

# Collective Bargaining Process - Canadian Federal Sector

## HOW IT WORKS

Collective Bargaining is a multi-step process used by employers and unions to allow both parties to achieve meaningful improvements.

### Notice to bargain

**DIRECT BARGAINING**  
*No time limit*

- The employer or the union sends a written notice to bargain, which is a request to start discussions about updating and renewing an existing contract.
- The employer and union negotiate the terms of the collective agreement directly, each with specific requests for the other side.
- The parties can take as much time as needed to reach an agreement.
- If the two parties reach an impasse, either party may request outside support by filing a Notice of Dispute with the Federal Minister of Labour.

### Notice of dispute

*15 days*

- When one party files a Notice of Dispute, the Federal Minister of Labour appoints a conciliation officer within 15 days as a tool to support the employer and union in reaching a negotiated outcome.

### Ministerial decision

**CONCILIATION**  
*60 days, unless extended by mutual agreement of parties*

- Using professional conciliators through the Federal Mediation and Conciliation Service (FMCS), this third party has a mandate to assist the negotiating parties in reaching a mutual agreement.
- The conciliation period is for 60 days, but if both parties agree, they may request an extension.

### Termination of conciliation

*21 days*

- At the end of the conciliation period (60 days with the possibility of extension), the parties enter a 21-day cooling off period.
- During this stage, the Federal Minister of Labour can appoint a mediator to continue supporting the parties to reach an agreement.

### Acquisition of right to strike / lockout

*Possibility of work stoppage*

- Parties can acquire the legal right to strike (union) or lockout (employer). If a union chooses to strike, the union must seek a mandate through a majority vote among its members. NOTE: The union may seek a 'strike mandate' at any time during the conciliation process.
- If a strike or a lockout is initiated, all work stops. However, that cannot occur until the 21-day cooling off period has ended.
- To initiate a strike or lockout, the other party and the Minister of Labour must be given a 72-hours' notice with the date and time the strike or lockout will begin.

**MEDIATION**  
*No time limit*  
*Final attempt to reach an agreement*