Collective bargaining and the implementation of autonomous vehicle technologies

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In the recent breakdown of collective bargaining with Canada Post, the CUPW National President, Mike Palecek, stated: “Our members gave us a clear mandate to take job action if Canada Post refused to address our major issues – health and safety, gender equality and preserving full-time, middle class jobs.” While the “job preservation” sought by the CUPW might not specifically be referring to autonomous vehicles or drones, the reality is that collective bargaining must increasingly account for technological developments, such as autonomous technologies, that are set to disrupt conventional package delivery.

In the United States, the implementation of autonomous technologies in the logistics sphere has already become a contentious issue. In January 2018, UPS and the Teamsters faced off during negotiations of a new collective agreement over the use of drones and driverless vehicles to automate deliveries. As part of the new collective agreement covering more than 260,000 UPS employees, the Teamsters sought a prohibition on the use of drones and driverless vehicles. In the revised collective agreement, published in July 2018, the parties compromised. As part of the amended Article 6 to the collective agreement, UPS must review with the union any proposed technological changes at least six (6) months prior to implementation. Examples of these changes explicitly include: drones, driverless vehicles, and platooning of tractor-trailers.

In light of the developments south of the border, companies in Ontario’s logistics space will likely face similar negotiation hurdles with respect to autonomous technologies. With growing delivery volumes and the rise of digital commerce, companies are exploring automated delivery options such as drones and platooning to alleviate the growing delivery demands. In the wake of such developments, it is expected that unions in Ontario may seek protections to restrict the use of autonomous vehicle technologies to protect against the possible downsizing that may result from its implementation. Thus, employers must continue to monitor the technological change provisions of current collective agreements and be prepared to address the implementation of autonomous vehicle technologies in future collective bargaining.

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