

Whoppers being served on Parliament Hill

On October 25, 2006 working people won an important victory in the House of Commons. That night, MPs from all political parties voted in favour of C-257, a private members bill to ban the use of scabs during lock-outs and strikes, by a wide margin of 166 in favour to 101 against.

A lot has happened since our amazing victory that night. For one thing, big business, employer lobbyists and the right-wing think tanks have launched a campaign to stop C-257 from getting any further in the legislative process. They are buying ads in newspapers. They are hiring call centres to flood MPs offices with calls. They have written research papers and published articles to argue that anti-scab laws are bad for the economy and threaten essential services.

They don't want C-257 to pass at third reading, and they are doing whatever it takes to confuse and scare MPs into voting against it or just staying out of site when the vote happens.

Which is why now, more than ever, it's important to keep in touch with your local MP. The only way they won't be confused or scared by the big money campaign in Ottawa is if local people, the people they represent, set the record straight.

Here are some of the whoppers MPs are hearing from lobbyists in Ottawa. If your MP asks you about them, the answers are easy.

WHOPPER #1: This bill gives unions an unfair advantage.

The answer: This is nonsense. There is nothing in C-257 that adds or takes away from the rights unions already have to go on strike and employers already have to lock-out their workers. In fact, it uses language from the law that has been in place in Quebec for 30 years that allows managers to enter the workplace to do their jobs.

Honestly, governments of all political stripes have been in power in both Quebec and British Columbia over the years and all have kept anti-scab laws in place. If anti-scab laws were unbalanced or unfair to employers, they would not have stood the test of time – and they have.

WHOPPER #2 This bill puts essential services at risk.

The answer: Essential services are already defined and protected under Part One of the Canada Labour Code – in section 87.4 to be specific. Movement towards any work action, whether on the part of the employer through a lock-out or a union through a strike, involves a very long process, with months of notice. There are many safeguards already in place to ensure services which impact on the health and safety of Canadians are delivered.

Bill C-257 does nothing to compromise these safeguards. In fact, it guarantees that the managers of these services have the right to enter a workplace in the event of a labour dispute. This reasonable balance is consistent with the laws that have been in place in Quebec for 30 years and British Columbia for nearly 15 years.

WHOPPER #3 We cannot allow the public service to be shut down.

The answer: Bill C-257 is all about workplaces regulated by the Canada Labour Code. Public Service employees and their labour relations are dealt with by another piece of legislation entirely – ***the Public Service Labour Relations Act***. The same is true for the employees of Parliament, including the House of Commons and the Senate – whose labour relations are governed by ***the Parliamentary Employment and Staff Relations Act***.

As is the case for all essential services, existing laws in place to safeguard their delivery. Bill C-257 in now way compromises these safeguards.

WHOPPER #4 This bill threatens the economy and competitiveness.

The answer: This is something employers and corporate interests say every time laws are changed to balance labour relations. It's more a case of imaginations gone wild than any real economic analysis.

Essential services are already protected under a section of the Labour Code which C-257 does not compromise in any way. Critical operations that do not fall under the essential services definition are actually better protected under C-257, which gives the managers responsible for these operations the right to keep working during any labour dispute.

As for competitiveness, there is no evidence that anti-scab legislation has a negative or a positive impact at all. Economies the government itself views as models, such as Ireland and South Korea have anti-scab laws in place.

WHOPPER #5 Anti-scab laws don't work.

The answer: What anti-scab laws do is eliminate a source of deep animosity that can lead to injury on picket lines and hard feelings in the workplace between workers and their managers for years to come after a lockout or a strike. They provide for better labour relations.

Let's remember that the Canada Labour Code covers a little over 10% of the national workforce, where 97% of the collective agreements are negotiated without any kind of work action.

Removing the option to use scab labour, while affirming the right of managers to do their jobs is, we think, a balanced and fair approach to labour relations.

If you're asked: STRIKE vs LOCKOUT, WHAT'S THE DIFFERENCE?

The answer is easy: Work actions or work stoppages during a labour dispute are not all strikes. Sometimes they are lockouts, but people often get the two mixed up.

A strike happens when the workers take action against their employer by removing their labour, and almost always themselves, from the workplace. It is an economic sanction controlled by the workers.

A lockout happens when an employer takes action against its workers by denying them access to the workplace. They are, literally, locked out and unable to do their jobs. It is an economic sanction controlled by the employer.

Recent labour disputes at Telus and the CBC were lockouts – it was the employer who shut the doors – while those at Alliant and Videotron were strikes. It should be noted that none of these disputes resulted in a complete shut-down of operations, while the use of replacement workers stood out as the sore spots that prolonged settlement and induced anger.

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