corporations through a mass refusal to purchase their products or otherwise patronize the business.

Business Representative (BR, or Business Agent, BA): This term sounds like it refers to a management person, but it describes an official who conducts union business on a paid, full-time basis.

Canadian Labour Congress (CLC): Canada’s national labour federation, representing more than 70 percent of that nation’s unionized workforce.

Check-off: A clause in the collective bargaining agreement that authorizes management to automatically deduct union dues or fees from union-represented employees.

Closed Shop: The Closed Shop is based on a contract provision requiring that all bargaining unit employees be union members in good standing before they were hired and, often, that they be hired through the union.

Collective Bargaining: Direct negotiations between union and company representatives to produce a collective bargaining agreement (CBA, also known as a labour agreement or contract.)

Company Union: A sham union, dominated and often organized or inspired by the employer to manipulate the workforce and frustrate attempts to form a genuine union. Used disparagingly.

Conciliation: See Mediation and Conciliation.

Contracting-out: When a employer hires outside personnel to perform work normally done by company employees, the work is said to be contracted-out or “out-sourced.”

Contract: A legally-enforced agreement negotiated between a union and employer that spells out the

wages, hours and other terms and conditions of employment. Contracts are binding on both parties for a fixed duration (typically three years) and then expire and must be re-negotiated.

Contract Proposals: Contract language put forward by the union or the employer and subject to collective bargaining.

Cost-of-Living Allowance (COLA): Periodic pay adjustments to compensate workers for changes in the cost of living. COLA is usually geared to changes in the Consumer Price Index (CPI).

Craft Union: A union that admits only workers of a particular trade, skill set or occupation (e.g. plumbers, carpenters or electricians).

Ergonomics: The science of designing tools and work processes for the comfort and safety of employees to avoid such hazards as back injuries or muscle, tendon and eye strain.

Fringe Benefits: Non-wage benefits, including paid vacations, pensions, medical and life insurance, whose cost is borne in whole or part by the employer.

Grievance: A formal complaint alleging and seeking restitution for a violation of the collective bargaining agreement.

Industrial Union: A union that organizes on the principle of uniting all workers in an industry “wall-to-wall,” regardless of craft or skill level. (See Craft Union.)

Informational Picketing: Patrolling near an employer’s place of business purely for the purposes of informing and educating the public. (See [Picketing](#).)

International Union: A union with members in more than one country, typically the U.S. and Canada.

Labour Board: Labour Relations Board.

Lockout: A lockout occurs when an employer seeks to force the terms of a settlement by refusing work to employees or shutting down operations.

Mediation and Conciliation: A process that attempts to resolve disputes through compromise and voluntary agreement. When negotiations between the union and the employer bog down, mediators (often employed by a government Mediation and Conciliation Service) may agree to act as “go-betweens,” helping the parties find acceptable middle ground.

Picketing: Patrolling near an employer’s place of business to publicize the existence of a strike or other labour dispute to encourage people to join the union or to discourage people from working for or doing business with the employer. (See [Informational Picketing](#).)

Premium Pay: Additional pay for work performed on overtime or under particularly difficult, dangerous or undesirable conditions.

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

Rand Formula: 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”). It was named for a decision handed down 29 Jan 1946 by Mr. Justice Ivan RAND of the Supreme Court of Canada while he was arbitrating the WINDSOR STRIKE (12 Sept-20 Dec 1945). 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. For employees, these sanctions could consist of daily fines and loss of seniority; for the union, the suspension of union dues. Collective agreements have spread a modified Rand Formula throughout Canada, and some provinces have given it legal force. (In the U.S this is known as an Agency Shop.)

Re-opener: A provision allowing the renegotiation of specific portions of a collective bargaining agreement (e.g. wages or medical insurance) prior to the expiration of the entire agreement.

Right-to Work (Right to Work for Less): An anti-union law that requires unions to bargain for and represent all employees, while forbidding unions from negotiating contract language to require all represented workers to belong and pay dues to the union. So-called “right to work” laws are in force in some 20 U.S. states. Labour laws in Canada seem to be pointed in this direction.

Scab: An epithet used to describe a worker who refuses to join the union, or who crosses a union picket line and takes the job of a striking worker.

Seniority: A term used to designate an employee’s status relative to other employees in determining the order in which they will be considered for promotion, transfer, lay-off, etc. Most collective bargaining agreements calculate seniority by total length of service with the company, sometimes with consideration for length of service within a particular craft or department.

Shift differential: Additional pay for work regularly performed outside normal daytime hours. (See [Premium Pay](#).)

Shop Steward, or Steward: A union member responsible for handling problems on the shop floor, including grievances, between the members and management, educating members on union policies and activities; and getting the members involved in the union. The steward is the backbone of the union.

Strike: The workers’ ultimate weapon, the strike is the concerted withholding of labour from the employer; the refusal of the workforce to continue working for the employer unless certain terms and conditions are met. The strike is usually a tactic reserved for the last stage of collective bargaining, after all attempts to resolve the dispute have failed.

Trade Union, or Union: Workers who organize a voluntary association to further their mutual interests with respect to wages, hours, working conditions and other matters of common concern.

Union Busting: Efforts by the employer (or lawyers and professional consultants hired by the

employer) to make workers to lose faith in, quit or refuse to join unions.

Union Label, or Union Bug: A stamp, emblem or other mark affixed to a product to certify it was made by union labour.

Work-to-Rule: A tactic used by workers to pressure management by scrupulously adhering to the letter of all company rules, safety regulations, contractual provisions, laws and other relevant procedures.