

# LABOUR WATCH <sup>dot com</sup> Newsletter

## The Alternative Union Information Source

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### Employees Use LabourWatch to Decertify – Union UFLP Fails at Hearing

**John Mortimer**

President, Canadian LabourWatch Association

Late last fall the Newfoundland and Labrador Labour Relations Board ruled against a union claim of management interference in an employee decertification application.

**Employees used** a mixture of **LabourWatch** and phone calls to **the Board** to understand the process for decertification.

**Counsel** for management **commented**: "this was **not the usual employee application** – they were not foundering around – **they had everything right**".

A vote, 5 days after the June Application, was **sealed for four months pending a hearing** on the union's claim of "management intimidation and coercion". A month later a decision ordered that the vote be counted - 91% of employees voted **62% in favour of decertification**.

As in the Saskatchewan case (covered in our **June 2001 Newsletter** – **available on our site**) LabourWatch was not directly named or challenged by the union.

The lead Applicant **employee** had **worked on the decertification for** a number of **months**. It is our understanding that he was key to the original certification a number of years earlier.

The Construction General Labourers, Rock and Tunnel Workers Local 1208 **advised** the **employee** in writing, a couple of months prior to filing the Application, that **his continued actions would lead to his removal from the union** which, in our country, would cost him his job.

Several times at the hearing union counsel said that the union was within its rights to remove the 2 employees who worked for decertification.

### Membership Up 9 in First Year to 15 Associations

**Jamie McCallen**

Webmaster, Canadian LabourWatch Association

The idea of LabourWatch began with 1 Association encouraging us – **CRFA** – Canadian Restaurant and Foodservices Association. By the time we went live there were 5 more. We have **diversified into a range of sectors** of the economy including construction, **oilwell drilling** and retail. Please welcome our latest members:

- **BCTIA** – British Columbia Technology Industry Association.
- **CFIB** – Canadian Federation of Independent Business.

You will find the full list of Members on our site.

Our **2002 goal** is to **grow by at least 10** new Member Associations.

We thank everyone for their support and ask that you **keep connecting us** with other Associations you meet, know or partner with so that we continue to grow.

### New Law Firm Joins

**John Mortimer**

President, Canadian LabourWatch Association

We are pleased to welcome **Miller Thomson** to the team of supporting firms. **Victor Leginsky** and **Paul Devine** of the Vancouver office will be helping us with the **Federal** jurisdiction.

Victor recently joined Miller Thomson from another Vancouver firm and has years of Federal experience while Paul is a former Vice Chair of the BCLRB and the head of the department.

**Full list of firms is now available on our site.**

Thanks to all of them without whom we could not operate.