Duty of Fair Representation



By law, UNA is responsible for providing fair representation for everyone covered by a UNA collective agreement, which includes both members and duespayers.

UNA HAS A DUTY TO:

- Investigate concerns and get the duespayer's account.
- Make informed, competent, and reasoned decisions.
- Not be arbitrary, capricious, discriminatory, or wrongful.
- Be honest, fair, and genuine.
- Act in good faith.

In exchange, duespayers have an obligation to cooperate with the union, attend meetings as requested, and mitigate damages.

WHAT CAN I DO TO MAKE SURE I'VE DISCHARGED THE DUTY OF REPRESENTATION?

Any representative of UNA must abide by these duties. Therefore, UNA representatives need to know where to direct concerns and questions, such as to elected officers or staff. All concerns voiced by duespayers must be taken seriously and reviewed. In addition, UNA representatives should aim to take and retain notes when issues are brought to their attention.

The legal duty of fair representation only applies to collective agreement issues. However, UNA exceeds its duty of fair representation obligations by representing duespayers in matters beyond what is legally required and by applying these same standards in all matters.