

This Frequently Asked Questions (FAQ) document is to address common inquiries related to the application of the Manitoba Jobs Agreement (MJA) and to support prospective bidders and inform tender responses.

The FAQ is generally ordered to reflect the relevant sections of the MJA [MJA-EDU-0001] and is intended to provide clear information to support understanding with MJA references where applicable. While this FAQ document covers frequently raised questions, it should not be considered a substitute for terms and conditions of the MJA and its supporting appendices. For matters requiring further clarification or specific guidance, please submit a formal request through the processes outlined in the relevant tender documents.

ARTICLE 1 – PARTIES AND APPLICATION OF AGREEMENT

Which appendix must be signed by both Subcontractors and Contractors as part of the Agreement?

With respect to signatory requirements, per Article 1.2, contractors, including subcontractors are required to complete an attestation form confirming adherence to MJA. The same form will include an attestation that all employees included as part of the bid submission, and if successful, on boarded to work on the project, meet a definition of 'Current Employees' under Article 2.7.

ARTICLE 4 – SCOPE AND COVERAGE

Does the MJA apply to all tiers of subcontractors, or only those directly contracted to the Construction Manager?

Per Article 1.2, Contractors, including subcontractors, who are contracted to perform work on the Project will be governed by all terms and conditions of this Manitoba Jobs Agreement (MJA).

Per Article 4.1, the MJA applies to the Parties and all Employees engaged in contracted onsite construction work associated with the Project and who are employed by Contractors (or their respective subcontractors) who have been awarded contracts by the Construction Manager. Some exemptions apply which are included in Article 4.2.

How is the 'standard wage and benefits' determined for a scope of work that does not have a corresponding union?

The MJA trade appendices outline wage rates, classifications and other conditions of employment during the project. Where a scope of work is not represented under an MJA trade appendix, clarity will be provided to the Construction Manager and subcontractors as required.

Are suppliers or off-site fabrication shops covered under the MJA when the work is performed off-site but delivered to the project? How does shop prefabrication factor into this? Does in-shop prefabrication also fall under the MJA requirements, or do the provisions apply only to on-site labour?

Per Article 4.1, the MJA applies to onsite construction work associated with the Project. Off-site fabrication of components would not be subject to the MJA. Installation onsite, however, would fall under the MJA's parameters.

ARTICLE 9 – EQUITY EMPLOYMENT AND WORKFORCE DEVELOPMENT

How is compliance measured — by hours worked, headcount, or payroll share?

MJA target outcomes are measured based on the specifics of the outcome. Apprenticeship and equity targets are measured by in-scope hours worked and are reported to Manitoba with each 4-week reporting period as defined under Article 20.3.2.

Do apprenticeship targets apply to each individual contractor or to the project as a whole?

All MJA target outcomes apply to the total scope of the project as defined by Article 2.18, RFP #2025-24-M-P.

Are union-sponsored apprentices required, or can I bring my own registered apprentices?

Yes, if the person meets the definition of an Apprentice as defined in Article 2.2.

Is there any financial penalty or incentive tied to meeting apprenticeship targets?

While there are no financial penalties or incentives tied to meeting MJA target outcomes for 'Apprentices' as defined in Article 2.2, contractors, including subcontractors are encouraged to demonstrate organizational alignment and efforts to support MJA target outcomes in bid submissions and throughout the project.

Are equity and Indigenous hiring targets mandatory or aspirational?

Per Article 9.1, training, employment opportunities for underrepresented persons, and community benefit is a critical aspect of this MJA. While there are no financial penalties or incentives tied to meeting MJA target outcomes for 'Equity Hires' as defined in Article 2.10, contractors, including subcontractors are encouraged to demonstrate organizational alignment and efforts to support MJA target outcomes in bid submissions and throughout the project.

How does Indigenous Engagement performance compare between unionized and non-unionized workforces? Specifically, how does non-union Indigenous participation compare to unionized non-Indigenous participation?

Indigenous persons are included as Equity Hires as defined in Article 2.10 and does not delineate between union and non-union status.

Do we require an understanding of each company's equity staff ahead of award, and does it need to be included as part of the evaluation criteria? If so, what weighting should it be allotted?

