

FOR IMMEDIATE RELEASE

Court strikes down union intimidation practises

Vancouver, AB (February 4, 2008) – In a decision issued Friday, February 1, late in the day, the Provincial Court of Alberta rejected the Telecommunications Workers Union (the TWU) action to collect union-imposed fines from three TELUS employees who chose to cross picket lines during a 2005 strike. The Court found the TWU “court action” was an attempt “to give the authority of law” to union discipline.

In response to this decision, the Canadian LabourWatch Association has called on unions and governments across the country to clarify to workers that they need not pay union imposed fines, and that unionized employees (both union members and non-members) have a legal right to work during a strike – and not to be fined and sued by their union.

It was the court's view that the TWU was asking the Court “to rubberstamp the union trial board's imposition of a fine and call it a judgment...” The court declined to do so as have courts in Newfoundland, Manitoba and Ontario.

“The latest ruling from the Alberta court could not have been a surprise to union leaders,” said LabourWatch President John Mortimer. “These rulings are consistent with legal opinions obtained by unions themselves - and paid for by unionized employees' dues - that clearly and without ambiguity conclude unions have no legal ability to collect fines in court.”

Mortimer said Canada needs legislative reform to protect unionized employees from unions that refuse to inform them of and respect their legal rights. “Unions have broken trust with those they represent by suing them in spite of the law,” said Mortimer.

Unions continue to fine workers, threaten them with litigation, and collect ‘voluntary’ payments. But they only get away with it because most employees don't know their legal rights. When unionized workers don't know, or are not advised of their rights, few are willing to defend themselves in court and union leaders take advantage of this.

In the case of the Alberta ruling, hundreds of unionized employees worked together with labour lawyers at Gowlings in Calgary and successfully defended the three workers involved in this case. Many more cases are pending in Alberta.

Mortimer called on all governments to protect unionized workers and legislate that a portion of their union dues be contributed to a legal aid fund for employees who wish to challenge union tactics and actions. As it is now, unionized employees sued by their union face lawyers funded by their own dues. It is little wonder that they rarely exercise all of their legal rights.

-30-

For more information on LabourWatch visit www.labourwatch.com.

For more information on union fines and the law visit www.labourwatch.com/fines/fines.php

To interview John Mortimer contact:

Dean Mailey

Fusion Communications Group

604 218-6767

dean@fusioncommunicationsgroup.com