

Union-backed Trudeau government rams through law to criminalize Montreal port strike

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Justin Trudeau's minority Liberal government, which has boasted of its "special partnership" with the trade unions since coming to power in 2015, is ramming through parliament a draconian law that will criminalize the strike 1,150 Port of Montreal dockers launched Monday morning.

The Liberals' back-to-work law was adopted by the House of Commons in the early hours of Thursday morning thanks to the votes of the opposition Conservatives. It is set to be approved by the Senate and receive royal assent, making it law, later today.

The Maritime Employers Association and big business as a whole have been baying for weeks for the government to strip the Montreal longshore workers of their legal right to strike. As with numerous previous back-to-work laws at both the federal and provincial level, the Liberal legislation empowers a government-appointed arbitrator to impose the sweeping concessions demanded by the employer. It is meant to send a message to all workers that any challenge to the big business assault on wages and working conditions will confront the full force of the capitalist state.

The Canadian Union of Public Employees (CUPE), which represents the dockers in contract talks, has already made abundantly clear that it will do nothing to resist the strikebreaking legislation. Instead, it is telling workers to put their faith in a pro forma challenge of the law's constitutionality before the courts.

CUPE only authorized this week's strike after the port operators mounted a long series of provocations. Moreover, whilst it has been clear for a year or longer that the employers were banking on the government outlawing worker job action, the union has done everything to isolate the dockers and straitjacket their struggle within the pro-employer labour relations system.

Members of CUPE Local 375, the Montreal dockers have been labouring without a contract since 2018. They are seeking improvements to scheduling, an end to speed-up, the hiring of more workers to make workloads more manageable, and an end to the employers' brutal disciplinary regime that has resulted in dozens of firings since it was introduced in 2013. The workers voted repeatedly for strike action from late 2018 onwards. But they were prevented from waging a struggle against the bosses both by an interminable series of bureaucratic, state-mandated collective bargaining procedures and by CUPE foot-dragging.

In justifying its back-to-work legislation, the Liberal government demonized the dockers for allegedly holding Canadian companies to ransom. The strike would cost \$40 million to \$100 million per week and risk the loss of 19,000 jobs, charged Labour Minister Filomena

Tassi during a late night parliamentary debate Wednesday. This claim ignores the fact that the strike was provoked by the port operators, represented by the Maritime Employers Association, who are determined to increase the port's "competitiveness"—that is profitability—at workers' expense. The MEA is demanding a 30 to 50 percent increase in workloads, including by lengthening shifts.

Tassi also resorted to flat-out lies, claiming that the strikers were holding up emergency medical supplies related to the care of COVID-19 patients. In reality, CUPE Local 375 had announced prior to the strike's launch that its members would continue to handle emergency shipments and COVID-19 supplies throughout their job action. If this is not taking place, this can only mean that the employer is refusing to allow the strikers to perform such activities so as to provide the government with a pretext to suppress the strike.

The slanderous accusation that the strikers are hindering efforts to combat COVID-19 is all the more cynical coming from a government that has overseen a murderous open economy/open schools policy that has resulted in more than 24,000 deaths since the pandemic began.

The social-democratic New Democratic Party (NDP) did its best to outdo the government in hypocrisy and cynicism. Knowing full well that the strikebreaking law would pass with the votes of the Tories, NDP leader Jagmeet Singh and his caucus made a show of voting against it. Singh and deputy NDP leader Alexandre Boulerice will no doubt use this incident in stump speeches for months to come as evidence of how the NDP "stands up for workers' rights."

The truth behind this charade is that the only reason the Liberal government remains in power and is able to outlaw the dockers' strike is because the NDP has propped it up on every key confidence vote since the pandemic began. On Monday, when it was already public knowledge that the government intended to legalize the Port of Montreal strike, the NDP gave the Trudeau government the votes that it needed to secure passage of the federal budget.

Joining the NDP in its token opposition to the Liberal back-to-work bill were the Bloc Québécois, the Greens and three Liberal MPs. Significantly, so as not to spike the ire of big business and the corporate media, none of the 61 MPs who went on record as against the legislation made use of the many available parliamentary procedures to delay its quick passage.

In addition to criminalizing the strike, the back-to-work law, officially titled "An Act to Provide for the Resumption and Continuation of Operations at the Port of Montreal," provides for a mediator to assist in reaching a "negotiated" settlement. If talks fail, a government-appointed arbitrator will dictate all outstanding contract

clauses. In other words, the employer merely has to stall the talks and wait for a pro-corporate government appointee to impose most or all of its demands.

