

勞工術語詞彙

Glossary of Labour Terms

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AGREEMENT, COLLECTIVE (Collective agreement)

A written agreement between the union and employer that tells workers and the employer what their rights and responsibilities are. It is also called a “contract”. The collective agreement covers such things as:

- wages
- benefits
- hours of work
- conditions of work
- seniority
- how to handle grievances.

ARBITRATION

A method of settling disputes through the intervention of a third party whose decision is final and binding. Such a third party can be either a single arbitrator, or a board consisting of a chair and one or more representatives. Arbitration is often used to settle major grievances and to settle contract interpretation disputes. Voluntary arbitration is that agreed to by the parties without statutory compulsion. Compulsory arbitration is that imposed by law. Governments sometimes impose it to avoid a strike or to end one.

BARGAINING UNIT

A group of workers who:

- are part of the union,
- are considered by the labour board as an appropriate group to bargain together, and;
- are covered by the same **collective agreement**.

The workers can be employees of a department, agency, plant, industry, sector, or other grouping.

勞工術語詞彙

集體協議

工會和僱主之間的書面協議，告訴工人和僱主，他們的權利和責任是甚麼。這亦可以叫做「合約/合同」。集體協議涵蓋諸如：

- 薪酬
- 福利
- 工作時間
- 工作條件
- 年資
- 如何處理申訴

仲裁

由第三方介入解決紛爭的方法，其決定是最終的和有約束力的。這第三方可以是一名仲裁員或一個委員會，這個委員會有一名主席和一名或多名委員。仲裁通常用來解決重大的申訴，和牽涉闡釋合約的紛爭。

自願仲裁由雙方同意，並非法定強制的。強制仲裁則是法律規定的。有時政府實行強制仲裁，是為了避免發生罷工或結束一場罷工。

談判單位

一群工人，他們是：

- 工會的一部份，
- 被勞工局認為適合組成一組來集體談判，以及；
- 受到同一集體協議涵蓋的。

工人可以是一個部門、機構、工廠、工業、行業、或其他分組的員工。

BLUE COLLAR WORKERS

Production and maintenance workers as contrasted to office and professional personnel.

CANADIAN LABOUR CONGRESS (CLC)

Canada's national labour body representing the interests of more than three million affiliated workers in every imaginable occupation from coast to coast to coast.

The CLC is the umbrella organization for dozens of affiliated Canadian and international unions, as well as provincial federations of labour and regional labour councils.

CERTIFICATION

The legal process of a labour board deciding that a union can be the **bargaining agent** for employees in dealing with their employer. Once certified, the union has a legal right and obligation to represent all employees in the **bargaining unit**. To get certification, a union must show that a majority of the workers support it.

CHECKOFF

A clause in a collective agreement that says the employer must deduct dues from workers' pay and send those dues to the union.

CLOSED SHOP

The Closed Shop is based on a contract provision requiring that all bargaining unit employees be union members in good standing before they were hired and, often, that they be hired through the union.

Collective bargaining

Negotiations between a union and employer for a collective agreement, determining wages, hours and other conditions of employment. The collective agreement will cover all employees in the bargaining unit, both union members and non-members.

藍領工人

生產和維修的工人，有別於辦公室和專業人員。

加拿大勞工議會(CLC)

加拿大全國性勞工機構，代表全國不同行業超過 300 萬名屬會工人的利益。

加拿大勞工議會是由眾多本地工會和國際工會，以及各省勞工聯合會和地方勞工議會，組成的聯合機構。

授予證書

勞工局決定一個工會成為僱員的談判代表與僱主談判的法律程序。一旦獲授予證書，工會便有合法的權力和義務代表談判單位中的所有僱員。要取得證書，工會必須展示獲得多數工人的支持。

代扣工會費

集體合約中的一項條款，僱主必須從工人薪金中扣除工會費發送工會。

只僱用工會會員的工作場所

只僱用工會會員的工作場所是基於合約的條款，要求談判單位的所有僱員，在受僱前需要是資格完備的工會會員，通常他們是經工會受僱的。

集體談判

工會與僱主談判集體協議/合同，以決定工資、工時及其他僱用條件。集體協議會涵蓋談判單位內所有工會會員和非工會成員。

COMPANY UNION

Refers to a union which is located within a company, frequently organized or inspired by management and usually dominated by the employer.

