

Nova Scotia Federation of Union Retirees

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Submission

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Nova Scotia Federation of Union Retirees (NSFUR)

To the

Law Amendments Committee on

*Bill 102: An Act to Prevent Unnecessary Labour Disruptions and
Protect the Economy (Amending Chapter 475 of the Revised Statutes, 1989,
the Trade Union Act)*

November 30, 2011

On behalf of the Nova Scotia Federation of Union Retirees (NSFUR) I would like to thank you for the opportunity to deal with a couple of the key elements involved in this debate on First Contract Legislation.

My focus will be on the points being consistently raised by those opposed to First Contract Arbitration (FCA), the economy and the organizing of workers.

1. The Economy - All we hear is that FCA, which is simply good sound labour relations policy, will negatively impact our economy. Sobeys, for example, which has expanded its operations into provinces that already have such legislation, argues that other companies would not move to Nova Scotia because of FCA.

Absolute nonsense.

Economies are not adversely affected by progressive legislative policies that enhance the labour relations environment. Opposition politicians and various corporations and management associations would have us believe otherwise.

A number of the corporate associations who have argued that this legislation will have a negative impact on our economy, forget to tell Nova Scotians that many members of their associations in other provinces are surviving quite well with FCA in place.

The most interesting part of the employer groups' campaign is they have yet to provide even one example of how FCA has hurt the economy in other provinces or caused a loss of jobs.

No one has cited an example that I am aware of that shows a company leaving a province because of FCA.

In fact, British Columbia has had FCA since 1973, and its economy has performed markedly well since then, relative to other provinces with measurable positive impacts. I am sure that when this legislation is enacted, the corporate naysayers will all be standing tall and business will continue as always.

2. Organizing workers will become easier. Obviously, a significant number of those opposed to FCA haven't even organized a pizza party, let alone a group of workers.

The reason workers join unions is not because of any legislation, but rather because they want to be treated in a fair and equitable manner at the workplace.

- They want to be paid a fair wage.
- They want a safe workplace.
- They want real in-put on issues that affect their work and family lives.

I am not aware of, nor have I heard anyone mention any province in Canada where there has been a significant increase in unionization because of FCA. Furthermore, in jurisdictions where FCA exists, it is used in less than ten per cent of all first contract negotiations.

If those in opposition to FCA had their way, Nova Scotia would remain a backward and antiquated jurisdiction, with no guarantee of attracting new employers because of a primitive labour relations environment.

What is the real concern? When workers exercise their democratic right to join a union, the employers can then use time-consuming First Contract Bargaining tactics to wear down workers, in hopes that workers will give up on the union. This costs companies productivity and profitability.

So the real issue for those opposed is to have a second chance of denying workers the democratic decision to join a union.

This shows a complete lack of respect for workers' rights, as well as future improvement to the economy of Nova Scotia.

The opposition parties and the employer groups are not swayed by either the facts or the truth about the success of FCA across Canada.

Therefore the Government of Nova Scotia should enact Bill 102 in spite of the corporate and political naysayers.

In closing I leave you with an excerpt from an editorial by journalist Stephen Kimber which appeared in the **Metro News**:

Conservative leader Jamie Baillie calls it a “crazy idea” and warns it will be a job killer. Really? Six provinces and the federal government have similar laws. Eighty 80 per cent of Canadian workers—including the 15 per cent of Nova Scotians working in federally regulated industries—are already covered.

Where are all those dead jobs, Jamie? For his part, Liberal leader Stephen McNeil frets such legislation will tilt the balance in favour of workers.

Earth to Stephen. During the 1970s, Nova Scotia governments—at the behest of powerful, and powerfully anti-union, Michelin Tire—rewrote the province’s labour laws on several occasions to make it virtually impossible for the company’s workers to organize, let alone bargain for a first contract. Those laws are still on the books.

Tilt the balance? Perhaps it’s time to take the corporate thumb—and fist—off the scale. And perhaps—just perhaps—it’s time Stephen McNeil and Jamie Baillie stopped shilling for the powerful and spoke for the least powerful, including unorganized workers.