

## Court backs fines for not picketing

A first for Ontario: Four members ordered to pay union thousands of dollars

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OTTAWA - The Public Service Alliance of Canada is making good on threats to fine members who refused to walk the picket line during the massive 2004 federal strike, marking the first time a union in Ontario has levied such fines.

So far, four members have been ordered by the Ontario Superior Court of Justice Small Claims Court to pay the union thousands of dollars in fines.

And the union says this is only the beginning of the legal action -- as many as 196 more Ontario members will be hauled before the courts in the coming months.

"This shows we can fine people who choose not to respect the picket line," said Chris Aylward, PSAC's regional vice-president with the Union of Taxation Employees. "The judge ruled that the fines are collectable."

Mr. Aylward said one ruling was made by a judge against a member in early January. Three more rulings were rendered this week.

PSAC members Suzanne Fillion, Terry Roy and France Maranda, all members of PSAC Local 70030, will now have to pay the fines. Ms. Fillion was levied \$1,087.56, Mr. Roy was charged \$117.38 and Mr. Maranda was levied \$1,003.66.

Mr. Aylward said the amount of the fines reflects the wages the members would have earned on the days they did not show up to picket, plus court costs and interest.

The three latest cases made it through court without the members showing up to argue in their own defence.

PSAC now has the ability to garnish the wages of those who the court has ruled against, according to Mr. Aylward.

The fines were created after PSAC's major strike in 1991, when the union's constitution was amended to include the levies because some of the union's workers were frustrated with others who wanted to go back to the job instead of picketing.

More than 125,000 PSAC members walked picket lines as part of the October, 2004, strike.

The recent rulings put to rest any doubt that the union-mandated fines would be enforced by a court of law.

This is the first time PSAC has imposed and enforced the fines on members in Ontario. The union has had mixed results trying to enforce the fines in other provinces in the past.

Some members in Alberta and Saskatchewan have been successfully fined, while courts in Manitoba have sided with members who decided not to picket and did not allow the union to follow through with its levies.

Jeff Birch is one PSAC member who has been particularly vocal against the levies. During the 2004 strike, he felt the pinch of picketing financially. Striking members are only paid about \$50 a day. As a result, he decided to cross the picket line so he could collect a full paycheque and pay his bills.

He said the union has sent him notice of a court date on March 22, when he is expected to be in small claims court to defend his decision.

Mr. Birch is not disheartened by the recent rulings, saying he is well-prepared to argue his case.

"I feel very confident. But, anything can happen," he said.

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