

**Remarks by Graham Baxter  
Owner of GC Baxter Plumbing & Heating Limited and  
Fairline Electric  
Law Amendments Committee – Bill 100  
November 30, 2010**

Mr. Chairman, distinguished members of the Law Amendments Committee of the Nova Scotia Legislative Assembly, good afternoon.

Thank you for giving me the chance to speak about Bill 100 today.

My name is Graham Baxter.

I am the proud owner of GC Baxter Plumbing and Heating Limited, as well as Fairline Electric, both based in Cambridge, Kings County.

Together, we're a multi-trade company that specializes in plumbing, heating, ventilation and refrigeration, primarily in the commercial and industrial sectors.

Over the past 33 years, my company currently includes over 90 tradespeople in a variety of well-paying, highly skilled jobs.

I'm proud of my business and what it puts into our community.

And it means a lot to the community that the company has the ability to provide meaningful employment to so many people.

We would not have been able to achieve this growth without the contributions of our people, without the support of our customers and without an environment that allows small and medium sized operators in rural Nova Scotia to not only survive, but thrive.

This is not easy when you consider our rural communities are losing people and major regional employers like Maple Leaf Foods and Larsens are closing up shop, as well as major job losses at ACA Co-operative and Eastern Protein – some of those companies' former employees we have hired and retrained.

We are now facing a new law that has the very real potential of making life harder.

Harder for rural families.

Harder for rural workers.

Harder for rural communities.

Harder for rural employers like my business.

Unfortunately, Bill 100 has the potential to seriously impact our company's ability – not only to grow further and create more jobs, but just to sustain the jobs we have.

First off – the creation of a Labour Management Review Committee.

The Minister of Labour has stated that this committee will be asked to review the Trade Union Act within months.

Yet the Committee provides no voice to businesses like mine.

The Trade Union Act covers everything from how unions become certified and whether unions are subject to a secret ballot.

I would suggest that the private sector has reason to be concerned – not only based on Bill 100, but based on regulations approved in secret by this government.

In September, the government approved changes to labour regulations without any consultation or public announcement.

It used to be that, if someone's vote was to count in a unionization vote, they had to have been an active member within the past three months.

Under regulations passed by government in September, there doesn't seem to be a cut off point – their vote could count if they were a union member at any point in their past.

This will make it harder for union people to find work.

These new regulations also remove the requirement for unions to collect a \$2.00 fee from potential union members as they try to organize.

So you can see why the business community is concerned about the implications of Bill 100.

If the government approves regulations in secret that make it easier for unions, what will they do with a Review Committee that does not have any representation from businesses like mine?

Nova Scotia – particularly small town, rural Nova Scotia – is built on the backs of small, independent business owners like me and thousands of others.

It is both shocking and disappointing that our government is trying to pass legislation and regulations that have the potential to cripple us.

I know of many operators – businesses that are much smaller than my own, with less than 10 employees, literally working from contract to contract and trying to get enough work to give their workers a decent wage.

Mark my words – they will have trouble staying in business if Bill 100 passes without amendment.

Because Bill 100 is taking an already uneven playing field between unions and employers and tilting it to heavily towards organized labour.

At the very least, government should be taking the time to consult with us before charging ahead with this.

I think the government has done the right thing to consult with people before making decisions.

They had their Back to Balance tour to consult on the budget.

They had the Premier's Economic Advisory Panel to consult on the finances of the province.

Then the government got Donald Savoie to do his own report on economic growth.

The government then consulted further before bringing out their jobs strategy.

The government consulted on a 10 year farming strategy.

The government consulted on emergency rooms, with a report from Dr. John Ross.

It supports consultation with the private sector on the minimum wage.

The government is consulting on their resource strategy.

And they're consulting on student aid in the province.

They got Tim O'Neil to consult on universities.

I can't remember in my all years a government that spent so much time consulting within its first two years in office.

And I don't criticize the government for doing all that consulting.

But why didn't they consult on all these extra things in Bill 100?

Things like successor rights.

Like requiring deposits for appeals from businesses.

A requirement – by the way – that I understand isn't being extended to everyone.

Why are they setting up a Labour Management Review Committee that will advise the Labour Minister on labour laws – without any representation from the majority of businesses in the province?

I recognize that the government has tried to help small businesses by reducing the small business tax rate.

That is a good move – especially in light of the increase of the HST to 15% and the government's own report by Donald Savoie saying that our province's tax regime is uncompetitive.

But reducing small business taxes on the one hand means nothing if unions are given a bigger club to go after our small businesses.

It means nothing if small businesses don't have a voice at the table when the Minister of Labour is getting her advice on more changes to labour laws.

I know that many small businesses would like to speak out on Bill 100.

But they are afraid that if they do, they will face criticism from unions.

Our business does not want to fight with organized labour in this province.

We just want to have a voice in the process.

We just want to be consulted before major changes that will affect our livelihood – and the livelihoods of our employees – are passed.

We just want fairness, openness and willingness to talk and compromise.

To the members of this Law Amendments Committee, to the Premier, the Ministers and every MLA – please don't forget the small business in this province, especially the small business in rural Nova Scotia.

Ninety tradespeople working might not be that big a number here in Halifax.

But it sure is a big number in Kings County.

Please delay passing Bill 100 until such time as it has had time to listen to those of us in the private sector and address our serious concerns.

Thank you.