

February 17, 2016

Legislation Introduced Repealing Bills C-377 and C-525

On January 28, 2016, the Minister of Employment, Workforce Development and Labour tabled legislation (“Bill C-4”) in the House of Commons that will repeal Bills C-377 and C-525.

By way of background, Bill C-377 amended the *Income Tax Act* to require unions to publicly disclose any spending exceeding \$5,000 and any salary exceeding \$100,000. Unions are obligated to provide financial disclosure to the Canada Revenue Agency, which then publicly releases this information. The Minister of National Revenue announced in December 2015 that the reporting requirements imposed by Bill C-377 would be waived for 2016, effectively neutralizing Bill C-377’s immediate impact.

Bill C-525 amended the *Canada Labour Code*, the *Parliamentary Employee and Staff Relations Act*, and the *Public Service Labour Relations Act* in order to eliminate automatic card check certification. Card check certification, a single-step process wherein a union is certified through the signing of a majority of cards, had been replaced with a two-step process wherein the card signing stage is followed by a secret ballot vote.

Bill C-525 also amended the union decertification process. Previously, decertification in federally-regulated sectors required a majority of workers to sign membership cards. Bill C-525 imposes a lower threshold for decertification, wherein 40 percent of bargaining unit members are able to initiate a decertification vote.

Bill C-4, once passed, will restore the *Canada Labour Code* procedures for the certification and revocation of certification of bargaining agents that existed before June 16, 2015, the date Bill C-525 took effect.

If you have any questions about this topic or any other questions relating to workplace law, please do not hesitate to contact a [Mathews Dinsdale lawyer](#).

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