Chief responsibility for putting the workers in this position lies with CUPE and the entire trade union bureaucracy. CUPE repeatedly smothered efforts by workers to take strike action, so that it was only some 18 months after their labour contract had expired that the first limited strike action took place in July 2020. The union then sabotaged a powerful 12-day strike in August that demonstrated the immense social power of the dockers and could have become the spearhead of a broader counteroffensive of private and public sector workers for job security and against speed-up, all concessions and the dismantling of public services. Instead, CUPE concluded a rotten “truce” with management that gave the employer seven months to refine its strikebreaking strategy. Already in early March, reports emerged of suppliers and shippers moving their cargo to other eastern ports to avoid a potential strike.

CUPE Local 375 leader Michel Murray offered to call off the current strike up until the last minute if management agreed to return to the bargaining table and withdrew some of its most egregious provocations, including the abolition of shift patterns as of April 26.

The dockers’ isolation has been enforced by the Canadian Labour Congress, which has virtually blacked out their strike. While Canada’s largest union federation has yet to publish a single article on the dispute in recent weeks, it found time on April 19 to laud the strikebreaking Liberals’ 2021 budget just hours after its presentation. Throughout the pandemic, the CLC has deepened its close collaboration with the Liberal government, summed up by the declaration on its homepage, “In Canada, we’ve weathered the pandemic by sticking together and supporting each other.”

As for CUPE, which with more than 700,000 members is Canada’s largest union, it posted a terse report on the back-to-work legislation that barely filled four paragraphs. While describing the measure as “an affront to all workers in the country,” its opposition was limited to empty rhetoric.

Striking dockers should not be surprised by CUPE’s role in isolating and seeking to sell out their struggle. The unions are not genuine workers’ organizations, but stand on the same side of the barricades as the bosses and capitalist governments. Their primary concern is preserving their close collaboration with the Trudeau Liberals and big business, which is codified in the labour relations systems administered by the federal government and the provinces. These very regulations, which guarantee the privileges of the union bureaucracy, have served as one of the key mechanisms in preventing dockers from waging a successful struggle.

Across all sectors, the unions have policed dozens of back-to-work laws over the past three decades. All of the major parties, including the NDP and the Parti Québécois, the BQ’s sister party, have employed such laws, virtually outlawing the right to strike, at least when a powerful section of the working class takes action. Since 2017, such laws have been used to illegalize a construction workers’ strike in Quebec and break strikes by college lecturers in Ontario and teaching assistants at York University. In 2018, the Trudeau Liberals criminalized rotating strikes by 50,000 Canada Post workers.

There is no contradiction in the Trudeau government’s claim to have a “special partnership” with the unions, and its ruthless suppression of worker opposition to capitalist austerity and wage cutting. Their “partnership” consists in their joint efforts to impose the dictates of big business and the financial oligarchy on the working

class, dressed up with fraudulent propaganda about caring for the “middle class” and “collective bargaining.” As Tassi put it in a tweet Sunday, back-to-work legislation was the government’s “least favoured option,” and the government still “believes in collective bargaining.”

If she were to be more frank, Tassi would have said that the Liberals support “collective bargaining” so long as it results in the imposition of management’s demands by the pro-corporate unions. But when a strategic section of the working class with enormous economic clout challenges this set-up, and threatens to trigger a broader social explosion because the issues over which they are striking are common to hundreds of thousands of workers across Canada, the capitalist state apparatus must crush it with an iron fist.

To take their struggle forward, dockers must prepare to defy the government’s back-to-work legislation. This requires a broadening of their struggle to other sections of the working class, including autoworkers, transport workers, educators, public sector employees, and manufacturing and mining workers, all of whom confront the same attacks on their jobs and living standards. To conduct this struggle, strikers should elect a rank-and-file strike committee, organized independently of and in opposition to CUPE and the entire union bureaucracy.

The first task of this committee will be to mobilize workers in a unified struggle for job security, wage increases, protection against COVID-19 and against capitalist austerity. This fight is a political struggle, requiring a frontal assault on the financial oligarchy’s domination of social and economic life, and irreconcilable opposition to all of their bought-and-paid-for political hirelings. It must also be conducted as an international fight, since the conditions of ruthless exploitation faced by Montreal dockers are replicated not just at worksites across Canada, but at ports across North America and Europe, and in the transportation and logistics industries around the world.

To organize such a global worker counteroffensive, the International Committee of the Fourth International has called for the formation of the International Workers Alliance of Rank-and-File Committees. To launch the fight to build this organization, which will enable workers to coordinate their struggles against the capitalist class on a global basis, the ICFI is hosting an online May Day rally tomorrow at 11 a.m. EDT. We strongly appeal to all striking dockers and their supporters to make plans to attend.



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