



CONSULTATION: DID IT OCCUR?

THE REQUIREMENT OF MEANINGFUL CONSULTATION

A fundamental part of our workplace is consultation with both the Union and the Workplace Health and Safety Committee (WHSC) on various workplace matters. This is outlined under our Collective Agreement and the Canada Labour Code.

Consultation with UCCO-SACC-CSN

Per our Collective Agreement, the Employer is required to consult with us on health & safety matters (Article 18) and contemplated changes in the condition of employment or working conditions not covered under the CA (Article 19). This is not the same as and does not replace WHSC consultation.

Consultation with the WHSC

Under section 125 (1) (z.06) of the Code, the employer is legally required to consult the WHSC in the implementation of changes that might affect occupational health and safety, including work processes and procedures. This includes but is not limited to; post orders, standing orders, direction (including by email) on changes to workplace procedures, etc. This must be done prior to the change being made.

Did the consultation occur?

When changes that might affect health and safety are made, or when you suspect consultation didn't occur, you should always ask:

- Was the Union consulted?
- Was the WHSC consulted?
- What did the WHSC recommend?
- Which Union representative was consulted?
- What, if anything, was agreed to?

When to check with the Union

After being informed of the Union consult and WHSC's recommendations, and specifically which Union representative was consulted, if there's any suspicion that consultation did not occur, or something just doesn't sound right; check with the Union!

What if consultation did not occur?

If in fact WHSC consultation did not occur, the basis to file a complaint pursuant to section 127.1 of the Canada Labour Code has been met, on the grounds that the Employer has contravened section 125 (1) (z.06).

Speak with a Union representative for advice on how to proceed with this type of complaint.

Well, your union was consulted and agreed !



I'm going to check with my union !