

## Sometimes unions lie – always check their claims

To LabourWatch:

September 8, 2006

I saw your new website and new content about unions and unfair labour practices. I now want to tell you our story at Valley Bus Lines here in Ontario. I have also sent you one of our flyers to back up our story and hope you can put it on your website with this open letter.

The Canadian Autoworkers Union lied and it was very frustrating to have to sort through everything they told us just so we could make an informed decision based on facts and not lies. Here's my story of what happened here (and I've told this story in writing to the Ontario government, to Buzz Hargrove at the CAW and the Labour Relations Board; none had the courtesy to respond.)

The lesson we learned is that sometimes unions lie and you should always check their claims, in more than one way if you can. Don't ever get pushed into signing a card too quickly and if decertifying, watch the games they may play with you. Tell LabourWatch your story so that they can post it for others to read – it really helped us as you will see when you read on.

In late 2000 the small company I was working for was bought by a new owner. The old owner was selling the business while the employees were looking at becoming unionized.

The vote was taken after many untruths were spread around our work place and people were made to be afraid for their jobs by the union. This angered me and I called the Labour Board to ask if there was anything we could do if the vote was reached due to false statements being passed around. They told me it was basically impossible to prove and that I should direct any questions I had to my union stewards. I didn't understand, I wasn't in support of the union and I wanted straight answers and yet they sent me back to the union. I felt that we had no allies.

From the very first introduction to the union I was discouraged by their negative attitude towards our new employer. They implied that he was not going to treat us right, that he was sneaky and underhanded. Eventually as we all got to know our new employer some of us decided to look at decertification. About a year ahead of being allowed to decertify, unlike the union organizing campaign, we held open meetings to discuss decertification – so the CAW knew what we were doing and union supporters could come to the meetings to debate with us – and they did. During the last three months of our contract we started noticed in talking to other employees and that there were a lot of them who didn't want the union either. So, we went to your website, got the ridiculously long and complicated Ontario Labour Board forms, collected signatures and applied for a decertification vote. Then the CAW kicked into gear.

They distributed letters to scare us that we would lose everything without a union. We distributed a letter from an employee at another company where the union had been decertified and how things had been fine after. The CAW attempted to scare people into thinking that things would be terrible if we decertified. They sent out a letter saying that our letter had come from someone who had reaped the benefits from decertification – that he had been promoted into management where he worked at Kingston Dodge Chrysler. The CAW also wrote that employees at the other company had lost all kinds of benefits including safety boots and protective eyewear.

So we worked hard and tracked down Steve Williams who wrote the letter we distributed. Steve didn't work for the company anymore, **he had never moved to management and in fact he had left the company on an amicable note to pursue a career opportunity elsewhere.** We also were able to talk to someone who was still at the company involved. That person was there for over 20 years, and it turns out that things hadn't taken a turn for the worse, there had been **no pay cuts, no vacation cuts, and no safety items were taken away** and this was years later!! **The union had lied.**

I was blown away, that the union would blatantly lie like this was unfathomable to me, I guess I am very nieve.

Fortunately for us, Steve Williams helped out. He emailed a letter and allowed us to hand it out. He told the truth. It was just in time because we got his letter just a day before the vote.

Also, when we tried to have a vote on decertification, the CAW tried to stop us and asked the Ontario Labour Relations board to disallow a vote. Fortunately they didn't succeed and we got to vote on Friday, 7 January. We voted 35 to 19 with only 8 no shows to end our relationship with CAW. Steve's letter turned the tide and the dishonest union was kicked out in January 2005.

I wrote to a letter to Tim Parker at the OLRB and Mr. Alsadi at CAW, explaining the situation and the lies that had been told and copied it to Mr. Buzz Hargrove – CAW, Minister Christopher Bentley – Ministry of Labour, and Chair Kevin Whitaker – OLRB. **I did not get a response from any of the above. I also talked to Charles Redden of the CAW and asked him how he felt about the lie and he told me that both sides lie when things get to this point, to which I responded "well we didn't lie".**

This has left me with a very bad taste in my mouth for unions. It seems that we see this time and time again in our society, a person tells a lie and then covers it up with another or some how justifies it, where did honesty go? And how did something that was brought in to our world to help out the underdog become the underdog's enemy?

I am sure that if an employer did the things the CAW did, any union would ask the government to hammer them and the government would. If we had not found Steve, we probably would have been misled into voting against decertification.

