

Saskatchewan oil refinery lockout:

Unifor bows to court injunction that greenlights CRC's scabbing operation

Carl Bronski
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Seven hundred and fifty oil refinery workers who have been locked out from their jobs at Regina, Saskatchewan's Cooperative Refinery Complex (CRC) since Dec. 5 now face a draconian court injunction that significantly bolsters the company's campaign to impose contract concessions by using scab labour.

The Dec. 24 court ruling greenlights the company's efforts to maintain production with poorly trained "replacement workers" by ordering that picketing activities meant to impede the movement of scabs, fuel delivery trucks and equipment shipments be sharply curtailed.

The CRC is the third largest oil refinery in the western provinces, where Canadian oil production is centered.

The highly profitable company, a subsidiary of Federated Cooperatives Ltd. (FCL), has demanded that veteran CRC workers make payments into their defined-benefit pension scheme or move to an inferior program. Members of Unifor, the highly skilled workers have been offered an 11.75 percent wage increase over four years. But the union has estimated that a 17.5 percent rollback in workers' pension compensation will result in an actual cut in overall income.

In the previous contract, Unifor pushed through a two-tier pension scheme that places all new hires on a defined-contributions plan precariously tied to the stock market.

Last week, Regina Queen's Court Justice Janet McMurtry ruled in favour of management's request for an injunction against the picketers that effectively bars any and all attempts to delay traffic in and out of the refinery complex. Her ruling was in line with a previous interim injunction she had issued the week before, only even more blatantly pro-company than the first.

"The restriction of access to or exit from the said premises," ruled Justice McMurtry, "shall only last as long as necessary to provide information, to a maximum of ten minutes, or until the recipient of the information indicates a desire to proceed, whichever comes first."

McMurtry concurred with the company's assertion that

the first ten days of picketing had been "unlawful as the apparent purpose of some of the picketing was not to disseminate information to the public, or to solicit support of the public, but to intimidate replacement workers and others from entering (the refinery's) facilities."

Scott Doherty, executive assistant to Unifor President Jerry Dias, said that although the union had argued for workers to have longer time to "inform" those crossing the picket line about the dispute, the locked-out workers will abide by the injunction. "At this point in time," he told reporters, "our members are prepared to live up to the injunction and let people know that what's going on with the lockout and how we want to get back to the bargaining table and get a fair deal."

Refinery management continues to use a recently recruited scab workforce to maintain production at the refinery.

In the first days of the lockout, rank-and-file workers were successful in preventing buses loaded with scabs from entering the refinery. The company then began using helicopters to transport some of the scabs and other supplies.

In a letter to members shortly after the beginning of militant picketing, Unifor Local 594 President Kevin Bittman wrote, "When a van carrying Scabs leave (sic) the plant, our protocol is to create a pathway on either side, wave the flags, snap a few pics, and politely ask them to never come back. Please don't track or follow these vehicles."

The company's plan to enforce another concessions contract has been long in the making. Last September, CRC began construction of a camp next to the refinery complex to house replacement workers. It then began a crash-training program for the scabs whereby they "shadowed" union process operators to try to learn their jobs. The company's open preparations to deploy a scab workforce in the event workers balked at its concession demands elicited no call for job action from the union.

CRC's use of inexperienced, hastily "trained" scabs to

perform the highly dangerous work of refining flammable fossil fuel has raised concerns among people living in proximity to the refinery and throughout Saskatchewan's capital city. However, local and provincial government authorities have sided with the company and its claims that the "replacement" workers are well-trained and capable of containing any emergency situation.

Since the beginning of the lockout, several picketers have been hit by vehicles at the plant gates. A union witness stated that on December 14 a phalanx of company security guards assaulted picketers blocking a vehicle. Reports have emerged that scabs have followed locked-out workers to their homes and sent inflammatory messages. With management endorsement, scabs continuously blasted a derisory Chipmunk's Christmas Carol at the financially stressed picketers over the holiday period.

During the court injunction hearing, company lawyers claimed that picketing had caused long lines of fuel trucks at the complex, with truckers waiting 12 hours or more to exit with their loads. However, it was subsequently demonstrated that an unnecessary large number of trucks had been dispatched to the complex so as to make it appear that picketing was creating intolerable traffic congestion and bottlenecks. Moreover, a CRC shipment dispatcher told the court that at certain times during a typical month 12-hour turnarounds for truckers to receive their loads and exit are not unusual.

From 1991 to 2007, Unifor's predecessors—the Canadian Auto Workers and the Communications, Energy and Paperworkers Union— supported a pro-big business New Democratic Party government in Saskatchewan that refused to legislate anti-scab legislation. Even as the Roy Romanow and Lorne Calvert NDP governments pushed through budgets that slashed education and health spending and pursued privatization, the unions continued to give them their unstinting support.

The current right-wing Saskatchewan Party government has made clear that it fully backs CRC's scab operation and stands ready to intervene legislatively in the company's support if workers mobilize to shut down the refinery's operations. In late November, Labour Minister Don Morgan told reporters that the Saskatchewan government would not tolerate any worker job action that halted production at the refinery and stood ready to use its "toolbox of legislative options" to keep the refinery operating, but had no objection to the company's "contingency plans"—i.e., its deployment of scabs.

Just as it ordered the oil refinery workers to acquiesce to what it called the "uncomfortable" "replacement worker" job-shadowing program, so Unifor has no intention of opposing and defying the anti-worker court ruling.

Instead of mobilizing workers across the region, including the thousands of Unifor members employed by Saskatchewan government Crown Corporations in Regina and its environs, in an all-out fight against the scabbing operation, Unifor has meekly called for a "national boycott" of FCL.

There is a long history of Unifor and other unions using such boycotts as a cover for isolating and strangling militant worker struggles. In the case of Unifor's phony fight against the recent closure of the Oshawa GM assembly plant, opposition to any job action went hand-in-hand with a chauvinist anti-Mexican campaign, spearheaded by a call for consumers not to purchase "Mexican-made" GM vehicles.

In this case, consumers are being asked to boycott FCL, a company that is comprised of some 200 independent retail co-operatives in Western Canada, encompassing gas stations, grocery and convenience stores and home centres.

Unifor's prostration before the courts should come as no surprise. Time and time again the courts have sided with employers and governments in outlawing worker job action against concessions and job cuts, and Unifor has invariably complied.

The CRC injunction demonstrates once again that the courts are nothing more than a mechanism of class rule through which big business enforces its interests, while the unions defuse and smother the class struggle.

Locked-out refinery workers cannot place any confidence in Unifor to resolve the pension dispute in their favour. If they are to prevail against CRC and its Saskatchewan Party government accomplices, they must take the conduct of their struggle into their own hands by forming action committees independently of, and in opposition to, the Unifor bureaucracy. These committees must appeal for a broadening of the struggle to workers across the region and the country who all confront an ever-widening corporate-state attack on their jobs, working conditions and living standards.



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