



Alberta Bill 32 Compliance Guidelines for Unifor Locals



CONTENTS

- 1** Introduction for Financial Officers
- 2** Guidelines for Legal Compliance
- 3** Part 1: An Overview of Bill 32's Impact on Union Dues
- 5** Part 2: Assessing "Core" versus "Non-Core" Expenses and Dues Elections
- 8** Part 3: How to Continue Spending on "Non-core" Expenses Without the Need for a Dues Election
- 9** Part 4: Complying With the New Financial Statements Reporting Requirements
- 10** Frequently Asked Questions
- 11** Checklist for Compliance
- 13** Appendices
- 14** Request for Dues Payer Information Letter
- 15** Assessment Letter
(all dues core)
- 16** Assessment Letter
(some dues non-core, election and revocation forms)
- 20** Notice to Employer
(all dues core)
- 21** Notice to Employer
(some dues non-core)
- 22** Response to Dues Payer Concerns

Introduction for Financial Officers

In summer 2020 at the height of the pre-vaccine pandemic, Alberta Premier Jason Kenney forced through legislation that, among other things, severely limits the bargaining and picketing rights of unions and aims to defund our public campaigns.

It is a Republican-style attack on the fundamental goal of labour unions: to stand up for the rights of working people.

Bill 32 aggressively rolls back long-established workers' rights on overtime averaging and grievance arbitration. It limited the effectiveness of workers' action by reducing secondary picketing rights during strikes and lock-outs.

Bill 32 imposed time-consuming financial reporting requirements on local unions. Most importantly, it interferes with how unions collect and spend union dues.

The deadline for the significant compliance requirements for local unions is approaching quickly.

The new dues deduction rules in Bill 32 come into effect on August 1, 2022.

Unifor's fightback strategy has involved raising public awareness about the Kenney government's attack on basic rights. The union is committed to resisting Bill 32 and defending our rights to free expression, free association and free collective bargaining.

Bill 32 was designed to create new burdens on local unions and makes it harder for them to advocate for members. This guide will help you understand your local union's reporting obligations and answer questions you might have about the government's increased surveillance of your union's activities.

During this process, don't hesitate to get in touch with the Unifor National Office for additional assistance.

This is not a partisan campaign; but the UCP has picked a fight with working people and we're fighting back.

Guidelines for Legal Compliance

The Jason Kenney government has saddled local unions with burdensome administrative requirements that have never before existed, even under previous conservative governments. These new requirements have never been applied anywhere in Canada.

Under Bill 32, local unions are now required to assess their spending in new ways. This process requires local unions to identify each expense as either “core” or “non-core” and inform dues payers of those determinations. Where an expense is identified as “non-core”, the local union must ask dues payers to elect whether they want to pay dues that the union will spend on those “non-core” activities. In effect, each dues payer must now opt-in to paying the “non-core” portion of their union dues through an “election”.

The following is a step-by-step guide to meeting the minimum legal requirements under Bill 32. The guide has four parts:

1. An overview of the impacts of Bill 32 on union dues
2. Complying with the new spending assessments of “core” versus “non-core” expenses and the process for dues elections
3. How local unions can, in the short term, continue to spend money on “non-core” expenses without the need for dues elections
4. Complying with the new financial statements reporting requirements

Included with this guide is a group of sample documents in the Appendices. *These documents should be edited before use to address your local union’s circumstances:*

- **Appendix A:** Sample letter to employers requesting contact information for dues payers to comply with Bill 32
- **Appendix B:** Sample letter to dues payers that all union dues are spent on “core” activities
- **Appendix C:** Sample letter to dues payers that some union dues are spent on “non-core” activities, including sample dues election form and dues election revocation form
- **Appendix D:** Sample letter to employers providing that all union dues are spent on “core” activities
- **Appendix E:** Sample letter to employers providing the names of employees that have elected to pay dues on “non-core” activities and the amount or proportion of dues spent on “non-core” activities.
- **Appendix F:** Sample letter responding to dues payers concerns about union’s dues assessment

Part 1: An Overview of Bill 32's Impact on Union Dues

The most burdensome changes brought about by Bill 32 relate to the collection and use of union dues. These changes were designed to create a burden on local unions to reduce the presence and importance unions have for the communities in which their members work.

