



August 21, 2018

Retroactivity Of The Urban Collective Agreement Agreement Reached

Who can forget the reactionary, anti-labour law imposed by the Harper Conservative government in June 2011? Because this back-to-work legislation was totally skewed in favour of the employer, we were forced to make compromises that we would have never have made otherwise. However, the law provided that the collective agreement would apply retroactively to the beginning of the period when the parties had obtained the right to strike and lockout.

But despite these provisions, Canada Post refused to grant us our rights under the collective agreement during the month of June 2011. After the Union filed a national grievance, an arbitrator ruled in favour of the Union and ordered Canada Post to apply the collective agreement retroactively.

Court of Justice

The Union challenged the constitutionality of the back-to-work legislation and won its case before the Ontario Court. Following this very important victory for workers, Canada Post argued in front of the Quebec Superior Court that the arbitrator's decision should be declared invalid since the back-to-work legislation had been deemed unconstitutional and was therefore no longer applicable.

The Quebec Superior Court upheld the arbitrator's decision, and Canada Post filed an appeal.

Agreement

The dispute, which seemed poised to go on forever before the courts, has finally been resolved. Canada Post has agreed to honour the arbitrator's decision in its entirety. The parties have therefore agreed to end this legal saga that has been going on for far too long. They have agreed to a 30-day period to establish a process to resolve all the grievances.

A massive undertaking

Considering the number of individual grievances and the scope of the national arbitrator's decision, we have a lot of work in front of us. We expect that several weeks will be required to finalize everything.

We will keep you informed of new developments as they occur.

In solidarity,



Peter Denley
National Grievance Officer



Sylvain Lapointe
Chief Negotiator, Urban Unit

