

# Sordid inter-union dispute over Toronto transit union's dues-stream

Carl Bronski  
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An Ontario Superior Court judge issued an injunction Tuesday reinstating Bob Kinnear as president of Amalgamated Transit Union (ATU) Local 113, the collective bargaining representative of some 10,500 Toronto-area transit workers. Kinnear and the entire Local 113 Executive Board had been deposed on February 2, when the local was suddenly placed under trusteeship by the international union's US-based central office.

At issue was the ATU's charge that Kinnear had been secretly exploring the possibility of disaffiliating his local from the ATU and joining up with Unifor, Canada's largest private sector union. Just prior to the imposition of trusteeship, Kinnear had approached the Canadian Labour Congress (CLC), behind the backs of the Local 113 membership, to initiate the disaffiliation process.

Shortly after placing the local in trusteeship, the ATU reinstated most of the 17 Local 113 executive board members after they pledged to support the international union. Late Tuesday night, just hours after the court had issued its order, the Local 113 executive board passed a motion of non-confidence in its reinstated president.

On Thursday Kinnear returned to court seeking a contempt of court ruling against the local's executive board. As of Friday, the court had yet to make a decision.

This entire sordid affair has nothing to do with advancing the interests of York and Toronto Transit Commission (TTC) bus drivers, subway operators, and maintenance workers, who have seen their wages, benefits and working conditions steadily eroded during the more than 13 years that Kinnear has been at the helm of Local 113.

Rather, it is an exposure of the venal dues-grubbing manoeuvres and careerism of all the parties involved. Both of the rival factions have been complicit in imposing concession contracts, blocking any genuine struggle against austerity, and politically subordinating the working class to big business politicians. What is at issue

in the bitter wrangle is which faction of union bureaucrats will control the millions of dollars the ATU generates from Toronto-area transit workers each year and the substantial assets of what is the largest local in the 185,000-member ATU.

Five days after Kinnear's initial February 2 ouster, he and Unifor President Jerry Dias held a press conference at which they vehemently denounced the ATU trusteeship as an undemocratic putsch by a meddling "American union." Dias spluttered that he was "sick and tired of the heavy-handed arm of the United States determining our bargaining strategy and determining how we operate." In this nationalist outburst, Dias was joined by the right-wing *Toronto Sun* which devoted much of its front-page the next day to a screaming headline denouncing a "Yankee Invasion."

For his part, Kinnear has floated the notion that his secret manoeuvres were motivated by a desire to break from a union that has refused to back his local in fighting the numerous attacks launched against the membership by TTC management and the provincial Liberal government, including a 2011 Liberal law that stripped TTC workers of the right to strike.

But Kinnear doth protest too much. He imposed one concessions contract after another and took the threat of strike action off the table in TTC contract negotiations that occurred before the adoption of the anti-strike law. Moreover, when it was initially proposed he claimed, erroneously, that such legislation might not be an entirely bad thing as an "essential service" designation would result, due to the threat of compulsory arbitration, in "better contracts."

The reality is Kinnear has consistently sought to block any genuine mobilization of TTC workers. He has resorted to the occasional "angry" sound bite for local television, ad campaigns, and appeals to the courts, whenever workers have pressed for the union to take a

stand against contracting out, speed-up or mandatory drug testing.

As for Unifor, the union Kinnear now touts as TTC workers' salvation, it is a close ally of the Liberals—the party that criminalized job action by transit workers. Unifor has repeatedly endorsed big business Liberal Party provincial and federal candidates and spearheaded pro-Liberal “Anybody but Conservative” campaigns.

Both Kinnear and Unifor's Dias have also lent support to right-wing populists. Kinnear endorsed the right-wing Conservative and backer of US-style, anti-worker “right to work” laws Doug Ford in the 2014 Toronto mayoral election after his brother, Rob Ford, was forced to withdraw due to ill health. Unifor president Dias notoriously sent a campaign donation to the immigrant bashing, Trump wannabe Kellie Leitch in her quest for the federal Conservative Party leadership.

Kinnear's attitude to rank-and-file workers was exemplified in comments he made to the *Globe and Mail* in 2011, after ramming through, in separate disputes, three concessions agreements that Local 113 members had initially rejected in defiance of his recommendation. Speaking like the quintessential union bureaucrat, Kinnear declared, “There are going to be decisions and positions that may not be popular with the rank-and-file, but they're going to be decisions that are going to be made in the best interests of the organization.”

As for Kinnear's “democratic” credentials, the 2015 local union election, which he narrowly won, was ruled invalid because Kinnear had violated the election rules. A second election was then held in 2016 which Kinnear won after his 2015 opponent had taken retirement.

Kinnear, the son of recently retired International ATU vice president Larry Kinnear, has been accused by his opponents of seeking decertification from the ATU because he lost a bid to fill that lucrative executive position at the last ATU convention. There is certainly much evidence of careerism and union political jockeying in all of this. Manny Sforza, the man who defeated him for the position with the International union, and himself a former member of Local 113, was named by the ATU to act as its trustee when it took over the local. Sforza has not missed an opportunity to lambast his rival.

As for Jerry Dias' squawking about “defending democracy,” autoworkers will not soon forget his arrogant performance during last autumn's contract negotiations at the Canadian operations of Ford, GM and Fiat-Chrysler. Dias denounced rank-and-file opponents of his sellout deals from the podiums of the ratification

meetings, left the halls before questions from the floor had been completed, and refused to allow members to even see the phony “framework agreements” before they voted.

Workers should reject the Canadian nationalism spewed by Dias and Kinnear. It only serves to divide workers and undermine class consciousness and class struggle. Unifor's predecessor—the Canadian Auto Workers (CAW)—broke away from the continent-wide United Auto Workers (UAW) in 1985, as part of a bureaucratic manoeuvre aimed at protecting the union apparatus from mounting rank-and-file anger over the UAW's reopening of acceptance of contracts and imposition of concessions. The Canadian UAW/CAW leadership insisted that the problem with the UAW was that it was an “American union” headquartered in Detroit, not that it was saddled with a right-wing, pro-capitalist leadership.

The split led workers into a blind alley. It has facilitated the automakers' efforts to pit workers against each other in a race to the bottom, with the rival Canadian and US unions competing as to which bureaucratic apparatus can provide them the lowest labour costs.

As for the ATU International, its record in the US, as in Canada, is one of collaborating in the increased exploitation of transit workers. For decades, the ATU has supported big business Democratic Party politicians that have slashed transit jobs, reduced wages and benefits and presided over skyrocketing fare hikes and service reductions.

Last month, the union sabotaged a strike of bus drivers in Dayton, Ohio, forcing members of ATU Local 1385 to accept wage and health care cuts. In December, ATU Local 589 in Boston offered to negotiate concessions on pay even before the current contract has expired. In 2015, ATU Local 26 in Detroit agreed to a new contract that continued poverty wages for Detroit bus drivers, with starting pay of just \$12 an hour.

*The author also recommends:*

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