The following is a high-level overview of Bill 32's impact on a union's collection and use of union dues. While the new requirements of Bill 32 are burdensome, trade unions must make good faith efforts to comply with the law.

Local Unions in Alberta Must Now Take the Following Steps

- Unions must collect information about dues payers in each bargaining unit to allow the union to contact "dues payers" for the purpose of providing information about the division of union dues spent on "core" and "non-core" activities and for the purpose of getting "elections" from employees if the union has "non-core" expenses. Each of the terms "dues payer," "core" versus "non-core", and "elections" is explained in this guide.

****"Dues payers" is a wider category than members. A union's obligations apply to all employees that pay "union dues, assessments or initiations fees" (hereafter "union dues"), regardless of whether an employee in a bargaining unit is a member of the union.***

- Unions are now obligated to contact dues payers to provide information about how union dues are spent under certain circumstances. Employers have an obligation to provide information about dues payers and new hires to the union. Included in this guide (see **Appendix A**) is a sample letter that unions can send to employers requesting the contact information of all employees in a bargaining unit.

- By **August 1, 2022** and at least once a year (or when substantial spending changes are made) a union must determine which part of the union dues that members will pay in the coming year will be spent on "core" activities and which will be spent on "non-core" activities. As of August 1, 2022, a union cannot use the portion of union dues that it has assessed relate to "core" activities to pay for the cost of its "non-core" activities. An explanation of "core" versus "non-core" activities is explained in Part 2 of this guide.
- Once a union has categorized each of its expenses as either "core" or "non-core", the union must inform the dues payers of that determination, including the dollar or percentage amount of each individual's dues paid for "core" or "non-core" activities. In providing this information, the union must also provide a list of the activities and causes and the entities paid in respect of those activities and causes that are "non-core" activities.
The union need not provide such a list for "core" activities. Included with this guide (see **Appendix C**) is a sample letter to dues payers about dues elections.

The Burden of Declaring Non-Core Activities

- If there are any "non-core" activities for which union dues will be used, then the union must do additional work to provide each dues payer to make an "election". The election is a choice whether they wish to pay the "non-core" portion of their union dues. Included with this guide (see **Appendix C**) is a sample election form.
While this process is called an "election", it is important to note that there is no membership vote. This is not any kind of majority-decides process. Each member may opt-in to paying "non-core" portion of their union dues.
- If there are any "non-core" activities for which union dues will be used, and dues payers elect to pay the "non-core" portion of their dues,

the union must tell the relevant employer the names of those employees who elect to pay all their union dues and those who only agree to pay the “core” union dues, as well as the amount or proportion of union dues that are “non-core”. Included with this guide (see **Appendix E**) is a sample letter of this kind.

If an employee does not to elect pay the “non-core” portion of their union dues, and this has been communicated to the employer, the employer can no longer deduct the “non-core” portion of the union dues from the employee and the union can no longer accept the “non-core” portion of union dues for a dues payer unless there has been an election in writing.

This is an opt-in system. The default rule is that if an employee has not elected to pay the “non-core” portion of their dues, the “non-core” portion cannot be deducted and paid to the union.

The Case for 100% Core

If the union determines that there are no “non-core” activities that are paid for with union dues, then the process for that year stops once the union has communicated to dues payers that it has assessed that all of the union dues will be spent on “core” activities and the union has communicated this to the employer. Included with this guide (see **Appendix D**) is a sample letter of this kind.