CONCILIATION and MEDIATION

A process which attempts to resolve labour disputes by compromise or voluntary agreement. Decisions by a mediator, conciliator or conciliation board are not binding and the parties are free to accept or reject recommendations. The conciliator is often a government official while the mediator is usually a private individual appointed as a last resort, sometimes even after the start of a strike.

CONTRACTING OUT

When an employer uses an outside contractor to do work of the bargaining unit.

Contract proposals

What the union or employer wants in the collective agreement. The two parties suggest these changes in collective bargaining.

COST-OF-LIVING ALLOWANCE (C.O.L.A.)

An annual adjustment in wages to offset a change in purchasing power, as measured by the Consumer Price Index, sometimes with a stated top limit.

CRAFT UNION

Also called horizontal union. A trade union which organizes on the principle of limiting membership to some specific craft or skill, e.g., electricians, plumbers. In practice, many traditional craft unions now also enroll members outside the craft field, thereby resembling industrial unions.

公司工會

指的是在公司內成立的工會，往往是由管理層組織或授意組織的，通常是受到僱主操縱的。

調解

通過妥協或自願協議試圖解決勞資糾紛的方法。調解員或調解委員會的建議沒有法律約束力，勞資雙方自行決定接受與否。

英語稱為 **conciliator** 的調解員通常是政府官員；英語稱為 **mediator** 的調解員，通常是受委任的中立第三方，作為解決糾紛的最後手段。有時甚至罷工開始後，使用中立的調解員來調停。

工作外判

僱主使用外間的承包商做談判單位的工作。

合約建議方案

勞資雙方希望在集體協議上得到的，並在集體談判時提出的該些改動。

生活津貼

以消費物價指數作為計算標準，以補償購買力改變的年度薪金調整。有時是有說明的上限。

同業工會/同行工會

也稱作橫向工會。工會組織的原則，是限制會員資格，需要有特定的工藝或技能，例如，電工、水管工人/水喉匠。事實上，現時很多傳統同行工會也招收行業外的會員，從而類似產業工會。

FEDERATION OF LABOUR

A federation, chartered by the Canadian Labour Congress(CLC), grouping local unions and labour councils in a given province.

FRINGE BENEFITS

Non-wage benefits, such as paid vacations, pensions, health and welfare provisions, and life insurance, the cost of which is borne in whole or in part by the employer.

GRIEVANCE

Complaint against management by one or more employees, or a union, concerning an alleged breach of the collective agreement or an alleged injustice. Procedure for the handling of grievances is usually defined in the agreement. The last step of the procedure is usually arbitration.

INDUSTRIAL UNION

Also called vertical union. A trade union which organizes on the principle of including all workers from one industry, regardless of their craft or whether they are skilled or unskilled. See Craft Union.

INJUNCTION

A court order restraining an employer or union from committing or engaging in certain acts. An ex parte injunction is one in which the application for an injunction is made in the absence of the party affected.

INTERNATIONAL UNION

A union which has members in both Canada and the United States.

工會聯盟/工會聯合會

依據加拿大勞工議會(CLC) 規章，由在一個省份的地方工會和地方勞工議會組成的工會聯盟。

附帶福利

非工資福利，例如，有薪年假、退休金、醫療和福利待遇，以及人壽保險，僱主承擔全部或部分的成本。

申訴

一名或多名僱員，或工會投訴管理層，涉嫌違反集體合約，或有不公正之舉。處理申訴的程序，通常會在集體合約定明。最後一步通常是提交仲裁。

產業工會

也稱作縱向工會。工會組織的原則是包括該產業內所有的工人，無需理會他們所掌的技能或技能是否熟練。(參閱同業工會。)

禁制令

法庭頒令禁止僱主或工會觸犯或從事某些行為。單方面禁制令是一方在受影響的另一方缺席下提出申請的。

國際工會

有加拿大和美國會員的工會。

JOB EVALUATION

A system designed to create a hierarchy of jobs based on factors such as skill, responsibility or experience, time and effort . Often used for the purpose of arriving at a rational system of wages for specific jobs or classes of jobs.

