

Quebec introduces “emergency” bill outlawing construction strike

Keith Jones
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Quebec’s Liberal government recalled the provincial legislature Monday so as to outlaw a six-day old strike by 175,000 construction workers.

The government’s “emergency” anti-strike legislation, which it has vowed will be rushed into law by this morning, threatens workers with harsh fines if they do not report for work at their regular start time tomorrow, Wednesday, May 31.

Bill 142 also illegalizes work slow-downs or “any diminishing or alteration” of workers’ “normal activities.” Under threat of legal sanction, union officials must publicly instruct their members to obey the law and document this for the Labour Ministry in an affidavit.

Even before construction workers walked off the job last week, Quebec Premier Philippe Couillard signaled his government would criminalize the strike. Speaking yesterday, Labour Minister Dominique Vien and Treasury Board President Pierre Moreau deplored the strike’s “major impact” on the economy. “Do you honestly think,” asked Moreau, “Quebec can afford to lose \$45 million per day? The answer is clearly no.”

Under Bill 142, the government is giving itself sweeping powers to shape the arbitration process that will determine the workers’ terms of employment if mediation fails to resolve the dispute by October 30.

This includes the right to choose the arbitrator or arbitrators, determine what issues will go before arbitration, select the method of arbitration and fix the criteria on which the arbitrator or arbitration board will base their decision.

In other words, the big business Liberal government, which has spent the last three years imposing massive social spending cuts and slashing municipal workers’ pensions, is now rigging the already anti-worker arbitration process to ensure that it rewards the

construction bosses with most, if not all, of their concession demands.

These demands include sweeping cuts to overtime pay and “flexible schedules,” under which workers’ start-time could fall anywhere between 5 AM and 11 AM and be changed by up to six hours on a daily basis.

The legislation stipulates that the collective agreements covering all three sectors of the construction industry—residential construction; civil engineering and roads; and institutional, commercial and industrial—last for four years, ending April 30, 2021.

Bill 142 would grant construction workers a wage increase of 1.8 percent pending the finalization of their new contracts. This is less than the employers’ last offer and the increase is not retroactive to the expiry of the previous agreements.

Nevertheless, the construction employer associations are denouncing the government for according the workers any increase whatsoever. “We don’t understand why the government is granting pay hikes to workers, while not consenting to a single employer demand,” complained Éric Côté of the Quebec Construction Association.

As the Liberals were initiating the legislative process to strip the construction workers of the right to strike, thousands of construction workers from all corners of Quebec rallied outside the provincial legislature Monday.

The workers were outraged that the Quebec government has once again trampled on their rights. In 2013, a Parti Québécois government imposed a similar back-to-work law and in 2014 the newly-elected Liberal government threatened to preempt any worker job action with a no-strike law.

However, the *Alliance syndical de la construction*

(Construction Union Alliance) called yesterday's protest not with the aim of mobilizing workers to fight the construction bosses and the Liberal government, but to defuse their anger.

In the name of preserving "social peace," Quebec's unions have suppressed repeated challenges to the austerity agenda of big business and the political establishment, including the 2012 student strike and 2015 Quebec public sector workers' struggle.

Speaking to CBC Radio yesterday, *Alliance syndicale* spokesman Michel Trépanier voiced concern about the militant mood among construction workers and possible defiance of the Liberals' anti-strike law. "I hope everything will go well," said Trépanier. "But my feeling... I don't like the situation right now because people are angry, really angry."

That construction workers were on a collision course with the Liberal government has been obvious since the outset of the negotiations. Trépanier has himself said that the construction bosses taunted union negotiators with the prospect of the government outlawing any workers' job action.

But rather than warning workers about this threat and seeking to mobilize support from other workers in Quebec and across Canada for a joint struggle against concessions, anti-workers laws and the dismantling of public services, the *Alliance syndicale* kept mum about the threat of government intervention until Couillard himself raised the issue on May 12.

This conforms to what is by now a long pattern. Although governments in Quebec and across Canada routinely criminalize worker job action, the unions keep studiously silent about this threat. Then as workers begin to assert their interests, the unions invoke the passage or imminent threat of anti-strike legislation to torpedo the struggle, to say that workers have no choice but to return to work and/or accept sellout agreements.

Alliance Syndicale spokesmen have said they will "fight" Bill 142 in the courts and that workers will "remember" the Liberals' actions at the next election in October 2018. This too has a long history. The unions have repeatedly urged workers to look to the capitalist courts to defend their rights, but time and again the courts have given their imprimatur to anti-worker laws. And the party that the Quebec unions have for decades promoted as a "progressive"

alternative to the Liberals and are preparing to stump for once again in 2018—the big business Parti Québécois (PQ)—has imposed social spending cuts and anti-worker law no less than the Liberals.

Yesterday PQ leader Jean-François Lisée took a typical two-faced stance on the Liberals' anti-strike law. Lisée said the PQ supported ordering the construction workers back to work, but couldn't support the Liberal bill because it gave the government too much control over the arbitration process.

Articulating the anger and fear of Quebec's elite at construction workers' economic power, François Légault, the head of Quebec's third party, the *Coalition Avenir Québec* (Coalition for Quebec's Future), criticized the government for not illegalizing the strike earlier and urged the government to introduce permanent limits on, if not outright abolish, construction workers' right to strike.

Emboldened by the unions' plans to enforce the back-to-work order, Labour Minister Vien said the Liberals would be ready to consider changes to the bargaining process—further limits on construction workers' rights—but only once the current conflict is resolved.



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