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On Friday, May 12, the Canadian LabourWatch Association submitted an opinion column to the Yellowknifer newspaper and Northern New Services. We followed up the following week and were told that the column was not of interest to the public. We were also told that a number of letters to the editor as well as columns from business and labour groups had also been rejected on that basis.

In our conversation we questioned how it could be that the public would not be interested in knowing more about the fines PSAC was threatening its own members in the north with. We went on to point out that this was a case where a major union had used its own member's dues to obtain a legal opinion that said clearly, the union could not use Canada's courts to enforce the payment of fines for working during a strike. In spite of that, this same union was using its member's dues to prosecute its members in the Ottawa area for fines the legal opinion said it could not collect. Now this same union, PSAC, was threatening fines against Ekati diamond mine employees in spite of what it knows about the law in Canada on the collection of fines.

In the end, the representative of the paper and the news services, said that they would be doing a news item. We have quoted the whole news story in full that includes attributions to John Mortimer, President of the Canadian LabourWatch Association. (Note: the items used by the Yellowknifer below did not come from a letter to the editor but from the column referred to above.)

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## **‘Pension issue resolved**

### ***BHP Billiton to roll back plan as ordered by labour board ruling***

Jason Unrau

Northern News Service – May 19, 2006

BHP Billiton will roll back the pension plan for the company's unionized employees at Ekati diamond mine, the company announced Thursday. This decision follows a May 3 Canadian Industrial Relations Board ruling that upheld the union's complaint BHP violated union members' rights under their collective agreement when the company changed members' pension plans.

“We've had an understanding on the pension issue and as a result of discussions we had, Ekati is going back to the plan before they changed it,” said regional executive vice-president for the Public Service Alliance of Canada Jean Francois Des Lauriers.

In July 2004 BHP Billiton changed its employees' pension plan from Defined Benefits to a Defined Contribution format, which precipitated the grievance filed to the CIRB by the union.

Des Lauriers said there was no discussion, during a meeting on the pension plan about the current strike impasse between union representatives and BHP Billiton.

“We need to see some meaningful improvement on their part,” he said. “There's no use in going back to rehash what members have rejected.”

Prior to the meetings both sides had expressed hope that the pension talks would lead to reaching a new collective agreement.

### **Toronto Solidarity**

According to the Public Service Alliance of Canada more than 500 people turned up at a Toronto rally last week in support of the striking mine workers in the Territories and \$60,000 was raised for strikers.

As workers who have crossed the picket lines allege that the union is planning to fine them for their decision, PSAC is remaining tight lipped.

“We are not discussing that for public consumption, it's an internal matter,” said Des Lauriers.

Meanwhile, John Mortimer President of the Canadian Labour Watch alleges in a letter that PSAC has misled and threatened it's Ekati membership with the fines, and insists that the union has no legal authority to do so.

“In fact, Canadian Labour Watch is unaware of any Canadian court upholding a union fine for working during a strike where a union member has appeared in court with a lawyer to argue the law,” writes Mortimer.

Mortimer also cites an internal PSAC memo dated Sept. 17, 2004 in which, “Then- national president Nycole Turmel informed the union’s national board that she was in possession of a legal opinion that clearly and without ambiguity’ concludes the union has no legal ability to enforce the collection of fines from its members in higher courts.”

Member associations of Mortimer’s organization include the Retail Council of Canada, the Business Council of B.C., and the Canadian Federation of Independent Business, among others.

In a May 11 letter addressed to PSAC, UNW and Ekati Mine brass, Kam Lake MLA David Ramsay urges both sides to resolve the strike, now in its 48<sup>th</sup> day.

“It is causing animosity amongst co-workers and neighbours. It is affecting families and their ability to keep up with household expenses.”

Newly elected president of the Public Service Alliance of Canada., John Gordon is expected in Yellowknife today (May 19). Following a visit to the Yellowknife picket line, Gordon will hold a press conference in the UNW boardroom.”