

CUPE·SCFP

**BARGAINING
FREQUENTLY ASKED
QUESTIONS**





Frequently Asked Questions

What is collective bargaining?

The negotiation process between committees representing the employer and its employees, as represented by the union through a bargaining unit, that leads to a collective agreement.

What is a bargaining unit?

A group of employees who are represented by the same union and are covered by the same collective agreement.

What is conciliation?

Conciliation happens when either side in bargaining (either the union or employer) asks to have a conciliator appointed by the Ontario's Ministry of Labour. Either side can request it. The conciliator assists the parties in achieving a deal. The conciliator must report to the Ministry within 14 days of being appointed, though if employer and union agree, that time can be extended.

Does conciliation mean there will be a strike?

While the intention of conciliation is to help the union and employer get a deal, conciliation is also a key step on the road to being in a legal strike/lock-out position.

What is a strike vote?

The Local Bargaining Committee may call for a strike vote up to 30 days before the expiry of the collective agreement, or any time after it expires. Over 50 per cent of the bargaining unit members voting (all bargaining unit members are eligible to vote) must vote in favour of a strike to give the union a mandate for a legal strike. Such a vote does not immediately start a strike, which is an action only ever used as a last resort. A successful strike vote authorizes the Bargaining Committee to call a strike if cannot reach a fair deal with the employer. A strong strike vote shows solidarity and sends a message that members are united and willing to take action should the employer not move on its proposals.

What is a no-board report?

If an agreement still cannot be reached, even with the help of a conciliation officer, either the union or the employer can request a 'no-board report' from the Ministry of Labour. Once requested, the Ministry will issue a 'No Board Report' within 5 days, which triggers a 17 day period before a lockout or strike is possible.

What is mediation?

Once a no-board report has been released, the Ontario Ministry of Labour appoints a mediator to guide negotiations. This can be the same person who filled the role of conciliation officer, but the mediator now takes a more active role in trying to find areas of agreement and compromise.

What is a lockout?

A lockout occurs when an employer locks out its employees and refuses to allow them to work as a punitive measure for refusing to accept a poor deal. A strike is an action union members take to withhold their labour in order to compel their employers to negotiate a fair deal.

The lockout/strike will end only when an agreement is reached through continued negotiations or back-to-work legislation is introduced by the Province.

What is ratification?

If a settlement can be reached through negotiations, both the employer and union need to ratify (get official consent for) the agreement. The local will hold a ratification vote for its members, while the employer also approves the new agreement (possible through a board of directors). The union

will notify members in advance of the location and time of the ratification votes. If members reject the proposed settlement, the parties will most often agree to head back to the bargaining table to continue negotiating, but the parties remain in a legal strike or lockout position. If a settlement is reached during a lockout/strike and members do not support the terms in the settlement, the lockout/strike will continue.

What can I do to help support bargaining?

In a word, solidarity! But what does that mean? It means showing that we are united and that we will stand up for each other and that we are willing to fight for high-quality services. There lots of ways to show that:

- Be part of solidarity days
- Attend information pickets
- Talk to Members of Provincial Parliament (MPPs)
- Attend rallies
- Leaflet at events

We can also undertake actions with our allies (other CUPE locals, other CUPE sectors, other unions) and show even more impressive numbers.