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TRADE UNION LAW IN CANADA M. Mac Neil, M. Lynk and P. Engelmann Release No. 5, December 2024

A resource designed around the concerns of labour unions, Trade Union Law in Canada comprehensively explains the various strands of the law that affect the internal affairs of trade unions. While examining the relationships between unions and their members, Trade Union Law in Canada provides analysis of the legal character of unions, including their legal status, security, and politics, as well as a review of union structures, constitutions, and the election of union leaders. Matters of internal discipline of union members and the duty imposed by law on unions to provide fair representation are examined and clearly explained.

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What's New in This Update:

This release features updates to Chapter 4. Union Constitutions and Financial Statements, Chapter 5. Union Structures, Chapter 6. Union Elections, Union Officers and Union Libel and Defamation, and Chapter 12. Libel and Defamation.

Highlights

- **Chapter 4—V. Union Dues Elections—4:25. Alberta's Rules for Union Dues Elections**—In *Sanders v Amalgamated Transit Union, Local 583*, 2024 ALRB 49, the Alberta Labour Relations Board dismissed an application by a retired union member who challenged his former union's declaration that 100 percent of its expenditures were funding "core" activities of the union, thus eliminating any possibility of a dues payer making an election with respect to the funding of non-core activities as per s. 26.1. It held that the applicant was not a dues payer within the meaning of the term, notwithstanding the fact that he paid retiree dues of \$4.00 per month to the union.
- **Chapter 5—III. Trusteeships—B. Statutory Regulation of Trusteeships—5:16. Extending a Trusteeship**—The Ontario Labour Relations Board granted its consent for trusteeship extension in order to rebuild trust with the local membership while training new officers in *CUPE v CUPE, Local 3651*, 2024 CanLII 29354 (ON LRB).
- **Chapter 6—6:36. Natural Justice—V. Removal From Office—B. Statute—§ 6:36. Natural Justice**—The Ontario Labour Relations Board dismissed a duty of fair representation application by a steward who was removed from her union office, ruling that the fair representation provisions of the labour relations legislation does not regulate internal trade union affairs: *Cheslock v Ontario Public Service Staff Union*, 2024 CanLII 14499 (ON LRB).