

DUTY OF FAIR REPRESENTATION

When they start to work at a UNA worksite, most UNA duespayers submit a membership application form as soon as possible (available at dms.una.ca/forms/membership). Becoming a UNA member gives them the power to vote on important matters and influence the direction of their union. Those who choose not to join are still legally required to pay dues because all employees in a unionized workforce benefit from their union's collective agreements, services, and achievements.

The union is responsible for providing fair representation for everyone in their bargaining units, members and non-member duespayers alike. This is the union's "duty of fair representation," which is outlined in the Alberta Labour Relations Code. In exchange, duespayers have an obligation to cooperate with the union, attend meetings as requested, and mitigate damages.

UNA representatives have 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

UNA representatives should strive to become familiar with their collective agreement as well as UNA policies and procedures, workplace policies, and other applicable regulations. Most importantly, they need to know where in UNA to direct concerns and questions, such as to elected officers or staff who can advise them or their duespayers.

In addition to their legal obligations, UNA representatives should also keep duespayers involved and informed throughout the grievance process or other problem-solving processes. Although UNA has the right to decide when to grieve, how far a grievance proceeds, and what constitutes a fair settlement, the duespayer should nonetheless attend grievance meetings, be kept informed, and be regularly consulted. In the instance a duespayer disagrees with UNA's decision about a grievance, they have the right to appeal that decision.

The legal duty of fair representation only applies to issues that must be handled by the Union. However, UNA exceeds its duty of fair representation obligations by representing duespayers in matters beyond what is legally required and by applying the same standards.