

Artificial Intelligence and Managing Labour Relations

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Managing risk
together



INDUSTRIAL
RELATIONS
STRATEGISTS

Safety Share



Oakbridges Labour Relations Strategists

- Established in 2005
- Management Consultants, HR experts in unionized environments
- Develop Industrial and Labour Relations Strategy to improve Organization Effectiveness in Union Environments.
- We assist in execution of the strategy.
- Deep experience preparing for and negotiating collective agreements and other industrial instruments.

Catalysts for our involvement include:

- Mergers, Acquisitions, Divestitures
- Large Capital Investment Projects
- Changes in key personnel
- Identified need to improve organizational performance
- Organizational change initiatives

Working With Mearie since 2018





SOME OF OUR CLIENTS



Before



What We Do (For MEARIE and the LDC Community)

- Annual Collective Agreement Analysis and Report
- Collective Bargaining
- Strategy Development
- Training:
 - Managing Performance in a Unionized Environment
 - Preparation for Collective Bargaining
 - Bargaining Successful Collective Agreements
 - Managing the Grievance Process

AI Impact on Labour Relations

- How has AI Impacted Work?
 - Does this require changes to the Collective Agreement?
 - What Other bargaining issues arise from the introduction of AI?
 - Are organizations liable for errors and omissions caused by AI?
- How are employees using AI?
- How can AI be used to Manage Labour Relations?

How has AI Impacted Work?

- Augmenting Human effort;
- Performing tasks like drafting, and summarizing, scheduling, multi-step data processing, coding;
- Drafting reports, conducting research, answering queries;
- Customer Service including customer interactions.



How has AI Impacted Work?

- AI augmenting certain tasks;
- AI tools are not necessarily reliable particularly with respect to tasks requiring judgement or discretion;
- AI can displace simple, menial tasks and potentially pose a job security risk for some individuals.



Changes to the Collective Agreement

- **Algorithmic Management Limits:** Unions are pushing to ban "black box" algorithmic decision-making. Contracts demand that all disciplinary, hiring, or scheduling decisions undergo human review and allow workers to override AI suggestions in safety-critical situations.



Changes to the Collective Agreement

- “No disciplinary action, negative performance rating, or termination shall be issued to an employee based **solely or primarily on automated data tracking, AI recommendations, or algorithmic scores**. All employee evaluations and disciplinary actions require **independent human review and verification.**”

Changes to the Collective Agreement

- **Job Security & Automation Bans:** Some unions, like the **International Longshoremen's Association (ILA)**, have successfully negotiated contract clauses that prohibit the introduction of fully automated equipment without union consensus.



Changes to the Collective Agreement

- **Intellectual Property Protections:** The entertainment industry, notably **SAG-AFTRA**, has secured historic collective bargaining agreements that establish rules against the unauthorized use of generative AI to digitally replicate human performers' voices and likenesses

Changes to the Collective Agreement

- **Transparency and Notice Periods:** Unions require employers to provide ample written notice and consult meaningfully before new automated workflows are integrated into daily routines. May include other job protection provisions.

Changes to the Collective Agreement

- “The Employer agrees to provide the Union with a minimum of **180 days advance written notice** before introducing any AI or algorithmic management tool that alters job duties. The Employer shall engage the Union in **pre-decisional involvement** beginning when internal discussions about the technology commence.”

Changes to the Collective Agreement

- “The Parties agree that AI will be used to **augment, not replace**, the work performed by bargaining unit employees. No worker shall be laid off, downgraded, or suffer a reduction in regular hours as a direct result of the implementation of automated systems.”

Changes to the Collective Agreement

- **Data Rights & Surveillance Bans:** Collective agreements increasingly include clauses to prevent employers from using workplace tracking, geolocation, and keystroke data generated by AI tools to discipline workers.



Errors and Omissions Caused by AI

- Toronto BMW case regarding Guaranteed Buy-back program.
- Air Canada was forced to honour a fare rebate after its chatbot provided a passenger with incorrect advice about bereavement fares. *Moffatt v. Air Canada 2024*
- Privacy laws, Human Rights legislation, Intellectual Property protections, etc.

How are employees using AI?

- Workslop: copying and pasting unverified AI text directly into emails or slide decks;
- 57% of employees admit to **concealing their AI use** and presenting AI-augmented output as entirely human-made;
- Using AI to support claims against employer (grievances) leading to risk of inaccurate information: (AI models have a tendency to hallucinate legal statutes)

How can AI be used to Manage Labour Relations

- Preparation for bargaining;
- Grievance management;
- Research.



Thank you.



Muskoka River Bridge.