



FIRST CONTRACT LEGISLATION

What is First Contract Legislation?

When a group of employees exercise their Constitutional right to be represented by a union, the employer must sit down with the union in order to bargain for a first collective agreement. If the two parties cannot agree, the case is submitted to an independent third-party who imposes a first collective agreement. The binding aspect is a balance approach for both parties.

First Contract Legislation would discourage employer conduct aimed at undermining collective bargaining and serve as an incentive to the parties to bargain a first collective agreement in a timely manner, or have one imposed by a third party.

Why ask for such legislation?

In Canada, only New Brunswick, Prince Edward Island, and Alberta do not have legislation providing for binding arbitration of a first collective agreement. The NBFL has been lobbying for such legislation in New Brunswick for some 35 years.

We are convinced that having First contract legislation in New Brunswick would be a step in the right direction to avoid lengthy labour disputes and a step in the right direction to bring added balance between employers and employees. By doing this, the number and length of disputes are reduced, which is good for the economy and for all parties involved.

It's very important to note that the majority of collective bargaining in New Brunswick does not result in a strike or lockout. However, labour history in this province does show us that, for the very few that does, they can be long and nasty resulting in social and economical problems in the concerned communities. New Brunswick's longest and most bitter labour disputes have been over negotiation of a first contract:

- Allsco building products
Lockout began February 6th, 1996 lasted 4 years.
- Groupe Qualité Lamèque:
Lockout began November 9th, 1993 lasted 43 months
- Canadian Gypsum Company, Belledune.
Union received certification July 2003. Strike began April 19th, 2004, company closed its doors on April 15th, 2005
- Dairytown, Sussex
Lockout began January 11th, 1991 lasted 4 years

During the next provincial election, ask the candidates:

- Do you believe that workers have the right to be represented collectively by a union?
- If a group of workers chooses to be represented by a union, do you believe that employers should bargain a first collective agreement in a timely fashion?
- If the employer refuses to bargain a collective agreement with their employees, do you believe that New Brunswick should have Legislation to help facilitate that process?