



MEMO

SENT: September 24, 2021

TO (EMAIL): **CLRA MEMBERS**

FROM: Bob Shepherd

SUBJECT: **New Federal Holiday – National Day for Truth and Reconciliation**

As stated in our memo of September 17, 2021, the Federal Government of Canada has declared September 30th as a new federal statutory holiday, the National Day for Truth and Reconciliation, a holiday for federal government offices and federally regulated businesses to commemorate and reflect on the terrible legacy of residential schools in Canada. The Provincial Government of Nova Scotia, while they did not declare September 30th as a new statutory holiday, announced that they will recognize Truth and Reconciliation Day annually on September 30th, closing provincial government offices as well as public schools and regulated childcare in commemoration. **The CLRA has also decided to recognize the National Day for Truth and Reconciliation on September 30th and close our office for the day, and encourages all contractors to treat Thursday, September 30th as a day off for all trades in commemoration.**

While nearly all of the CLRA's collective agreements have language regarding the recognition of new statutory holidays, only certain trades' agreements specify that this includes new federal statutory holidays. The CLRA and the remaining building trades disagree on whether federal statutory holidays should be automatically incorporated into the other agreements or whether only provincial statutory holidays should be included. However, in an effort to reach a compromise and to recognize the significance of the National Day for Truth and Reconciliation, the CLRA has reached a Memorandum of Agreement with many of these trades regarding this new federal holiday.



Where every trade union stands regarding September 30th can be summarized as follows:

- **All Cape Breton Island building trade union agreements**
- **The International Union of Operating Engineers, Local Union 721 (Mainland agreement)**
- **The International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, Local Union 73 (National agreement)**
- **The United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the U.S. & Canada, Local Union 56 (National Sprinkler agreement only)**

The above collective agreements have language which plainly states that federal statutory holidays will be incorporated into their agreements. Per the current agreement language, Thursday, September 30th, 2021 will be a regular holiday for workers under these agreements and the agreements will be amended in the future to include the National Day for Truth and Reconciliation.

- **International Union of Bricklayers & Allied Craftworkers, Local Union 1**
- **United Brotherhood of Carpenters & Joiners of America, Local Union 83**
- **International Brotherhood of Electrical Workers, Local Union 625**
- **International Association of Heat and Frost Insulators & Allied Workers, Local Union 116**
- **International Association of Bridge, Structural, Ornamental and Reinforcing Ironworkers, Local Union 752**
- **The Labourers' International Union of North America, Local Union 615**
- **The United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the U.S. & Canada, Local Union 244**
- **The Millwrights and Machine Erectors Local Union 1178**
- **International Union of Painters and Allied Trades, Local Union 1439**
- **Sheet Metal Workers' International Association, Local Union 409**

A Memorandum of Agreement has been reached between the CLRA and the above unions which states that any member of these unions who chooses to work on Thursday, September 30th, 2021, shall work at straight time for their regular hours of work, and any member of these unions who chooses not to work at straight time for their regular hours of work on Thursday, September 30th, 2021, will be allowed to do so without penalty. If any employer mandates any member of these unions to work on Thursday, September 30th, 2021, the member shall be paid at the premium rate of remuneration applicable under their collective agreement. Collective agreements with these unions will be amended prior to September 30th, 2022, to add the National Day for Truth and Reconciliation as a Designated Holiday while clarifying that going forward, the provisions regarding the proclamation of new statutory holidays will specifically apply to only provincial statutory holidays.



- **The United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the U.S. & Canada, Local Union 56**

No resolution has been reached regarding the inclusion of federal statutory holidays in the collective agreement with the above union. While the CLRA still encourages all members to treat Thursday, September 30th as a day off for all trades in commemoration of the National Day for Truth and Reconciliation, the position of the CLRA is that if Thursday, September 30th is worked it is to be paid at straight time under the above agreement. The union does not agree. Contractors who work at straight time on Thursday, September 30th are likely to be grieved as a result.

- **The International Union of Elevator Constructors, Local Union 125 (National agreement)**

The above collective agreement contains no language regarding incorporating new statutory holidays. Under this agreement, Thursday, September 30th is a regular working day. However, the CLRA still encourages all members to treat Thursday, September 30th as a day off for all trades in commemoration of the National Day for Truth and Reconciliation.