Annual Requirements

It is important to note that this process must take place each year. The union must assess its spending and communicate the amounts or proportions of union dues that are going to be spent on “core” and “non-core” activities each year. Similarly, each year dues payers must be given an opportunity to make an election to pay the “non-core” portion of their union dues or to revoke their existing election. Included with this guide (see **Appendix C**) is a sample dues election revocation form. This form should be provided along with any dues election form **but need not be provided in the first year.**

If a dues payer elects to pay their “non-core” union dues, that election is in effect until it is revoked. This means the union does not have to collect new elections in favour of paying “non-core” union dues from those dues payers that elected to do so in the past, so long as each year the union gives all dues payers an opportunity to elect or revoke.

The same rule about elections applies where a substantial change in the “non-core” amount or proportion of union dues takes place within a given year.

Labour Board Oversight

The Alberta Labour Relations Board can hear and resolve complaints challenging a union’s division of activities between “core” and “non-core”, the validity of a written election, the sufficiency of information provided by the union to dues payers, and any other matter related to the foregoing requirements. Do not hesitate to contact the Unifor National Office for assistance with the LRB process.

The union must continue to abide by its own bylaws, constitution, and policies regarding membership approval for its budget and spending. It must continue to abide by any rules of its national parent union in making such decisions. The decisions of the individual dues payers regarding their payment of the non-core portion of dues does not change any of those obligations.

These new rules do not curtail or change union spending. Instead, it allows individual dues payers to avoid paying that part of the total union dues that had been approved by the union membership that are to be spent on “non-core” activities as defined by Bill 32.

Part 2: Assessing “Core” versus “Non-Core” Expenses and Dues Elections

This section contains a step-by-step guide for complying with the new union dues rules under Bill 32.

By August 1, 2022, a union must determine which part of the “union dues, assessments or initiation fees” it receives from dues payers that it will spend in the coming year on “core” activities and which part it will spend on “non-core” activities”. After August 1, 2022, a union cannot use the portion of union dues that it has assessed relate to “core” activities to pay for the cost of its “non-core” activities.

Guide

STEP 1

Contact each employer that represents members with a letter to request current contact information of dues payers (for a sample letter, see **Appendix A**). Do this regardless of whether or not you plan to declare 100% of your expenses as “core.”

STEP 2

Make an assessment of each expense spent by the union from “union dues, assessments or initiation fees” for the coming year. Categorize each expense as relating to either “core” or “non-core” activities. The union must make good faith efforts to determine which expenses relate to “non-core” activities.

Bill 32 provides guidance on defining “core” versus “non-core” activities. The category of “core” activities should be interpreted broadly. The union should start from the presumption that everything or almost everything that the union spends their union dues revenue on is a “core” activity.

Note: all payments to a parent trade union (Unifor’s National Office) are to be considered “core” for the purpose of this assessment.

“Core” activities include any activities under the Labour Relations Code, which covers representation of members, collective bargaining, strikes and lockouts, addressing unfair labour practices, successorship application, grievances and arbitration, or any other activity that is part of the Code.

The category of “core” activities should be interpreted broadly. The union should start from the presumption that everything or almost everything that the union spends their union dues revenue on is a “core” activity.

“Core” activities are further defined to include any activity that “directly benefits dues payers in the workplace”. The regulations of Bill 32 provides a broad list of activities said to directly benefit dues payers in the workplace, which can include:

- Collectively advancing and advocating for workplace goals, including creating public awareness and lobbying;
- Participating in legal proceedings;
- Complying with obligations under the law;
- Supporting or representing dues payers in legal proceedings;
- Investigations or hearings related to dues payers employment;
- Educating and training dues payers;
- Providing benefits, establishing funds and providing money to dues payers in relation to

their employment;

- Negotiating and administering collective agreements to which the trade union is a party;
- Engaging in activities that relate to the operation and governance of the trade union, including:
 - » *Developing and maintaining the trade union's bylaws and constitution,*
 - » *Administration of the trade union,*
 - » *Recruiting new members in preparation for certification of the trade union under the Act,*
 - » *Educating and training the staff of the trade union, and*
 - » *Operating hiring halls and other means of assigning work.*

"Non-core" activities are poorly defined under Bill 32. "Non-core" activities are said to include payments made in support of political activities and other causes, including:

- General social causes or issues,
- Charities or non-governmental organizations, or
- Organizations or groups affiliated with or support of a political party.

