

RankandFile.ca

January 26 2013

Canadian labour news from a critical perspective

Three ideas from 2012 for a stronger labour movement To renew Canada's labour movement, we don't have to look far for inspiration

#1 Rank-and-file democracy

One of the biggest victories for workers in 2012 was the Chicago teachers strike against Mayor Rahm Emanuel of the supposedly pro-labour Democratic Party.

Behind this victory was the Caucus of Rank-and-file Educators, a network of union members who spent many years holding meetings with teachers and parents on education, poverty, racial and labour issues, while promoting alternative strategies for the union and holding the union leadership to account by running progressive, democratic opposition slates. A year after winning union executive elections, CORE had laid the foundations for a union that was able to strike, maintain high multi-racial public support against the Obama-approved Mayor, and win.

The important lesson from Chicago is the necessity of a well-educated rank-and-file organization favouring member-driven democratic unions focused not just on the contract, but issues related to their work that affect the public. Even when promoting their own slate, CORE held their members in office to account, never relying on their elected leaders to do all the work or make the right decisions.

Pulling together like-minded activists in the workplace to build rank-and-file networks is rare in Canada, and it's time we follow the lead of Chicago teachers.

#2 OUR Walmart and "minority unionism"

The rise of OUR Walmart in late 2012 was another huge development for workers around the world. OUR Walmart, organized by the United Food and Commercial Workers, is a "minority union" because it only involves a small minority of courageous Walmart workers. After years of building, OUR Walmart took action last October when Walmart warehouse workers in Illinois, Washington and California went on strike over health and safety concerns. OUR Walmart members organized pickets at hundreds of Walmarts across the United States on "Black Friday" to protest poor working conditions, low wages and meagre benefits.

The multi-store scope of the protest was also designed to counter the Walmart strategy of closing down individually unionized stores, like in Jonquiere, Quebec in 2005. The protests raised public awareness and support, and helped combat fear and boost the confidence of Walmart workers.

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March 22-23 2012: Pearson Air Canada ground crew and baggage handlers on an illegal "wildcat" strike against federal back-to-work legislation. Repeated anti-union legislation against AC workers sparked this rank-and-file rebellion.



Ironworkers Local 771 (Regina) in solidarity with Idle No More

Legislating Against Labour

2012 in review and what's in store for 2013

Bill C377: Union "transparency"

Federal Conservative MP, Russ Hiebert, spearheaded Bill C377 "*An Act to Amend the Income Tax Act (labour organizations)*". C377 requires unions to publicly disclose an unprecedented amount of financial and other information about their activities on the Canadian Revenue Agency's website. Hiebert used the argument that the federal treasury is denied hundreds of millions of dollars in foregone tax revenue because union dues are tax deductible. No similar legislation exists for corporations that receive public subsidies or benefit from the Conservative's Economic Action Plan. Although maintaining the appearance that the private member's bill is about accountability and financial transparency, Hiebert's initiative has received assistance from the anti-union construction association, Merit Canada and its President, Terrance Oakey. The bill became law on December 12, 2012. A legal challenge is anticipated for 2013.

Bill 85: Labour reforms in Saskatchewan

In 2012, the Saskatchewan Party government commenced a comprehensive review of Saskatchewan's labour and employment legislation with the intent of "modernizing" labour laws. Minister of Labour, Don Morgan, gave unions and the general public just 90 days to provide written feedback on the reforms. Fifteen pieces of employment-related legislation, from the *Trade Union Act* to the *Labour Standards Act* are now being packaged into Bill 85, which will form the omnibus *Saskatchewan Employment Standards Act*. Debate over the bill is ongoing. Four years ago, government introduced Bill 5 (*Public Services Essential Services Act*), which gives employers the power to strip public sector workers of the right to strike if they are deemed "essential". The *PSESA* was ultimately struck down by the courts but the decision is still under appeal.

Bill 115: Ontario Liberals versus teachers

In 2011, Dalton McGuinty's reputation as the "education premier" helped him secure an election victory by winning support from the powerful teachers' unions, namely the Elementary Teachers Federation of Ontario (ETFO) and Ontario Secondary Schools Teachers Federation (OSSTF).

