

DIVISION V – CONCILIATION AND FIRST AGREEMENTS

Provision	Section	Requirement
Notice of dispute	71 (1)	Where notice to commence collective bargaining has been given, either party may send a notice to the Minister advising of their failure to enter into, renew or revise a collective agreement: <ul style="list-style-type: none"> a) collective bargaining has not commenced with the period fixed by this part; b) the parties have bargained collectively for the purpose of entering into or revising the collective agreement.
Options of Minister	72 (1)	The Minister shall not later than 15 days after receiving notice in writing under S. 71, appoint a conciliation officer, commissioner or board.
Delivery of Notice to Conciliation Officer	73 (2) (b)	Within 14 days of the appointment <u>or within a longer period of time that may be agreed by the parties</u> , report to the Minister as to whether or not the officer has succeeded in assisting the parties in entering into or revising a collective agreement.
Delivery of Notice of Conciliation Commissioner / Board	74 (2) (b)	Within 14 days of the appointment <u>or within a longer period of time that may be agreed by the parties</u> , report to the Minister as to whether or not the commissioner or board has succeeded in assisting the parties in entering into or revising a collective agreement.
Time limits/ Deemed reporting / Deemed receipt of report	75 (1)	<u>Except with consent of the parties, the Minister</u> may not extend the time for either a conciliation officer, commissioner or board to report beyond 60 days of appointment
	75 (2)	Conciliation officer deemed to have reported 60 days after date of appointment.

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Time limits/ Deemed reporting / Deemed receipt of report	<i>75 (3)</i>	Conciliation commissioner/ board deemed to have reported 60 days after date of appointment.
Release of Report	<i>77 (a)</i>	After receiving the report of a conciliation commissioner, or board, the Minister immediately releases a copy of the report to the parties in dispute.
Report binding by agreement	<i>78</i>	Where a conciliation commissioner or conciliation board has been appointed/established, the parties may, at any time before the report of the conciliation commissioner or board is made, agree in writing to be bound by the recommendations of the conciliation commissioner/ board.
Agreement/ Effect of agreement	<i>79 (1)</i>	Despite any other provision of this part, an employer and a bargaining agent may agree in writing, as part of the collective or otherwise, to refer any matter respecting the renewal or revision of a collective agreement or entering into a new collective agreement to a person or body for final and binding determination.

DIVISION V.1 OBLIGATIONS RELATING TO STRIKES AND LOCKOUTS

Provision	Section	Requirement
Strike Notice / Lockout notice / New NOTICE	<i>87.2 (1)</i>	Unless a lockout not prohibited by this Part has occurred, a trade union must give notice to the employer, at least seventy-two hours in advance, indicating the date on which a strike will occur; and must provide a copy to the Minister.
	<i>87.2 (2)</i>	Unless a strike not prohibited by this Part has occurred, an employer must give notice to the trade union, at least seventy-two hours in advance indicating the date on which a lockout will occur, and must provide a copy to the Minister.
Strike Notice / Lockout notice / New notice	<i>87.2 (3)</i>	Unless the parties agree otherwise in writing, where no strike or lockout occurs on the date indicated in a notice given pursuant to subsection (1) or (2) a new notice of at least 72 hours must be given by the trade union or the employer if they wish to initiate a strike or lockout.
Secret ballot- strike vote/ Secret ballot – lockout vote/ Conduct of vote	<i>87.3 (1)</i>	Unless a lockout not prohibited by this part has occurred, a trade union may not declare or authorize a strike unless it had, within the previous sixty days or longer period that may be agreed to in writing by the trade union and the employer, held a secret ballot vote among the employees in the unit and received the approval of the majority of the employees who voted.
	<i>87.3 (2)</i>	Unless a strike not prohibited by this part has occurred, an employer's organization may not declare or authorize a lockout unless it had, within the previous sixty days or longer period that may be agreed to in writing by the trade union and the employers' organization, held a

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Secret ballot- strike vote/ Secret ballot – lockout vote/ Conduct of vote	87.3 (2) cont.	secret ballot vote among the employees in the unit and received the approval of the majority of the employers who voted.
Services to grain vessels	87.7 (1)	During a strike or lockout not prohibited by this Part, an employer in the long-shoring industry, or other industry included in paragraph (a) of the definition of federal work, undertaking or business” in section 2, its employees and their bargaining agent shall continue to provide services they normally provide to ensure the tie-up, let-go and loading of grain vessels at licensed terminal and transfer elevators, and the movement of the grain vessels in and out of a port.
Strikes and lockouts are prohibited during term of collective agreement	88. 1	Strikes and lockouts are prohibited during the term of a collective agreement except if: <ul style="list-style-type: none"> (a) a notice to bargain collectively has been given pursuant to a provision of this Part, other than subsection 49 (1); and (b) the requirements of subsection 89 (1) have been met.
No strike or lockout until certain requirements met	89 (1)	(1) No employer shall declare or cause a lockout and no trade union shall declare or authorize a strike unless: <ul style="list-style-type: none"> (a) the employer or trade union has given notice to bargain collectively under this Part; (b) the employer and the trade union <ul style="list-style-type: none"> (i) have failed to bargain collectively within the period specified in paragraph 50(a), or

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<p>No strike or lockout until certain requirements met - continued</p>	<p><i>89 (2) cont.</i></p>	<p>(a) the employee is a member of a bargaining unit in respect of which a notice to bargain collectively has been given under this Part; and</p> <p>(b) the requirements of subsection (1) have been met in respect of the bargaining unit of which the employee is a member.</p>