

Canada: State forces end to York University and Ottawa transit strikes

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The Canadian and Ontario governments intervened to force an end to two long-running strikes last week, in one case resorting to strikebreaking legislation and in the other using the threat of a back-to-work law to get the union to terminate the strike and accept binding arbitration.

In both cases, the unions proved incapable of countering demagogic, right-wing campaigns that painted the strikers as “selfish” and quickly capitulated before the intervention of the state. Last week’s events also served to expose the two-faced character of the social-democratic New Democratic Party (NDP). In one case, the NDP opposed the strikebreaking legislation, whilst in the other, it played a pivotal role in pressuring the union to accept binding arbitration.

An 84-day strike at Toronto’s York University ended after the Ontario Liberal government passed legislation illegalizing a walkout by 3,400 teaching assistants, contract faculty and graduate assistants. The federal Conservative government, with the support of the official opposition Liberals and the NDP, meanwhile bullied 2,300 Ottawa bus drivers, mechanics and dispatchers to end a 51-day strike by threatening to pass a similar back-to-work bill.

The York University strike arose over the school administration’s current system of poverty-level compensation, its attempt to impose cuts to benefits, and the lack of job security. Canadian Union of Public Employees (CUPE) Local 3903 was pressing for an 11 percent increase in wages in a two-year contract, an improvement in the meager health benefits currently in place, and the right for contract faculty to sign long-term contracts. The union argued that while their members do 54 percent of the teaching at York, they get only 7 percent of the university’s salary pie.

The university offered a 9.5 percent wage increase over three years, cuts in benefits and no improvements in job security. Throughout the conflict, the administration took a hard line, essentially refusing to negotiate. Just before ramming his government’s strikebreaking law through the legislature, Ontario Premier Dalton McGuinty personally appealed to university president Mamouh Shoukri to return to the bargaining table, but Shoukri flatly refused.

The corporate media, for its part, was dismissive of the strikers’

demands and as the walkout dragged on, joined the official opposition Conservatives in accusing them of holding students “hostage.”

In reality, it is the education cutbacks, tuition fee hikes, and cuts in student aid imposed by big business governments—Liberal, Conservative and NDP alike—that constitute the real threat to young people’s access to quality education.

Taking their cue from the political establishment and the media, the police savagely attacked a January 27 demonstration of CUPE 3903 strikers and their supporters. The demonstrators, who were chanting “Negotiate Don’t Legislate” planned to march from the Ministry of Labour building to Queen’s Park (the Ontario legislature); however, the police aggressively intervened, making a number of arrests despite the absence of any provocation. When some of the protesters went to the nearby police station to find out what had happened to those arrested, they were manhandled by police and forced from the building.

Originally, CUPE 3903 threatened to challenge the legality of the back-to-work legislation and continue the strike. But it subsequently backed down. Pressure from the national union may well have played a role in this decision. The CUPE leadership has reportedly long considered the local “too radical.” Angered by what they considered the CUPE leadership’s sellout of a bitter strike in 2000, the local sought to exclude the national from directly participating in the negotiations.

In justifying the decision to abandon a legal challenge to the back-to-work order, CUPE Local 3903 spokesperson Tyler Shipley said that while the union was confident its legal challenge would have been victorious, it didn’t want to prolong the conflict: “We have to get our students back to class.”

The NDP refused a request from Premier McGuinty to allow the back-to-work bill to be rushed through the legislature in a single day, and ultimately the eight NDP MPs voted against the legislation. For this opposition gesture, the NDP was pilloried in the press. In a January 27 editorial titled “The labor party,” the *Globe and Mail* denounced the NDP for “aggravating the hardship facing 50,000 students” and suggested that the NDP is less “democratic” than the Conservatives and Liberals, the traditional parties of Canada’s corporate elite, because it is supported by the unions and allows affiliated unions a say in the choice of party leader and the formulation of party policy.

"Imagine a scenario," proclaimed the *Globe*, "in quarter of the votes for leadership of the Ontario Progressive Conservatives were reserved for directors of publicly traded companies.... The Tories would, correctly, be seen to beholden to corporate masters, special interests that wielded an inordinate amount of power and influence."