If I understand correctly CAW has also tried to unionize some of the other bus companies owned by people related to our owner without votes. It seems to me that they are simply trying to do it with fancy legal processes and without a vote for those employees who would then be forced to pay dues.

Which parts of democracy does the CAW not understand or respect? They are wasting CAW member's money and don't really want to respect union member wishes. We didn't want to be one of their "customers".

Finally, you can't count on Labour Boards either to look after employees – best to avoid unions and their supportive labour boards.

Sincerely

Sheila M. Eckford

Sheila M. Eckford  
P.O. Box 1534  
Kemptville, Ontario  
K0G 1J0

January 12, 2005

Tim Parker, Registrar  
Ontario Labour Relations Board  
505 University Ave  
Toronto, ON M5G 2P1

And

Mr M. Alsadi, CAW  
1355 Bank Street, Suite 111  
Ottawa, Ontario  
K1H 8K7

Re: Application for Termination of Bargaining Rights – J Kaldewey & CAW-Canada  
OLRB File Number 3367-04-R

Dear Mr Parker and Mr. Alsadi:

A few years ago there was a democratic process that led to us unionizing with CAW-Canada through the OLRB. For a variety of reasons we have become dissatisfied with their representation and as you know we have followed the law of Ontario and applied for decertification.

The CAW, from what I have read in the documents exchanged during this process, has tried to prevent democracy and asked the board to disallow a vote. Fortunately they didn't succeed and we got to vote last Friday, 7 January. We voted 35 to 19 with only 8 no shows to end our relationship with CAW.

I understand that CAW is still trying to get our vote thrown out based on a few claims for which they have provided no evidence and as I read the form they were supposed to do exactly that. Not only has the union not followed OLRB instructions, they have been trying to persuade some of those drivers who are not sure of which way to turn with the use of fear and misleading statements. In the last 2 days before our vote last Friday, CAW issued another flyer that was full of untruths to try to scare us and improperly influence the vote.

When I read their document I got more involved and scrambled to respond and prove that their claims were not true. (See more details below and the attachments to my letter.) I am sure if an employer did such things, CAW or any union would ask the government to hammer them. In spite of such unethical conduct CAW is still asking the OLRB for a hearing to get our vote thrown out. Frankly – the CAW owes all of us an apology for their Nortel type conduct and the withdrawal of all complaints and respect for our vote under the laws of Ontario.

If I understand correctly CAW has also over the last year or more tried to unionize some of the other bus companies owned by people related to our owner. It seems to me that they are simply trying to do it with fancy legal processes and without a vote for those employees who would then be forced to pay dues. What kind of country do I live in if the CAW is able to replace normal democratic processes such as voting with unionization forced by fancy legal moves and lawyers that are beyond the ability of most ordinary employees to comprehend and deal with ? It is not a level playing field.

Which parts of democracy does the CAW not understand or respect? They are wasting CAW member's money and not respecting our wishes. We no longer want to be one of their customers – they must be told to leave us alone now – please. Or maybe the CAW will do the right thing and agree with our vote and apologize for their flyers.

In regards to the flyers I mentioned above , CAW sent one out that contained untrue statements and I feel that this needs to be taken into consideration at this time. Employees favouring decertification distributed copies of a letter to the editor of an Ontario newspaper written by a person whose work place had voted to decertify the CAW and how it had worked out well for them (see attachment 1). Two days before our vote the Union sent out a flyer stating that the individual who wrote that article was now in management and how the employees had lost a lot of benefits and pay since the time of decertification (see attachment 2 – page 4). I searched the internet phone directories and found that person and in speaking to Steve Williams I found out that he had never been promoted to manager (or ever been in management in his life). I also talked to another employee of the company and found out that they had not lost the benefits or pay as stated in the CAW flyer.

The applicant has been accused of intimidating and coercing employees to sign the petition to decertify and yet I feel that if anyone has been trying to intimidate and influence voters with untruths it has been the union. Surely in this age of distrust in businesses like Nortel and others there must be consequences not only for management in Canada but also unions.

What happened to democracy? Over 65% of the employees at Valley Bus Lines voted not to be represented by the union. Of those who voted to keep the union I am sure that there is a good percentage that were convinced to do so because of the manipulation the union has used to convince them that our employer will do us wrong without them.

