Summary of Contents

- Chapter 1. The Legal Status of Trade Unions
- Chapter 2. Union Security
- Chapter 3. Unions, Politics and Law
- Chapter 4. Union Constitutions and Financial Statements
- Chapter 5. Union Structures
- Chapter 6. Union Elections and Union Officers
- Chapter 7. Duty of Fair Representation
- Chapter 8. Admission to Membership
- Chapter 9. Discipline and Expulsion from Union Membership
- Chapter 10. Religious Exemption from Union Security Provisions
- Chapter 11. Trade Union Liability in Human Rights Cases

Appendices

Appendix A. **Report Abbreviations Union Abbreviations** Appendix B. Appendix C. **Cross-Canada Surveys** Appendix IF. **Issues in Focus** Appendix SLL. Selected Legal Literature Appendix TC. Table of Concordance Words and Phrases Appendix WP. **Bibliography Table of Added Cases** Table of Cases Index

Table of Contents

CHAPTER 1. THE LEGAL STATUS OF TRADE UNIONS

I. INTRODUCTION; THEORIES OF LEGAL STATUS

- § 1:1 Introduction
- § 1:2 Theories of Legal Status

II. HISTORY OF UNION STATUS IN CANADA

- § 1:3 Introduction
- § 1:4 Early History: The Trade Unions Act
- § 1:5 Modern Labour Legislation

III. MODERN LAW OF UNION STATUS

A. BERRY V. PULLEY

§ 1:6 Generally

B. SPECIFIC ISSUES

- § 1:7 Vicarious Liability
- § 1:8 Liability of a National or Parent Union
- § 1:9 Role of Internal Procedures
- § 1:10 Charter claims
- § 1:11 Union as Plaintiff

IV. ONTARIO RIGHTS OF LABOUR ACT; REPRESENTATIVE ACTIONS

- § 1:12 Ontario Rights of Labour Act
- § 1:13 Representative Actions

V. STATUTORY DEFINITIONS OF TRADE UNIONS

- A. INTRODUCTION
- § 1:14 Generally
- $^{\odot}$ 2022 Thomson Reuters, Rel. 2, 6/2022

TRADE UNION LAW IN CANADA

B. CRITERIA FOR STATUS

- § 1:15 Introduction
- § 1:16 Guiding Principles
- § 1:17 Presumptions of Status
- § 1:18 Organizational Viability
- § 1:19 Locals of Established Unions
- § 1:20 Union Councils
- § 1:21 Representative Purpose
- § 1:22 Membership

C. OTHER REQUIREMENTS

- § 1:23 Local Character
- § 1:24 Independence from employer
- § 1:25 Non-Discrimination

D. DISSOLUTION

§ 1:26 Generally

VI. COMPETITION POLICY; CONCLUSION

- § 1:27 Competition Policy
- § 1:28 Conclusion

CHAPTER 2. UNION SECURITY

- § 2:1 Introduction
- § 2:2 Forms of Union Security
- § 2:3 Statutory Regulation of Union Security
- § 2:4 Union Security and the Charter of Rights
- § 2:5 Enforcing Union Security
- § 2:6 —Check-Off Clauses
- § 2:7 —Rand Formula
- § 2:8 —Union Shops
- § 2:9 —Closed Shops
- § 2:10 Opposing Enforcement of Union Security
- § 2:11 Conclusion

CHAPTER 3. UNIONS, POLITICS AND LAW

I. INTRODUCTION; HISTORY AND MODELS OF UNION POLITICAL ACTIVITY

§ 3:1 Introduction

§ 3:2 History and Models of Union Political Activity

II. POLITICAL STRIKES

- § 3:3 Introduction
- § 3:4 History
- § 3:5 Legislative Restrictions of Political Strikes
- § 3:6 Other Sources of Restrictions on Political Strikes
- § 3:7 The Impact of a Constitutional Right to Strike
- § 3:8 Political Strikes, Freedom of Expression and the Charter
- § 3:9 Regulation of Strikes and Strike Activities— Injunctions
- § 3:10 —Picketing

III. UNION POLITICAL ACTIVITIES

- A. INTRODUCTION; RESTRICTIONS ON USE OF UNION FUNDS
- § 3:11 Introduction
- § 3:12 Restrictions on Use of Union Funds
 - B. RESTRICTIONS ON ELECTION-RELATED SPENDING
- § 3:13 Introduction
- § 3:14 Political Party Donations
- § 3:15 Third-Party Advertising During Elections