LABOUR COUNCIL

Organization composed of locals of CLC affiliated unions in a given community or district.
(Note: for example, Toronto and York Region Labour Council)

LABOUR RELATIONS BOARD

A board established under provincial or federal labour relations legislation to administer labour law, including certification of trade unions as bargaining agents, investigation of unfair labour practices and other functions prescribed under the legislation.

LOCAL (UNION)

Also known as lodge, or branch. The basic unit of union organization. Trade unions are usually divided into a number of locals for the purposes of local administration. These locals have their own constitutions and elect their own officers; they are usually responsible for the negotiation and day-to-day administration of the collective agreements covering their members.

LOCKOUT

A phase of a labour dispute in which management refuses work to employees or closes its establishment in order to force a settlement on its terms.

工作評估

一個以技能、責任、經驗、時間和精力等因素為基礎建立的職位等級制度。通常的目的是用來為特定工作和工作類別取得合理的薪酬制度。

勞工議會

由加拿大勞工議會(CLC)附屬地方工會在特定的社區或地域組成的組織。(按：例如多倫多及約克區勞工議會)

勞工關係局

根據省或聯邦勞工法成立的機構，以執行勞工法例，包括認證工會作為談判代理，調查不公平的勞工行徑，以及其他法例訂明的功能。

地方(工會)

亦稱為地方分會，工會組織的基本單位。行業工會基於地方行政管理目的，通常會分為若干地方分會。這些地方工會有自己的會章和選舉自己的領導層，他們通常負責為會員進行集體合約談判及負責合約的日常行政。

關廠停工

勞資糾紛中的一種局面，管理層關廠拒絕工人工作或關閉工作場所，強迫工人按照其條件來和解。(按：僱主也可以為抵制工人的要求而停工。)

MODIFIED UNION SHOP

A place of work in which non-union workers already employed need not join the union, but all new employees must join, and those already members must remain in the union. See Union Shop.

MOONLIGHTING

The holding by a single individual of more than one paid job at the same time.

PICKETING

Patrolling near employer's place of business by union members - pickets - to publicize the existence of a labour dispute, persuade workers to join a strike or join the union, and discourage customers from buying or using the employer's goods or service.

PINK COLLAR

Predominately female office and professional personnel as contrasted to predominately male production and maintenance workers. Also called the Pink Ghetto.

PREMIUM PAY

A wage rate higher than straight time, payable for overtime work, work on holidays or scheduled days off, or for work under extraordinary conditions, such as dangerous, dirty or unpleasant work.

RAIDING

An attempt by one union to induce members of another union to defect and join its ranks.

修改的工會工場

在一個工場已受僱用的非工會工人無需一定要加入工會，但所有新僱員必需要加入工會，而已是工會會員的必需要留在工會。
參閱工會工場。

兼職

一個人同時兼任兩份或以上工作。

糾察

工會會員在僱主經營的地點糾察，宣傳存在的勞資糾紛，勸說工人參加罷工或加入工會，以及勸阻顧客不要購買或使用僱主的商品或服務。

粉紅領階層

主要由女性從事的職業和專業人員，相對於以絕大多數男性的生產和維修工人。也稱為「粉紅色聚居區」。

加班費

超時工作、假日工作、例休日工作、在特殊條件/情況下工作，例如危險的、骯髒的或厭惡性的工作，工資率比規定工時的工資率為高。

偷襲

一個工會企圖誘使另一個工會的成員叛逃並加入其行列。

RAND FORMULA

Also called Agency shop. A union security clause in a collective agreement stating that the employer agrees to deduct an amount equal to the union dues from all members of the bargaining unit, whether or not they are members of the union, for the duration of the collective agreement. See Check-off.

SENIORITY

Term used to designate an employee's status relative to other employees, as in determining order of lay-off, promotion, recall, transfer, and vacations. Depending on the provisions of the collective agreement, seniority can be based on length of service alone or on additional factors such as ability or union duties.

SHIFT

The stated daily working period for a group of employees, e.g., 8 a.m. to 4 p.m., 4 p.m. to midnight, midnight to 8 a.m.

