Bloc bill gives power to the union bosses:  
Private member's bill would strip the right of unionized workers to cross their own picket lines

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If members of Parliament need a new example of why Canada's union leaders don't need another weapon to help whip union members into line, they just got it. An internal union-versus-union fight is underway at Canadian National Railway, where 2,800 conductors and yard workers, represented by the United Transportation Union, have been on strike since Feb. 10.

The fight is taking place while MPs mull over a Bloc Quebecois private member's bill, C-257 -- the "weapon" now before the Commons. Proponents claim it would help union members. In fact, C-257 would handicap unionized employees in their relationship with union leaders, a point made obvious in the CN strike. There, strangely, the international arm of the UTU has been the one to defend Canadian union members from Canadian union leaders, defend the rule of law, and try to make sure UTU members in Canada don't unnecessarily lose pay.

For starters, the international UTU removed four Canadian union executives from the bargaining committee after at least one Canadian union boss, Rex Beatty, violated the union's constitution, according to the UTU.

UTU International president Paul Thompson has also accused Beatty and other leaders of ignoring the union constitution in the lead-up to the strike, fomenting in order to create dissatisfaction and to decertify the UTU bargaining unit so as to recertify the employees with the Teamsters.

"It now is shockingly apparent," wrote Thompson, that "the Canadian UTU general chairpersons failed to follow the UTU Constitution for the apparent purpose of launching an unauthorized strike that they knew would result in financial harm to their members."

In the wake of the shenanigans, hundreds of CN employees appear to be going back to work -- thereby crossing their own picket lines.

On Friday, Labour Minister Jean-Pierre Blackburn, with the support of the Liberals, introduced back-to-work legislation for the rest of CN's employees who remain on strike. "Workers are losing their jobs," said Blackburn in Parliament. "Enough is enough."

While Blackburn and Stephane Dion, leader of the divided Liberal party, are at it, they might try to persuade some Conservative and Liberal MPs thinking of supporting the Bloc's Bill C-257 to kill it instead.

RIGHT OF RANK-AND-FILE STRIPPED

If it passes, MPs would strip the right of unionized members to cross their own picket lines. That would make employees like those at CN even more subject to the internal politics and power games of their leaders. In fact, the Canadian and International arms of the UTU have been at war for decades.

If Bill C-257 were already law, CN's existing unionized employees would have been banned from crossing, regardless of their own reasons: either to defy the parent union (which now, despite its earlier position, wants members to stay on the picket line) or because they think the strike was unconstitutionally and deceptively begun by their local leaders.

For months, New Democrats and the Bloc Quebecois, as well as Canadian Labour Congress wind-up spokespeople, have portrayed Bill C-257 as one that will prevent replacement workers from taking the jobs of union members on strike.

To support their case, they've blatantly fibbed about recent strikes. They claim replacement workers crossed the picket lines to perform the work of striking workers during the Telus strike in 2005 and at the Ekati diamond mine strike in 2006.
Those assertions are dead wrong. Unionized employees -- not external replacement workers -- crossed the Telus and Ekati picket lines. At Telus in 2005, Telecommunications Workers Union leaders promised they wouldn't send employees out without another vote (one which passed with just 50.3 per cent), but did anyway.

In response, 3,100 existing unionized Telus Alberta employees -- not replacement workers -- eventually crossed the picket lines to show their displeasure. In Ontario and Quebec, another 3,000 unionized Telus employees never went out on strike. The TWU was apparently unable to get picket lines staffed!

Protesting their leader's actions with such a response was something TWU-represented employees had every right to do under current federal legislation. It's a right they won't have if Bill C-257 becomes law.

As for Ekati, NDP MP Catherine Bell misled Parliament in September 2006 when she claimed that replacement workers were used during the strike at the Ekati diamond mine in the Northwest Territories. In fact, in May 2006 almost half of Ekati's 385 unionized employees -- (and no replacement workers) -- crossed the picket lines. Union members speak of concerns with how the PSAC union took over their association, as well as with strike-vote shenanigans, as having driven decisions to cross.

Clearly, both of these strikes were ended, in part, not by back-to-work legislation, but by the justifiable breakdown in union solidarity on the picket line.

NO LEVERAGE ON UNION LEADERS

There's another damaging aspect to the Bloc's Bill C-257 beyond shutting up union members with a beef against union leaders.

In the absence of a government willing to introduce back-to-work legislation and with no union-member leverage on union leaders, strikes like the one now occurring at CN could be unreasonably extended by union leaders.

Most people forget how crucial is the free flow of goods across such transportation networks.

Farmers, businesses with just-in-time products and perishables, for example, cannot easily or at all replace trains with trucks. Employees and consumers related to such other businesses would also be hurt by an even greater power imbalance between a union and its members than already exists in Canadian labour law.

But immediate economic strike costs aside, surely Blackburn knows well that the Bloc's Bill C-257 would prevent unionized employees from invoking one of their most powerful tools for holding leaders accountable, in the manner they did at Telus, Ekati and now CN.

Unfortunately, Blackburn's speeches in the House and comments to the media (let alone the Liberals, Bloc and NDP) show no trace of understanding the billy club Parliament might just hand over to irresponsible labour leaders of the sort recently in evidence in those three labour disputes.

John Mortimer is president of the Canadian Labour Watch Association, www.labourwatch.com. LabourWatch is a non-profit employee-rights organization whose mandate is to enable employees to make informed decisions about unionization.

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