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PUBLICATION

Construction Labour Update: Open Season Coming Soon

Date: October 29, 2012

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Original Newsletter(s) this article was published in: Blaneys on Building: November 2012

Just a reminder that the industry-wide "open season" in the residential construction sector in the greater Toronto area is set to run from February 1 to April 30, 2013, in accordance with the *Labour Relations Act*. Every three years all of the residential construction sector collective agreements come up for negotiation at the same time and unions have a three month period to lock down their own bargaining rights and attempt to take them from others. During that time you can expect to see a significant amount of union organizing activity on job sites and inter-union rivalry as construction unions seek to protect and expand their bargaining rights.

The open season won't just affect unionized companies or subcontractors. It also has the potential to affect non-unionized sub-trades, general contractors and builders. For example:

- The conflicts associated with raids between unions have the potential to spill over and affect the day-to-day work being performed by workers who become engaged in the politics of the conflict with their friends and co-workers or worse, face strikes and work stoppages as the various factions side off against each other.
- Because of the increased union activity, organizers become more familiar with who is doing what and may walk into an easy certification where a non-union builder has a couple of construction workers on site.
- Increased organizing activity can mean more non-employees on the job site, which raises additional health and safety issues.
- In cases of both legal and illegal strike activity, it is often the builder that ultimately has to take the steps necessary to obtain the assistance of the Ontario Labour Relations Board or the Court.

We can assist you both with taking precautions to prepare for the upcoming open season and in responding to a situation once it has arisen.