

The Freeze Provision

Federal Sector

Are you worried you might lose your current working conditions, wages and benefits if you sign a union card?

Rest assured, you won't! When a union files for certification to represent workers in a particular workplace, the working conditions are protected by what is commonly referred to as the "freeze provision".

What is the freeze provision?

When we talk about the freeze provision, we are referencing Section 24(4) of the Canadian Labour Code (CLC).

This is a piece of legislation that covers workers once a union has applied for a certification vote until a collective agreement is reached or the vote is unsuccessful.

The freeze provision ensures that workers' terms and conditions cannot be altered by an employer during this period without your consent.

The Canadian Industrial Relations Board (CIRB) describes "terms and conditions" as any wages, benefits, privileges, past practices, holiday bonus, vacation bonus or anything else that a group of employees might receive from an employer as part of their compensation.

Why is the freeze provision important?

Section 24(4) ensures that:

- When workers join a union, they maintain everything that they currently have;
- When workers join a union and bargain with their employer, they do not bargain from scratch but rather from where they currently are;
- Employers cannot take anything away because the employees were exercising their rights under the Canadian Labour Code.

How does the freeze affect collective bargaining if the vote is successful?

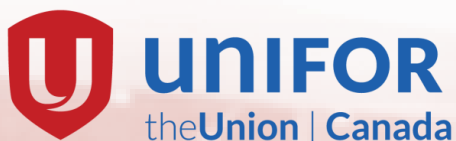
The big advantage of the freeze period is that it gives workers their current conditions as a starting point to build from when they start collective bargaining.

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