

NHLPA Seeks To Block Lockout Under Provincial Labour Law

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With the clock ticking towards an 11:59 p.m. contract expiration this Saturday night, a fascinating international labor law issue has suddenly emerged and it threatens the apparent unified strategy of the NHL owners to lockout the players.

There are 30 NHL teams. Seven of those teams are in Canada with two teams in the Province of Alberta (the Oilers and the Flames) and one in the Province of Quebec (the Canadiens). Under the law of Alberta, before a lockout can occur, the owners must participate in a full mediation. The NHLPA has filed a complaint with the labour board there contesting the ability of the owners to lockout the Oilers and Flames players for failure to participate in a meaningful mediation.

The issue in Quebec may be a bit more difficult for the owners. The NHLPA is contending there that the players' union is not a group certified by the Quebec Labour Board. Therefore, the players have asserted, under provincial law, the Canadiens cannot lock out its employees.

These arguments could throw a wrench into the NHL's apparent strategy because if the NHLPA succeeds on these arguments, players from 3 of the 30 teams would have to be paid (and could not be legally locked out) during a lock out of the other teams by the NHL owners.

Here are links to more complete stories on this issue from today's [Montreal Gazette](#), and the [New York Daily News](#).