

# **Cancellation of a Union Card**

## **Alberta**

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Unions may do the same, for training and communication purposes, whether within their union or with other interested parties such as their Members.

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## Overview

You are free to decide if you want a union to represent you or not. The law says you should not feel forced to make this decision and that no one, including the union or its supporters, should try to influence your decision using threats, penalties, intimidation or even promises.

Whatever your decision, we recommend you express it by signing or not signing either:

1. A union card (an application for union membership - including \$2 that you must pay on your own to the union), or,
2. A petition for unionization (union representation).

Note: Only petitions or membership application cards signed within 90 days of the date of filing are valid as proof of support with an application.

In addition:

3. Maintaining or cancelling current union membership.

If you support the union and want to become unionized, sign a union card, or a petition. We suggest you ask for and keep a copy of anything you sign. If you are already a member of the union (for example, from another unionized job you held) and want this union to represent you at a job where you are not unionized, then be sure to stay in good standing by paying your dues, membership fees and any assessments required.

If you don't support the union, oppose it. Or, if you just don't want to be unionized, don't sign a union card or any union petitions asking for your support. But, if you feel this way and have signed a card or petition, you may be able to cancel it. If you know you are a member in the union or have been in the past and are unsure if you are currently a member, but don't want to be unionized at your current job, then you should take the necessary steps required by the Union constitution to cancel your membership.

If you find that you cannot get your application for membership back, cannot remove your name from a petition or cannot cancel your membership – and it may be hard, then you will have to let the union know that you no longer want to be represented by them and that you want your support cancelled. Do this immediately and do it in writing – our website has the forms and instructions to help you try to do this. If you have a current membership, you may try to use these forms to cancel that.

Even if you do this for yourself, there may still be a vote. Voting “no” to being unionized, if you get a chance to vote, is the only way to be sure that your changed position counts at your current job.

If you do not get your card back, cannot remove your support for the petition, or the union does not respond to your personal cancellation, you do not have to vote for the union – you can still be a “member” and vote no – if a vote is held.

## Get the Forms

### Individual Letter or Form

To cancel your application for membership, current membership or support for the petition, you should tell the union and the Labour Board in writing. Send the union a letter or use a standard form. It should say that you no longer want to be a member of the union and don't want to be represented by it.

### Group Petition

If you know others who want to cancel their union cards or the support they gave to a petition, you might use your own petition instead. Just like a letter or form, your petition would say that those signing it don't want to be Members of the union and don't want to be represented by it. The sample LabourWatch petition, which you can get from our website, is attached to this document, below.

## Using a Group Petition

If you use the LabourWatch petition it already correctly states the reason for the petition, but if you chose to use the one from the Alberta Labour Board (General Petition 6-1) be sure that at the top of each page it says what it means to sign the petition – see the top of our Petition for Cancellation of Union Membership below if you need a guide.

Before anyone signs the petition, make sure they are given a chance to read the statement at the top of the page.

For each person who signs the petition, get their signature, printed name, address, and the date they signed.

All signatures must be witnessed when they are collected (the same person can witness more than one signature).

The signatures should not be gathered during working hours, but they can be collected when you and the person signing are on break, or before or after work.

Keep the petition with you, with those who are helping you or stored in a safe place. Even when you send your petition to the union, send a copy and keep the original.

Once a trade union can show that 40% of employees in the bargaining unit applied for support the union, the Alberta board will have one of its officers do an investigation. During this investigation, the Officer will review membership support (union membership documents, applications for membership or petitions) and they will also look at the employer's payroll records. Even though an application for certification has been filed, your petition may still have an affect on the Board's decision about whether sufficient support exists. It is up to the Board to determine if the 40% support threshold exists.

## Timing Your Cancellation

Don't put off canceling your application for membership, actual membership or support of a petition for unionization. If the union applies to be certified before you inform them, your decision to cancel your support of the union will not count.

There is even more reason not to delay when you intend to send the union and Labour Board a petition. If the union doesn't know some people no longer support it, the union may use those names when applying for certification.

## Deliver Your Forms

If you feel threatened, intimidated or coerced by the union and you do not wish to speak to the union about canceling your membership or application for membership, or you do not wish to send them a written letter canceling your support, you may send a letter to the Alberta Labour Relations Board advising them that you signed a petition or a membership card and you want to cancel or revoke it; and advise the Board who your employer is.

At this time in Alberta, we don't know if the Board will consider such cancellations when deciding whether the required 40% support of the Union has been shown. If you feel that you have been subjected to threats, intimidation or coercion you may also have to file an Unfair Labour Practice complaint against the union.

The best way to send your documents to the union and Labour Board is to fax them - faxing is fast, and print the confirmation page so you can prove they received them.

However, our next choice would be to courier the documents, personally deliver them or use registered mail.

See the attached form for Alberta Labour Board address information. We have also included a spot for you to fill in the union's information in case you want to send them your cancellation letter too.

A few things to remember when completeing the Card Cancel letter:

1. Do not use your employer's fax machine if you fax it in.
2. If you fax it in get and keep a print out from the fax that confirms the fax was received.
3. If you hand deliver, courier or mail your cancellation – keep a copy of your completed cancellation.
4. Only complete the union information on the form if you are going to send your cancellation to the union.

## Conclusion

Even if you do this for yourself and maybe others, there may still be a vote. Voting “no” to being unionized, if the Labour Board orders a vote, is the only way to be sure that your changed position counts. Whether or not you have signed an application or petition, or you are a current union member – you can change your mind and vote for the union or to remain union-free. The vote is by secret ballot so no one, not even the Labour Board will know how you voted.

Remember that if there is a vote only the people who actually go and vote will be considered. For example, if your workplace has 100 employees who would be in the bargaining unit and 30 employees voted and at least 16 of those voted for the union, then that whole 100 employee part of your workplace, including you, are unionized even though only 30 voted in total. So, participating in such a vote is very important.

# Notification of Cancellation of Application for Union Membership Or Cancellation of Union membership

## Membership Details

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I do not want to be represented by, or remain a member of:

Insert the full name of Union, (and local if applicable)

as it relates to the following Employer.

Insert Full Name of Employer

## Personal Details

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Full Name:

Print Your Full Name

Address:

Street

City

Province

Postal Code

Telephone Number:

(       )

Signature

Date:

**Note: This form will not be accepted unless it is signed, your name is printed clearly, and the form is dated.**

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1. Do not use your employer's fax machine if you fax this in.
2. If you fax it in get and keep a print out from the fax that confirms the fax was received.
3. If you hand deliver, courier or mail your cancellation – keep a copy of your completed cancellation.
4. Only complete the union information below if you are going to send your cancellation to the union.

Edmonton Office  
#501, 10808 - 99 Avenue  
Edmonton, AB T5K 0G5  
Phone: (780)427-8547  
Fax: (780) 422-0970

Calgary Office  
3<sup>rd</sup> Floor, Deerfoot Junction, Tower 3  
1212 - 31<sup>st</sup> Avenue, NE  
Calgary AB, T2E 7S8  
Phone: (403) 297-4334  
Fax: (403) 297-5884

Union (Complete if sending to the union)

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