

WRITING UNIT DESCRIPTIONS

INTRODUCTION

The Board often writes or revises bargaining unit descriptions. Officer's reports recommend appropriate modifications during certification applications. The Board may modify descriptions as a result of various applications. In each case, try to use uniform language. Encourage the parties to do the same in their applications.

Use the following guidelines when writing unit descriptions.

- omit statutory exclusions;
- use "all employees" followed by limitations;
- include restrictions based on the employer's operating divisions;
- include geographic limitations;
- name specific exceptions;
- exclude other bargaining units;
- presume province-wide units;
- presume all employee types;
- use generic job types not specific titles;
- use function not qualification-based descriptions;
- use standard terms;
- avoid sexist terms; and
- use standard descriptions.

OMIT STATUTORY EXCLUSIONS

Do not expressly exclude those persons automatically excluded by [Section 1\(1\)](#) of the Code. Therefore do **not** use the following words or phrases in unit descriptions.

- "except those with the right to hire and fire/discharge";
- "except managerial/supervisory personnel/staff";
- "except those employed in a confidential or supervisory capacity";
- "except those employed in a confidential capacity in matters relating to labour relations";
- "except those employees with access to confidential information";
- "except specific classifications" such as "manager, company officers and directors"; or
- "except foremen or those above the rank of foreman".

USE "ALL EMPLOYEES" FOLLOWED BY LIMITATIONS

For all-inclusive employee bargaining units, use "All employees" followed by:

- any limitation based on a division of the employer’s operations, or a specific institution. (e.g., “All employees at Pioneer Lodge”);
- any geographical limitation (e.g., “All employees in Calgary”);
- any exceptions (e.g., “All employees except office, clerical and sales personnel”); and
- a combination of the above (e.g., “All employees of Alpha Milk Company in Medicine Hat except office personnel” or “All employees of Sunchild Forest Products 1983 Division except office and clerical personnel”).

INCLUDE RESTRICTIONS BASED ON OPERATING DIVISIONS

For limitations based on an employer’s division use the following format.

If an application identified the employer as “Procor Limited, Sulphur Services Division” and the name of the employer should be “Procor Limited”, change the name to “Procor Limited”. The unit description should read: “All employees of the Sulphur Services Division in Fort McMurray except office personnel.”

Similarly, if the employer said its correct name was “XL Beef, A Division of Alberta Beef Processors Ltd., A Wholly-Owned Subsidiary of XL Foods Ltd.” but the Alberta Corporate Registry returned the name “Alberta Beef Processors Ltd”, the correct name of the employer for the certificate is “Alberta Beef Processors Ltd.” The unit description should then read “All employees of the XL Beef division.”

Do not show limitations in the name of the employer. See: [[Employer’s Name, Chapter 22\(e\)](#)]. For example, an employer in a certification application claimed their name was “Mariott In-Flite Services Chateau Flight Kitchen-Calgary, A Division of Mariott Corporation of Canada.” The unit description was “All employees in Calgary except office and clerical personnel.” The correct name of the employer should be “Mariott Corporation of Canada.” The unit description should have been “All employees of the Mariott In-Flight Services Flight Kitchen in Calgary except office and clerical personnel.”

INCLUDE GEOGRAPHIC LIMITATIONS

For geographical limitations use the following forms:

- “All employees in the Edmonton plant except office and clerical personnel”;
- “All employees at the 123 Street shop in Red Deer, except office and clerical personnel”; or
- “All employees in Lethbridge except office, clerical and sales personnel”.

If there is but one operation, don’t bother with geographical limitations. See *Presume Province-Wide Units* below.

NAME SPECIFIC EXCEPTIONS

For exceptions, use common generic terms wherever possible, like the ones in these examples.

- “except those employed in construction”;
- “except office and clerical personnel”;
- “except office, clerical, and sales personnel”;
- “except office, clerical, quality control and security personnel”;
- “except office, clerical, sales and construction personnel”;
- “except office, clerical and technical personnel”;
- “except custodial and maintenance personnel”;
- “except quality control and security personnel”;
- “except quality control personnel”; or
- “except security personnel”.

Where several classes of employee need excluding, exclude them in the following order:

1. office;
2. clerical;
3. technical;
4. sales;
5. quality control;
6. security;
7. custodial;
8. maintenance;
9. non-construction, and
10. construction.

EXCLUDE OTHER BARGAINING UNITS

For exceptions based on a second bargaining unit, refer first to the other certificate. Do not include the other union name or unit description. This avoids having to change the certificate if the name of the other union changes. For these type of units, use “All employees except those covered by Certificate No. 234”

In cases of voluntary recognition, use the name of the union holding the voluntary recognition. For example, “All employees except those represented by CUPE 123”.

PRESUME PROVINCE-WIDE UNITS

Units without geographic restrictions are province wide. For example, use “All employees except office and clerical”. The only exceptions are construction and maintenance units that are for the union’s territorial scope. See: [[Information Bulletin #11, Bargaining Units for the Building Trades](#)]. All other geographic restrictions are expressed.

PRESUME ALL EMPLOYEE TYPES

Units are for all employees (full-time, part-time and casual) unless there is an exception expressed, such as “All employees except part-time and casual personnel.”

USE GENERIC JOB TYPES NOT SPECIFIC TITLES

For units based on a particular type of job or employee type use “all employees employed as” (list the job type or types using as generic a description as possible consistent with clarity). Follow this with any exceptions as shown above. While specific job titles seem clear at the time of application, they may become confusing after time, as the organization of the workplace changes, but the certificate does not.

USE FUNCTION NOT QUALIFICATION-BASED DESCRIPTIONS

Do not refer to any specific work jurisdiction assignments, but refer to classifications, if necessary. The Board would certify a unit consisting of “General Construction Carpenters.” The Board would not certify for “All employees performing carpentry work, such as hammering, finishing, etc.”

Also, do not refer to “journeymen” or “indentured apprentices” when referring to trade classifications. The Board does not differentiate between qualified and unqualified tradespersons.

Describe employees on the basis of the job functions they perform, not on the qualifications they hold. Therefore, use Plumbers not Journeymen Plumbers, Nurses not Registered Nurses, etc.

USE STANDARD TERMS

The Board uses certain standard terms in preference to others. Use:

- personnel instead of staff, persons, workers, etc.;
- employee instead of worker, etc.;
- except instead of excepting, save and except, excluding, etc.;
- plant instead of factory, manufacturing facility, etc.;
- driver instead of truck driver, etc.; and
- Calgary, not City of Calgary (only in unit descriptions when adding a geographic limitation, not if the reference is to the employer’s name or division name).

AVOID SEXIST TERMS

Use gender neutral terms wherever possible. For example, use:

- bartenders, not tapmen;
- firefighters not firemen;
- tradespersons not journeymen; and
- housekeepers not maids.

USE STANDARD DESCRIPTIONS

The Board has established standard unit descriptions in some industries that must be followed unless a panel rules otherwise. See: [[Standard Bargaining Units Policies, Chapter 22\(c\)](#)].