Newfoundland wildcat strikers return to work

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More than 1,000 striking building trades workers returned to work Tuesday morning after the Newfoundland and Labrador Supreme Court issued an order to arrest anyone found on a picket line or obstructing traffic at Vale S.A.'s construction mega-project at Long Harbour on the province's Avalon Peninsula. Vale, the largest mining trans-national in the world, is erecting a $3.6 billion processing plant for the 50,000 tons of nickel concentrate extracted annually at its Voisey's Bay, Labrador mine.

Construction operations had been largely halted since last Thursday when one hundred crane operators stopped work and set up picket lines to protest continued contract violations by their employer. They were quickly joined by hundreds more workers from all 16 building trades employed at the site. By midday the entire workforce comprising 2,000 electricians, plumbers, carpenters, machine operators and other trades was off the job.

The job action was quickly branded as an illegal wildcat strike by company spokesmen who sought immediate redress Thursday afternoon with the provincial Supreme Court. The court wasted no time in agreeing to hear the case.

Company lawyers argued that the mega-project has been operating under a "special project order" granted by the Newfoundland government in 2009 which allowed for the signing of a collective agreement between Vale and 16 separate unions that locked in wages and prohibited strikes and lockouts for the duration of the construction period. The court agreed. An injunction was issued Thursday evening restricting workers from participating in the stoppage or obstructing anyone seeking entry to the site.

The strikers ignored the order and shut down the night shift.

On Friday morning hundreds of workers congregated along the access roads and parking areas around company property. So few employees proceeded onto the job site that operations were shut down for a second day. Company representatives complained to police that the picketing workers were in violation of the freshly minted court order. The police, massively outnumbered, did not intervene because, they said, any obstruction seemed "inadvertent."

The wildcat action of the crane operators and the response from the vast majority of the workforce did not only take the company and the police by surprise, it apparently dumbstruck union officials with its temerity. They circulated amongst the strikers, weakly counseling them to return to work. Over the next four days they would refuse to press the claims of their members—at times even disparaging their demands—and play the lead role in threatening the strikers with termination.

It was left to the strikers to air their grievances against the company. In interviews with the press and in online commentaries, workers pointed out that it was the company that was in violation of the contract, constantly "picking at the clauses" to render entirely new meanings to the agreement. Travel and offsite living allowances had been cut back, agreed work schedules and practices changed, payments delayed and the grievance procedure slowed to a virtual standstill.

At the time of the strike, 160 grievances remained outstanding—many of them filed a year and even two and three years prior to the outbreak of the dispute. Grievances settled by labour arbitrators in favour of workers were regularly appealed by the company. With the plant slated for completion in mid-2013, many workers believed Vale was simply "running out the clock" on a whole series of grieved violations.

As one blogger wrote, "As far as I'm concerned, by the unions signing the collective agreement stating no strikes or lockouts, they basically gave the company the right to do as they please to the workers. And that's

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exactly what they've been doing since day one … seeing just how far they could push."

By Sunday, with the site now closed for a fourth day, the union officials called their first press conference. Gus Doyle, president of the Resource Development Trades Council (RDC), the organizing body for the 16 trade unions contracted at Vale, began by stating that he was "not sure at the end of the day what (the workers) want". Doyle nonetheless made clear that "the RDC and none of its umbrella unions are in support or participate in any of the actions that have taken place."

With all the arrogance of a British viceroy speaking to a native population, Doyle mused over the growing membership resistance to his officials' back-to-work diktats. "Í'll just use my own kids as an example", he said. "I mean, a child will ask you something and they have an answer in mind, and if you don't give it to them, then you're wrong and that's the case here today."

Doyle went on to threaten his membership. As far as he was concerned, the strikers "had quit" in his mind and Vale management, working with the government, would soon decide on recruiting replacement workers. Doyle's union business agents would help in the process. "Are we going to bring in workers? Yes, we are", he stated. Doyle then concluded the press conference by confidently asserting that "the (work) camp will be filling up today and members will be back on the job site tomorrow morning. The site is open for business, the jobs are there. It's a regular schedule day."

Monday morning, pickets turned back over one thousand workers out of a 2,000 strong unionized labour force at site entrances. Strikers brought portable toilets and set up a sound system to allow workers to speak to the milling crowds. Speaker after speaker denounced the union bureaucracy for their complicity with management. There were calls for Doyle's immediate resignation, along with his entire coterie. "I think the mood out there is to fire everyone, including me", complained one union official to a local radio station.

The continuation of the wildcat sent company lawyers back into the courtroom on Monday morning for a beefed up injunction which provided for the prosecution of striking workers. Police were notified to prepare for possible confrontations the following day. At the same time overtures were made by Vale, which faces an acute shortage of skilled labour in the province, to "fast-track" resolution of 17 issues cited by striking workers. The overtures, combined with the threat of police violence and criminal prosecution, were enough for the crane operators to withdraw their pickets.

Late Monday night, RDC president Doyle, who had earlier denied the existence of any legitimate grievances issued a perfunctory statement through the Carpenters' local thanking the crane operators for "bringing their issues forward" and noting that the picket lines had been dismantled. For their own part, workers vowed to settle accounts with their union leaders at the earliest opportunity.

The events at Long Harbour are far from the first time union officials have come into open conflict with their memberships through wildcat strike action. Over the past several years, building trades people working on mega-projects in Alberta have breached contracts to protest mistreatment. Last February, hospital workers in Edmonton walked off the job. In March, Air Canada ground crews staged a nationwide one-day wildcat action in protest against the federal government's anti-strike legislation and in April Quebec neonatal nurses struck against untenable working conditions. With job action increasingly illegalized by governments and squelched by the unions, rebellious workers are turning to all forms of rank-and-file action. Only a week prior to the ground crews' wildcat strike, pilots staged a coordinated sick-out that disrupted scores of Air Canada flights.

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