



In this exclusive series, National Post looks at the role of unions in the Canadian workplace. Much of the content is based on a poll of Canadians commissioned by the Canadian LabourWatch Association and conducted this August by Leger Marketing. The series ran September 2 to 5, 2003.

We're not anti-union, just pro-employee

John Mortimer

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Ken Georgetti, like most union leaders, labels as "anti-union" any organization communicating a more complete legal picture of unionization. He complains in his Sept. 9 article that the Post "fails to identify" the "unknown 'LabourWatch.'" Yes, the Post hid its reference to LabourWatch -- on its front page!

What is truly unknown is the difficult processes and issues facing pro-choice employees wanting to make more informed decisions about unionization, let alone employees wanting to be union-free. We'll continue to help employees looking for information on unionization and legal processes available to them, despite unions and their lawyers opposing such informed employee debate.

Mr. Georgetti calls us "laughably partisan." He doesn't like our members -- business associations whose member's employ millions (whether unionized or not). Nor does he like our member law firms, some of whom act for employees; most of whom act for employers. Both help employees get a fuller picture of unionization law than unions or labour boards provide.

Mr. Georgetti points to the content of labourwatch.com -- specifically, our explanations of key legal rights and responsibilities. For example, the various statutes include provisions for employees to decertify their union. Employees may cancel cards or signatures on a petition in a union drive. What he calls anti-union, we call pro-employee choice and allowed under the law.

Union lawyers, who have argued against employee access to our content before labour boards, share Mr. Georgetti's disdain for our information and downloads. The reality is that LabourWatch increasingly resonates with both union and non-union employees because we provide access to government forms and explanations on associated filing processes -- information no union provides and no labour board completely provides.

Why do our "great democrats" oppose informed employees and secret ballot votes? Why must employees deciding about unionization face a union with financial resources, paid professionals and nearly unfettered free speech while the employer has more limited free speech rights, and in some jurisdictions, virtually no room to speak without serious consequences? How are employees to make a truly informed decision? Not easily or not at all is their reality.

We believe employees wanting to be union-free are at the most significant disadvantage. One of our goals is to help these employees, in practical terms, through our Web site's resources. More generally, we are raising the profile of the structural disadvantage that Canada's labour law regime and its day-to-day application by labour boards places on its subjects.

Mr. Georgetti selectively quotes our Web site's Introduction. The rest of the sentence, after "strives to be neutral" reads, "in its message by being factual and never attacking unions, employers or governments in our explanations of labour law." We go on to say: "The goal of our site is to bring balance to the labour relations information Canadians can access on the Internet ..."

Further, we refer employees interested in unionization to the "excellent" union Web sites run by Canada's "dedicated union leaders." We have a live link to Mr. Georgetti's CLC Web site along with every other provincial federation of labour and their growing nemesis, the Christian Labour Association of Canada.

Mr. Georgetti also complains that he couldn't get more information about the poll itself (methodology, questions asked and full poll results). The methodology was posted all week on the National Post's Web site.

The full 43-page analysis by Leger Marketing, of the poll they conducted, was posted on Sept. 5, the last day of the series, along with the full questionnaire. He implies that the questions were cooked. We think he should have read the questions (he says he couldn't find) before reaching his finding.

After the exclusive release period for the National Post and Global National News, LabourWatch posted the above documents on its Web site. No CLC request was made of LabourWatch for copies.

Mr. Georgetti criticizes the lack of quotes from the pollster's spokespersons. Leger did media interviews with those who contacted them. He and Buzz Hargrove "reject" the poll's results, even if most of the results come from currently or formerly unionized Canadians.

Mr. Georgetti, whose article relied upon one example of an alleged wrong by an employer, is aware of the rising tide of "duty of fair representation" complaints against unions. Our inbox is full of stories of unionized employees upset about or expelled from their union for any number of reasons. No one hid the favourable results in some areas regarding unions in the series or the full report. When one looks carefully, however, you will find those weak by comparison to results that union leaders reject.

At LabourWatch, we look forward to an increasingly informed debate on the realities that taxpaying employees face when making decisions about unionization. For their benefit, for a more effective union movement and for a stronger economy, we look forward to legislative change that brings about a level playing field.

John Mortimer is president of the Canadian Labour Watch Association.