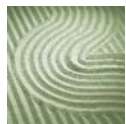
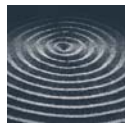


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# Union Representation and Communications

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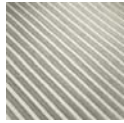


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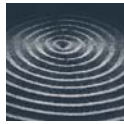
Shane Smith

[ssmith@millerthomson.com](mailto:ssmith@millerthomson.com)

(416) 595-8166



# Topics



- Union Representation



- Leave for Union Business



- Union Communications

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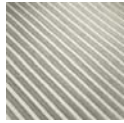
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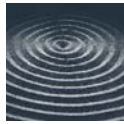
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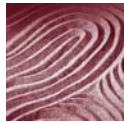
# Union Representation



- Severe consequences for failure



- High awareness as a result



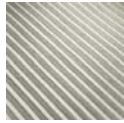
- Still, what is required is varied

- Worth reviewing

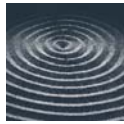
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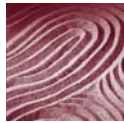
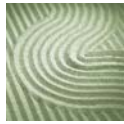
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# Union Representation (cont'd)



- ONA - *at the time formal discipline is imposed or at any stage of the grievance procedure*



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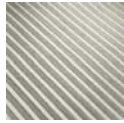
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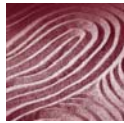
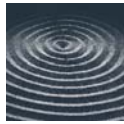
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# Union Representation (cont'd)



- *CAW - whenever an interview is held with an employee that could become a part of his record regarding his work conduct, a steward or union representative will be present*

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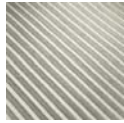
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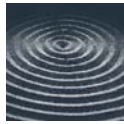
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# Union Representation (cont'd)



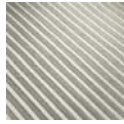
- Where in doubt, take cautious approach
- Labour relations advantages



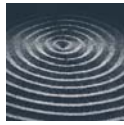
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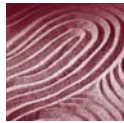
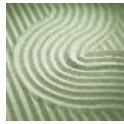
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# Union Representation (cont'd)



- Role of representative is to advocate, inform of rights

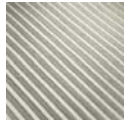


- Not to obstruct, coach how to answer, answer for employee

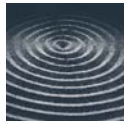
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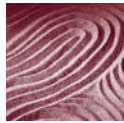
# Union Leave



- Have some control over union representation



- Under ONA/CUPE/SEIU:



- need permission before leaving (not unreasonably withheld);
- notify of presence in another unit;
- report to supervisor when return

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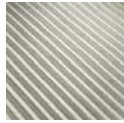
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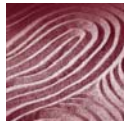
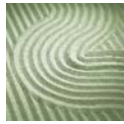
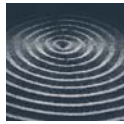
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# Union Leave (cont'd)

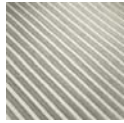


- Normally a number of union representatives (stewards, officers) – not typically required to deal with one person
- Operational considerations

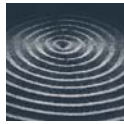
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# Union Communications



- Obligation to notify of certain events



- Obligation to communicate with a particular position



- Confirmation of communications
- All present traps for the unwary

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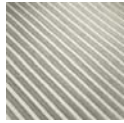
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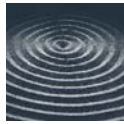
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# Union Communications (cont'd)



- Obligation to provide notice of some events (discipline, layoffs)
- If don't provide the proper notice, can invalidate action
- Happens from time to time – unaware, inadvertence

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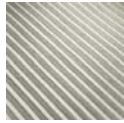
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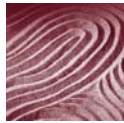
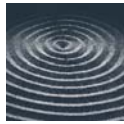
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# Union Communications (cont'd)

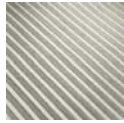


- Obligation to communicate to particular person (president, secretary, more than one)
- Sometimes practice is different then what was agreed to
- If practice is different, send confirming letter

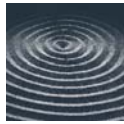
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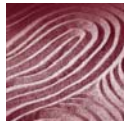
# Union Communications (cont'd)



- Letter sent, but Union claims never received



- Unfortunately it does happen



- Utilize a method that can be verified (sign off, e-mail)

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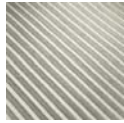
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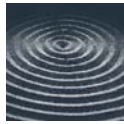
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# Summary



- Verify what your own collective agreement(s) provide
- Determine what actual practices are in place (and why)
- If going to change, may need to provide notice

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