In fact, Canada's capitalist elite through its control of the media and economy and the myriad threads that tie it to the state apparatus, is able to impose its will on all the parties of the establishment, the NDP included, without recourse to such provisions.

The *Globe* chose not to remind its readers that the NDP, like that the Liberals and Conservatives, has a long and unseemly record of attacking workers' rights. The Ontario NDP government of Bob Rae (now a frontbencher for the federal Liberal Party) was responsible for sweeping attacks on public sector workers, including rolling back their wages and brutal social spending cuts. In 2002, the NDP wholeheartedly supported the Liberals and Conservatives in their rush to break the strike of 22,000 Toronto city workers. In April 2008, a 36-hour strike by the 9,000 members of Local 113 of the Amalgamated Transit Workers union in Toronto ended abruptly when the NDP joined with the other two parties in the Ontario legislature to unanimously pass an emergency back-to-work order.

While the Ontario NDP voted against the back-to-work bill directed against the York University strikers, the federal NDP was more than ready to join with Stephen Harper's Conservative government to brandish the threat of a strikebreaking law against the members of the Local 279 of the Amalgamated Transit Union.

On December 10, the Ottawa transit workers walked off the job to resist the City of Ottawa's attempt to force bus drivers to surrender control of schedule and route assignments. In 1999, the workers had gained control of these matters, choosing to govern them according to seniority, in exchange for a 2 percent wage cut. However, the city, led by Mayor Larry O'Brien, a Conservative supporter, has demanded that the workers surrender this contract right in the name of increased productivity.

In late December, federal Conservative Labour Minister Rona Ambrose, in an unprecedented move, ordered the transit workers to vote on a contract offer that had already been rejected by both the union negotiating committee and, in a previous vote, by the union membership. Normally, federal cabinet ministers do not involve themselves in local transit issues; however, as the Ottawa bus routes cross an inter-provincial boundary into Hull, Quebec, Ambrose was able to find a pretext to directly intervene. An overwhelming majority (98 percent) of the strikers voted against the transit authority's "final offer."

Citing concerns for "public safety," Ambrose asked an industrial relations tribunal late last year to consider designating some or all of the city's transit system an "essential service." However, last week, a labor hearing ruled that OC Transpo (Ottawa city's public transit authority) is not an essential service, thus depriving the government of another means of forcing an end to the strike.

Rebuffed, Ambrose and the Conservatives started suggesting they might draft back-to-work legislation. It was at this point that

the NDP ~~which~~ forward to play ~~the~~ the leading role in pressuring the ATU leadership to end the strike.

The NDP's maneuvers, which included threatening to support a strikebreaking bill if the ATU did not voluntarily end the strike, were detailed in a January 30 *Ottawa Citizen* article.

According to the *Citizen*, "Before the 2:15 p.m. [parliamentary] question period that afternoon [the day binding arbitration was accepted], [Ottawa Centre NDP MP] Paul Dewar approaches Ms. Ambrose in the Commons lobby and tells her he's willing to support legislation if it includes binding arbitration without conditions." The report adds, "An hour later, Mr. Dewar emerges from question period and, in a scrum with reporters, says he will support back-to-work legislation if the city and union do not both accept arbitration."

Thus, while NDP leader Jack Layton was admonishing the Conservatives for their right-wing budget, the NDP was working closely with the government to force an end to the Ottawa transit strike.

In both the Ottawa and York University strikes, the union leadership restricted the strikes to the most narrow collective bargaining framework. They failed to mount any serious campaign to demonstrate the essential link between the struggle to improve workers' wages and working conditions and the defence of public services, be it the right to an education or public transit. This facilitated the campaign of big business and the political establishment to demonize the strikers for holding the public "hostage." And despite the long record of state intervention to break strikes, especially public sector strikes, the unions deliberately ignored the political implications of challenging the big business assault on public services. Then, when the state intervened to strangle the workers' struggle, they quickly capitulated.



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