Per Article 9.1, training, employment opportunities for underrepresented persons, and community benefit is a critical aspect of this MJA. Contractors, including subcontractors are encouraged to demonstrate organizational alignment and efforts to support MJA target outcomes in bid submissions and throughout the project, including 'Equity Hires' as defined in Article 2.10.

This process is currently under review and information will be communicated should this become a requirement for future tender packages.

ARTICLE 10 – UNION SECURITY

Are my employees automatically represented by the Building Trades or a local union under this agreement, even if I am not signatory to their collective agreement?

Per Article 10.4, all Employees performing work on the project under this MJA, whether or not a member of an Affiliate Local Union, shall be represented by the BTBC and/or the appropriate Affiliate Local Union.

ARTICLE 11 – DUES, ASSESSMENTS, AND FUND CONTRIBUTIONS

Are benefit contributions (e.g., health & welfare, pension, training) mandatory to union trust funds, or can equivalent benefits be provided through private plans?

The MJA requires health, welfare and retirement contributions for employees. The MJA recognizes such contributions may be made in part or in full at the employer-employee level prior to onboarding to the project. There will be processes to accommodate these circumstances where applicable. Equivalent contribution amounts, as included in relevant trade appendices, are required. Training/Industry Promotion Funds as outlined in the respective apprentices are mandatory union contributions to be made via the Fund Administrator.

Are non-union employees required to have union dues deducted, and if so, can the contractor pay those dues on their behalf, or must employees pay directly? Section 11.1(b) appears to require the contractor to remit dues, but it is unclear whether this applies only to unionized employees. What authorization process applies to non-union employees?

Article 11.1.b states that ‘the Contractor shall make deductions from wages of all Employees in respect of Union dues or service fees equating to Union dues and remittances, and which dues, assessments, and initiation fees shall be remitted directly to the Unions.’

Working union dues will be a percentage of employee gross income with details to be supplied to the successful bidder. Dues are payroll deductions from all employees, union and non-union. The successful bidder will be required to send them to the Fund Administrator. To support the implementation and management of the MJA, and streamline administrative processes, the Fund Administrator will accept from each contractor, including subcontractors, a total sum of required fund contributions, dues, assessments and initiation fees for each employee working on the project and distribute to the various funds as required.

Are fund contributions required in addition to union dues? If so, how are these calculated and administered?

There are fund contributions, dues, assessments and initiation fees associated with each trade. Each MJA trade appendix includes specific contribution levels. Fund contributions including Training, Industry Promotion, BTBC remittance as referenced in Article 11 are to be paid by the contractor. Only working dues are paid by individual employees as payroll deduction. Per Article 11.1.d, each contractor, including subcontractors, are responsible for preparation of remittance reports for the fund contributions, dues, assessments and initiation fees. The remittance report will include all the calculations required. A template to be provided to onboarded contractors and subcontractors.

Is there a central “funds administrator,” or must contractors remit directly to each trade union?

Yes. Coughlin & Associates Ltd. has been engaged through RFP30348 as the Fund Administrator for this project. Funds are administered by the Fund Administrator as a flow through function. No funds are sent directly to the unions or BTBC by contractors.

How are deductions and remittances handled for non-union employees?

Per Article 11.1.d, each contractor, including subcontractors, are responsible for preparation of remittance reports for the funds, dues, assessments and initiation fees. This is applicable regardless of union or non-union status.

To support the implementation and management of the MJA, and streamline administrative processes, the Fund Administrator will accept, from each contractor, including subcontractors, a total sum of required fund contributions, dues, assessments and initiation fees for each employee working on the project and distribute to the various funds as required. These funds to be accompanied by the corresponding remittance report, a template to be provided to onboarded contractors and subcontractors.

ARTICLE 16 – GRIEVANCE PROCEDURE

Who has standing to file grievances — unions, employees, or only the Construction Manager?

Per Article 16.2, “grievance” means any difference or dispute concerning the meaning, interpretation, application, administration or alleged violation of this MJA whether between the Contractor and any Employee bound by this MJA (represented by the union), or between the Contractor and a Union and/or the BTBC.

Is the grievance/arbitration process mandatory or optional for non-union employers?

Per section 16.3.2.a if an Employee is not a member of a Union, they may elect to proceed with a grievance on their own, by executing a Grievance Form and proceed to attempt settlement of the Grievance without assistance of the Union.

