
■ 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

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CAW  **TCA**
CANADA
www.caw.ca



**Frequently
Asked
Questions**

about

**Joining
the
CAW**

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■ 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 Board for a certification vote. The Labour Board would then conduct a **secret ballot vote** within 5 days from the application. The vote is conducted right in the workplace.

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 Ontario Labour Relations Act (**LRA**).

■ 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 86 of the LRA**. 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 5 of the LRA.**

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

No. The LRA guarantees the secrecy of all membership evidence. Employers never find out and never get to see the membership cards. **Section 119 of the LRA.**



■ 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. **Sections 70, 72 & 96 of the LRA.**

■ Can management staff belong to the Union?

No! The Labour 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.

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

Often during or after an organizing drive, we have witnessed companies using the same old tricks to fool workers about the union. In your workplace, your managers and supervisors may use these tricks as well.

You must be prepared for these tricks if you want to win your right to a union. If not, you and your co-workers will be fooled by the lies and promises of the company.

If you want a union, read this brochure and discuss it with your co-workers. Keep score of the company's scare tactics inside.

Other companies have scared workers with these threats and promises before. Only after the union was defeated, did the workers realize that the threats were hollow and the promises empty.

TRICK #1—WORKPLACE CLOSURE

Supervisors and company officials will tell you that your workplace may close because of the union. They will tell you that a union is bad for business—anything to make you fear you'll lose your job if you vote for the union.

TRUTH

It is illegal for the company to close, or even to threaten to close the workplace because the union is voted in. Workplaces close for economic reasons—and the vast majority of those workplaces are non-union.

If your company is really in bad financial shape, let them prove it by opening their books.

TRICK #2—STRIKE TALK

Your supervisor or another company official may tell you that the union will force you out on strike—whether you want to or not.

They will tell you that during a strike you can lose your job forever. They will ask you how your family will survive if you are forced out on strike.

TRUTH

When the company threatens that the union will force you out on strike, they are misleading you.

The union doesn't force you on strike. A strike is a decision voted on by you and your co-workers. If a majority of you don't want a strike, there won't be one.

97 percent of all CAW contracts are settled without strikes.

TRICK #3—UNION DUES

The company will tell you that the union just wants your money.

They may lie about the amount of dues you will pay as a member of the CAW.

TRUTH

The improvements in pay, benefits, and fair treatment that you will gain by having a union, are far greater than the cost of dues.

Any organization that "works for you" is worth paying for.

It is important to remember that you don't pay dues until you negotiate and accept a contract by secret ballot vote.

As well union dues are 100% tax deductible.

TRICK #4—VIOLENCE

The company will try to scare you by saying that the union will bring violence and conflict.

Near vote time, the company may cause problems or conflicts, then blame it on the union.

TRUTH

The CAW exists to solve problems peacefully. With CAW, workers and management sit down as equals and discuss problems that come up. This does not create violence, it avoids it.

TRICK #5—ANTI-UNION COMMITTEE

Before the union vote, a so-called "Vote No Committee" will mysteriously appear.

The Anti-Union Committee will do the company's dirty work. They may pass out literature filled with the company's lies about the union, or they may spread rumors and insult co-workers who support the union.

The Vote No Committee members may be recruited from friends and relatives of someone in management. Usually they are promised special treatment or a promotion for their dirty work.

TRUTH

The company knows that if you and your co-workers are united, you can stand up and win your rights. The aim of the Anti-Union Committee is to divide people and create hatred.

The company tries to divide us, but the union brings us together. Don't let it happen to you.

TRICK #6—UNION BOSSES

The company will tell you that the union will take your dues money to pay the high salaries of union bosses.

They will say that you will never benefit from any of this money.

TRUTH

CAW members decide how their dues are spent. Union dues are used locally to make our union strong. The rest goes toward a range of professional services that work for you.

All decisions about the union's finances are made by delegates whom you elect from your local union to attend national conventions and councils.

TRICK #7—NO CONTRACT

The company will tell you that they won't ever sign a contract even if you vote for the CAW.

Since it is illegal for the company to say this directly, they may say, "Remember, we don't have to agree to what you want in the contract."

TRUTH

Your company is legally required to negotiate with the union you choose.

Nearly every company talks tough before workers organize. But it's in the company's interest to keep its employees satisfied and keep the work flowing.

After you present your employer with reasonable contract proposals, a settlement usually occurs.

TRICK #8—BARGAINING FROM SCRATCH

The company will tell you that when you negotiate a contract, you'll lose the wages and benefits you already have.

Although it is illegal, the company will say you'll be bargaining from scratch.

TRUTH

When you negotiate a first contract, you start with the pay and benefits you currently have and build on them.

You'll decide what to ask for in your contract, then vote on it.

The strength of your contract will depend on the strength and participation of you and your co-workers in your union.

TRICK #9—A SECOND CHANCE

Your supervisor or manager will come around asking for another chance to change the problems on the job. They may tell you that they weren't aware of the problems and usually start treating you better and showing concern for your well being. They may even suggest that you will receive special treatment and favours if you turn against the union.

TRUTH

When workers give the company a second chance, they are usually always bitterly disappointed. If the company wins, nothing usually changes and the promises and special treatment will end on voting day.

Most workers who are tricked by the company find themselves treated just as poorly if the union loses the vote.

WAS THE CAW RIGHT?

✓	YOU KEEP SCORE		ANTI-UNION COMMITTEE
	WORKPLACE CLOSURE		UNION BOSSES
	STRIKE TALK		NO CONTRACT
	UNION DUES		BARGAIN FROM SCRATCH
	VIOLENCE		A SECOND CHANCE/PROMISES

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