

Labour Unions: Recalled Mine Workers Entitled to Termination Notice Upon Permanent Layoff



Potash mine workers laid off in Jan. 2021 received pay in lieu of notice, as required by the collective agreement. In May, the mine recalled them for the remainder of the year. But a month later, the mine flooded, and the workers were laid off permanently. **The question:** Did the mine have to pay termination notice for the second round of layoffs? The Saskatchewan arbitrator said yes. Based on the way the collective agreement was written, the workers became permanent employees when they were recalled, and thus entitled to termination notice upon permanent layoff [[Procon Miners \(Esterhazy\) Inc. v Unifor Local 890](#), 2022 CanLII 1368 (SK LA), January 17, 2022].