



theucsn.ca

# YOU'RE PROTECTED!

## THE "FREEZE PROVISION" UNDER ONTARIO LEGISLATION

"Can I lose my current working conditions, wages, or benefits if I sign a card and vote to change unions?"

"I heard that we'll have to start from scratch with our union collective agreement if we vote to switch unions."

No need to worry.

Your rights and working conditions are protected by what is commonly referred to as the "**freeze provision**" under Ontario legislation.



## WHAT DOES IT MEAN?

- The freeze provision—**section 86** of Ontario's *Labour Relations Act*—protects workers once a union has applied for certification to form a union or for a **displacement** to change unions. Protections remain in place until a new collective agreement is reached or if the applications are not successful.
- The freeze provision ensures that your terms and conditions of employment **cannot be altered** by your employer during this period without your consent.
- The Ontario Labour Relations Board describes "terms and conditions" as any "wages, benefits, privileges, past practices, holiday bonus, vacation bonus or anything else that a group of employees might receive from an employer as part of their compensation."

### Section 86 of Ontario's *Labour Relations Act* guarantees the following:

- Workers who join a union or switch unions by means of a Labour Board vote **maintain all of the terms and conditions** that they currently have.
- Workers who begin bargaining with their employer do not bargain from scratch, but instead start from the terms and conditions that they currently have.
- Employers **cannot take any terms or conditions away** from employees because such employees have chosen to exercise their rights under Ontario's *Labour Relations Act*.

After we win our vote, section 86 or the freeze provision means that **our current terms and conditions will be our starting point** when we begin the round of bargaining for our new collective agreement.

