

Canada: Truckers and rail workers face antistrike laws

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Contract disputes at the Port of Vancouver and at Canadian National Railways are providing further illustration that the Canadian ruling class has for all intents and purposes abolished the legal right to strike. Any strike that threatens to have a significant impact is illegalized, sometimes as soon as or even before workers have walked off the job.

Yesterday, British Columbia's Liberal provincial government introduced legislation criminalizing a strike by about 300 members of Unifor's Vancouver Container Truckers' Association at the Port of Vancouver, Canada's largest port facility. Prior to walking off the job March 10, the truckers had been working without a contract since June 2012.

After overwhelmingly rejecting a tentative agreement placed before them by Unifor officials, the unionized drivers joined an already existing strike mounted by over a thousand nonunion independent truckers. The independent truckers have been on strike since February 26.

To augment the Liberal provincial government's efforts to break the truckers' strike, federal officials have notified the nonunion strikers that their licenses to access the port will not be renewed unless they immediately return to work. Proceedings have already been initiated against 150 striking independent truckers whose licenses expire over the next several weeks.

Meanwhile, CN Rail, which is also involved in a separate dispute with its yardmen and conductors, has asked for an injunction against striking truckers who have blockaded one of their container shipping yards that services the Port of Vancouver.

Both union and nonunion truckers are demanding a pay hike, standardized rates to prevent hard-pressed drivers from undercutting one another, and an end to bottlenecks at the port, which increase idling time and reduce the number of loads truckers can transport in a day. Unionized drivers earn only \$15.59 per hour, a rate \$8 per hour less than the average in the British Columbia trucking industry. Nonunion truckers, who are paid by the load, need to access four to

five loads per day to make ends meet but, due to the bottlenecks, average only two or three.

Meanwhile, over this past weekend, Teamsters officials representing 3,300 Canadian National Railway (CN) yardmen and conductors agreed to continue negotiations with CN management after the membership voted down a tentative agreement for the second time in less than two months. That deal not only failed to restore any of the massive givebacks imposed in the last contract, but also offered little protection for rail workers forced to work grueling hours by company supervisors.

The CN Rail workers have been in a legal strike position since early February. But Teamsters officials have refused to authorize strike action, bowing before the federal Conservative government's threat to enact legislation illegalizing a strike the moment the union gives the legally required advance notice of an impending walkout.

CN management have said they will give the union one last "chance" to reach a "negotiated" deal before asking the government to impose binding arbitration.

The disputes at the Port of Vancouver port and CN Rail shed light on the current state of industrial relations in Canada. The current antistrike measures are simply the latest volleys in a government drive to effectively outlaw all forms of industrial and social dissent and trample on basic democratic rights.

Since June 2011, the Conservative government of Prime Minister Stephen Harper has passed back-to-work legislation against striking railway workers at Canadian Pacific, against Canada Post workers, and on two occasions against Air Canada workers. It has used the threat of such legislation to force "settlements" in several other disputes. Provincial governments have followed suit, with Ontario's Liberal government suspending teachers' collective bargaining rights and right to strike so as to impose a cut in pensions and real wages and Quebec's Parti Quebecois government illegalizing a strike by 75,000 construction workers.

Buoyed by this support, employers have taken the offensive against significant sections of the working class,

demanding ever-greater concessions, including the gutting of pensions, confident that they can rely on the government to illegalize any worker resistance and to task an arbitrator to dictate the workers' terms of employment.

Time and again, union officials have pointed to the threat of antistrike laws to pressure workers into accepting concessionary contracts and to argue that all resistance is futile. Teamsters officials have already made clear their adamant opposition to any strike action, let alone defiance of a back-to-work law. Unifor's predecessor, the Canadian Auto Workers (CAW), has a long, ignominious record of using demagogic denunciations of big business and their political hirelings as a cover for cravenly capitulating to the government and policing their back-to-work laws.

Although the BC Liberals had made clear they would be introducing back-to-work legislation against the Port of Vancouver truckers on Monday, Unifor President Jerry Dias refused to say over the weekend what course the union would recommend if the strike was illegalized, blithely declaring, "We'll cross that bridge when we come to it."

Far from mounting any struggle, both Unifor and the Teamsters have striven over the past months to ensure that the contract demands of CN and the trucking companies were swallowed whole by their memberships.

CN workers have twice voted down tentative agreements presented to them for ratification and "fully endorsed" by their erstwhile leaders. (See: "Canada's Conservatives threaten CN Rail workers with anti-strike law")

Similarly Unifor negotiators said they were "pleased" with a tentative agreement they had reached with the trucking companies only to see it rejected by 98 percent of the truckers. Following this vote, Gavin McGarrigle, the quickly chastened Unifor area director, stated, "the immediate economics of the situation for our members is just intolerable. That's why they gave us the result they gave today." Why the union was so "pleased" to present to its members an intolerable contract, McGarrigle did not say.

Even after the vote, Unifor officials did everything in their power to prevent their membership from joining the striking nonunion truckers. When the Unifor truckers entered into a legal strike position in early March allowing them to join the ongoing job action by nonunion workers, union officials held back from authorizing strike action in order to extend negotiations with Vince Ready, a mediator appointed by the federal government.

Unifor's attitude toward the strike was summed up by Manny Dosange, a leader of the United Truckers Association (UTA), which represents the nonunion independent truckers. "Unifor may have a big strike fund but it looks like the UTA is doing most of the dirty work here. So far, Unifor is coming around with their banners and their

pretty shirts, and they wrap up at four o'clock". Dosange went on to explain that the cynical posturing of the Unifor leaders would do little to encourage truckers to join the union.

The strike at the Port of Vancouver has had a significant and growing impact on business interests. The port estimates the strike is affecting about \$885 million of cargo per week. Small businesses are being forced to pay exorbitant storage fees for their containers stuck in port warehouses. Meat, poultry, egg and vegetable producers are looking for alternate ports to ship their products. Ships have begun to bypass Vancouver altogether in favour of docking in Washington State or at Prince Rupert, British Columbia. Lumber mills in the province's interior have stopped sending products to the port. Grain shipments from the prairies, already backed up by inadequate rail service, run the risk of missing delivery deadlines to overseas customers.

In another era, workers organizations would have taken advantage of these employer vulnerabilities to press not only for significant contract advances but to shore up their democratic right to strike. Today, the unions do everything in their power to limit damage to the employers and to dragoon an unwilling and increasingly restive membership behind the demands of big business. Needless to say, the unions and their NDP allies are adamant that any defiance of the government's threats and the mobilization of the working class in opposition to big business and state attacks are unthinkable.

Rail and trucking workers should place absolutely no faith in their erstwhile representatives to settle the disputes in their favour. Workers should begin to organize rank-and-file committees independent of the union apparatus to prepare for an all-out struggle against both the companies that impoverish them and the governments that strip them of their democratic rights. Above all this will require a political struggle—the building of a mass socialist party to prosecute the fight for a workers' government that would radically reorganize socioeconomic life so as to place social needs before capitalist profit.



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