

Seniority Determines Which Foreman Employer Must Lay Off



“The principle of seniority in a classification shall govern layoffs and recalls. Consideration shall be given to retain sufficient employees in each job classification to suit the nature of the work remaining.”

Relying on the second sentence of the above collective agreement language, a plant targeted a foreman for layoff over other foremen with less seniority. The union cried foul and the Alberta arbitrator agreed, citing court cases upholding “the sanctity of seniority” in union workplaces. Employers can disregard seniority in favour of other factors only when the collective agreement clearly spells out such right. The language in this case failed to do that [[*International Brotherhood Of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers And Helpers, Local Lodge 146 v CESSCO Fabrication & Engineering Limited*](#), 2021 CanLII 72795 (AB GAA), August 12, 2021].