

CHAPTER 1
AN INTRODUCTION TO INDUSTRIAL RELATIONS

Multiple Choice Questions

1. The term commonly used to describe the relationship between a union and the employer:

- A) Industrial relations
- B) Industrial disputes
- C) Industrial development
- D) All of the above

Answer A Page 4 easy

2. What gives unions the formal power to negotiate mutually acceptable workplace rules and working conditions with the employer?

- A. Union members
- B. Provincial and Federal Laws
- C. Employer
- D. Employment Standards Act

Answer B Page 4 intermediate

3. When did the Royal Commission to Enquire into Industrial Relations in Canada issue its report?

- A) 1900
- B) 1909
- C) 1919
- D) 1929

Answer C Page 5 easy

4. Another workplace management term is sometimes incorrectly interchanged with "industrial relations"?

- A) Labour relations
- B) Human Relations
- C) Human Resource Management
- D) Personnel Management

Answer C Page 6 intermediate

5. Which of the following disciplines could address industrial relations issues?

- A) Medicine and psychology
- B) Law and medicine
- C) Economics and Sociology
- D) Political science and psychiatry

Answer C Page 6-7 difficult

6. Approximately what percentage of the Canadian workforce is unionized?

- A) 40 percent
- B) 30 percent
- C) 20 percent
- D) 10 percent

Answer B Page 7 easy

7. In what percentage of Canadian jurisdictions is unionization an option for workers who are dissatisfied with their treatment?

- A) 20 percent
- B) 40 percent
- C) 50 percent
- D) None of the above

Answer D Page 8 intermediate

8. Which of the following describes a good reason why someone who is opposed to unions might wish to acquire some knowledge of unions?

- A) They can avoid the need to hire expensive legal counsel.
- B) They can discover how to sidestep the issue of union security.
- C) They will know what an employer or employee can and cannot legally do to counteract unionization.
- D) They can sue the union.

Answer C Page 8 difficult

9. Which of the following is a right guaranteed by Canadian labour legislation?

- A) The right to resist joining a union
- B) The right to join a union
- C) The right of managers to join unions
- D) The right of employers to block unionization

Answer B Page 9 intermediate

10. What is meant by the term "jurisdiction"?

- A) The geographic coverage of a piece of legislation
- B) The history of the legislation in a given area
- C) The question of which arbitrator will adjudicate a dispute
- D) Legal responsibility for an issue

Answer D Page 10-11 difficult

11. Up until the mid-1920s, which level of government in Canada had responsibility for industrial relations?

- A) Municipal
- B) Provincial
- C) Federal
- D) All of the above

Answer C Page 11 easy

12. Which case led to a determination that jurisdiction over industrial relations in Canada was mostly a provincial responsibility?

- A) *Smyth v. the Power Commission*
- B) *Snider v. the Toronto Electrical Commission*
- C) *Snider v. the Ottawa Electrical Commission*
- D) *Smyth v. the Toronto Electrical Commission*

Answer B Page 11 intermediate

13. Under what circumstance is the union-employer relationship federally regulated?

- A) When the business has an interprovincial component
- B) When the business is a Crown corporation
- C) When the business is in the public sector
- D) When the business has an international component

Answer A Page 11 difficult

14. What is the minimum term of a collective agreement in most Canadian jurisdictions?

- A) 1 year
- B) 2 years
- C) 3 years
- D) 6 months

Answer A Page 12 easy

15. Which of the following must form part of a collective agreement?

- A) Technological change clauses
- B) Benefits clauses
- C) Grievance resolution procedures
- D) All of the above

Answer C Page 12 difficult

16. What is the name given to the sector which includes employees working for organizations that are funded by the government but who are not directly employed by the government?

- A) The private sector
- B) The public sector
- C) Crown corporations
- D) The para-public sector

Answer D Page 13 intermediate

17. Who is covered by the terms and conditions of employment standards legislation?

- A) Private sector employees
- B) All Workplaces
- C) Non-unionized workplaces
- D) Unionized Workplaces

Answer B Page 15 easy

18. What is the type of legislation that forbids discrimination against individuals on the basis of personal attributes such as gender, ethnic origin, or sexual orientation?

- A) Industrial relations legislation
- B) Individual rights legislation
- C) Human rights legislation
- D) All of the above

Answer C Page 15 easy

19. What type of discrimination can occur despite any deliberate action or inaction by the organization?

- A) Blatant discrimination
- B) Intentional discrimination
- C) Systemic discrimination
- D) Common discrimination

Answer C Page 15 difficult

20. Which right contained in the *Charter of Rights and Freedoms* has been the subject of major cases dealing with industrial relations?

