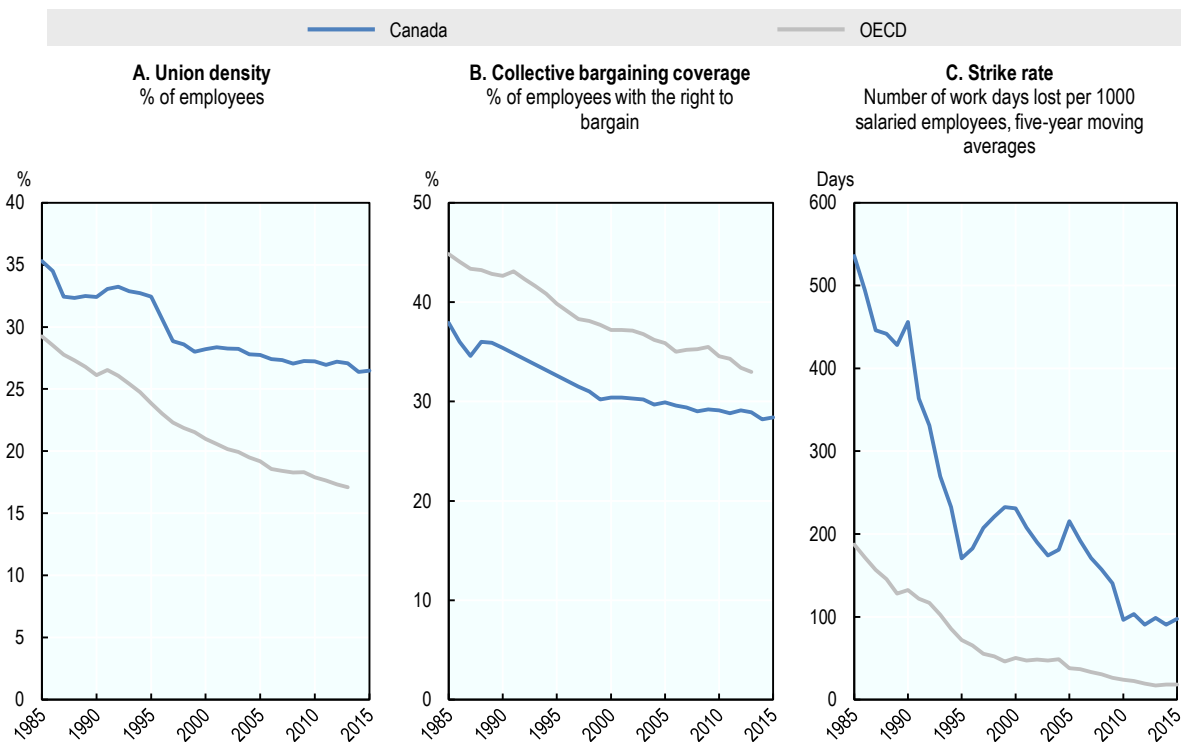


Canada

KEY FEATURES OF THE COLLECTIVE BARGAINING SYSTEM IN 2015

Predominant level	Company
Degree of centralisation/decentralisation	Decentralised
Co-ordination	No
Trade union density in the private sector	10-20%
Employer's organisation density	Information not available
Collective bargaining coverage rate	20-30%
Quality of labour relations	Medium

TRENDS IN INDUSTRIAL RELATIONS IN CANADA, 1985-2015



BUILDING BLOCKS OF COLLECTIVE BARGAINING

The detailed description of the building blocks of collective bargaining mainly relies on information provided by the responses to the policy questionnaires that were sent to Labour Ministries, employer organisations and trade unions in 2016. The information reported in the questionnaires represents the situation in **December 2015**.

Use of *erga omnes* clauses

Legal application of a sector level agreement in the absence of administrative extensions In Alberta: *erga omnes*.

Legal application of a firm-level agreement All workers

Use and coverage of extensions

Use of extensions of sectoral collective agreements Not relevant

Procedure Not relevant

Representativeness criteria Not relevant

Public interest criteria Not relevant

Exemptions or possibility of appeal Not relevant

Duration of collective agreements

Average duration 43 months

Maximum duration of collective agreements No

Can contracting parties terminate an agreement before its expiry date? In Alberta and Québec the agreement must be renegotiated.

Ultra-activity of collective agreements

Is maximum duration of after-life/ultra-activity of agreements fixed by law? No rule.

Retroactivity of agreements

Do firms have to pay arrears in case of late renewal? Yes in Alberta. No legal obligation but parties may agree on that in British Columbia, Ontario and Québec.

Does retroactivity apply only to members of signatory parties or does it cover all parties? Only to signatory parties.

Use of the favourability principle Not relevant

Use and scope of derogations and opt-out

Derogations from the law Not relevant

Derogations from collective agreements

Scope Not relevant

Topics Not relevant

Rationale Not relevant

Criteria Not relevant

Other Not relevant

Forms of co-ordination

Mode of co-ordination Not relevant

Degree of co-ordination Not relevant

Enforcement of collective agreements

	Sector-level agreements	Firm-level agreements
Do agreements typically include a peace clause?	Not relevant	Yes, common.
Do agreements typically include a mediation/arbitration procedure?	Not relevant	Yes in British Columbia, Ontario and Québec; no in Alberta.
Is it compulsory?	Not relevant	Yes in British Columbia and Ontario; no in Alberta and Québec.

Worker representation at the workplace Union or union representatives

Board-level employee representation

Public sector Not relevant

Private sector Not relevant

Scope Not relevant

Proportion/number of workers' representatives Not relevant

Nomination of candidates Not relevant

Appointment mechanism Not relevant

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