

Ontario to strip Toronto transit workers of right to strike

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With the Toronto Transit Commission (TTC) workers' contract set to expire April 1, the Ontario government of Liberal Premier Dalton McGuinty abruptly closed debate in the provincial legislature last week on a bill that will strip more than nine thousand subway and bus drivers and maintenance workers of their right to strike. It is expected that the proposed legislation to declare the TTC an "essential service" will become law in the final week of March.

The Liberals' attack on the most basic of workers' rights comes in the wake of a vote by the Toronto City Council, led by right-wing multi-millionaire mayor Rob Ford, to formally request the McGuinty government—which has jurisdiction in the matter—to devise and pass such a law. Since his election last fall, Ford has spearheaded a campaign to vilify public sector workers, privatize garbage collection, sell off public assets and further slash taxes for corporations and the rich. It is expected that Ford's 2012 municipal budget will seek to decimate what remains of the social safety net in Toronto, including an attempt to privatize public housing in the city.

Although provincial labour leaders have issued pro-forma statements defending "in principal" the right of workers to strike, they have clearly signaled that no serious resistance will be organized to fight this latest attack.

Bob Kinnear, president of Amalgamated Transit Union Local 113, which represents TTC workers, set the tone for the union officialdom's capitulation last month when he wrote to transit management to promise that his union would voluntarily forgo its right to strike in the current contract negotiations! "We will act as if an essential service law was already in effect," said Kinnear. "This will effectively give the mayor what he wants but will also allow for more consultation than he has been so far willing to give."

And when the Ontario government announced its intention to strip the TTC workers of their right to withdraw their labour, Kinnear hastened to announce that his "no strike pledge" remains in effect.

Kinnear was recently promoted in *The Globe and Mail*, Canada's traditional mouthpiece of big business, as a "rare labour leader who recognizes that the salad days are over for public-sector unions, especially in Rob Ford's Toronto." The newspaper approvingly quotes Kinnear's own anti-democratic, pro-bureaucratic perspective for Local 113: "I can tell you clearly that I have instructed my members from the beginning of this term that

there are going to be decisions and positions that we take as a union that may not be popular with the rank-and-file, but they are decisions that are going to be made in the best interests of our organization for the long term...The old days are over. We've got to be a lot smarter in how we deliver our message".

In fact, Kinnear is not rare, he's typical. Over the past period the union bureaucracy has presided over the transformation of the unions into virtual appendages of the employers.

After Mayor Ford outlined his plan to privatize garbage collection in Toronto and prepare for the deployment of scabs should the workers resist, Mark Ferguson, president of the Canadian Union of Public Employees local representing the city's outside workers, promised that no strike action would be taken at the expiry of the contract. In the bitter year long strike at Vale Inco in Sudbury, the United Steelworkers leadership organized no opposition to an unprecedented strikebreaking campaign, acquiescing in the use of USW-organized office and technical workers as scabs, enforcing anti union court orders, and ultimately agreeing to across-the-board concessions.

The province's union leaders have maintained a cozy relationship with the big business government of Dalton McGuinty, even as the Liberals refused to make more than cosmetic modifications to the right-wing "Common Sense Revolution" policies implemented by their Conservative predecessors.

Effectively supporting the Liberals since they came to power in 2003, the union bureaucrats have regularly (and gratefully) taken up positions on the government's various tripartite committees. In February, Ken Lewenza, president of the Canadian Auto Workers (CAW) submitted a position paper to the government praising it for the "positive initiatives that have been taken in numerous areas" including its backing of the bailout of the car makers that saw the imposition of draconian cuts to autoworkers' wages, benefits and working conditions. And as the Liberal government prepares further austerity measures for 2012, the CAW brief endorsed the Finance Minister's timetable to balance the budget on the backs of working people.

In recent years, the CAW has stumped for the Liberals at elections, spearheading the tactic of "strategic voting," whereby workers are encouraged to support Liberal candidates over those of the social-democratic NDP during federal and provincial elections

in ridings where only a Liberal is deemed to have a chance of defeating the Conservative candidate. In the upcoming provincial election scheduled for October 2011, the CAW, with other unions in tow, will once again promote the Liberals as “the lesser evil”, cynically pointing to Ford’s association with the Conservatives to justify support for McGuinty—even as the premier connives with Ford to attack public services and worker rights.