- A) Freedom of association
- B) Freedom of the press
- C) 1Freedom of conscience
- D) Right to vote

Answer A Page 16 easy

21. What other term is used interchangeably with industrial relations?

- A) Human Relations
- B) Labour Relations
- C) Human Resources
- D) Employer/employee relations

Answer B Page 4 easy

22. Unionization had a ripple effect for every Canadian except in the following area:

- A) Guaranteed minimum wages
- B) Guaranteed Defined Pension Plans
- C) Occupational health and safety regulations
- D) Statutory holiday designations

Answer B Page 8 Intermediate

23. Collective Bargaining introduces elements of _____ into the workplace?

- A) Reasonableness
- B) Rationality
- C) Balance
- D) Democracy

Answer D Page 9 Intermediate

24. In 2007, BC Healthcare unions won what victory at the Supreme Court of Canada?

- A) Freedom of organization
- B) Preventing contracting out
- C) Forcing the employer to keep all union jobs
- D) Charter guarantee to collectively bargain

Answer D Page 18 difficult

25. Which of the following is not covered by federal law?

- A) Nova Scotia civil service
- B) Bell Canada
- C) CTV
- D) Canada Post

Answer A Page 11 difficult

26. Public sector labour legislation does all of the following except

- A) stipulate conditions under which people may strike
- B) force people back to work without due process
- C) recognize that there are certain services that are needed for communities to function
- D) implement dispute resolution procedures to minimize disruptions

Answer B Page 13-14 intermediate

27. Employees who believe that their union has treated them unfairly may

- A) file a complaint with the labour relations board for discrimination
- B) file an action with the human rights commission
- C) file a complaint with the labour board alleging a breach of the duty of fair representation
- D) file a complaint with the human rights commission alleging discrimination

Answer C Page 16 intermediate

28. The 1982 *Dolphin Delivery* case dealt with

- A) an employer injunction to request picketing
- B) an employer injunction to prevent picketing
- C) a union injunction to request picketing
- D) a union injunction to prevent picketing

Answer B Page 16-17 Difficult

29. The *Dunmore* case was a pyrrhic victory for agricultural workers in what way?

- A) The Supreme Court of Canada said that workers could bargain
- B) The Supreme Court of Canada said that whole classes of workers could not be precluded from protection of labour legislation
- C) The Supreme Court of Canada told Ontario to change its laws
- D) The Supreme Court of Canada decision resulted in unionization but no collective bargaining

Answer D Page 18 difficult

30. In 2014 the Supreme Court of Canada ruled in favour of the workers employed by Wal-Mart in Jonquiere, Quebec stating what reason?

- A) Wal-Mart was required to negotiate with the union
- B) Wal-Mart failed to prove that the store was unprofitable
- C) Wal-Mart had contravened the Charter of Rights and Freedoms
- D) Wal-Mart had acted in bad faith by not concluding a collective agreement

Answer B Page 18-19 intermediate

True/False Questions

31. In 1995 the government of Ontario excluded farm workers from the jurisdiction of labour law claiming they would cause excessive labour costs.

True Page 18 intermediate

32. Industrial relations is a broad, interdisciplinary field of study and practice that encompasses some aspects of the employment relationship.

False Page 4 difficult

33. Human resource management is applicable to both unionized and non-unionized workplaces.

True Page 5 intermediate

34. There is one unifying theory underlying the field of industrial relations.

False Page 6-7 difficult

35. Unions emerged in response to working conditions that are almost unknown today, at least in most industrialized countries.

True Page 7 intermediate

36. NB and NS are the only provinces wherein the provincial labour legislation does not contain the word "labour".

False Page 12 intermediate

37. Most Canadian unionization is spread throughout a multitude of sectors in the labour market

False Page 7 easy

38. Like any organization, a union is the product of the individuals who belong to it, and individuals in unions, as in any organization, can make poor decisions or act unfairly.

True Page 8 intermediate

39. A labour relations board has broader guidelines for the submission of evidence than either the civil or criminal courts.

True Page 13 difficult

40. Proportionally union representation is higher among women than men and higher among younger workers than older workers.

False Page 22 difficult

Short Answer Questions

41. What is the union's primary role in the workplace?

A union's primary role is to represent the employees in interactions with the employer.

(Page 4, easy)

42. How are unions able to carry out their primary role?

Provincial and federal law gives unions the formal power to negotiate mutually acceptable workplace rules and working conditions with the employer.

(Page 4, difficult)

43. What is the simplest way to explain the difference between the terms "human resource management" and "industrial relations"?

Human resource management has a broader range of applications and can be applied to employment-related issues of importance to all organizations, whereas industrial relations usually only applies to unionized workplaces.

(Page 5-6, intermediate)

44. Why is a working knowledge of industrial relations of benefit to anyone considering a career in human resource management?

Aspiring human resource managers who are familiar with industrial relations issues are much more employable than those whose experiences have been gained only in non-unionized workplaces. Anyone considering managerial work of any sort should be familiar with how human resource management activities are conducted in both unionized and non-unionized organizations.