Attached please find a copy of the Memorandum of Agreement regarding the National Day for Truth and Reconciliation. This MOA is in the process of being signed by the CLRA and the ten signatory unions; we will send an update early next week after the MOA has been signed by all parties. If you have any questions regarding the above, please contact the CLRA.

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Thank you.

MEMORANDUM OF AGREEMENT

Between:

NOVA SCOTIA CONSTRUCTION LABOUR RELATIONS ASSOCIATION
(hereinafter referred to as the “CLRA”)

-and-

**INTERNATIONAL UNION OF BRICKLAYERS & ALLIED CRAFTWORKERS,
LOCAL UNION 1**

-and-

**UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA,
LOCAL UNION 83**

-and-

**INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS,
LOCAL UNION 625**

-and-

**INTERNATIONAL ASSOCIATION OF HEAT AND FROST INSULATORS
AND ALLIED WORKERS, LOCAL UNION 116**

-and-

**INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL, ORNAMENTAL
AND REINFORCING IRONWORKERS, LOCAL UNION 752**

-and-

**THE LABOURERS’ INTERNATIONAL UNION OF NORTH AMERICA,
LOCAL UNION 615**

-and-

THE MILLWRIGHTS AND MACHINE ERECTORS LOCAL UNION 1178

-and-

**INTERNATIONAL UNION OF PAINTERS AND ALLIED TRADES,
LOCAL UNION 1439**

-and-

**SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION,
LOCAL UNION 409**

(hereinafter referred to as the "Unions")

WHEREAS the Federal Government of Canada has declared the National Day for Truth and Reconciliation to be a federal statutory holiday to be commemorated annually by federal government and federally regulated on September 30th, starting Thursday, September 30th, 2021;

AND WHEREAS the Provincial Government of Nova Scotia has announced that they will recognize Truth and Reconciliation Day as a holiday on Thursday, September 30th, 2021 for provincial government offices but have not declared it as a provincial statutory holiday;

AND WHEREAS the Parties to this Memorandum of Agreement are also Parties to individual Collective Agreements which include language regarding the incorporation of new statutory holidays declared during the terms of the Agreements;

AND WHEREAS the Parties disagree on whether the language in their Collective Agreements should include federal statutory holidays as well as provincial statutory holidays;

AND WHEREAS the Parties intend to reach a resolution which resolves the disagreement between them regarding their Collective Agreement language while respecting the importance of the National Day for Truth and Reconciliation;

THEREFORE, the Parties to this Memorandum of Agreement agree as follows:

1. The CLRA will recognize the National Day for Truth and Reconciliation on Thursday, September 30th, 2021, and close its office for the day in commemoration, and will encourage all member contractors to close for the day in commemoration.
2. Any member of the Unions who chooses to work on Thursday, September 30th, 2021, shall work at straight time for their regular hours of work. Any member of the Unions who chooses not to work at straight time for their regular hours of work on Thursday, September 30th, 2021, will be allowed to do so without penalty.
3. If any employer mandates any member of the Unions to work on Thursday, September 30th, 2021, the member shall be paid at the premium rate of remuneration applicable under their collective agreement.
4. Following Thursday, September 30th, 2021, the Parties will amend their respective collective agreements to add "National Day for Truth and Reconciliation" to their lists of unpaid Designated Holidays for future years commencing on September 30th, 2022.

5. At the same time, the Parties will amend their respective collective agreements to clarify that the provision regarding the proclamation of new statutory holidays will specifically apply to only provincial statutory holidays.

Dated this ____ day of _____, 2021.

SIGNATORIES FOR AND ON BEHALF OF

**Nova Scotia Construction Labour Relations
Association**

**International Union of Bricklayers &
Allied Craftworkers, Local Union 1**

**International Union of Carpenters &
Joiners of America, Local Union 83**

**International Brotherhood of Electrical
Workers, Local Union 625**

**International Association of Heat and Frost
Insulators and Allied Workers,
Local Union 116**

**International Association of Bridge, Structural,
Ornamental and Reinforcing Ironworkers,
Local Union 752**

**Labourers' International Union of North
America, Local Union 615**

**Millwrights and Machine Erectors Local Union
1178**

**International Union of Painters and Allied
Trades, Local Union 1439**

**Sheet Metal Workers' International Association,
Local Union 409**