

CROSS-CANADA DEFINITION OF “UNION” – PUBLIC SECTOR

Jurisdiction	Statute	Statute Uses “Trade Union”?	Legislation Reference	Statute’s Definition of “Trade Union” “Union” or “Labour Organization	Link to Statute & Section
Canada	<i>Parliamentary Employment and Staff Relations Act</i>	N	Employee Organization	s.3 - “employee organization” means any organization of employees the purposes of which include the regulation of relations between an employer and its employees for the purposes of this Part and includes, unless the context otherwise requires, a council of employee organizations;	Parliamentary Employment and Staff Relations Act, R.S.C., 1985, c. 33 (2nd Supp.), s.3
Canada	<i>Public Service Labour Relations Act</i>	N	Employee Organization	s.2 - “employee organization” means an organization of employees the purposes of which include the regulation of relations between the employer and its employees for the purposes of Parts 1 and 2, and includes, unless the context otherwise requires, a council of employee organizations.	Public Service Labour Relations Act, S.C. 2003, c. 22, s. 2
British Columbia	<i>Public Service Labour Relations Act</i>	N	Union	s.1 "union" means a local or Provincial organization or association of employees, or a local or Provincial branch of a national or international organization or association of employees in British Columbia, that has as one of its purposes the regulation in British Columbia of relations between the government and its employees through collective bargaining, and includes a council or association of unions.	http://www.bclaws.ca/EPLibraries/bc_laws_new/document/ID/freeside/00_96388_01

British Columbia	Public Education Labour Relations Act	N	Teachers Union Provincial Union	s. 1 "teachers' union" means a trade union representing the teachers employed by a board of education. "Provincial union" means the British Columbia Teachers' Federation, or other union certified for the bargaining unit.	http://www.bclaws.ca/EPLibraries/bc_laws_new/document/ID/freeside/00_96382_01
Alberta	Public Service Employee Relations Act	Y		S. 1 (p) "trade union" means an organization having (i) a written constitution, rules or bylaws, and (ii) as one of its objects, the regulation of relations of relations between employers and employees	http://www.canlii.org/en/ab/laws/stat/rsa-2000-c-p-43/latest/rsa-2000-c-p-43.html
Saskatchewan	Teachers' Federation Act	N	Federation	S. 2 (i) "federation" means the Saskatchewan Teachers' Federation continued pursuant to section 3;	http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/T7-1.pdf
Manitoba	Public Schools Act	N		No mention of union/trade union and/or federation	http://web2.gov.mb.ca/laws/statutes/csm/p250e.php
Ontario	Colleges Collective Bargaining Act	N	Employee Organization	S.1 "employee organization" means a trade union within the meaning of the <i>Labour Relations Act, 1995</i> ;	http://www.e-laws.gov.on.ca/html/statutes/french/elaws_statutes_08c15_f.htm#s1

Ontario	<i>Crown Employees Collective Bargaining Act</i>		Bargaining Agent	Bargaining agent S 24(1) The Ontario Public Service Employees Union continues as the bargaining agent representing the employees in the six bargaining units established by order of the Lieutenant Governor in Council under subsection 23 (1), as it read immediately before section 35 of the <i>Labour Relations and Employment Statute Law Amendment Act, 1995</i> came into force. 1995, c. 1, s. 36 (1).	http://www.e-laws.gov.on.ca/html/statutes/french/elsaws_statutes_93c38_f.htm#s24s1
Ontario	<i>Education Act</i>	Y		<p>s. 277.2 (1)The <i>Labour Relations Act, 1995</i> applies with necessary modifications with respect to boards, designated bargaining agents and Part X.1 teachers, except where otherwise provided or required by this Part. 1997, c. 31, s. 122.</p> <p>277.13.1(1) Without limiting the generality of subsection (1), a designated bargaining agent shall be deemed to be a trade union for the purposes of the <i>Labour Relations Act, 1995</i>;</p>	http://www.e-laws.gov.on.ca/html/statutes/french/elsaws_statutes_90e02_f.htm#s277p13p1s1