Regardless of this list of "non-core" activities, it should be kept in mind that if an expense directly supports dues payers in the workplace, those payments will still be considered "core".

"Direct benefit"

It is important to interpret "direct benefit" broadly. A "direct benefit" is a benefit to the unions' bargaining units as a whole and to the administration of its collective agreements. It is not a question of whether any individual person in a workplace receives a personal direct benefit. Additionally, a "direct benefit" may be only a potential benefit, and need not be an actual benefit. The question to ask is, "Will the activity provide benefit for the workers overall?"

An activity may also have both "core" and "non-core" elements. If this occurs, the predominant purpose of the activity governs.

On a first impression, because Bill 32 says that "non-core" activities include expenses in support of general social causes or charities, then these kinds of payments are "non-core". This is an incorrect interpretation. If payments to a charity or general social cause that the union wants to support provides a direct benefit to the dues payers in the workplace, then it would be a "core" expense.

For example, supporting a post-secondary campus food bank where students, members, their families and their neighbours may seek support, say while on layoff, provides a direct benefit to the dues payers in the post-secondary workplace. Similarly, if a union supports a provincial, federal or international labour initiative that can lead to the development of the law by courts or tribunals determining the scope of constitutional or other rights of unions in Alberta or Canada, it is of direct benefit to dues payers in the workplace. Another example: having union members attend a retirement party for other unions may have both "core" and "non-core" elements, however if the predominant purpose is to build connections and solidarity between working people for and within unions, this would be a "core" expense.

Third Parties

Bill 32 also requires that when a union pays union dues to a third party, the union must determine that the union dues are used by the other party for a core activity. As a result of this rule, unions must seek information from other organizations that they work with to aid the union in making its assessment of spending.

In some instances, this will be simple: if a union rents an office space to conduct union business and pays rent to a landlord, it is irrelevant how the landlord uses the rent it receives. Similarly, it does not matter how the union's lawyer, accountant, coffee supplier, photocopier

company, graphic designer, company providing a labour arbitration conference, etc., that it contracts with uses the money paid for that service, since the union receives something directly related to a “core” activity.

By contrast, if a union makes payments to organizations like the Alberta Federation of Labour, to support their determination of whether dues are being spent on a “core” activity, the union should ask such organizations to do an analysis of their budget from August 1, 2022 onward to determine what their activities are and if those activities are “core” under the law. In making these assessments, each activity that the fees are used for should be identified, its proportion of the fee identified and then an assessment made, using the expansive definition of “direct benefit in the workplace.”

After Categorization is Complete

Once all expenses have been categorized as “core” or “non-core”, the union can determine its spending on “non-core” activities as a dollar amount or as a percentage of all union dues.

STEP 3

Once all expenses are categorized as “core” or “non-core”, the union must inform dues payers and each employer of that determination, including the dollar or percentage amount of each individual’s dues paid for “core” or “non-core” activities. If the union has assessed that all of its expenses are spent on “core” activities, the process ends at **Step 4**. Otherwise, proceed to **Step 5**.

STEP 4

If a local union has assessed that all of its expenses are spent on “core” activities, then the process for the year stops once the union has communicated to dues payers and each employer that it has assessed that all of the unions dues are spent on “core” activities. For sample letters, see **Appendix B** and **Appendix D**.

STEP 5

If a union has assessed that it has expenses for “non-core” activities, first consider whether the union can pay for the “non-core” activities from monies not subject to the rules about union dues. For more information, see Part 3 of this Guide. If the union can pay for all of its “non-core” expenses with monies not subject to the rules about union dues, it can follow **Step 4**. Otherwise, proceed to **Step 6**.