C. POLITICAL ACTIVITIES AND THE WORKPLACE

- § 3:16 Introduction
- § 3:17 Politics and the Public Service

IV. CONCLUSION

§ 3:18 Concluding Remarks

CHAPTER 4. UNION CONSTITUTIONS AND FINANCIAL STATEMENTS

I. INTRODUCTION; APPROPRIATE FORUM

- § 4:1 Introduction
- § 4:2 Appropriate Forum
- $^{\odot}$ 2022 Thomson Reuters, Rel. 2, 6/2022

II. JUDICIAL SUPERVISION OF UNION CONSTITUTIONS

A. INTRODUCTION; JUDICIAL APPROACHES; ULTRA VIRES

- § 4:3 Introduction
- § 4:4 Judicial Approaches
- § 4:5 Ultra Vires

B. INTRA VIRES

- § 4:6 Introduction
- § 4:7 Proper body but in error
- § 4:8 Wrong body

C. IMPLYING TERMS AND POWERS

§ 4:9 Generally

D. SPECIFIC ASPECTS OF JUDICIAL SUPERVISION OF UNION CONSTITUTIONS

- § 4:10 Custom and practice
- § 4:11 Natural justice: contract or public policy
- § 4:12 Is a void decision appealable?
- § 4:13 Constitutions, statutes and collective agreements
- § 4:14 Exercising Constitutional Discretion in Good Faith
- § 4:15 Unconscionability

III. FILING UNION CONSTITUTION AND BY-LAWS

- § 4:16 Filing Requirements in the Provinces
- § 4:17 Federal Trade Unions Act

IV. UNION FINANCIAL STATEMENTS

- § 4:18 Provincial and Federal Labour Statutes
- § 4:19 Scope of Disclosure
- § 4:20 Reasons for Seeking and Denying Access
- § 4:21 Conditions of Access
- § 4:22 Form of Audited Statements
- § 4:23 Remedies
- § 4:24 Time Limits for Seeking Information

CHAPTER 5. UNION STRUCTURES

I. INTRODUCTION

§ 5:1 Generally

II. THE PARENT-LOCAL RELATIONSHIP

- § 5:2 Judicial Approaches
- § 5:3 Separate Personalities of Parent and Local
- § 5:4 Judicial Deference to Central Authority
- § 5:5 Procedural Rights in Parent-Local Disputes
- § 5:6 Secession Attempts
- § 5:7 Good Faith
- § 5:8 Statutory Regulation
- § 5:9 Union Assets
- § 5:10 Union Structures and Certification
- § 5:11 Relations between International Unions and their Canadian Affiliates
- § 5:12 Remedies

III. TRUSTEESHIPS

A. INTRODUCTION

§ 5:13 Introduction

B. STATUTORY REGULATION OF TRUSTEESHIPS

- § 5:14 Introduction
- § 5:15 Labour Board Jurisdiction & Proceedings
- § 5:16 Extending a Trusteeship
- § 5:17 Unfair Labour Practice Provisions
- § 5:18 Other

C. JUDICIAL REGULATION OF TRUSTEESHIPS

- § 5:19 Introduction
- § 5:20 Natural Justice and Due Process Requirements
- § 5:21 Procedure for Challenging a Trusteeship
- § 5:22 Interlocutory Injunction
- § 5:23 Other

IV. STATUTORY REGULATION OF PARENT-LOCAL RELATIONS IN ONTARIO: JUST CAUSE

- § 5:24 Introduction
- $^{\odot}$ 2022 Thomson Reuters, Rel. 2, 6/2022

- § 5:25 Local Participation in Collective Bargaining
- § 5:26 "Just Cause" Required for Dissolution and Alteration of Jurisdiction
- § 5:27 "Just Cause" Required to Impose Trusteeships
- § 5:28 Other Provisions

V. UNION SUCCESSOR RIGHTS: MERGERS, AMALGAMATIONS AND TRANSFERS OF JURISDICTION

A. INTRODUCTION

§ 5:29 Generally

B. STATUTORY PROVISIONS

- § 5:30 Overview
- § 5:31 Definitions: Merger, Amalgamation, Transfer of Jurisdiction

C. DEVELOPMENT OF THE LAW ON UNION SUCCESSORSHIP

§ 5:32 Generally

D. SUBSTANTIAL COMPLIANCE WITH THE UNION CONSTITUTION

- § 5:33 Introduction
- § 5:34 Substantial compliance and merger procedures
- § 5:35 Substantial compliance and notice
- § 5:36 Substantial Compliance and Interim Steps

