Rail and airline bosses demand Carney government arrogate power to pre-emptively ban strikes under its Bill C-39

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Canada's railway and airline bosses are demanding that Prime Minister Mark Carney's Liberal government arrogate the power to outlaw strikes before they even begin. Big business is pushing for even tighter restrictions on the legal right to strike as Parliament examines the pro-corporate, anti-worker "Building Canada Strong Act" (Bill C-39), which in its current form would codify government powers to end legal strikes and impose binding arbitration without even the fig-leaf of parliamentary consent.

Corporate executives have supported the omnibus bill's fast-tracking of resource projects, loosening of environmental protections and expansion of cabinet executive powers in designated "national interest" regions. In the context of the act and establishment politics, "national interest" means the interests of the corporations and the oligarchs who own them.

Bill C-39 passed second reading on October 8 with Liberal and Conservative support. It remains before a special Commons committee, while corporate Canada lobbies for more iron-clad provisions to neuter the right to strike.

The government's push to cripple the ability of key sections of the working class to take meaningful strike action is a key element in the ruling-class drive to restructure class relations to strengthen Canadian imperialism's hand in the struggle among the world's great powers to redivide the world through trade war and military aggression—a conflict that is already taking the shape of a global war.

Carney's November 5 budget projects $75.1 billion in core defence spending, on a cash basis, in 2026–27, rising to $99.2 billion by 2030–31, alongside massive new corporate tax cuts and subsidies. Workers are being made to pay for this through attacks on wages, jobs, public services and democratic rights. Strikebreaking is a weapon to enforce this program of imperialist aggression and class war in the face of widespread popular opposition.

Longer bargaining and the codification of strikebreaking

The bill seeks to "normalize" the authoritarian powers successive Liberal governments have assumed since the summer of 2024 through a concocted "reinterpretation" of Section 107 of the Canada Labour Code. They have invoked these powers against dockers, rail workers, airline employees and Canada Post workers, directing the unelected Canada Industrial Relations Board (CIRB) to end strikes or lockouts and impose arbitration. The cooked-up authority for these interventions has provoked constitutional challenges. Bill C-39 would write the government's draconian powers explicitly into law.

Other changes are designed to draw out the so-called "free" collective bargaining process still further, so that the government has more opportunities to intervene on the side of the bosses. Where a previous agreement followed a strike, lockout or imposed settlement, or lasted five or more years, bargaining would begin 200 to 180 days before a contract expiration. Federal mediators would be brought into the talks immediately. The statutory conciliation period would be lengthened from 60 to 90 days, giving the government more time to pressure workers before a legal strike could begin.

The labour minister would also gain the power to appoint a "special" mediator for 21 days no later than on the 75th day of conciliation. If talks fail, the mediator would publish a report on remaining issues, participation and settlement prospects. The appointment would not itself suspend the right to strike, but could prepare the ground for government intervention. The bill also provides for post-dispute mediation, broader first-contract arbitration and some additional successor-rights protections that are predominantly aimed at strengthening the position of the union bureaucracy as a police force, rather than securing improvements for workers.

Most importantly, the revised Section 107 would expressly empower the minister, once a legal strike or lockout has begun, to direct the CIRB to illegalize worker job action, extend a collective agreement and/or impose binding dispute resolution. The minister would consider a mediator's report and assess whether the stoppage adversely affects, or may affect, the "national interest." The Liberals present the requirement that a stoppage begin before workers can be legally stripped of their right to strike as a safeguard. In practice, a walkout could be ordered to end almost immediately.

However, for the corporate elite even these anti-worker provisions do not go far enough. The *Globe and Mail* recently

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published an op-ed penned by Canadian Pacific Kansas City (CPKC) railway CEO Keith Creel demanding the imposition of binding arbitration “before a work stoppage is allowed to inflict nationwide damage.” Creel’s “exceptional” “national interest” test places corporate supply chains above workers’ democratic rights.

At a November 3 parliamentary committee hearing, Air Canada labour relations vice-president Michael Abbott called for enshrining in law a pre-emptive government power to illegalize worker job action. Air Transat’s Irene Chrisanthopoulos complained that cancellations begin before a walkout and sought longer strike-notice periods. WestJet CEO Alexis von Hoensbroech also pressed for intervention before strikes begin and longer mandates for special mediators. The revisions already give employers license to stonewall until a ministerial order ends a strike. The airline bosses want even that token recognition of workers’ supposedly constitutionally-protected right-to-strike abolished.

The union bureaucracy and the NDP

The union apparatuses have made clear they have no intention of mobilizing the working class to politically challenge the Liberal government.

The Canadian Labour Congress (CLC)—a staunch supporter of Carney’s “Team Canada” pro-big business, nationalist reorganization of economic and military policy— initially praised aspects of Bill C-39’s proposed changes to labour law. Later, as the anger among rank-and-file workers over the strikebreaking provisions became palpable, it adopted a somewhat harder line.

Comments from CLC officials to date have stressed that the stepped-up state repression contained in Bill C-39 could prove counterproductive, because it would produce social and political conflicts that the union bureaucracies could not control. Instead, they appeal for the government to continue relying on the unions to police the working class and sabotage strikes.

CLC President Bea Bruske and her fellow union bureaucrats do not see the right to strike as a weapon for workers to fight the class war onslaught of the ruling elite, but as leverage to secure “partnerships” with big business and government ministers to manage “labour peace.”

For decades, the unions have imposed one concession after another on those they claim to represent. Every time governments intervened to scuttle strikes, whether with back-to-work legislation in parliament or the more recent arbitrary powers contained in section 107 of the Labour Code, the unions have demobilized worker opposition. When workers were ready to defy the government, as with the postal workers in 2024 or Air Canada flight attendants in August 2025, union bureaucrats capitulated to government threats or connived behind the scenes to strangle strikes.

The New Democratic Party serves as an indispensable partner in the unions’ corporatist partnership with the Liberal government and big business. Its decades-long alliance with the unions and Liberals has served as a central mechanism for suppressing the class struggle. Its “confidence-and-supply” agreement sustained the Trudeau Liberals while they used Section 107 to break strikes.

In September, Wab Kinew’s Manitoba NDP government obtained an interim Labour Board order illegalizing worker job action hours after some 350 Dynacare laboratory workers struck; the union sent them back to work the next day. David Eby’s B.C. NDP government, since voted out of office in an election characterized by mass abstention, endorsed fast-tracking major projects, worked with union officials to impose below-inflation public-sector settlements and echoed corporate alarm over the 2023 dockworkers’ strike.

The attack on the right to strike is inseparable from the ruling class’ turn toward authoritarian and fascistic methods of rule to impose austerity and war. Across the border, the Trump administration has stripped broad sections of the US federal workforce of collective-bargaining protections in the name of “national security.” The CLC and NDP’s promotion of “Team Canada” nationalism divides workers facing a common class assault, and subordinates them to Canadian imperialism.

The working class must advance its own solution to the capitalist crisis, world war and the enrichment of the oligarchs at society’s expense. Workers require new organizations of class struggle—rank-and-file committees in every workplace—to unite across Canada, the United States and internationally, independent of the union apparatus and its Liberal-NDP alliance. They must be prepared to defy strikebreaking orders rather than be misdirected into endless appeals to the courts and Parliament.

Above all, the fight against capitalist austerity, the domination of social life by the oligarchy, the destruction of workers’ democratic and social rights and imperialist war demands the development of an independent political movement of the working class. Such a movement much be animated by a socialist and internationalist program in the fight for workers’ power and an end to the profit system worldwide.



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