Technical Service (TC) Transitional Collective Bargaining Process Under C-4

Contract Expiry: June 21, 2014

Essential Services

- As there was an ESA in force on December 12, 2013, all positions identified in the ESA are deemed to be designated positions
- However, it appears the employer is not obligated to provide notice to any of the incumbents of those designated positions
- The Employer also has the exclusive right to designate additional positions "at any time"
- The legislation is silent on the issue of notification to the Union of additions or amendments to the existing ESA

Notice to Bargain

- As a collective agreement was in force and no notice to bargain had been filed on or before December 12, 2013 the former Act applies.
- Notice to bargain must be given within 4 months before June 21, 2014.
- Bargaining must commence within 20 days unless otherwise agreed to by the parties.
- Currently less than 80% designated positions so automatically conciliation unless arbitration agreed to by both parties

Mobilization and membership engagement

- If tentative Agreement reached:
- Ratification vote

Negotiations

- Collective agreement signed
- Implementation within 90 days after signing unless otherwise agreed by the parties (no change to this process)

Negotiations

- Mobilization and membership engagement
- If no agreement reached either party can apply for one or three person Public Interest Commission (PIC)
- PIC has 30 days or longer to report
- Changes made to the factors the PIC must take into account
- If tentative agreement reached (see above)

Dispute resolution

- Mobilization and membership engagement
- If no agreement then continue negotiations and other methods of dispute resolution such as mediation

Strike

- Strike vote as directed by the National President
- National President can only call a strike after the Union receives final notification of essential service designations, 7 days after release of the PIC report and within 60 days of the strike vote.
- Employer cannot lock-out