

Publisher’s Note

An Update has Arrived in Your Library for:

Please circulate this notice to anyone in your office who may be interested in this publication. <i>Distribution List</i>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

<p>COLLECTIVE BARGAINING AND AGREEMENT David J. Corry Release No. 2, December 2024</p>

Collective Bargaining and Agreement deals with every aspect of the collective bargaining process, including: union-management relations, preparation for bargaining negotiations, and tactics and the law. It offers a practical explanation of industrial relations laws and practices, good faith bargaining in light of recent decisions, the law governing strikes, lockouts, replacement labour and other management-union tactics, as well as why more negotiators are using mutual gains bargaining, including the inner workings of today’s most effective bargaining techniques and the factors affecting union-management relations.

Collective Bargaining and Agreement also includes chapters covering key aspects of collective agreements with annotations which include a summary of the law and a discussion of applicable legal cases.

THOMSON REUTERS®	Customer Support
	1-416-609-3800 (Toronto & International)
	1-800-387-5164 (Toll Free Canada & U.S.)
	E-mail CustomerSupport.LegalTaxCanada@TR.com

This publisher’s note may be scanned electronically and photocopied for the purpose of circulating copies within your organization.

What's New in this Update:

This release features updates to Chapter 1. Canadian Employment Law and Collective Bargaining, Chapter 2. The Union and Its Members, Chapter 8. Duty to Bargain, Chapter 9. Collective Bargaining Tactics and The Law, Chapter 13. Management Rights, Chapter 14. Non-Discrimination and Human Rights, Chapter 16. Hours of Work and Rest, Chapter 21. Wages, Chapter 27. Technological Change, Chapter 30. Illness and Disability, Chapter 31. Medicals, Chapter 32. Alcohol and Drug Testing, and Chapter 36. Grievance and Arbitration Procedure.

Highlights:

Chapter 1—I. General—§ 1:3. The Charter of Rights and Freedoms—The right to strike was and continues to be tested in several high-profile cases in 2024: *Canadian Union of Postal Workers v. Canada*, 2024 ONSC 3787, 2024 CarswellOnt 10348 (Ont. S.C.J.), additional reasons 2024 ONSC 4589, 2024 CarswellOnt 12436 (Ont. S.C.J.); *Amalgamated Transit Union, Local 113 v. Ontario*, 2024 ONCA 407, 2024 CarswellOnt 7538 (Ont. C.A.); *OPSEU v. Ontario*, 2024 ONSC 3644, 2024 CarswellOnt 10555 (Ont. S.C.J.).

Chapter 14—§ 14:5. Prohibition of Discrimination on Various Grounds—In most provinces, despite the decision in *Northern Regional Health Authority v. Horrocks*, 2021 CSC 42, 2021 SCC 42, 2021 CarswellMan 593, 2021 CarswellMan 594 (S.C.C.), both the labour arbitrator and the human rights tribunal have concurrent jurisdiction over human rights issues involving unionized workers: *Weilgosh v. London District Catholic School Board*, 2022 HRT0 1194, 2022 CarswellOnt 14233 (Ont. Human Rights Trib.), related decision *London District Catholic School Board v. Weilgosh*, 2023 ONSC 2588, 2023 CarswellOnt 6563 (Ont. Div. Ct.); *A.T.U., Local 583 v. Calgary (City)*, 2007 ABCA 121, 2007 CarswellAlta 431 (Alta. C.A.), leave to appeal refused 2007 CarswellAlta 1437, 2007 CarswellAlta 1438 (S.C.C.); *Grewal v. Sofina Foods Inc.*, 2023 AHRC 46, 2023 CarswellAlta 964 (Alta. H.R.T.); *Blackburn v. Edmonton Police Service*, 2024 AHRC 66, 2024 CarswellAlta 1014 (Alta. H.R.T.); *Guay v. Alberta (Human Rights Commission)*, 2022 ABQB 36, 2022 CarswellAlta 111 (Alta. Q.B.); *Shaw v. Calgary Board of Education*, 2024 AHRC 63, 2024 CarswellAlta 887 (Alta. H.R.T.).

Chapter 36—§ 36:5. Judicial Review—The correctness standard of judicial review for constitutional law as set out in *Vavilov* was applied by the SCC in *Société des casinos du Québec inc. c. Association des cadres de la Société des casinos du Québec*, 2024 CSC 13, 2024 SCC 13, 2024 CarswellQue 3222, 2024 CarswellQue 3221 (S.C.C.). In *Association of Management, Administrative and Professional Crown*

Employees of Ontario v. Ontario (Ministry of the Attorney General), 2024 ONSC 1555, 2024 CarswellOnt 3784 (Ont. Div. Ct.), the court applied the standard of correctness to review an arbitration decision dealing with a workplace investigation into an incident involving the grievor, a black woman, and her white colleague.

ProView Developments

Your ProView edition of this product now has a new, modified layout:

- The opening page is now the title page of the book as you would see in the print work
- As with the print product, the front matter is in a different order than previously displayed
- The Table of Cases and Index are now in PDF with no searching and linking
- The Table of Contents now has internal links to every chapter and section of the book within ProView
- Images are generally greyscale and size is now adjustable
- Footnote text only appears in ProView-generated PDFs of entire sections and pages