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CCPA REVIEW

Labour Notes

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THE ATTACK ON UNIONS HAS NOW COME TO CANADA: HOW DO WE RESPOND?

Anyone who has been keeping tabs on recent developments in what can accurately be called the assault on trade unions and working people in the U.S., Britain, Ireland, and much of continental Europe, knew that it would eventually come to Canada. Well, it's now here, in Ontario, in the form of Bill 150, which would strip unionized Toronto transit workers of their right to strike, and erode their ability to bargain effectively with their employer.

Bill 150 has significant implications not only for transit workers and the labour movement in Ontario, but also for workers and labour movements everywhere in Canada.

However, before we address this issue, it is important to take stock of recent developments in the U.S., so we can better understand how things could develop here if we do not act energetically and intelligently to turn the tide.



Archives of Manitoba Winnipeg Strike12 (N12303)

The American Assault On Labour

At the beginning of this year business media, including *The Economist* and *Time Magazine*, were pointing to, and even encouraging, a coming confrontation between the state and public sector unions in the U.S. and elsewhere. Their argument was simple: public sector workers are privileged, living high off the hog on taxpayers' money; while governments are confronted with deficits and growing debts. The solution was obvious: transform public sector workers into supplicants by stripping them of their organizational and collective bargaining rights.

We have since seen a succession of state governments launch legislative agendas to achieve this outcome. Wisconsin led the way. Similar initiatives are now underway in Colorado, Indiana, Iowa, Michigan, New

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Mexico, Ohio, Oklahoma and Tennessee. Amnesty International reports, in *Human Rights Now*, March 17, 2011, that: “As well as restricting collective bargaining rights, union activists say that legislators in 37 states have introduced hundreds of anti-union bills. Some affect negotiation of health care benefits, restrict freedom of association, place caps on the minimum wage and deprive workers of the right to strike.”

There is no mystery about what’s happening in the U.S. This attack on unions is yet another spike in a relentless campaign by business interests and right-wing politicians to eliminate unions and erode workers’ rights. This campaign started immediately following the passage of the 1935 *National Labor Relations Act* (the *Wagner Act*), which established rule of law in the work place, and the right of workers to join unions and bargain collectively with their employers to establish wages and working conditions. It was led by big and small (through the Chamber of Commerce) business. It has been relentless ever since, and is now a central part of what has been a 40 year effort to shift income, wealth and power from working people and the poor, to the richest 10 percent of income earners.

The success of this campaign is evident in the contrasting union densities in the U.S. and Canada. In 1955, before wide-spread unionization in the public sectors, union density was about 34 percent in both countries; today it is 31.2 percent in Canada, but has plummeted to 13.7 percent in the U.S. The attack on trade unions in the U.S. has been successful, and is now being accelerated.

The labour movement in Wisconsin has responded to the draconian actions of Governor Scott Walker by launching a campaign to block the legislation through mass mobilization of union members, and demonstrations in the streets in the state capital, Madison. While this counter campaign failed to achieve its immediate objective, it has succeeded beyond everyone’s wildest expectations in alerting workers throughout the U.S. that right-wing governments backed by business interests are intent on obliterating the many social and economic achievements of organized labour---won, it is important to remember, at the cost of thousands of deaths and injuries to union activists over the 19th and 20th centuries. Because of these union-led struggles, life has been made better in countless ways for the majority of Americans. The assault on trade unions aims to smash those gains, and to do so, to smash the trade union movement that made such gains possible.

Now Bill 150 is in the Ontario Legislature, symbolizing the arrival in Canada of this latest and potentially most vicious attack on the collective rights of Canadians.

The Implications of Bill 150 In Ontario

Toronto’s new Mayor, Rob Ford, has promised to bring public sector unions and workers to heel. He has demanded that the Ontario government eliminate Toronto transit workers’ right to strike. The Liberal government of Dalton McGuinty has complied, dropping its pretence of neutrality in industrial relations by adding Bill 150 to its legislative agenda.

Gord Wilson, former President of the Ontario Federation of Labour, issued a warning (“The Right to Strike in Ontario: Time to Get Serious”) to the labour movement that this was the beginning of an assault that would snowball: more legislation aimed at undermining labour; escalating demands from employers for concessions and/or union-busting initiatives.

Wilson’s warning to trade union leaders and members in Ontario is also a warning to labour movements in other provinces, including Manitoba: take action now, or face what American and now Ontario workers are facing.

What Can Labour Do In Manitoba?

Manitoba Labour went through a milder but still damaging version of this experience in the 1990s when Gary Filmon’s Conservative government weakened employment standards legislation, changed the structure of collective bargaining in the public school system, and amended the *Labour Relations Act* to, amongst other things, replace a card-based system of certification with a vote-based system and impose limits on the right-to-strike in essential services.