E. EMPLOYEE SUPPORT AND REPRESENTATIVE VOTES

- § 5:37 Introduction
- § 5:38 Ontario
- § 5:39 British Columbia
- § 5:40 Federal
- § 5:41 Discretion to Order Vote

F. SUBSTANTIAL COMPLETION; OPPOSITION AND THE MOTIVE FOR MERGER

- § 5:42 Substantial Completion
- § 5:43 Opposition and the Motive for Merger

G. TIMELINESS OF A SUCCESSOSHIP DECLARATION; TRADE UNION STATUS

- § 5:44 Timeliness of a Successorship Declaration
- § 5:44.50 Bankruptcy and Union Successorship
- § 5:45 Trade Union Status

VI. CHANGE OF NAME

§ 5:46 Generally

CHAPTER 6. UNION ELECTIONS AND UNION OFFICERS

I. INTRODUCTION; SOCIAL AND POLITICAL CONTEXT

- § 6:1 Introduction
- § 6:2 Social and Political Context

II. UNION ELECTION OF OFFICERS

- § 6:3 Choice of Forum
- § 6:4 Interference by Employer
- § 6:5 Nomination
- § 6:6 Conduct of the Election—Judicial Approaches
- § 6:7 —Past Practice and Acquiescence
- § 6:8 —Non-Union Members
- § 6:9 —Duty to Hold Elections
- § 6:10 The Duty to Act Fairly
- § 6:11 The Exhaustion of Internal Remedies
- § 6:12 Remedies

III. UNION OFFICER DUTIES AND LIABILITIES TO THE UNION AND ITS MEMBERS

- § 6:13 Introduction
- § 6:14 Duties and Liabilities at Common Law—Union Officers' Powers
- § 6:15 —Union Officers' Duties and Liability
- § 6:16 —Representative Plaintiffs and Defendants
- § 6:17 Duties and Liabilities at Statute
- $^{\odot}$ 2022 Thomson Reuters, Rel. 2, 6/2022

IV. UNION OFFICER RESPONSIBILITIES AND EMPLOYER DISCIPLINE

- A. INTRODUCTION; RESPONSIBILITIES OF THE EMPLOYER
- § 6:18 Introduction
- § 6:19 Responsibilities of the Employer

B. IMMUNITY & DIFFERENTIAL PUNISHMENT OF UNION OFFICERS

§ 6:20 Generally

C. ILLEGAL WORK STOPPAGES

- § 6:21 Introduction
- § 6:22 Discipline
- § 6:23 Damages

D. FREE SPEECH AND THE RIGHT TO CRITICIZE THE EMPLOYER

- § 6:24 General Immunity for Union Officers
- § 6:25 Medium and Audience
- § 6:26 Civility
- § 6:27 Charter Protection for Union Speech
- § 6:28 The Limits of Union Free Speech
- § 6:29 Remedies

E. OTHER ACTIVITIES ON BEHALF OF THE UNION; REMEDIAL FORUMS

- § 6:30 Other Activities on Behalf of the Union
- § 6:31 Remedial Forums

V. REMOVAL FROM OFFICE

A. COMMON LAW

- § 6:32 Introduction
- § 6:33 Procedural Grounds
- § 6:34 Substantive Ground

B. STATUTE

- § 6:35 Introduction
- § 6:36 Natural Justice

xxxviii

- § 6:37 Fidelity and Officer Dissent
- § 6:38 Substantive "Just Cause" Protection
- § 6:39 Human Rights Forum
- § 6:39.50 Arbitration under the Union Constitution
- § 6:40 Interim Relief
- § 6:41 Jurisdiction

VI. EMPLOYMENT RELATIONS WITH STAFF

- § 6:42 Introduction
- § 6:43 Hiring Authority
- § 6:44 Applicable Employment and Labour Laws
- § 6:45 Staff Unions
- § 6:46 Duties Owed by Union Staff
- § 6:47 Union Liability for Staff Actions
- § 6:48 Dismissal

VII. LIBEL AND DEFAMATION

- § 6:49 Introduction
- § 6:50 Proper Forum
- § 6:51 Test for Defamation
- § 6:52 Defences Against Defamation
- § 6:53 —Justification
- § 6:54 —Qualified Privilege
- § 6:55 —Fair Comment
- § 6:56 —Responsible Communication on Matters of Public Interest
- § 6:57 —Effect of Malice
- § 6:58 Defamation Actions in Industrial Relations
- § 6:59 Damages

