



September 19, 2019

To: Regional Vice Presidents
Branches & Facilities

Canada Labour Code Update

We recently made members aware of the changes to the Canada Labour Code (CLC) that the federal government enacted on September 1, 2019. CATCA's National Executive, along with CATCA General Counsel, Debbie Cooper, met with NAV Canada to discuss how these changes will impact the collective agreement. Note that unlike typical changes to minimum standards contained in the CLC, this set of changes is broad and comprehensive. In some cases, the changes break new ground, offering very different and progressive rights and leaves to our membership.

Our consultation with the Company provided insight into the work ahead of us. There are at least a dozen new or amended leaves that members will have access to. These leaves will be reflected either in our new collective agreement or through company policy. Other leaves already covered in our agreement have superior language and entitlements, and thus no change is required. We are in the process of preparing contract language where appropriate; these new entitlements will be included in the next publication of our collective agreement.

Several other changes will take more time to sort out how the law will be applied and how our collective agreement should be changed to maximize our rights. Examples include a provision to allow for flexible work arrangements, new abilities to modify work schedules and maximum hours of work, written and advanced notice of shift changes, and even the right of refusal to work overtime in certain circumstances. We have not yet reached agreement on a way forward with these provisions. Applying these standards to non-unionized workers in the federal sector is one thing; applying them to unionized workforces such as ours is another. With long-standing and complex rules already developed, the changes were not well thought out, and the government is still drafting guidelines and interpretations for our use. Once agreements are established, we will update the membership. In the interim, if you have any questions, please contact your Regional Vice President.

We would also remind members with SERCO and Transport Canada that the Code has also changed for you and discussions will have to occur to amend your collective agreements as well.

On behalf of the Executive Board,

Peter Duffey
President

Doug Best
Executive Vice President

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