During the truncated debate on the current “essential services” legislation, the Ontario NDP has attempted to stick-handle around taking a position on McGuinty’s assault on the right-to-strike. A perusal of the party’s official website finds no statement outlining the party’s position on the legislation. Leader Andrea Horwath, in the few sound-bites she has given to the media, has limited her criticism to the unseemly speed with which the Liberals have “rammed through” the legislation.

The evasive position of the NDP on this matter is not too difficult to understand. The social democrats have often supported “back-to-work” legislation, including joining with Liberal and Conservative parliamentarians to force striking TTC employees back to work after less than two days during their last contract negotiations in 2008. The one and only time that the NDP formed the government in Ontario it used “social contract” legislation to reopen the contracts of one-million public sector workers to impose unpaid furloughs—i.e. wage cuts—and slash jobs.

McGuinty’s Liberals have attempted to portray their anti-strike bill as a positive initiative for “the people of Toronto”. In this regard, their cynicism knows no bounds. The TTC is the only major transit system in North America that must fund its operating costs entirely from local taxes and fares with no assistance from provincial or state government coffers. Bus routes are being cut, subway platforms are congested and interruptions in service due to infrastructure decay are common. If Ford and McGuinty are concerned with work stoppages on the city’s public transit, it is because of their potential impact on the profits of big business. In arguing for the bill, provincial legislators and Toronto City Councilors regularly cite a study showing that transit strikes can take up to fifty million dollars per day from the proceeds of capitalist enterprise.

There have been a few voices in the mainstream press that have argued that the no-strike legislation will not necessarily save money for the cash-strapped TTC. They argue that provincial arbitrators have traditionally been reluctant to make significant changes—such as allowing contracting out—in contracts covering “essential” workers and that the “essential” designation itself encourages arbitrators to award pay settlements somewhat higher than what might normally be negotiated. The generous pay awards regularly offered to police forces across the country are trotted out in support of these claims.

Utterly ignored in this debate is the extent to which the establishment has glorified the police as defenders of “order” under conditions of growing social inequality and the extent to which a coddled police have themselves become a political force within governments, pressing for increased funding and police powers. While official propaganda consistently portrays the police as exemplary members of society, with ever increasing vitriol, workers are presented as lazy, greedy and ungrateful trouble-

makers.

Certainly, in previous years, there had been an elite consensus in maintaining the right of TTC workers to take strike action, in part because governments have acted so quickly to illegalize any strikes that have occurred, but also because of apprehensions that an arbitrator might rule more favorably for workers designated as essential. If this sentiment has now largely evaporated it is because it is an open secret in the provincial halls of power that the next Ontario government—citing the province’s \$19 billion annual budget deficit—will enact specific legislation instructing arbitrators to make their awards conform to an employer’s “capacity to pay”, if not abolishing the current arbitration process outright. This will thereby ensure that in a government imposed “era of austerity” the essential services laws can be used as a direct instrument to slash wage costs and further diminish workers’ rights.

Under the hammer blows of the global crisis of capitalism, the ruling class is embarking on an offensive that seeks to historically alter the social position of the working class and throw it back into conditions that have not existed since the 1920s. The brutal cuts in virtually every aspect of social spending and workers’ rights currently being implemented by the Governor of Wisconsin in the United States is the new model for jurisdictions across the continent.

In this regard, a recent op-ed piece by influential Liberal operative John Mraz in the neo-conservative *National Post* is instructive for Canadian workers. Mraz urged big business to prepare for a major class confrontation in Toronto in the months ahead. Ford’s drive to privatize garbage collection “is only the beginning,” he wrote. “It would set a precedent for future contract negotiations as each union’s collective agreement expires. It would also get the attention of mayors across the country who are grappling with similar scenarios, and looking for ways to trim bloated city budgets. From small towns to big cities, the power of organized labour continues to stymie municipal administrations’ attempts to cut costs and find efficiencies.”

Mraz warned that Toronto workers can be expected to resist garbage privatization and the gutting of their contract and called on Ford and the ruling elite to prepare for the possibility of an “uprising” by “150,000 union members in the City of Toronto”—including “widespread strikes of the scope of France’s infamous manifestations, paralyzing the city and the economy.” In preparation for such a confrontation, Mraz counseled city politicians to “play hardball,” launch a pre-emptive public relations campaign to vilify unionized workers, and not to shirk from organizing a scab labour force to break any strike that may arise.



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