

## **COLLECTIVE BARGAINING AND THE *CANADA LABOUR CODE***

The Collective Bargaining process at Bell Canada is governed by the *Canada Labour Code*. The *Canada Labour Code* requires that Bell Canada and the CEP must meet to bargain in good faith once Notice to Bargain has been given.

In order to commence a legal strike or lockout there are a number of steps that must be taken after Notice to Bargain has been given and bargaining has commenced. The most important step is a process called "Conciliation". This process is a meeting or series of negotiating meetings that are scheduled by an Official of Labour Canada called a "Conciliation Officer" with Bell Canada and the CEP to try to assist the parties to reach a collective agreement.

First, either Bell Canada or the CEP must apply to the Minister of Labour for the appointment of a Conciliation Officer. Once this application has been made, the Conciliation Officer will meet with the CEP and Bell Canada. If CEP and Bell Canada are unable to reach a collective agreement with the assistance of the Conciliation Officer, then the Conciliation Officer sends a written report to the Minister of Labour.

A strike or lockout will not be legal until 21 days have elapsed from the date the Conciliation Officer sends a written report that a collective agreement has not been obtained.

There are some additional restrictions on the right to strike or lockout:

1. A strike vote must be held within the previous 60 days; and
2. A strike notice must be delivered at least 72 hours in advance on Bell Canada.

In addition, matters can be delayed if Bell Canada makes an application that claims that certain of its business activities must be continued in order to prevent an immediate and serious danger to public health or safety, and that as such, there is a need to have an essential services agreement in place before a strike or lockout may commence.

Please see the CEP website for more detailed information that has been prepared by Labour Canada concerning this issue.

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