

Glossary of Labour Terms and Acronyms

A

ACL - Association for Community Living.

Across the board adjustment - An identical change in pay for all employees in the group.

Adverse Impact Discrimination – A decision or policy that while on its face is neutral results in negative or differential treatment of groups designated under the Ontario Human Rights Code.

Application for certification - A request by a trade union to the Ontario Labour Relations Board to be designated as the sole bargaining agent for a particular group of employees.

Arbitration - A process in which a single person or a panel hears both sides of a dispute and issues a decision (award) which binds both parties.

Assessments - Special charges levied by unions to meet particular financial needs.

ASU - Administrative Staff Union, representing managerial employees and excluded secretaries working for OPSEU.

B

Back pay - Wages due for past services.

Bargaining agent - A union that acts on behalf of employees in collective bargaining.

Bargaining right - The right of workers to negotiate through their chosen representatives, or the right of a union certified by the Labour Board to represent the members in collective bargaining.

Bargaining unit - The employee group deemed appropriate for collective bargaining. Factors include community of interest, history of collective bargaining, work performed, organization and representation of employees.

Broader Public Service (BPS) - OPSEU members outside the OPS and the colleges whose funding sources directly or indirectly is the government.

Bumping - Use of seniority to displace a junior employee when conditions require temporary or permanent layoffs.

Burden of Proof – Which party bears the onus of proving their case either pro or con. In dismissal/discipline and unfair labour practice charges the employer bears the burden of proving their actions were appropriate.

Bylaws - Local provisions to supplement our constitution. They need approval from the OPSEU president to be effective.

C

CAAT - College of Applied Arts and Technology. OPSEU represents faculty and support staff in the colleges.

Call-back pay - Required pay for a minimum number of hours when a worker is called back to work outside scheduled working hours.

Canadian Association of Labour Media (CALM) - Organization of union editors providing resources and help. See resources.

Canadian Labour Congress (CLC) - Canada's national central labour body, representing over 70 per cent of organized labour.

CCBA – Colleges Collective Bargaining Act

CECBA - Crown Employees Collective Bargaining Act, which governs bargaining for the OPS.

Certification - Official designation that a union is the sole and exclusive bargaining agent for a group of workers.

Check-off - A clause in a collective agreement authorizing and instructing the employer to deduct union dues.

Classification plan - A job evaluation method comparing jobs against a salary scale.

Compensatory time off - (1) Time off in lieu of pay for workers who do overtime. (2) Extra time allowed when a holiday falls on an employee's regular day off.

Conciliation and Mediation - Processes which provide assistance to resolve labour disputes. Conciliation is a necessary step toward a legal strike or lockout.

Consumer Price Index (CPI) - Statistics Canada monthly study on retail prices of selected consumer items.

Contracting Out - Having work performed by an outside contractor and not by regular employees in the unit.

Convention - Assembly of delegates to debate and determine union policies, elect the two full time officers of the union and amend the constitution.

Craft Union - A union whose membership is restricted to workers having a particular skill, e.g. printers, electricians.

D

Decertification - A Labour Board decision to withdraw certification of a union as exclusive bargaining representative.

Demotion - Transferring to a job with lesser responsibility or pay.

Discipline clause - Section of a collective agreement giving management the right to penalize employees for cause.

Discrimination - any act which treats a person differently based on their inclusion as one of the

designated groups covered under the Ontario Human Rights Code.

Downgrading - Demotion of a position through reduction of its duties and responsibilities.

Dues - Money paid by union members to support their union.

E

Employee Relations Committee (ERC) - A labour/management committee.

Employment Equity - The goal of removing employment barriers and discriminatory practices.

Executive Board Member (EBM) - Each of OPSEU's seven region elects three EBMs to run the union between conventions.

F

Failure to represent - Charge that a union has violated a member's right to fair representation.

Free collective bargaining – Negotiations where workers have the right to strike in support of contract demands.

G

Good faith - An essential element of collective bargaining, requiring the parties to make every reasonable effort to reach agreement.

Grievance - Complaint by one or more employees or the union that management has breached the collective agreement or labour related legislation.

Grievance Settlement Board (GSB) - arbitration board which hears grievances from the OPS.

H

Harassment – A course of vexatious behaviour that is known or ought reasonably be known to be unwanted. (a violation of the Ontario Human Rights Code - OHRC)

I

Interest arbitration - A hearing at which an arbitrator is called upon to determine the contents of a collective agreement, usually because the workers are barred from striking to support their contract demands.

Informational picketing - A protest designed to inform people about issues; not to bar people from crossing a picket line.

Injunction - A court order restraining an individual or organization from committing or engaging in certain acts.

In solidarity – 1) A common union salutation. 2) A newsletter put out by members for OPSEU stewards.

International Labour Organization (ILO) - A specialized United Nations agency that works to improve labour conditions, living standards and economic and social stability.

Internal organizing - Building union strength through maximum member participation.

J

Job Content - The duties and responsibilities that make up a job.

Job Description - A specific description of a single position.

Job Evaluation - Process of determining ratings under certain criteria for comparing jobs under a classification plan.

Job Security - Contract language protecting a worker's job.

L

Labour Council - An organization of various unions at the municipal or district level.