(Page 8 easy)

45. How do we know whether a union-employer relationship is regulated by federal or provincial law?

If an employer's business has an interprovincial component, meaning that the business crosses provincial boundary lines, that business is federally regulated.

(Page 11, intermediate)

46. List some issues that are typically covered by employment standards legislation.

Employment standards legislation usually covers issues such as working hours, minimum wage rates, holiday time, and the minimum time needed for notice of termination or layoff.

(Page 15, intermediate)

47. In the context of human rights legislation, what is discrimination?

Discrimination is defined as the refusal to grant someone access to accommodation, contracts, goods and services, or employment opportunity because they possess one of the identified personal attributes (called protected grounds in the legislation).
(Page 15, difficult)

48. What is meant by the term 'systemic discrimination'?

This form of discrimination occurs when an organization or individual uses policies or practices that have the effect (sometimes unintentionally) of discriminating against groups of individuals.

(Page 15, intermediate)

49. The *Charter of Rights and Freedoms* guarantees certain basic rights and freedoms to all Canadians and is considered to take precedence over all other laws except for two specific kinds of laws. What are these two exceptions?

The first are laws that can be demonstrably justified as reasonable limits in a free and democratic society. The second are those that provincial legislatures pass by invoking the so-called notwithstanding provision.

(Page 16-17, difficult)

50. List two early Charter of Rights and Freedoms cases that have been important for industrial relations issues.

- 1982 Dolphin Delivery Case
- 1991 Lavigne case
- Dunmore v. Ontario

(Page 17-18, intermediate)

Critical Thinking Questions

51. Industrial relations topics are addressed in many other academic fields. Discuss some examples of how researchers in other academic areas could address industrial relations issues.

Suggested answer:

- i) A historian might be interested in the events that led to the formation of a union or to a particular industrial relations conflict.
- ii) A psychologist might be interested in how individual attitudes toward unions or employers develop or change.
- iii) An economist might be interested in how negotiated wage rates in a unionized organization affect wage rates in non-unionized organizations or the cost of living in a particular geographic area.
- iv) A political scientist might be interested in how or why a governing political party changes labour legislation.

- v) A lawyer might be interested in how the language and conditions in labour legislation affect unions' ability to represent their members effectively.
- vi) A sociologist might be interested in how group or cultural dynamics affect the actions of a union or an employer.

52. List some of the major characteristics found in all primary pieces of industrial relations legislation.

Suggested answer:

- i) The establishment of procedures to legally recognize a union as the workplace representative for the employees. This procedure is called certification.
- ii) A requirement that collective agreements between the union and the employer have a minimum term, usually one year.
- iii) The establishment of procedures that must be followed for a legal strike or lockout to take place. Most jurisdictions also have some regulations governing activity that might take place during a strike or lockout, such as picketing or the use of replacement workers.
- iv) The establishment of procedures that must be followed to resolve disputes while the collective agreement is in effect. These procedures are usually referred to as grievance resolution procedures.
- v) The definition of legal behaviour by unions and management in situations such as campaigns for union certification. Usually, these definitions take the form of identifying unfair labour practices.
- vi) The establishment of a labour relations board to administer and enforce labour relations legislation.

53. Describe some reasons why there is separate labour legislation for public sector workers.

Suggested answer:

The government and its employees have a unique employment relationship. The government is the employer, but it is also the body that sets the rules under which all employees and employers operate. Separate public sector legislation is intended to recognize that the government holds considerably more power than an ordinary employer, and thus public sector labour legislation may contain terms and conditions designed to recognize this larger-than-usual power imbalance between employer and employee.

Another reason for separate public sector labour legislation is that public and para-public sector employees often provide services that are necessary for society to function effectively, such as fire protection, social services, and health care. Public sector labour legislation recognizes this reality by stipulating different conditions under which public sector employees may strike or otherwise withdraw their services, or by implementing dispute-resolution procedures that minimize or avoid any service disruption.

54. Among the common pieces of labour relations laws in Canada is the establishment of a labour relations board. Describe some of the characteristics of how this board functions.

Suggested answer:

The **labour relations board** administers and enforces labour relations legislation. While the name of the board varies by jurisdiction, its purpose is similar in all jurisdictions. The labour relations board resolves disputes relating to the application of the labour relations legislation, provides specific services, such as assistance in resolving grievances, has a **quasi-judicial** status; like a civil or criminal court, it rules on cases brought before it, and issues interpretations of the law. The government funds the costs of running a labour relations board, but the board operates independent/y. A labour relations board does not have the same legal status as a civil or criminal court, it has the option of suggesting remedies as well as imposing solutions.

55. Discuss why there is no single unifying theory underlying industrial relations.

Suggested answer:

Industrial relations is not a science, but deals with the relationship between people seeking equal and fair treatment through the operation of a collective agreement which spells out the terms and conditions of the working relationship. This means that all of the issues resulting from this relationship cannot be addressed through a single or 'right' theory because of the complexity arising from human interactions.