ARTICLE 20 – HIRING PROCEDURE AND REFERRAL SYSTEM

If referral through a hiring hall is required, can I refuse referred workers who lack required skills or safety certifications?

Yes. Article 20.2.8 acknowledges that “Contractors have the right to refuse employment to any Employee who is not Job Qualified.”

How is “Manitoba Resident” defined and verified?

Per Article 20.1, a “Manitoba Resident” means a person whose primary residence is located within the province of Manitoba.

When engaged on the project, an employee will be asked to complete an MJA Employee Onboarding Form which includes self-declaration of general residency status as either ‘Manitoba Resident’ or ‘Out of Province Resident’. The Fund Administrator will also have residency information as required fund contributions, dues, assessments, etc.

How is “Job Qualified” defined? Is the definition strictly tied to Union standards outlined in Section 20.2.11?

Per Article 20.1, “Job Qualified” means that a candidate for employment meets or exceeds the training, accreditation (i.e. credentials such as certificates and licenses), skill and experience stated in a Job Order.

Per Article 20.2, the Contractor (or subcontractor) will indicate in each Job Order the tasks to be performed and the expected level of competency in performing those tasks, among other things as included in Article 20 of the MJA.

BTBC commits to establishing reference to a qualitative evaluation mechanism should there be claim that an individual is not job qualified. Reliance on industry recognized standards for apprenticeship, certification, licensing, occupational health and safety standards (ie. If an individual is working at heights, they have a valid working at heights certificate. As individuals are remitting to Training Trust Funds, the contractors may request training certification through the union, and this cost would be born unto the training trust fund and not the contractor.

What documentation is required to confirm that non-union employees meet the minimum 200 hours of existing employment?

Per Article 1.2, contractors, including subcontractors are required to complete an attestation form confirming adherence to MJA. The same form will include an attestation that all employees included as part of the bid submission, and if successful, on boarded to work on the project, meet a definition of ‘Current Employees’ under Article 2.7.

Can non-union contractors meet equity objectives through their own recruitment programs?

Yes, non-union contractors, including subcontractors may use established recruitment programs to support MJA target outcomes in relation to Equity Hires as defined in Article 2.10.

However, if successful in the bid process and once onboarded, contractors, including subcontractors must adhere to all established protocols within the MJA remain applicable including hiring procedures as outlined in Article 20.

APPENDICES

Many Union [trade appendices] outline a schedule of four 10-hour days. Is the intent that projects operate on a four-day work week?

The four day, 10-hour per day provisions included in some MJA trade appendices are intended to provide details to allow for the option of a four day, 10-hour per day condensed week at straight time. Ultimately, contractors, including subcontractors will determine a five day or four day work week.

Relevant trade appendices advise that a shift change from a five day to a four day to be mutually agreed upon within one week notice. At the beginning and end of the condensed week period.

GENERAL

What specific documentation must I submit (weekly workforce reports, resident verification, hours by equity category, etc.)?

Per Article 1.2, contractors, including subcontractors are required to complete an attestation form confirming adherence to MJA. The same form will include an attestation that all employees included as part of the bid submission, and if successful, on boarded to work on the project, meet a definition of 'Current Employees' under Article 2.7.

With respect to the financial functions outlined in Article 11, including fund contributions, dues, assessments and initiation fees, the Fund Administrator will onboard contractors, including subcontractors regarding financial details. A templated document to be provided to onboarded contractors and subcontractors. Once onboarded, per Article 11.1.d, each contractor, including subcontractors, are responsible for preparation of remittance reports to the Fund Administrator for the funds, dues, assessments and initiation fees. This is applicable regardless of union or non-union status. A templated document to be provided to onboarded contractors and subcontractors.

Article 20.3, Employment Reports and Forms, includes responsibilities for submitting required reporting which includes forms related to outcomes reporting and examples of the types of information associated with those forms.

With respect to requirements under Article 11 and reporting requirements under Article 20.3, to support the implementation and management of the MJA, and streamline administrative processes, the Fund Administrator, will accept, from each contractor, including subcontractors, the required remittance reports, which will streamline reporting requirements for contractor, including subcontractors.

Contractor and subcontractor onboarding forms will still be required as well as those related to safety. Templated documents to be provided to onboarded contractors and subcontractors.

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