

STATUTORY PROVISIONS - PUBLIC SECTOR FOR STRIKE, RATIFICATION AND FINAL OFFER VOTES

	Alberta	British Columbia	Federal	Manitoba	New Brunswick	Newfoundland & Labrador	Nova Scotia	Ontario	Prince Edward Island	Québec	Saskatchewan
Does Statute Regulate Strike Votes?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Who is Eligible to Vote in a Strike Vote?	Entire bargaining unit	Entire bargaining unit	Entire bargaining unit	Entire bargaining unit	Entire bargaining unit (note 2)	Entire bargaining unit	Not applicable prohibition on strikes & lockouts	Entire bargaining unit	Entire bargaining unit	Actual union members only	Entire bargaining unit
Who Conducts Strike Vote	Union	Union	Union	Union	Union	Union	N/A	Union	Labour Board	Union	Union
Does Statute Regulate Ratification Votes?	No	No	No	Yes	No	No	No	Yes	No	No	No
Who is Eligible to Vote in a Ratification Vote?	Depends on union constitution	Depends on union constitution	Depends on union constitution	Entire bargaining unit	Depends on union constitution	Depends on union constitution	Depends on union constitution	Entire bargaining unit	Depends on union constitution	Actual union members only	Depends on union constitution
Can a Collective Agreement Be Implemented Without a Vote?	Yes	Depends on union constitution	Depends on union constitution	Yes (note 1)	Not legislated	Yes	Not legislated	Yes, subject to union constitutional limits	Depends on union constitution	No	Yes
Does Statute Regulate Final Offer Votes	Yes	Yes	Yes	Yes	Yes	No	No - part of collective agreement	Yes	No	Yes	Yes
Who is Eligible to Vote in a Final Offer Vote?	Entire bargaining unit	Employees in affected bargaining unit	Entire bargaining unit	Entire bargaining unit	Entire bargaining unit	N/A	Silent	Entire bargaining unit	Depends on union constitution	Actual union members only	(note 3)

1. **Manitoba:** s. 71 and 72 operate together to say that an agreement is binding after accepted in a ratification vote (and not binding if rejected). However, MB has no-fault imposed first agreements (s. 87) and subsequent agreements, after 60 days of strike or lockout (s. 87.1). There is no ratification for these 12 month imposed agreements. Either party may apply for these.

2. **New Brunswick:** The strike vote must be taken of the entire bargaining unit and must pass the majority of the entire bargaining unit affected, not just those voting.

4. **Saskatchewan:** A final offer vote is a matter of discretion for the Labour Relations Board. The present Section of the Act provides that if a strike is continued for 30 days, at least 25 percent of the bargaining unit or 100 employees, whichever is less, can apply to the Minister to appoint a special mediator. This special mediator can then recommend that the Board conduct a vote among the striking employees to determine whether a majority of the employees