STEP 6

If a union has assessed that it has expenses for “non-core” activities, the union must inform dues payers of that determination, including the dollar amount or percentage of each individual’s dues paid for “core” and “non-core” activities. In providing this information, the union must also provide a list of the activities and causes, along with the entities paid in respect of those activities and causes, which are “non-core” activities. For a sample letter of this kind, see **Appendix C**.

When informing dues payers that the union has expenses for “non-core” activities, the union must also provide each dues payer an “election” form so that they may choose, in writing, whether they wish to opt-in to paying the “non-core” portion of the union dues. For a sample election form, see **Appendix C**. Both the dues payer and a union official must sign the form.

When election forms have been returned to the union, the union must tell each employer the names of those employees who elect to pay all the union dues and those who only agree to pay the “core” portion of the union dues (those who do not opt-in), as well as the amount or percentage of union dues that are “non-core”. For a sample letter of this kind, see **Appendix E**.

Annual Review Requirement

It is important to remember that the steps outlined above must take place at least annually. The annual date can be set by the union. This

process must also take place when there are substantial changes to the “non-core” amount or percentage of union dues within a given year.

It is also important to remember that as of **August 1, 2022**, a union cannot use the portion of union dues that it has determined to relate to “core” activities to pay for cost of “non-core” activities. Additionally, the union cannot accept or spend those portions of “non-core” union dues from dues payers on “non-core” expenses where the dues payer has not opted-in through an election form.

Part 3: How to Continue Spending on “Non-core” Expenses Without the Need for a Dues Election

In the short term, there are strategies that local unions can adopt to avoid having to put dues payers to an election about expenses related to “non-core” activities. It is important to note that these strategies are not a substitute for the “core” versus “non-core” designation process.

Pursuing these strategies should provide a clear defense to an employer or dues payer that claims dues payers should have been put to an election for “non-core” spending by the union.

If your local union has designated certain expenses as “non-core”, you may choose to do the following:

Option 1: Set up a Membership Engagement and Mobilization Fund

A local union is entitled to spend union dues that it collects prior to August 1, 2022 without any regard for Bill 32 requirements. In other words, a dues election for “non-core” expenses only applies to dues collected after August 1, 2022.

This means a local union is able set aside money it has collected prior to August 1, 2022 and continue to spend that money on “non-core” activities in the future. If this is done, it will not trigger the requirements to obtain elections from dues payers.

For the purpose of making it clear that the union is spending money collected prior to August 1, 2022 on “non-core” expenses, the union should set up and transfer money to a separate membership engagement and mobilization fund and draw from that fund for “non-core” expenses. Separate accounting should be done for these monies.

This should be done prior to August 1, 2022. Unifor National recommends that if a local union

is able, this should be done for any monies that a local union may spend on “non-core” activities for the next three years.

Option 2: Use Other Streams of Revenue

The rules for dues elections apply only to monies collected from dues payers in the form of “union dues, assessments or initiation fees”. This means that a union may continue to spend other income on “non-core” activities.

For instance, if your local union receives money from rents or investments, that money may be spent on “non-core” activities without need for a dues election.

Provided that it has other funds, the union can continue to spend the same amount of money on “non-core” activities as it planned, regardless of the written elections or the amount of “non-core” dues that it actually receives. The union could allocate the spending of other revenue or savings to any shortfall in dues revenue to cover non-core activities, or the union could change its planned expenditure on non-core activities or a combination of both.

Option 3: Consider If Your Local Union has Both Provincial and Federally-Regulated Bargaining Units

Bill 32 only affects provincially-regulated employees and employers. If your local union collects dues from both provincial and federally-regulated bargaining units, the local union may allocate that all spending on “non-core” activities come entirely from the dues of federally-regulated bargaining units.

For the purpose of clarity, the union should have separate accounting entries for union dues coming from provincial and federal dues payers. This will avoid any mixing of union dues.

Part 4: Complying With the New Financial Statements Reporting Requirements

The new Financial Disclosure Regulation that forms part of Bill 32 imposes new financial reporting requirements on unions.