Labour-Management Committee (LMC) - A committee of management and worker representatives to deal with joint concerns and try to resolve them. Also known as employee relations committee (ERC) or union college committee (UCC).

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

Leave of absence - Permitted absence of an employee for a limited period.

Local Executive Committee (LEC) - Local stewards (or unit stewards if the local has more than one unit). Directs local union activities between local meetings.

Lockout - A labour dispute in which management refuses to let employees work, to force a settlement on its terms.

M

Management rights - Management has all rights except as restricted by law or as bargained by the union. Specific management rights are often spelled out in a contract, typically covering hiring, discipline, work organization and staffing levels.

Mediation - A process for resolving disputes in which a mediator acts as a neutral go-between.

Ministry Employee Relations Committee (MERC) - Joint ministry level labour/management committee in the OPS which takes up ministry-wide or unresolved local issues.

MPAC – Municipal Property Assessment Corporation

N

Nominee – The union's or employer's nominee to a Board of Arbitration, either Interest or Rights.

NUPGE – National Union of Public and General Employees

O

On-call time - Hours during which an employee is subject to recall, if needed, usually in case of emergency.

Ontario Federation of Labour (OFL) - Provincial wing of the CLC which organizes campaigns and speaks for labour in the province.

Ontario Labour Relations Board (OLRB) - The body which certifies trade unions and adjudicates unfair labour practices and other charges under the Labour Relations Act (OLRA) the Colleges Collective Bargaining Act (CCBA) and the Crown Employees Collective Bargaining Act (CECBA).

OPS - Ontario Public Service.

Ontario Public Service Staff Union (OPSSU) - The union which represents all OPSEU employees except managerial staff and excluded secretaries, who are represented by ASU (above), and excluded staff.

Organizing model - An approach to union leadership which involves members in solving problems.

Overtime - Hours worked in excess of the maximum set by statute or collective agreement.

P

Posting - Required display of vacancies available for competition within a bargaining unit.

Probation - A trial period of employment during which a worker may be released for failure to meet the requirements of the position.

Promotion - A move to a position with higher duties and pay.

Provincial Human Rights Committee (PHRC) - An OPSEU committee of one elected member per region to promote and educate members on human rights and equity issues.

Provincial Women's Committee (PWC) - An OPSEU committee with one elected member per region to promote and educate members on gender issues.

R

Rand Formula - Requirement that an employer deduct dues from every employee in a bargaining unit, whether or not they have joined the union. Named for Mr. Justice Ivan Rand who created it to settle a strike over union security at Ford in 1945.

Recognition - Employer acceptance of a union as exclusive bargaining agent for employees in the bargaining unit. It names excluded positions.

Red circling - Keeping pay rate after demotion to a lower classification or following a job evaluation plan which finds a position has been over paid.

Reinstatement - Restoration of a dismissed or demoted employee to former job.

Reopener - A contract clause that allows the parties to renegotiate a portion of the agreement (usually wages) before the expiry date. It must contain a provision that allows consensual conciliation and arbitration if the parties are unable to reach agreement.

Retroactive Pay - Payment for a period in the past covered by a wage increase.

Rights arbitration - A hearing at which an arbitrator is called upon to determine the meaning of a collective agreement, normally the final stage in a grievance procedure.

S

Scab - Worker who refuses to join co-workers in a strike or worker who crosses a striking union's picket line to perform their work.

Seniority - System recognizing length of service for wage progression, job security, vacation and other benefits.

Service model - Union leadership that solves members' problems, but doesn't encourage members to work together to solve problems for themselves.

Severance pay - Payment to a worker whose employment is permanently ended.

Shift differential - Premium pay for work during inconvenient hours.

Shop steward - Union official elected to represent a group of workers.

Slowdown - A deliberate slowing of work short of a strike, to force concessions from an employer.

Solidarity - Identification with a group who share common interests.

Straight-time pay - Regular wages exclusive of premium pay, overtime and bonuses.

Strike - An organized work stoppage or work refusal by employees to back a bargaining position.

Strike benefits/strike pay - Money paid by a union to striking members.

Strike fund - Union reserve to provide strike pay and cover other strike costs.

Strike vote - A vote of bargaining unit members on whether to authorize a strike.

Successor rights - The right of a union to continue to represent employees when the operation is sold or transferred to other owners.

Suspension - Removal from work as a disciplinary measure.

T

Technological change - Introduction of new equipment, machinery or production techniques.

Total Quality Management (TQM) - One of many joint labour/management participation schemes.

Trusteeship - Taking over the administration of a local union's affairs by the central union.

U

Unfair labour practice - Employer or union activities that violate the Labour Relations Act, such as intimidation, coercion, interference, or failure to bargain in good faith.

Union jurisdiction - Union authority over certain types of work, certain workers or specific areas assigned by the union or central labour body with which it is affiliated.

Union label/union bug - Proof that a product is made under union conditions.

Union security clauses - Contract language that protects the institutional life of the union, such as check-off and notice language.

Union shop - Requirement that every worker covered by the collective agreement must become and remain a member of the union.

V

Voluntary recognition - Employer agreement that a union is the bargaining agent for a group of its employees without a labour board decision

W

WSIB - a system paying workers who are injured on the job.

Wage range - Minimum and maximum rates for a job.