

LabourWatch.com

A breath of fresh air
on the union-management front

by KEITH RANDALL

A battle dating from the Industrial Revolution has evolved from bashing heads on the picket line to scoring points in courtrooms, but Vancouver labour specialists spotted a need and filled it. *Et voilà*: LabourWatch.com (InfoTravail.ca in French) is the only website in Canada, and possibly the world, to provide what it calls unbiased information for both employees and employers about their rights and responsibilities during union drives and decertifications.

Given LabourWatch's pedigree, you might expect labour to eye it with some suspicion. Members include the National Citizen's Coalition, the Canadian Federation of Independent Businesses, an array of small business associations and an impressive roster of law firms. Although one Alberta union rep scoffed that big companies are much more mature about dealing with unions, billion-dollar companies have far more resources than Mom and Pop Inc. to retain sophisticated industrial relations staff.



John Mortimer
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their lawyers. Labour Boards rarely provide complete, comprehensive and ongoing help for employees who may not want to be unionized. There are more limits on employer free speech than on union free speech. The bias is against employees who don't want to become or remain unionized."

Although LabourWatch members fit the PME demographic, Mortimer says the driving force behind the organization's birth three years ago was staff at large companies who know labour law and saw first hand the disadvantages facing employees seeking to be fully informed. The LabourWatch site averages 47,000 monthly hits, many seeking information about union decertification. Workers in Newfoundland used information from the site to decertify a union, and management in Saskatchewan distributed information to employees who later rejected a union certifica-

"That's for sure," agrees John Mortimer, former Human Resources VP at Future Shop and Wendy's, now a management consultant and President of LabourWatch. "LabourWatch provides information on federal and provincial labour relations in an effort to balance information from unions that are not accountable under current Canadian law to ensure that employees have the full picture. Employees who want a union are supported by full-time organizers and

tion attempt. One Ontario retailer facing a Teamsters organizing campaign posted LabourWatch instructions for cancelling union cards and ten pages of website FAQs on workplace bulletin boards without complaint from the Teamsters, who failed to generate sufficient support to file for a vote.

LabourWatch users and unions have faced off twice at the British Columbia Labour Relations Board, with LabourWatch emerging the clear winner. "The information on the website is neutral," proclaimed the Board. "It is not pristine in its neutrality from the perspective that it is apparently limited to offering a countervailing view to what information an organizing union may be prepared to give employees."

Links on the website lead union-leaning employees to what Mortimer describes as many excellent union web sites developed by "Canada's dedicated union leaders." He points out that no union website advises and explains about procedures to decertify or remain non-unionized, thus, Mortimer maintains, making LabourWatch more "pristine" than union sites.

Although bilingual from its inception, Quebec received special attention when LabourWatch launched a national campaign in June last year, signing up blue-chip law firms McCarthy Tetreault, Guy Sirois and Lavery, de Billy, with employer associations expected to begin joining this fall. Montrealers may be surprised to learn that Quebec's union-management dance floor is not substantially distinct, explains Lavery's Guy Lemay.

"You'd find the same differences between any of the provinces. It's a provincial jurisdiction, so they're generally alike but there are always little quirks. For example, in Quebec, only another union or the employees, not an employer, can contest how a union conducts its union drive."

Mortimer says new labour legislation passed by the Parti Québécois government appears to have left many management lawyers uneasy. "If the new boards go to the limit of their new powers," he says, "there will be even greater need for LabourWatch because they may well put further limits on employers' ability to communicate with employees."

Recalls Lemay, "Before 1969, we had a labour relations board in Quebec, then they created the Labour Commissioners Office. At first, there was a little uneasiness because we didn't know how they'd look at issues. It's much the same now. Like anything new, there's some uncertainty. Will the board follow the same precedents or take a different view?"

The Lavery, de Billy staff provides editorial assistance for LabourWatch, providing translations and adapting content for those seeking Quebec labour information.

"It's very difficult for an employer to talk to employees during a union drive," says Lemay. "The B.C. judgement confirming employers can refer employees to the LabourWatch website would, I think, apply in Quebec. We think it's a useful tool for both employers and employees." □



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