Prior to Bill 32, the Labour Relations Code did not require a trade union to provide specific financial information to members of a union.

Local unions will be responsible for complying with the new financial disclosure regulation. These new rules take effect **August 1, 2022**.

The New Requirements

As soon as possible after the end of each fiscal year, unions must provide each member the following:

- A financial statement of the union’s affairs for the preceding year.
- The financial statement must include information about the union’s assets, liabilities, income and expenditures.
- The financial statement must be verified by a person with sufficient knowledge of the financial affairs of the union. That person must sign the financial statement on the basis that it accurately discloses the financial condition and operation of the union for that fiscal year.
- The financial statement must be in writing in a form that is accessible to each member so as to be usable for future reference and capable of being retained by the member. This means the financial statement can be provided by electronic means to members as long as members can save a copy and access their copy in the future.

A “member” includes only union members. A union is under no obligation to provide financial statements to an employee in a bargaining unit who is not also a member of the union.

Frequently Asked Questions

What if my employer asks about the “core” versus “non-core” designation process?

The union is responsible for categorizing its expenses and initiating any dues election. The employer’s only role in the process is to adjust any dues collection at the union’s request. If an employer inquires and the union has completed the expense designation process, the union can respond that it has complied with the Code.

What if a member questions our “core” vs. “non-core” designations?

If a member disagrees with the local union’s conclusions about “non-core” expenses, the union should review the concerns provide a reply. Included with this package is a standard reply letter (see **Appendix F**). If the member has further concerns, they can be instructed follow to the union’s internal appeal procedures.

What if a member is dissatisfied with the financial statement?

Bill 32 provides that a member may make a complaint to the Labour Relations Board that the financial statement provided does not comply with the requirements, and the Board can order that the union prepare a further statement or provide more detailed information.

What if a member discloses or distributes the financial statement?

Local unions should stress that the financial information they disclose is confidential. However, there is no duty imposed upon members to keep the financial information they receive confidential.

What if I need to go to the Labour Board about compliance with Bill 32?

Should you be challenged by an employer or dues payer, contact your Unifor national representative or the Unifor office at (780) 448-5865/(800) 890-9608 or alberta@unifor.org.

Checklist for Compliance

- Review the new requirements of section 26.1 of the Code and the Election of Union Dues Regulation
- Review Unifor's guidelines contained in this package
- Solicitor employers for the contact information of dues payers (**Appendix A**)
- Review your local's 2022 budget
- Classify expenses as either core or non-core
- If any non-core expenses are planned, consider the strategies in Part 4 of Unifor's guidelines to avoid dues elections
- If non-core expenses are planned and dues elections are required, inform members and request they elect to pay the non-core portion of their dues (**Appendix C**), then inform each employer of the employees that elect to do so (**Appendix E**)
- If all expenses relate to core activities of the union, inform members and each employer (**Appendix B** and **Appendix D**)
- Update member appeal procedures if necessary

Appendices

NOTE: In the following examples, local unions must replace text **formatted like this** with their own information.

Appendix A: Request for Dues Payer Information Letter

[Date]

[Employer]

Dear **[Employer Name]**,

Re: Labour Relations Code Section 26.1 and the Election of Union Dues Regulation – Request to provide information about dues payers

With the enactment of the new provisions of section 26.1 of the Labour Relations Code, and the new Election of Union Dues Regulation, the Union is now required to communicate with all dues payers in our bargaining units.

First, we are required to communicate our determination as to what portion of union dues paid by each dues payer is for core and non-core activities. Second, if there are any non-core activities that union dues are used for, we are required to get each dues payers to sign a written election agreeing to pay the non-core portion of their union dues.

To allow us to comply with these new obligations, we require the names and contact information of each dues payer in the bargaining unit. Please include any mailing address and email address you have on file for dues payers.