CHAPTER 7. DUTY OF FAIR REPRESENTATION

I. INTRODUCTION

- § 7:1 Overview
- § 7:2 Origins of the Duty
- § 7:3 Source of the Duty

II. GENERAL PRINCIPLES

- § 7:4 Introduction
- § 7:5 Principles When Balancing Claims
- § 7:6 "Discriminatory, Arbitrary or in Bad Faith" Standard
- $^{\odot}$ 2022 Thomson Reuters, Rel. 2, 6/2022

TRADE UNION LAW IN CANADA

- § 7:7 —Discriminatory
- § 7:8 —Arbitrary
- § 7:9 —Bad Faith

III. PROCESS

A. INTRODUCTION

§ 7:10 Generally

B. PARTIES

- § 7:11 Who Owes the Duty
- § 7:12 To Whom the Duty is Owed
- § 7:13 Standing

C. FILING

1. Appropriate Forum

- § 7:14 Introduction
- § 7:15 Board as Appropriate Forum
- § 7:16 Court as Appropriate Forum
- § 7:17 Human Rights Codes and Parallel Proceedings

2. Time-Limits

- § 7:18 Introduction
- § 7:19 Ontario
- § 7:20 British Columbia
- § 7:21 Federal
- § 7:22 Nova Scotia
- § 7:23 Alberta
- § 7:24 Manitoba and Saskatchewan
- § 7:25 Quebec

D. SUMMARY DISMISSAL OF COMPLAINTS

§ 7:26 Generally

E. PROCEEDINGS BEFORE THE BOARDS

- § 7:27 Introduction
- § 7:28 Ontario
- § 7:29 British Columbia
- § 7:29.50 Alberta
- § 7:30 Federal

F. RECONSIDERATION

§ 7:31 Introduction

- § 7:32 Ontario
- § 7:33 British Columbia
- § 7:34 Alberta
- § 7:35 Quebec
- § 7:36 Federal

G. JUDICIAL REVIEW

§ 7:37 Generally

IV. THE NEGOTIATION OF COLLECTIVE AGREEMENTS

- A. INTRODUCTION; HIGH DEGREE OF DEFERENCE
- § 7:38 Generally
- § 7:39 High Degree of Deference

B. THE SUBSTANCE OF NEGOTIATIONS

- § 7:40 Introduction
- § 7:41 Discrimination on Human Rights Grounds
- § 7:42 Discrimination on Other Grounds
- § 7:43 —Terms for Students, Probationary Workers, Part-Time Employees
- § 7:44 —Seniority and Retirement
- § 7:45 —Consolidation and Multiple Bargaining Units
- § 7:46 —Other

C. THE PROCESS OF NEGOTIATING

- § 7:47 Generally
- § 7:48 Voting Standards
- § 7:49 Failure to Follow Union Constitution
- § 7:50 Communication and Bargaining
- § 7:51 Majoritarianism

D. REMEDIES

§ 7:52 Generally

V. ADMINISTRATION OF THE COLLECTIVE AGREEMENT

- A. INTRODUCTION
- § 7:53 Generally
- $^{\odot}$ 2022 Thomson Reuters, Rel. 2, 6/2022

B. SCOPE OF THE DUTY

1. Introduction

§ 7:54 Generally

- 2. Where the Duty Applies
- § 7:55 Pre-Disciplinary Meetings
- § 7:56 Unfair Labour Practices
- § 7:57 Benefit Plans

3. Where the Duty May Not Apply

- § 7:58 Introduction
- § 7:59 Internal Union Procedures
- § 7:60 Availability of Independent Remedies

C. THE GRIEVANCE PROCESS: PRE-ARBITRATION

- 1. Introduction; General Principles
- § 7:61 Introduction
- § 7:62 General Principles

2. Duty to Investigate

- § 7:63 Introduction
- § 7:64 No Specific Process Required
- § 7:65 Bad Faith, Union Negligence, Arbitrariness
- § 7:66 Procedural Fairness

3. Communicating with the Grievor

- § 7:67 Introduction
- § 7:68 Gathering Information from the Grievor
- § 7:69 Providing Information to the Grievor
- § 7:70 Attendance at Meetings

4. Union Decision-Making Processes

- § 7:71 Introduction
- § 7:72 Legal Opinions
- § 7:73 Decisions of the General Membership
- § 7:74 Standard of Review
- § 7:75 Union Delay
 - 5. Grievance/Arbitration Time Limits; Human Rights Considerations; Settlement of Grievances
- § 7:76 Grievance/Arbitration Time Limits

