

Collective Bargaining Information

What is a collective agreement?

A collective agreement is a written contract between an employer and a union providing the terms and conditions of employment that apply to all members of the particular group of employees represented by the union - this group is known as the bargaining unit.

What is collective bargaining?

Collective bargaining is the process by which the parties to a collective agreement renegotiate the terms of an existing collective agreement or negotiate a new collective agreement when the union has been recently certified.

The [Nova Scotia Trade Union Act](#) obligates both sides of a collective agreement to meet in a timely manner and to make every reasonable effort to negotiate in good faith with a view to concluding a collective agreement or the renewal or revision thereof.

How does collective bargaining commence?

To start the collective bargaining process, at least one party must give notice. This occurs either under the terms of an existing collective agreement under section 34 of the [Nova Scotia Trade Union Act](#). The parties then set up dates to exchange and negotiate proposals.

As negotiations progress, will you keep stakeholder community be updated?

Yes. The Herald will provide updates to stakeholders through this web site as negotiations progress. These updates will be factual and respectful of the negotiations process and our obligations under the [Nova Scotia Trade Union Act](#)

How will communications on this website affect negotiations?

Negotiations are a routine part of the life cycle of a collective agreement and a normal part of the Herald's business environment. The information posted on this website will assist interested stakeholders in understanding the process as it unfolds without interfering with the bargaining itself.

What happens if the Herald and the union are unable to reach agreement on the terms of a new collective agreement through the collective bargaining process?

If the parties are unable to reach agreement on all issues raised during negotiations, and are therefore unable to agree on the terms of a new collective agreement, either party (or both) may initiate the conciliation process by requesting the appointment of a conciliator by the Minister Labour and Advanced Education.

What is the role of a conciliator?

The role of a conciliator is to assist the parties in reaching an agreement. The conciliator acts as a neutral third party by helping both parties work towards a mutually satisfactory solution and a new collective agreement. It is important to note that a conciliator does not have the authority to bind the parties or impose a new agreement on them. A conciliator is only able to make recommendations based on his/her observations and guide the parties through the process. At the end of the conciliation process, the conciliator must provide the Minister with a report.

What happens if the conciliation process is unsuccessful?

The parties involved may take a strike or lock-out vote if a conciliation officer appointed by the Minister has been unable to bring about an agreement between the parties, and fourteen days have elapsed from the date on which the report of the conciliation officer was filed with the Minister and a conciliation board or mediator has not been appointed under the Trade Union Act; OR a conciliation board or mediator has been appointed and has been unable to bring about an agreement between the parties and seven days have elapsed from the date on which the report of the conciliation board or mediator was filed with the Minister.