The relationship deteriorated in 2012 as Ontario's \$14 billion deficit and declining manufacturing sector gave McGuinty the idea that the province's educators are overpaid. After negotiations broke down over the summer, the Liberals passed Bill 115, "Putting Students First Act", on September 11, 2012. The bill imposed a two-year wage



Truedell Public School picket line
Kingston, Ontario, December 20 2012

freeze and other major concessions, and effectively eliminated collective bargaining rights for Ontario's 180,000 elementary and secondary school teachers, specialized teachers and support staff. McGuinty resigned as premier in October and prorogued the legislature, leaving his cabinet to sort out the mess.

Bill 115 exposed a division between the union leadership and the members. As some teachers rejected tentative agreements under Bill 115 and called for coordinated work-to-rule and strikes, some union executives were reluctant to support, never mind escalate, their actions, preferring only a court challenge against Bill 115's obvious violations of Charter Rights. Contracts were imposed under Bill 115 in early January, and the bill was cynically repealed a few weeks later, Liberals stating that it served its purpose. With a provincial election on the horizon and the government's reputation in tatters, 2013 will be a turbulent year.

Right-to-Work: Hudak runs out of ideas

Tim Hudak, leader of the Ontario Progressive Conservatives, wants to bring labour laws into the “21st century”...by dragging us back to the 19th century. The party’s white paper on economic reforms, *Paths to Prosperity*, calls for a radical transformation of Ontario’s labour relations system. Since this document’s release in June 2012, Hudak has gone further by voicing support for U.S.-style “right-to-work” legislation that would prohibit employers and unions from collecting dues from workers in unionized workplaces. Conservative MP, Pierre Poilievre, has been calling for the same thing at the federal level. Hudak also says that unions and “outdated” labour laws are preventing the province from experiencing a manufacturing renaissance that is supposedly happening in American states where right-to-work laws exist.

What Hudak and his supporters fail to mention is that there is little evidence to suggest that right-to-work reforms do anything positive. Economic figures in the U.S. do show that average wages in RTW states are 16% lower than in non-RTW states, along with weakened health benefits and workplace safety. Hudak also fails to mention that two of Canada’s leading economic performers in terms of wage growth and GDP, Saskatchewan and Newfoundland and Labrador, have the country’s highest union density rates. A government led by Tim Hudak would reverse a half-century of reforms and bring Ontario workers, especially in manufacturing, into a race-to-the-bottom with our poorly paid American and hyper-exploited Chinese counterparts.

Back-to-Work legislation: A “new normal”?

Unable to make any constructive interventions into labour disputes, the federal Conservatives have introduced back-to-work legislation on six separate occasions since 2007. Back-to-work legislation ends strikes and lockouts by government order and normally involves a form of binding arbitration. This means that contracts are settled by a third party rather than through collective bargaining between the union and the employer.

At Air Canada, BTW legislation, specifically Bill C33 “Protecting Air Services Act”, provoked a wildcat strike by baggage handlers and maintenance crew represented by the International Association of Machinists and Aerospace Workers (IAMAW) in March of 2012. Over a hundred pilots followed suit by calling in sick on a single day, resulting in the cancelation of dozens of flights. Just as the Conservative governments talks about the economic harm caused by labour disputes, it allowed the enormous multinational corporation, Caterpillar, to close down the Electro-Motive Diesel locomotive factory in London, Ontario, leaving over 700 workers out of a job. This is labour relations and economic planning, Harper style.

Written by Andrew Stevens. Andrew is an Associate Professor at the University of Regina’s Faculty of Business Administration. He helped organize teaching assistants and teaching fellows at Queen’s University with the Public Service Alliance of Canada.

Continued: Three Ideas for a stronger labour movement

Instead of aiming for store-by-store majority unionization votes, OUR Walmart presents a strategy in which a minority of workers at each store across a vast retail empire can still exercise a substantial degree of collective power and leverage. It also helps build the union across all stores instead of at just one. The eventual goal, of course, is to transform the minority into a majority.

Minority unionism, however, is legally risky. Workers engaged in minority unionism do not have the same protections from employers as workers in legally unionized workplaces. This is a realm of labour law that requires a challenge.

OUR Walmart’s minority unionism also directs us towards a major shortcoming of organized labour: Canada’s ever-expanding retail and service sectors, employing millions for low wages and rarely any benefits.

#3 Open union membership

Last year, two of Canada’s biggest private sector unions, the Canadian Autoworkers and Communication, Energy and Paperworkers, voted to merge into a single union in 2013. The new union is proposing “open membership” for anyone, even if they do not work with a union contract, are unemployed, or a student.

While this idea might not work in some unions, and may also open up some jurisdictional disputes between unions, labour activists should be pushing for this model to be applied to umbrella labour organizations.