SHIFT DIFFERENTIAL

Added pay for work performed at other than regular daytime hours.

蘭德規則

也稱作工會代理制。是集體合約中，保障工會的條款。它說明僱主同意，在集體合有效期間，從談判單位成員中扣除等額的工會費，無論他們是否工會會員。

(按：1945 年秋，蘭德法官(Judge Rand)對安省溫莎市福特公司的罷工作出裁決。他的裁決確立了「蘭德規則」(Rand formula)。這是一種工會保障方式，即僱主可以扣除所有工人的一部分工資用作工會會費。蘭德裁決清楚地表明瞭凱恩斯社會契約的有限包容性：「資本必要的合作夥伴，即有組織的勞工，必須獲得權力以矯正社會公正的失衡現象；公平保護活動各方的利益，是社會秩序所認同和鼓勵的。」根據蘭德定律，凡已成立工會的工作場所，不論其僱員是否願意加入工會，皆必須按期繳納工會會費。)

年資

這個用語是用來界定僱員與僱員間相對的地位，從而決定遣散、升遷、召回、調職和放假的次序。視乎集體協議的條款，年資可以只基於服務時間的長短，或加上其他因素，例如能力或工會職責。

輪班時間

規定一組員工每日的工作時間，例如，早上 8 時至下午 4 時，下午 4 時至午夜 12 時，午夜 12 時至早上 8 時。

值班津貼/加班費

對正常日間工作時間外執行工作，增加報酬。

SHOP STEWARD

A union official who represents a specific group of members and the union in union duties, grievance matters, and other employment conditions. Stewards are usually part of the work force they represent.

SLOWDOWN

A deliberate lessening of work effort without an actual strike, in order to force concessions from the employer. A variation is called a work-to-rule strike - a concerted slowdown in which workers, tongue in cheek, simply obey all laws and rules applying to their work.

STRIKE

A cessation of work or a refusal to work or to continue work by employees in combination or in accordance with a common understanding for the purpose of compelling an employer to agree to terms or conditions of employment. Usually the last stage of collective bargaining when all other means have failed. Except in special cases, strikes are legal when a collective agreement is not in force. A Rotating or Hit-and-Run strike is **a strike organized in such a way that only part of the employees stop work at any given time, each group taking its turn. A Sympathy strike is a strike by workers not directly involved in a labour dispute - an attempt to show labour solidarity and bring pressure on an employer in a labour dispute. A Wildcat strike is a strike violating the collective agreement and not authorized by the union.**

STRIKEBREAKER/SCAB

A person who continues to work or who accepts employment to replace workers who are on strike. By doing so, he or she may weaken or break the strike.

工會管事

工會人員是代表一組特定成員及工會，去處理工會事務、申訴個案和其他僱用條件上問題。管事們通常都是公司僱員的同袍。

怠工

故意減慢工作，而非真正罷工，以迫使僱主讓步。另一個變化形式叫做按章工作罷工——工人協調一致放慢，不認真工作，只遵守適用於他們工作的法例和規則。

罷工

停工，或拒絕工作，或通過結合繼續工作的僱員或有一致共識，目的是要迫使僱主同意僱用條款或條件。通常處於集體談判的最後階段，當所有其他手段都失敗了。當集體合約無效時，罷工是合法的，特殊個案例外。

「輪流罷工」或「閃襲式罷工」，是一種有組織的罷工，行動中，只有部份僱員在指定的時間停工，每組僱員會輪流停工。

「同情性罷工」，罷工工人是沒有直接牽涉一宗勞資糾紛，他們只試圖展示工人的團結，並向牽涉勞資糾紛的僱主帶來壓力。

「野貓式罷工」是違反集體協議的罷工，此行動是沒有工會授權的。

破壞罷工者/工賊

在工潮期間，繼續工作或是受僱代替罷工工人的人士。他們此舉可能削弱或破壞罷工。

STRIKE VOTE

Vote conducted among members of a union to determine whether or not to go on strike.

TECHNOLOGICAL CHANGE

Technical progress in industrial methods such as the introduction of labour-saving machinery or new production techniques. These often result in personnel reductions .