- § 7:77 Human Rights Considerations
- § 7:78 Settlement of Grievances

D. THE GRIEVANCE PROCESS: AT ARBITRATION AND BEYOND

- § 7:79 Introduction
- § 7:80 Not an Avenue of Appeal
- § 7:81 More Stringent Onus in BC
- § 7:82 Deciding Not to Arbitrate
- § 7:83 Seeking Judicial Review

E. THE EMPLOYEE'S OBLIGATIONS

- § 7:84 Introduction
- § 7:85 Exhausting Internal Reviews
- § 7:86 Collecting and Providing Information
- § 7:87 Following Union Advice
- § 7:88 Hostile and Abusive Behaviour of Members
- § 7:89 Resigned Employees and Former Members
- § 7:90 Post-Settlement Claims Will Be More Strictly Scrutinized

F. MANAGING CONFLICTING INTERESTS

- § 7:91 Introduction
- § 7:92 Trading Grievances for Bargaining Concessions
- § 7:93 Job Competitions and Job Postings
- § 7:94 Classification
- § 7:95 Seniority
- § 7:96 —Consistency
- § 7:97 —Conflicting Seniority Rights
- § 7:98 —Conflict between Consistency and Accommodation
- § 7:99 —Other Seniority Conflicts
- § 7:100 Harassment
- § 7:101 —Well-Being of Victim an Important Factor
- § 7:102 Employer Harassment Policies

G. EMPLOYER-UNION COLLUSION

- § 7:103 Introduction
- § 7:104 Union Cooperation in Dismissal of a Member
- § 7:105 Union Action to Protect Company Well-Being
- § 7:106 Union Action to Protect Members' Safety in the Workplace
- $^{\odot}$ 2022 Thomson Reuters, Rel. 2, 6/2022

TRADE UNION LAW IN CANADA

H. REMEDIES

- § 7:107 Court and Labour Board Remedies
- § 7:108 Remitting the Grievance to the Union
- § 7:109 Remitting the Grievance to Arbitration
- § 7:110 Independent Counsel at Arbitration
- § 7:111 Damages
- § 7:112 Reinstatement
- § 7:113 Union Liability
- § 7:114 Obtaining Employee Contact Information
- § 7:115 Costs
- § 7:116 Vexatious Litigants
- § 7:117 Other Remedies

VI. DUTY OF FAIR REFERRAL

- § 7:118 Generally
- § 7:119 Scope of the Duty
- § 7:120 Content of the Duty
- § 7:121 Remedies

VII. CONCLUSION

§ 7:122 Generally

CHAPTER 8. ADMISSION TO MEMBERSHIP

I. INTRODUCTION; THE COMMON LAW APPROACH

- § 8:1 Introduction
- § 8:2 The Common Law Approach

II. STATUTORY REGULATION

- § 8:3 Introduction
- § 8:4 Right to be a Union Member
- § 8:5 Coercion and Undue Influence
- § 8:6 Protecting Employment Opportunities
- § 8:7 Protection from Retaliation
- § 8:8 Duty of Fair Representation and Referral
- § 8:9 Direct Regulation of Admission Decisions
- § 8:10 Labour Board Enforcement
- § 8:11 —Rational Connection to a Valid Purpose
- § 8:12 —Picket Lines and Union Solidarity

- § 8:13 —Admission Procedures
- § 8:14 Remedies

III. CONCLUSION

§ 8:15 Concluding Remarks

CHAPTER 9. DISCIPLINE AND EXPULSION FROM UNION MEMBERSHIP

I. INTRODUCTION

§ 9:1 Generally

II. COMMON LAW BASES FOR INTERVENTION

- § 9:2 Introduction
- § 9:3 The Union Constitution as Contract
- § 9:4 —Implied Terms
- § 9:5 —Public Policy
- § 9:6 —Procedural Fairness
- § 9:7 Tort Law
- § 9:8 Public Law Remedies
- § 9:9 Common Law Remedies

III. STATUTORY BASES FOR INTERVENTION

A. INTRODUCTION

§ 9:10 Generally

B. STATUTORY MODELS

- § 9:11 Introduction
- § 9:12 Natural Justice
- § 9:13 Discriminatory Application of Membership Rules
- § 9:14 Other Formulations

C. TO WHOM AND WHAT IT APPLIES

- § 9:15 To Whom it Applies
- § 9:16 To What it Applies

D. DUE PROCESS

- § 9:17 Introduction
- § 9:18 Guiding Principles
- § 9:19 Hearing and Notice
- $^{\odot}$ 2022 Thomson Reuters, Rel. 2, 6/2022