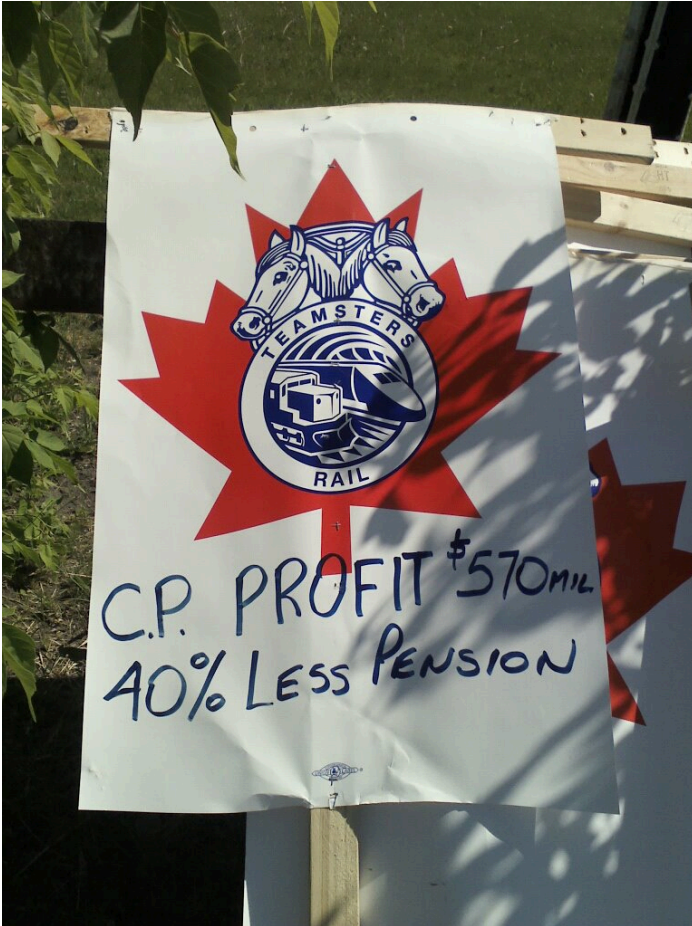
Labour councils in particular would benefit from such a reform. Open membership would open up new possibilities to revitalize local labour councils. Labour councils could have directly-affiliated general membership locals (which could also serve to mitigate jurisdictional disputes). General membership locals could also compliment minority union campaigns, and provide a space in which to initiate them.

There are millions who want to be in unions. Open membership can help break down the entrenched organizational barriers between union and non-union workers. Doing this is necessary to undercut the anti-union rhetoric pitting non-union and union worker, public sector worker and private sector worker. Unions should serve all workers, not just those covered by contracts they’ve bargained.

Written by Doug Nesbitt. Doug is President of PSAC 901, representing Queen’s University Teaching Assistants, Teaching Fellows and Post-Doctoral Fellows.

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Nearly 5000 CP Rail locomotive engineers refused to give in to concessions over pensions and other issues - while the corporation made millions in profits and gave departing company President Fred Green a multi-million dollar golden parachute pension. The federal government lied about non-intervention and passed back-to-work legislation less than a week into the strike.

“We will support the officials just as long as they rightly represent the workers, but we will act independently immediately they misrepresent them.”

Clyde Workers Committee, 1915

Introducing RankandFile.ca

RankandFile.ca is a new Canadian labour media project launched by union activists in early 2012.

We publish original, researched news reports and analysis of major labour issues, including the battle against Bill 115, the CP Rail strike, and the introduction of new provincial and federal labour laws.

Rankandfile.ca also publishes statements by democratic dissidents within unions who seek to promote alternative viewpoints regarding ratification votes, union strategy, and union elections. We publish such documents in the interests of fostering democratic debate within the unions.

You can also hear exclusive audio interviews with union activists and elected leaders, as well as labour researchers and academics. The website has a rich archive of interviews.

Last but not least, we provide a digest of weekly labour news articles, ranging from Canadian to American and international stories.

Our project is based on these goals and principles:

Our Goals

1. Provide readers with relevant and informative labour news from Canada and around the world
2. Help build solidarity with workers in struggle
3. Develop a coherent analysis of the labour movement

Our Principles

1. The labour movement and our unions have to be democratic and membership-driven.
2. The interests of the labour movement cannot be separated from the interests of the poor and the oppressed.
3. The labour movement exists to change society; to defend and advance greater political and economic rights and democracy.

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