TRADE UNION

Workers organized into a voluntary association, or union, to further their mutual interests with respect to wages, hours, working conditions and other matters of interest to the workers .

UNION SHOP

A place of work where every worker covered by the collective agreement must become and remain a member of the union. New workers need not be union members to be hired, but must join after a certain number of days. See Modified Union Shop.

WHITE COLLAR WORKERS

Term applied to workers in offices and other non-production phases of industry.

WORK-TO-RULE

See Slowdown.

WORKING CONDITIONS

Conditions pertaining to the workers' job environment, such as hours of work, safety, paid holidays and vacations, rest period, free clothing or uniforms, or possibilities of advancement. Many of these are included in the collective agreement and subject to collective bargaining.

罷工投票

工會會員投票以決定是否進行罷工。

科技轉變

工業生產方法的技術進步，例如引進節省勞動力的機器，或新的生產技術。這些往往會導致削減人手。

行業工會/職工會

工人組成自願性的協會或工會，在工資、工時、工作條件及其他工人利益事項方面，促進共同利益。

工會工場

一個工場所有工人均受集體協議涵蓋，並必須成為和保持為工會會員。新員工無需要是工會會員才被錄用，但在一定日子後必需加入工會。
參閱修正的工會工廠/工場。

白領工人

這詞語適用於在辦公室和其他非生產階段的行業工人。

按章工作

參閱怠工

工作條件

有關工人工作環境的條件，例如工作時數、安全、有薪假期、年假、休息時間，免費服裝或制服，或晉升的可能性。這些許多都包括在集體協議內，以及透過集體談判釐定。

Labour Laws in Ontario

Labour Law in Ontario is made up predominantly of 6 pieces of legislation.

1. Labour Relations Act

Deals with the rights and duties of unions and management in the private, and to some degree, in the public sector. Guarantees right to strike, to join a union and to arbitrate workplace grievances. Administered by the Labour Relations Board.

2. Employment Standards Act

Deals with the minimum obligations of employer towards employees - wages, hours, holidays, vacations. For nonunion employees this Act is the main source of employee rights. Complaints are handled by specially appointed referees.

3. Workers' Compensation Act

Provides workers disabled by a work related injury or illness with wage -related financial compensation. Overseen by the Workers' Compensation Board no fault compensation program. Employees claiming Workers' Compensation surrender their right to sue their employer.

4. Human Rights Act

Forbids discrimination on the grounds of age, sex, race, colour, religion, national origin, marital status and sexual orientation. Administered by the Ontario Human Rights Commission.

安省勞工法例

安省勞工法例主要由六條法例組成。

1. 勞資關係法

由勞資關係局執行。涉及私人機構勞資雙方的權利和職責，某程度上也涉及公共部門。

2. 就業標準法

涉及僱主對僱員的最低責任——工資、工時、公眾假期、年假。這法例是非工會員工權利的主要來源。投訴由特別指派的審裁人員處理。

3. 勞工賠償法

向因工受傷或生病而未能工作的工人提供薪金——相關經濟補償。無過失補償項目由勞工賠償局監督。工人依據勞工賠償法案索償放棄控告僱主的權利。

4. 人權法

由安省人權委員會執行。禁止基於年齡、性別、種族、膚色、宗教、國籍，婚姻狀況和性取向的歧視。

5. Occupational Health and Safety Act

Regulates health and safety in the workplace. Covers dust, noise, chemicals and heat. Gives worker the right to refuse unsafe work. Administered by joint worker/employer committees and Minister of Labour inspectors. Complaints are adjudicated by the Labour Relations Board.

6. Employment Insurance Act

This is a Federal law financed by mandatory employee and employer contributions. Provides partial wage replacement for a limited time period. Adjudicated by special boards of referees and umpires.

5. 職業健康與安全法

由勞資雙方組成的委員會執行，並由勞工廳長監督，監管工作場所的健康與安全，包括灰塵、噪音、化學物質和熱量。給工人拒絕不安全的工作的權利。投訴由勞資關係局裁決。

6. 就業保險金法

這是規定僱員和僱主雙方供款的聯邦法例。在一段時間內提供部份替代工資。由特別審裁局和審裁人員審理。