Quebec	<i>Public Service Act</i>	N	<p>Representative of all public servants</p> <p>Association of employees</p>	<p>64. The Syndicat de la fonction publique du Québec inc. is recognized as the representative of all public servants who are employees within the meaning of the Labour Code (chapter C-27), except</p> <p>(1) employees who are teachers;</p> <p>(2) employees who are members of the professional orders of advocates, notaries, physicians, dentists, pharmacists, optometrists, veterinary surgeons, agronomists, architects, engineers, land-surveyors, forest engineers, chemists or chartered accountants, and persons admitted to the study of these professions;</p> <p>(3) employees who are university graduates, economists, geographers, geologists, biologists, town-planners, accountants, auditors, psychologists, social workers, guidance counsellors and other professionals;</p> <p>(4) employees who are peace officers belonging to any of the following groups:</p> <p>(a) wildlife protection officers;</p> <p>(b) fisheries officers;</p> <p>(c) constables at the Youth Division of the Court of Québec;</p> <p>(d) security officers;</p> <p>(e) transportation officers;</p> <p>(f) instructors, guards and nursing attendants in correctional facilities;</p> <p>(g) any other group performing duties of a peace officer.</p>	<p><u>Public Service Act, RSQ, c F-3.1.1</u></p>
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Quebec	<i>An Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors</i>	N	Association of employees	1. This Act applies to the negotiation and making of a collective agreement within the meaning of the <i>Labour Code</i> (chapter C-27) between an association of employees within the meaning of the said Code and a school board, a college and an institution. It also applies to the government agencies listed in Schedule C to the extent provided for in Chapter IV and to the public service to the extent provided for in Chapter V.	<u><i>An Act Respecting the Process of Negotiation of the Collective Agreements in the Public and Parapublic Sectors, R.S.Q., chapter R-8.2, s.1</i></u>
Nova Scotia	<i>Civil Service Collective Bargaining Act</i>	N	Union Nova Scotia Government Employees Union	s.2(l) "Union" means the Nova Scotia Government Employees Union	<u><i>Civil Service Collective Bargaining, RSNS 1989, c 71</i></u>
Nova Scotia	<i>Highway Workers Collective Bargaining Act</i>	N	Union Nova Scotia Highway Workers Union, CUPE Local 1867	s.2(l) "Union" means the Union as referred to in or determined in accordance with Section 4. s.4(1) Subject to subsection (2), the Union is the Nova Scotia Highway Workers Union, CUPE Local 1867.	<u><i>Highway Workers Collective Bargaining Act, SNS 1997, c 1</i></u>
Nova Scotia	<i>Teachers' Collective Bargaining Act</i>	N	Union Nova Scotia Teachers' Union	s.2(v)"Union" means the Nova Scotia Teachers' Union as continued by the <i>Teaching Profession Act</i>	<u><i>Teachers' Collective Bargaining Act, RSNS 1989, c 460</i></u>
New Brunswick	<i>Public Service Labour Relations Act</i>	N	Employee organization	s.1 "employee organization" means an organization of employees the purposes of which include the regulation of relations between the employer and its employees for the purposes of this Act, and includes, unless the context otherwise requires, a council of employee organizations;	<u><i>Public Service Labour Relations Act, RSNB 1973, c P-25</i></u>
Newfoundland & Labrador	<i>Interns and Residents Collective Bargaining Act</i>	N	Association	s.2(1) (a) "association" means the local or provincial organization or association of employees that has as 1 of its purposes the regulation in the province of relations between employers and employees through collective	<u><i>Interns and Residents Collective Bargaining Act, RSNL1990, c I-18</i></u>

NOTE: This chart prepared September 17, 2011. While we will work to keep it up to date from time to time, if as a user you note in the future that something has changed, please email president@labourwatch.com or phone us **Toll Free: 1-888-652-2687** .

				bargaining, but does not include an organization or association of employees that is dominated or influenced by an employer	
Newfoundland & Labrador	<i>Public Service Collective Bargaining Act</i>	N	Employee organization	s.2(1)(j)"employee organization" means a local or provincial organization or association of employees, or a local or provincial branch of a national or international organization or association of employees within the province and that has as one of its purposes the regulation in the province of relations between employers and employees through collective bargaining, but does not include an organization or association of employees that is dominated or influenced by an employer;	<u><i>Public Service Collective Bargaining Act, RSNL 1990, c P-42</i></u>
Newfoundland & Labrador	<i>Teachers' Association Act</i>	N	Association Newfoundland and Labrador Teachers' Association	s.2 (a) "association" means the Newfoundland and Labrador Teachers' Association referred to in section 3;	<u><i>Teachers' Association Act, RSNL1990, c T-2</i></u>
Prince Edward Island	<i>Civil Service Act</i>	N	Union Prince Edward Island Union of Public Sector Employees	s.1 (s) "Union" means the Prince Edward Island Union of Public Sector Employees;	<u><i>Civil Service Act, RSPEI 1988, c C-8</i></u>
Prince Edward Island	<i>School Act</i>	N	Authorized representative	s.1 (c) "authorized representative" means (i) in the case of instructional personnel, the union or association which represents them for the purposes of collective bargaining, (ii) in the case of non-instructional personnel, the union which represents them for the purposes of collective bargaining;	<u><i>School Act, RSPEI 1988, c S-2.1</i></u>