- § 9:20 Counsel
- § 9:21 Bias
- § 9:22 Appeals

E. SUBSTANTIVE FAIRNESS IN CONTEXT

- § 9:23 Introduction
- § 9:24 Discriminatory, Unreasonable, or Just Cause
- § 9:25 Solidarity and Strikes
- § 9:26 —Limits of Disciplinary Action
- § 9:27 —Fines
- § 9:28 —Other Charges
- § 9:29 —No Reprisal Clauses
- § 9:30 Dual Membership and Conduct Detrimental to the Union
- § 9:31 Working for Non-Union employers
- § 9:32 Internal Union Disagreements

F. OTHER STATUTORY PROVISIONS

- § 9:33 Duty of Fair Representation
- § 9:34 Coercion and Intimidation
- § 9:35 Refusal to Participate in Illegal Activities
- § 9:36 Retaliation
- § 9:37 Companies Law

G. STATUTORY REMEDIES

§ 9:38 Generally

IV. PROCESS

- § 9:39 Introduction
- § 9:40 Choice of Forum
- § 9:41 Exhausting Internal Recourses
- § 9:42 —The Common Law Rule
- § 9:43 —The Statutory Rules
- § 9:44 Delays
- § 9:45 Clean Hands

V. CONCLUSION

§ 9:46 Concluding Remarks

CHAPTER 10. RELIGIOUS EXEMPTION FROM UNION SECURITY PROVISIONS

I. INTRODUCTION

§ 10:1 Generally

II. STATUTORY PROVISIONS

- § 10:2 Introduction
- § 10:3 Other Sources of Protection for Religious Objectors

III. GENERAL PRINCIPLES

- § 10:4 Introduction
- § 10:5 What is Religious?
- § 10:6 All or Any Unions
- § 10:7 Timeliness
- § 10:8 Employee Status

IV. CONCLUSION

§ 10:9 Concluding Remarks

CHAPTER 11. TRADE UNION LIABILITY IN HUMAN RIGHTS CASES

I. INTRODUCTION

- § 11:1 Overview
- § 11:2 Historical Development of Human Rights Legislation
- § 11:3 Status and Purpose of Human Rights Law

II. WHAT IS DISCRIMINATION?

- § 11:4 Introduction
- § 11:5 Prohibited Grounds
- § 11:6 No Need for Intention or Explicit Distinction
- § 11:7 The BFOR/BFOQ Defence
- § 11:8 Joint Union Liability: Renaud and following
- § 11:9 Criticisms of Joint Union Liability and Renaud

III. RELATED LEGISLATION

- § 11:10 Distinguishing Human Rights and the Duty of Fair Representation
- $^{\odot}$ 2022 Thomson Reuters, Rel. 2, 6/2022

- § 11:11 Other Statutes—Labour Relations Anti-Discrimination Provisions
- § 11:12 —Religious Exemptions
- § 11:13 —The Canadian Charter of Rights and Freedoms

IV. PROCESS

- § 11:14 The Appropriate Forum
- § 11:15 —Concurrent or Exclusive Jurisdiction?
- § 11:16 Preventing a Multiplicity of Proceedings
- § 11:17 —Federalism
- § 11:18 Joining the Union as a Respondent
- § 11:19 Personal Liability of Union Officers
- § 11:20 Union's Right to Notice

V. DISCRIMINATION IN THE SUBSTANCE OF THE COLLECTIVE AGREEMENT

- § 11:21 Introduction
- § 11:22 Union Conduct in Bargaining
- § 11:23 Mandatory Retirement

VI. DISCRIMINATION IN THE ADMINISTRATION OF THE COLLECTIVE AGREEMENT: THE DUTY TO ACCOMMODATE

- § 11:24 Introduction
- § 11:25 General Principles
- § 11:26 Scheduling

VII. OTHER BASES FOR UNION LIABILITY

- § 11:27 Introduction
- § 11:28 Liability for Internal Union Decision-Making
- § 11:29 Liability to the Public

VIII. CONCLUSION

§ 11:30 Concluding Remarks

APPENDICES

- Appendix A. Report Abbreviations
- Appendix B. Union Abbreviations
- Appendix C. Cross-Canada Surveys
- Appendix IF. Issues in Focus

Appendix SLL.Selected Legal LiteratureAppendix TC.Table of ConcordanceAppendix WP.Words and PhrasesBibliographyTable of AddeelTable of CasesIndex