Section 11(2) of the Election of Union Dues Regulation places a duty on the employer to provide this information to the Union. It states:

(2) As soon as is practicable after an employee is first required to pay core dues, an employer shall provide to the trade union representing the employee in a unit the name and contact information of the employee for the purposes of making an election under section 7(1)(c).

As you can see, this is also an ongoing duty to provide us with names and contact information as employees become part of the bargaining unit in the future.

Please provide us with this information within 2 weeks of receipt of this letter. Thank you for your cooperation. If you have any questions, please give us a call to discuss.

Appendix B: Assessment Letter (all dues core)

[Date]

Members of Unifor Local [#]

Dear Members,

Re: Labour Relations Code Section 26.1 and the Election of Union Dues Regulation – Unifor Local [#]'s Annual Assessment of Union Dues

Due to the new rules imposed by Bill 32, the Union is required to communicate with all dues payers about assessments made about union spending of “union dues, assessments or initiation fees” (hereon, “union dues”) for the coming year.

Specifically, the Union is required to communicate information respecting the amount or percentage of union dues to be collected for the coming year and provide each dues payers information about union dues that relate to the activities outlined in the new section 26.1 of the Labour Relations Code and activities prescribed by the regulation.

This assessment was made the financial officers of the Union. The Union has reviewed each expense it anticipates it will make in the coming year and the activities to which these expenses relate, including activities relating to collective bargaining and the representation of members, and the other activities prescribed by the regulations. For each expense, the Union has given consideration to the requirements of the Code and its regulations, and to whether the expense relates to an activity that directly benefits dues payers in the workplace. In coming to this assessment, the Union has worked with external organizations where necessary to ensure that members’ union dues are being spent on core activities of the Union.

The Union has concluded from this assessment that 100% of the union dues collected for this year shall go toward core activities of the Union.

In solidarity,

Appendix C: Assessment Letter (some dues non-core, election and revocation forms)

IMPORTANT INFORMATION ENCLOSED

[Date]

Members of Unifor Local **[#]**

Dear Members,

Re: *Labour Relations Code Section 26.1
Assessment of Union Dues and Dues Elections*

This letter contains important information from your union about your union dues.

In 2020, the Alberta government pushed through legislation that severely limits the bargaining and picketing rights of unions and aims to defund the public outreach made by unions in the province, limiting the important role that unions play for their communities.

Under the new rules of Bill 32, the Union is required to communicate with its members about its spending of union dues, and members are required to opt-in to pay portions of those union dues under certain circumstances. Specifically, the Union is required to communicate information respecting the amount or percentage of union dues to be collected for the coming year and provide members information about union dues that relate to the activities in the regulations prescribed by Bill 32.

Despite the fact that Unifor is a democratic organization, with members having ultimate approval over a local union's budget, the rules of Bill 32 impose restrictions on unions collecting union dues for certain activities without members first opting-in to pay for portions of their dues.

The Union has undertaken an assessment of its expenses for the year that will be paid by union dues. This assessment was made by the financial officers of the Union. For each expense, the Union has given consideration to the new requirements of the Code and its regulations, and to whether the expense relates to an activity that directly benefits dues payers in the workplace.

The Union has concluded that **[amount or percentage]** of union dues collected from members this year will go toward core activities of the Union. For the remainder of the union dues the Union will

continued.../2

spend, the Union encourages each member to complete the enclosed "Dues Election Form" and return it to the Union.

The remainder of the Union's dues will be spent on the following:

- **[provide the name of the recipient]**
[the activity related to the expense]
[the purpose of the expense]
[why the member should opt-in to pay for this portion of their dues]
- **[provide the name of the recipient]**
[the activity related to the expense]
[the purpose of the expense]
[why the member should opt-in to pay for this portion of their dues]

Enclosed with this letter is an election form that members should fill out, sign and return to the Union. The election form can be mailed to the Local, emailed or hand delivered to your steward.

[contact information for the local]

If you have any questions about this process, do not hesitate to contact us.