The union talks of fair and equitable treatment for employees and of respect for our freedom to make a choice. However they have held up the process with false accusations and a “Related Employer Application” which I believe was submitted only to strengthen their numbers and prevent our vote, not to protect us and ensure fair and equitable treatment. It seems to me that when they heard a long time ago that we wanted to decertify they looked for a way to make it harder by forcing other employees into our Agreement. The CAW knew of our interest in decertification because we were very open about our concerns, they went unaddressed so we openly talked about decertification. That did not bring about improvement in customer service so we went through with it and the employees have now spoken. This was no cloak and dagger campaign – this was democracy at its best.

The majority of the drivers at Valley Bus Lines have shown in the vote that they do not want this union to represent them. We have waited a very long time for the opportunity to take action in this direction. Please don't hold this process up any longer with these disputes.

Sincerely

Sheila M. Eckford

Cc: Mr. Mike Healey, Valley Bus Lines Ltd by facsimile  
Mr. Buzz Hargrove – CAW  
Minister Christopher Bentley – Ministry of Labour  
Chair Kevin Whitaker – OLRB  
Ms. Jennifer Kaldeway – Applicant for Decertification

# *Once again the Union wasn't truthful*

Steve Williams has never been in Management at Kingston Dodge Chrysler.

(see letters on other side of flyer)

What other facts have been twisted, changed or omitted to get our trust?

How can we believe anything they have to say?

## Vote NO on January 7th

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In their flyers, the Union says they respect our decision. Charles Redden said in a meeting in December that he respects the fact that it is OUR decision.

Well guess what, the Union tried to stop our vote on Friday with fancy legal moves. They asked, and we quote: "*The Application be dismissed without a vote.*"

So much for the Union's "respect"!

Fortunately the vote will take place on Friday and sealed until a hearing scheduled for January 26 takes place – not an uncommon thing in Ontario. The Union can eliminate the hearing by dropping all of their false allegations about the supporters of decertification and respecting us – we'll see!

## Vote NO on January 7<sup>th</sup>

January 6, 2005

Dear Fellow Drivers:

After I reached Steve Williams and found out that the Union's "information" about him wasn't true I called the car dealership and found an employee willing to talk to me about the Union's statements about what happened after decertification. See the letter I received today by email.

Well, once again . . .

Peter Charlton has been with the dealership for 15-20 years. He works Service and has never been in management. He was in the Union and is glad they are gone. He says that the owner made none of the changes the Union told you in writing that were made. No cuts to vacation pay, no cuts to stat holiday pay, no changes to overtime pay, no cuts (let alone elimination) of the safety boot and protective eyewear reimbursement.

Clearly the Union can't be trusted. If they are willing to do things like this to scare us into keeping then they don't respect us nor do they respect basic principles of honesty and fairness.

Less than 20% of Canadian workers in the private sector have subjected themselves to unions. After our experience with a Union for the last 3 years now we know why. Let's be union free again.

Sincerely,

Sheila Eckford

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January 6, 2005

Mrs. Sheila Eckford,

I'm sending you this letter to correct some lies you say are being told about my former employment situation. Firstly, let me say that I have never met you and do not know anything about your current union problems at work.

My job description never changed during the entire nearly sixteen years of employment, working for the same manager. I was not promoted after the decertification as you say the CAW claims. Neither did my pay package change, other than the annual increases that everyone received (one year no-one in the building got a raise). Our increases had always amounted to about 2 or 3 %, the approximate rate of inflation, which incidentally is about the same amount that the union was able to negotiate for in a three year contract.

Immediately following the de-certification vote, there was no "cleaning house". I was there for about another 3 years after the vote.

There was no removal of various benefits and pay plans after de-certification, that would really have been a stupid thing for any employer to do.

I moved on several months ago to be employed in a sales role (not management) at another company because it was the right career move for me. I still have dealings with my former employer because we are both in the same industry.

In response to the issue, "why do unions make up these lies?" In my opinion there probably two reasons: 1) There are no repercussions, no penalties, that governments seem to put on unions for this and 2) Maybe they figure everyone else is too dumb to actually check the validity of their claims.

If you ask me there is only one way for employers and employees to get along; lots of open dialogue, even the occasional argument. Anyone who cannot get along with the employer has every right to fill his or her boots and head down the road. If you are as great as you say you are, then employers will be lined up to hire you, at even more pay!



Steve Williams, Kingston