

---

CAW Representative directs and lends expertise at all stages of negotiations with full input from the elected bargaining committee at all levels.

## ■ What are Union Constitutions & By-Laws?

They are the rules and regulations that govern the Union, elected and appointed officers, revenue of the Union and the welfare of the membership. The Constitution and By-Law's were created by the membership and can only be amended by the members of the Union by a 2/3 majority vote.

## ■ How will we benefit from joining the CAW?

Documented statistics clearly show that year after year, unionized workers do far better than their non-Union counterparts in wages, benefits and working conditions. Contract bargaining ensures that all workers have a say in wages, benefits and working conditions on a regular basis.

Furthermore, a contract gives unionized workers a legal right to grieve improper pay rates, health & safety issues, application of negotiated benefits, unjust treatment or discipline, etc. This process ensures that problems, issues and concerns will not be side stepped, but rather be mandated to be dealt with in very specific time limits.

At work, unionized workers have the benefit of representation from elected and trained in plant Stewards who receive direction and assistance from the CAW National Representative assigned to your workplace.

Unionized CAW workers also have access to the full resources of the Union and the various departments that assist workers.

---

They include **Service, Legal, Communications, Skilled Trades, Human Rights, Health and Safety, Education, Research, Pensions and Benefits, Workers' Compensation, International Affairs, Organizing, Women's, Work Organization and Training, Recreation, Political Action & Membership Development, Social Justice and Retired Workers.**

They provide the specific expertise and knowledge when required to do so and is a service available to all the CAW members.

Without a Union and a collective agreement, you give management the sole discretion in determining what is fair and just, concerning all of your conditions of employment and without any means to challenge any decision that management makes.

## For further information:

*please contact our*

**Organizing  
Department**

**1-877-495-6551**

**[organize@caw.ca](mailto:organize@caw.ca)**

**CAW**  **TCA**  
CANADA  
[www.caw.ca](http://www.caw.ca)



# Frequently Asked Questions

*about*

**Joining  
the  
CAW**

**CAW**  **TCA**  
CANADA  
[www.caw.ca](http://www.caw.ca)

---

## ■ Who organizes the Union?

The employees form their own Union. Usually a committee is formed within the workplace who inform and sign up their co-workers. The committee receives direction and assistance from a CAW organizer.

## ■ What are the legal requirements to certification?

The law requires that at least 40% of the affected employees must sign a Union membership card.

The Union then applies to the Labour and Employment Board. If the Union has signed up 60% of the affected employees, the Board will grant an automatic certification without a vote (**Section 14-3 of the Industrial Relations Act**). If less than 60%, of the affected employees have signed up, the Board will order a **secret ballot vote**.

At the end of the voting time, the Officer from the Labour Board in charge of the vote, counts the ballots with representatives from the Union and management present. The final outcome is determined by a simple majority of the ballots cast.

## ■ Can I help my co-workers in joining the Union?

Yes. Organizing a Union and participating in one are legal activities and rights, and those rights are protected under the New Brunswick Industrial Relations Act (**IRA**).

## ■ Do you lose anything when you join the Union?

No. Once a Union applies for a certification vote, the Labour Board requires that all terms and

conditions of employment are “frozen” and cannot be changed without the Unions consent. **Section 35 of the IRA**. That means that if the Union gets a Yes vote, then bargaining would start from your current conditions and move up from there.

## ■ Can my employer take any action against me for joining a Union?

**No**. The decision to join is solely up to the individual without any undue influence, threats or coercion from management. Every person is free to join a Union of their own choice. **Section 3 of the IRA**.



## ■ Does the employer ever find out who supported the Union?

No. The IRA guarantees the secrecy of all membership evidence. Employers never find out and never get to see the membership cards. **Section 138 of the IRA**.

## ■ What happens if an employer violates workers' rights during an organizing drive?

Notify the Union, immediately. The Union can file an “Unfair Labour Practice Complaint”, with the Labour Board, who in turn has the authority to order any remedy that they feel is appropriate and that addresses any violation of the LRA. **Section 106 of the IRA**.

---

## ■ Can management staff belong to the Union?

No! The Industrial Relations Act prohibits people that exercise managerial functions from belonging or interfering with the formation of the Union.

## ■ What is the function of the Union in our workplace?

The employees ARE the Union in the workplace. Union Stewards and other positions are elected to represent their co-workers with management and to ensure that the company does not violate the contract. As usual, a CAW National representative provides assistance, direction, research and education to Stewards and other employees in the workplace. The CAW National Representative also assists in the settlement of grievances.

## ■ What is a collective agreement?

A collective agreement or a contract is a legal agreement between a Union and an employer, covering wages, hours of work, working conditions, benefits, rights of workers and the Union, and a procedure to be followed in settling workplace disputes.

## ■ Who negotiates the contract?

After a successful organizing campaign, the affected employees meet to put forward proposals for the contract and to elect from amongst themselves their own bargaining committee. The committee along with a CAW National Representative would then proceed to meet with the employer to obtain a satisfactory agreement as mandated by their fellow co-workers.

---