Some of the regressive changes have been partially rolled back by the NDP government elected in 1999. For example, automatic certification now follows a 65 percent sign-up. Also, some new initiatives have been implemented, including: regular increases in the minimum wage; improvements in employment

standards; reform of the *Construction Industry Wages Act* after a decade of neglect; the inclusion of paid workers in agriculture under Employment Standards legislation; and improvements to Workplace Health and Safety and Workers' Compensation.

Manitoba labour has a storied history, having fought tenaciously and effectively, both before and since the famous 1919 Winnipeg and Brandon General Strikes, to secure the right of workers to unionize, to bargain collectively, and to be legally protected from arbitrary measures by management.

As a result of the determined efforts of trade unions and their members---our parents and grandparents; our aunts and uncles and sisters and brothers---trade union members now enjoy better wages, benefits and working conditions, and are protected by the rule of law in workplaces through grievance and arbitration procedures, and have the democratic right to participate in union activities.

What is less well known, even by many union members, is that it is the labour movement, often in collaboration with other progressive organizations, provides the main push for government legislation and programs that benefit *all* of us. The old union slogan, "What we wish for ourselves, we wish for everyone," symbolizes the central role that organized labour has always played in building better communities and making possible better lives.

The list of such achievements is impressive: child labour laws, Workers' Compensation, Workplace Health and Safety legislation, minimum wage and employment standards legislation, government pension plans (the Old Age Pension, the Canada Pension Plan,) Medicare, Home Care, and community development programs for municipalities. All of these programs enhance the lives of the vast majority of Canadians by improving conditions in workplaces and communities; and all of these programs provide benefits that are accessible to all of us, irrespective of our socio-economic status. In this way, trade unions have played an essential role in building a Canada that has been more egalitarian than it would have been in their absence. And the evidence is now overwhelming and irrefutable that a more egalitarian society is a healthier society---in every way.

Yet in the past 30 years the neoliberal Right, in Canada and throughout the western world, has been

successful in systematically rolling back these gains, and promoting an ever more polarized society, characterized by the flat-lining or worsening of the incomes of 90 percent of Canadians, and the transfer of ever-growing amounts of wealth to the top 10 percent of income earners.

Now the perpetrators of this great injustice want to secure their ill-gotten gains by eroding the rights of trade unions. Why? Because unions have the capacity, if they mobilize their members and work with others who are being disadvantaged by neoliberalism, to halt this regressive trend and put us back on the road to the kind of Canada that all but the wealthiest of us want.

As a Director of Americans for Prosperity, a group backed by the wealthy and extremist Koch brothers, said: "We fight these battles on taxes and regulation, but really what we would like to see is to take the unions out at the knees so they don't have the resources to fight these battles". They know that unions have the capacity to "fight these battles"---battles that are in fact about democracy--- against the greed-inspired initiatives of the wealthy. As Andy Kroll recently wrote, in a piece titled "Return to Wisconsin: The Beginning or the End?": "if union clout fades away, so too does the spirit of democracy in this country".

This struggle has now come to Canada. Unions and their members in Manitoba and elsewhere in Canada must take heed. It is very likely not an exaggeration to say that the outcome of this struggle---the effort by the Right and their allies to "take unions out at the knees"---will be a major factor in defining the character of 21st century Canada.

It is important, therefore, that we remember two things, and act accordingly. First, trade unions and their members have played an indispensable role in years gone by in securing many of the things that have made Canada a good place to live for most of us. Second, trade unions have been able to do this *only* when they have mobilized their members and fought hard and intelligently for democratic rights. These rights and related benefits have never been handed to Canadians by the generosity of the wealthy. On the contrary, the wealthy have always opposed the extension of these kinds of union-driven democratic rights, because such rights place limits on what corporations can do in pursuit of ever-greater profits.

Now, after 40 years of neoliberal policies that have produced a massive shift of wealth and power away from working people and into the hands of the corporate few--a shift well-documented by the Canadian Centre for Policy Alternatives---those driving the neoliberal agenda are coming after the unions in a particularly aggressive fashion, in order to secure and expand their gains.

For trade unions, there is no more business as usual. Now is the time to mobilize members and enter a struggle, undertaken, as all great union struggles in the past have been, in the spirit and vision of democracy, freedom, social justice, and economic equality.

Errol Black and Jim Silver are Board members of the CCPA-Mb, and authors of *Building a Better World: An Introduction to Trade Unionism in Canada, 2nd Edition* (Fernwood Publishing, 2008).

First they came for the Jews
and I did not speak out
because I was not a Jew.

Then they came for the Communists
and I did not speak out
because I was not a Communist.

Then they came for the trade unionists
and I did not speak out
because I was not a trade unionist.

Then they came for me
and there was no one left
to speak out for me.

Martin Niemoller

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