



## **The art of the (collective) bargain**

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It is no secret that collective bargaining negotiations with some major employers have been taking many months to reach completion. Last February, we reached a long-sought and hard-fought collective agreement for our Local 3050 diamond workers at Ekati Mine. Current negotiations with both the GNWT and NTPC are continuing after months of effort to reach a deal - both UNW members and non-members have asked why the process must take so long. Often, unions are depicted in the media as political, self-serving bodies and are solely blamed when collective agreements cannot be reached quickly.

Such ideas are often nested in anti-union sentiment fanned by employers seeking dominance in labour-management relations. Such anti-union ideas can be severely misleading and damaging to our economy if the general public does not understand the bargaining process and the mutual nature of reaching a collective agreement that helps working families.

First of all, the Union of Northern Workers, like most unions, has a bargaining process – a means by which we hear from grassroots members and form a package of proposals to present to an employer. How bargaining processes are carried out are regulated under both territorial and federal law and are an important part of the UNW Bylaws and Regulations, and the Public Service of Alliance of Canada Constitution and Regulations. The basic idea is to have worker involvement through a democratic process in how an employer not only pays and provides for labour, but sets the conditions and rules of the workplace. Months before a collective agreement expires, the union notifies members at the Local - or regional – level through a bargaining input call. Members can participate by providing to Locals their proposals as to how they feel their collective agreement can be improved.

Such proposals can involve monetary items like wage increases to combat cost of living, but also more wording adjustments that are important to a worker. Ideas then are presented by every Local to a central union bargaining conference where proposals are reviewed, prioritized by the group and put into the package. After the employer goes through its own consultation process, proposals by each side are shared in an opening bargaining session.

Both the employer and the union get the opportunity to comment on the opposing side's package as well as provide rationales as to why agreements need changes. Subsequent meetings are set based on agreed dates for both parties to reach an agreement. When collective agreements cannot be reached, two parties can seek outside mediation to help reach agreement. When all else fails, strike votes are taken by

the union among members to try to show an employer the support for a willingness to fight for proposals or collective improvements.

Alternatively, employers may choose to employ a precision tactic by locking out workers. If union members are forced as a last resort to strike after a vote, this can be particularly costly to all parties involved including the employer, the union and individual workers. This can mean those unionized workers who you count on to deliver important services – whether it be through the government or in utilities or in education – are off the job until a settlement is reached or the GNWT legislates workers back to the job. Due to the financial and social disruption strikes cause, (not to mention emotional tolls they can have on communities) they are always the last resort used to complete a collective agreement.

The second important point I wish to make - which cannot be stressed enough - is the mutual nature of reaching an agreement. This means using negotiation, compromise and trust in bargaining sessions to get the best deal possible for workers.

Make no mistake, if parties mutually agree, collective agreements can be completed in a matter of a few months as they have, for example, in past rounds of negotiations with the GNWT. If, however, one party comes to the bargaining table with uncompromising, preconceived notions and rejects almost everything the opposing side proposes, an agreement can take much longer to complete.

From the UNW's perspective, although our bargaining proposals go through a vetted and democratic process, we are under no illusion that every proposal in every case is going to be successful in a final collective agreement. As such, it is important for parties to come to the table with an open mind and willingness to give and take.

Whether a final collective agreement is "good" in comparison to preceding deals largely depends on all of the above components working successfully. There must be strong involvement among membership at the beginning, there must be articulate and smart negotiating from the bargaining team and there must be full faith in the system by both sides.