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Employee rights should come first

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During the 1990s in British Columbia, the NDP government welcomed union advice with open arms. The result was pro-union workplace rules and a deteriorating investment climate which thumped employees and their families with job losses, higher taxes and shrinking per capita incomes.

Thus, Alberta's Employment, Industry and Immigration Minister Iris Evans should be careful about what advice she accepts from Alberta unions' Labour Day demands. Alberta, and Canada, don't need another disastrous decade similar to that experienced in B.C.

The ostensible reason for labour's demands is a recent Supreme Court decision which found that unions have a "procedural right to collective bargaining." The Alberta Federation of Labour uses that ruling as an excuse to again demand all sorts of measures that have nothing to do with the judgment.

Meanwhile, the Alberta Union of Provincial Employees' president argues its proposals will bring Alberta's labour laws in line with internationally recognized rights of workers.

Actually, its proposals go against the grain of international trends. In addition, they would add more power to union leaders at the expense of employees, unionized or not. The Supreme Court decision -- which can be criticized on a number of grounds including its own activist flip-flop on 20 years of its own jurisprudence -- will almost certainly be used by unions to seek any number of restrictions on individual employee rights.

What are some of those freedom-limiting restrictions Alberta unions love?

For starters, the AFL and AUPE both repeat demands for a ban on replacement workers. AUPE's Change the Law campaign seeks unionization based on automatic certification. For example, the province should scrap the secret vote.

That would counter the trend in B.C., where union-free employees were given back their right to a vote, which offers some protection from union-card signing tactics.

Other restrictions on employee free choice loved by the AFL include forced membership and conditional employment. This means unionized employees -- members of a bargaining unit -- are additionally required to obtain and most critically, maintain union membership, or be fired.

It is no surprise that many unionized employees fear challenging the unions that represent them. Canadians have been fired for losing union membership.

Imagine if Albertans' right to work did not exist during the 2005 Telus strike. Then, 3,100 unionized Telus employees in Alberta, covered by the federal labour code, crossed the picket line to go to work, in part

because they disagreed with their union on many aspects of the strike. These were not externally hired workers as unions want you to believe.

This union was ultimately shaken up by the lack of support it really had. Unionized workers had the right to express their dissent by going to work to do their jobs. That accountability was enabled largely because there is no ban on replacement workers. It's a right Alberta's labour leaders would love to take away.

Ironically, AFL's website expresses grave concern about the free speech of employees who might be intimidated by an employer if they advocate for a union.

Funny how those same unions seem unconcerned about employees intimidated by unions. The same unions claiming concern about free speech and free association demand that employers sign collective agreements whereby unionized employees must additionally obtain and maintain union membership or be fired.

In contrast to the individual employee rights Canada's union leaders want to take away from employees, developments in the international arena show that increasingly the rights of employees come first, employers and unions second.

In three decisions from 1981 to 2006, the European Court of Human Rights made it illegal for unions to force a unionized employee to also join the union to keep their job. This year, the same European court made dues for political purposes legal only for unionized employees who additionally decide to join the union and become a member. In Australia, between 1996 and 2006, the government passed laws to add such protections for employees.

It's long overdue for Canadian employees to gain the individual rights that exist in most other major economies that recognize unions and collective bargaining: Alberta should allow employees to make their own choices about when to pay their money to political parties; it should be up to a worker to join or not join a union without the fear of losing a job; all unionized employees, not just members, should be entitled to participate in secret-ballot strike votes and votes to accept or reject proposed collective agreements; as with some other countries, such votes should be run by independent third parties rather than by the union; and lastly, Alberta should most certainly retain the secret ballot for union certification.

Given the power imbalance with unions, employees (unionized or not yet) need more individual rights and protections. Far from taking the Alberta Federation of Labour's advice on how to kill golden geese, Evans should look around the world and truly free up Alberta workers.

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