

# **GLOSSARY OF LABOUR TERMS**

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

– change in pay rates made for all employees in a workplace.

**ADJUDICATION** – The equivalent to grievance arbitration; a method under the *Public Service Employees Relations Act* of providing a settlement of disputes arising out 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.

**AGREEMENT, COLLECTIVE** – A contract (agreement and contract are used interchangeably) between one or more unions – acting as a bargaining agent – and one or more employers, covering wages, hours, working conditions, fringe benefits, rights of workers and unions, and procedures to be followed in settling disputes and grievances.

**AMERICAN FEDERATION OF LABOUR – CONGRESS OF INDUSTRIAL ORGANIZATIONS (AFL-CIO)** – A federation of craft and industrial unions, as well as unions of a mixed structure in the United States; the U.S. counterpart of the Canadian Labour Congress.

**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

interpretation 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.

**ASSESSMENTS** – 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** – Union designated by a labour relations board or similar representative of all employees in a bargaining unit for the purpose of collective bargaining.

**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 workers classification in the bargaining unit. Not to be confused with base rate, which is the straight-time rate of pay per hour, job or unit, excluding premiums, incentive bonuses, etc.

**BLUE COLLAR WORKERS** – Production and maintenance workers as contrasted to office and professional personnel.

**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: (1) Voluntary revocable; (2) Voluntary Irrevocable; (3) Compulsory; (4) 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 bargaining unit must be union members in good standing before being hired, and new employees hired through the union.

**COLLECTIVE AGREEMENT** – See Agreement.

**COLLECTIVE BARGAINING** – Method of determining wages, hours and other conditions of employment through direct negotiations between the union and employer. Normally the result of collective bargaining is a written contract which covers all employees in the bargaining unit, both union members and non-union members.

**COMPANY 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 to reject its recommendation. The conciliator is often a government official while the mediator is usually a private individual appointed as a last resort, sometime 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 sometimes with a stated top limit.

**CRAFT UNION** – Also called horizontal union. A trade union which organized on the principle of limiting membership to some specific craft or skill, i.e., 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 CLAUSE** – A section of a collective bargaining agreement reserving to management the right to penalize employees for disobedience.

**DOWN TIME** – A period when a machine is not operating due to mechanical failure, lack of materials, etc., through no fault of the operator, but with the machine operator still on the job. Under a union contract, down time is usually paid time.

**DUES** – Periodic payments by union members for the financial support of their union.

**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.

**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 or the procedure is usually arbitration.

**HIRING HALL** – A headquarters 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 a union.

A preferential hiring hall is one in which union members get first referral to jobs.

**INDUSTRIAL UNION** – Also called vertical union. A trade union which organizes on the principles of including all workers from one industry, regardless of their craft, or whether they are skilled or unskilled. See Craft Union.

**INCENTIVE PAY** – Method of pay which varies according to production. Pay may depend upon number of pieces of work completed by an individual 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.

**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 CLASSIFICATIONS** – Job rating based on an analysis of the requirements of the work.

**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 skill, responsibility or experience, time and effort. Often used for

the purpose of arriving at a rational system of wage differentials between jobs or classes of jobs.

**JOB SECURITY** – A provision in a collective agreement protecting a worker’s job, as in the introduction of new methods of 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.

**LABOUR COUNCIL** – Organization composed of locals of CLC-affiliated unions in a given community or district.

**LABOUR RELATIONS BOARD** – A board established under provincial or federal labour relations legislation to administer labour law, including certification of trade unions as bargaining agents, investigation of unfair labour practices and other functions prescribed under the legislation.

**LAYOFFS** – 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 local administrations. These locals have their own constitutions and elect their own officers; they are usually responsible for the negotiation and day-to-day administration of the collective agreements covering their members.

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

**MAINTENANCE OF MEMBERSHIP** – A provision in a collective agreement stating that no worker need join the union as a condition of employment, but all workers who voluntarily join just maintain their membership for the duration of the agreement as a condition of continued employment. See Union Security.

**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. See Union Security.

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

**NATIONAL UNION** – A union whose membership is confined to Canada only.

**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 number of hours fixed by statute, union contract or custom. Clock overtime is a premium, paid for work during specified regular working hours, required by 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.

**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 labour 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 or service, 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 completion within the bargaining unit.

**PREFERENTIAL HIRING** – A system under which employers agree to hire only union workers so long as the union is able to fill demands for workers.

**PREMIUM PAY** – A wage rate higher than straight time 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** – An attempt by one union to induce members of another union to defect and join its ranks.

**RAND FORMULA** – Also called agency shop. A union security clause in a collective agreement stating that the employer agrees to deduct an amount equal to the union dues from all members of the bargaining unit whether or not they are members of the union, for the duration of the collective agreement. See Checkoff.

**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 employee is doing. For example, because of old age, disability or the like, an employee is demoted to easier, lower-paying work with no reduction in pay.

**REINSTATEMENT** – The restoration of a discriminatorily discharged employee to that employee's former job.

**REOPENER** – A provision calling for reopening a collective agreement at a specified time prior to its expiration for bargaining on stated subjects such as a wage increase, pension, health and welfare, etc.

**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 a.m. to 4 p.m., 4 p.m. to midnight, midnight to 8 a.m. See Split Shift.

**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, grievance matters, and other employment conditions. 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 is 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.

**STRETCHOUT or SPEEDUP** – 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 taking its turn. A sympathy strike is a strike by workers not directly involved in a labour dispute - an attempt to bring pressure on a employer in a labour dispute. A wildcat strike is a strike violating the collective agreement and not authorized by the union.

**STRIKEBREAKERS; SCAB** – A person who continues to work or who accepts employment to replace workers who are on

strike. By filling their jobs, he may weaken or break the strike.

**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.

**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.

**TRUSTEESHIP** – The taking over the administration of a local union’s affairs, including its treasury, 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. See Checkoff, Closed Shop, Maintenance of Membership, Rand Formula, Union Shop, Modified Union Shop.

**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 to be hired, but must join after a certain number of days. See Union Security, Modified Union Shop.

**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.

**WALKOUT** – Loose term for a 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 effecting a slowdown. A refusal to perform duties which, though related, are not explicitly included in the job description.

**WORKING CONDITIONS** – Conditions pertaining to the workers’ 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.