In solidarity,

Dues Election Form

This dues election form is for the purpose of complying with section 26.1 of the Labour Relations Code and the Election of Union Dues Regulation.

I, _____ (the undersigned), am a dues payer of Unifor Local [#]. I agree to pay the union dues, assessment and initiation fees set by my bargaining agent in relation to activities under section 26.1(1)(a) of the Code.

Dues Payer Name

Union Official Name

Dues Payer Signature

Union Official Signature

Date

Date

Dues Election Revocation Form

This dues election revocation form is for the purpose of complying with section 26.1 of the Labour Relations Code and the Election of Union Dues Regulation.

I, _____ (the undersigned), am a dues payer of Unifor Local [#]. I revoke my agreement to pay the union dues, assessment and initiation fees set by my bargaining agent in relation to activities under section 26.1(1)(a) of the Code.

Dues Payer Name

Union Official Signature

Dues Payer Signature

Union Official Signature

Date

Date

Appendix D: Notice to Employer (all dues core)

[Date]

[Employer]

Dear **[Employer name]**,

Re: Labour Relations Code Section 26.1 and the Election of Union Dues Regulation – Unifor Local [#]'s Annual Assessment of Union Dues, Notice to Employer

Under the new section 26.1 of the Labour Relations Code, and the Election of Union Dues Regulation, the Union is required to communicate with employers about assessments made pertaining to union spending of “union dues, assessments or initiation fees” (hereon, “union dues”) for the coming year.

The Union has concluded from this assessment that 100% of the union dues collected for this year shall go toward core activities of the Union. Please remit the full amount of union dues from dues payers for the coming year.

Appendix E: Notice to Employer (some dues non-core)

[Date]

[Employer]

Dear **[Employer name]**,

*Re: Labour Relations Code Section 26.1 and the Election of Union Dues Regulation – Unifor Local **[#]**'s Annual Assessment of Union Dues, Notice to Employer*

Under the new section 26.1 of the Labour Relations Code and the Election of Union Dues Regulation, the Union is required to communicate with employers about assessments made pertaining to union spending of “union dues, assessments or initiation fees” (hereon, “union dues”) for the coming year.

The Union has concluded from this assessment that **[amount or percentage]** of union dues collected for this year shall go toward core activities of the Union. This means that **[amount or percentage]** of union dues for the coming year are designated non-core and shall subject to employee dues elections.

The Union has solicited and received dues elections forms from the following list of employees. Please remit the full amount of union dues from the employees on this list, and do not remit the portion of dues designated non-core from any employee not listed:

[employee name]

[employee name]

[employee name]

Appendix F: Response to Dues Payer Concerns

[Date]

[Dues Payer Name]

Dear **[Dues Payer Name]**,

Re: Labour Relations Code Section 26.1 and the Union's "Core" Union Dues Assessment

This letter responds to your concern about the Union's assessment of categorizing "union dues, assessments or initiation fees" (hereon "union dues") under section 26.1 of the Labour Relations Code.

Under that section and the Code's regulations, trade unions are required to undertake an annual review of how union dues will be spent for the coming year and categorize whether those union dues are related to "core" or "non-core" activities of the union.

This assessment is made by the financial officers of the Union based on a review of its expenses. The Union has assessed each expense it anticipates it will make in the coming year and the activities to which these expenses relate, including activities relating to collective bargaining and the representation of members, and other activities prescribed by the regulations. For each expense, the Union gave consideration to the requirements of the Code and its regulations, and to whether the expense relates to an activity that directly benefits dues payers in the workplace. In coming to this assessment, the Union worked with external organizations where necessary to ensure that it properly characterized any members' union dues that are being spent by the Union for the year.

You have brought to the Union's attention that you have disagreements with the Union's assessment that **[name/describe expense]** does not relate to a core activity of the Union. The Union has reviewed your complaint and will not be changing its assessment at this time.

If you have further concerns, you are entitled to follow the Union's internal review of decision procedures.

In solidarity,



unifor