

# Big business clamour for Canada to adopt US-style “right-to-work” laws

By Carl Bronski  
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In the wake of the passage of so-called “right-to-work” legislation in Michigan earlier this month, rightwing politicians and commentators have taken up a drumbeat for similar legislation to be enacted in Canada.

Under the misnamed “right-to-work” laws now in effect in 24 U.S. states, collective agreements requiring workers to pay union dues as a condition of their employment are outlawed. The basic aim of such legislation is to undermine the ability of workers to collectively fight in defense of their interests in opposition to the employers.

Prior to the Michigan law’s passage, Canadian trade union leaders spoke against the bill, saying they fear that it will provide a “competitive edge” for low-wage employers to draw jobs into Michigan, particularly from Ontario. Said Ken Lewenza, president of the Canadian Auto Workers (CAW) union, “if there’s an auto parts plant in a right-to-work state, it’s another competition we have to deal with.”

Of course, for well over a generation now, the CAW, along with every other trade union in Canada, has “dealt with” the competitive pressures of the global capitalist market by integrating themselves ever more closely into management and suppressing workers’ resistance. They have presided over the imposition of massive concessions contracts that have gutted wages and benefits, imposed two-tier employment schemes, instituted backbreaking speedup, diluted pensions, and overseen the “orderly” shutdown of countless manufacturing facilities.

Utterly subservient to big business and the capitalist profit system, the executives who today run the unions oppose the threat of right-to-work legislation only because it threatens the flow of the dues that sustain their apparatuses.

The passage of right-to-work type laws in Wisconsin in 2011 and in Indiana and Michigan in 2012 has proceeded in lockstep with a widening attack on Canadian workers’ rights to organize and fight collectively.

In the past year-and-a-half the federal Conservative government has on six separate occasions tabled back-to-work legislation, targeting workers at Air Canada,

Canada Post and Canadian Pacific Railways.

Last winter, rightwing Toronto Mayor Rob Ford succeeded in privatizing half of the city’s garbage collection after the Canadian Union of Public Employees surrendered without a fight before the City’s threat to employ scabs in the event of a strike. In Saskatchewan, conservative Premier Brad Wall’s government issued a position paper last spring calling for a review of automatic dues check-off practices and union certification and decertification procedures.

In June, Ontario Conservative Opposition leader Tim Hudak, who is attempting to outflank provincial Liberal Premier Dalton McGuinty on the political right, issued a party white paper entitled “Paths to Prosperity: Flexible Labour Markets.” The white paper is the Conservative Party response to McGuinty’s moves to abrogate collective bargaining rights and freeze wages across the board for more than 1 million Ontario public sector workers. It calls for changes to labour laws patterned after US “right-to-work” legislation. In particular it would make it more difficult to win union recognition and abolish the Rand Formula, which provides for the “automatic check-off” of dues from all workers covered by a collective agreement irrespective of whether they belong to the union.

Currently, McGuinty’s Ontario Liberal government is preparing to fully implement a law passed in the autumn that will impose concessions contracts on over a hundred thousand teachers in the New Year and take away their right to strike for the next two years.

The unions and the union-supported New Democratic Party (NDP) in Ontario have long pointed to the rightwing policy prescriptions of Hudak and his Conservatives to justify their close collaboration with the Liberals. Last spring, the NDP facilitated passage of a Liberal austerity budget, whose centerpiece was a two-year public sector wage freeze. It also called for more than \$15 billion in spending cuts over the next four years.

The labour bureaucracy’s response to all these attacks, including the growing push for “right-to-work” legislation, has not been to fight to mobilize the working class against

the state attack on workers' rights and the government-corporate drive to lower wages and slash public services. Rather the unions have appealed to the corporate bosses and their parliamentary mouthpieces to appreciate the role they play in suppressing class conflict.

The debate over Bill C-377, a private member's bill that the Conservative government rammed through parliament just prior to the annual Christmas recess, is an illuminating example.

The bill, fronted by Tory backbencher Russ Hiebert but in reality backed by Prime Minister Stephen Harper and his Conservative government, amends the Income Tax Act to require all Canadian trade unions to publicly disclose their financial statements—including the salaries of anyone in a union making over \$100,000 as well as most disbursements to lobby and protest groups—on pain of losing their tax exempt status.

In the run-up to the final reading of the bill, NDP leader Thomas Mulcair centered his party's criticism of the bill on complaints that the legislation will cost tens of millions for the Canada Revenue Agency to administer at a time when "efficiencies" are demanded in the federal bureaucracy, and that the law infringes on provincial jurisdiction.

But it was left up to Canadian Labour Congress (CLC) President Ken Georgetti to make the union bureaucracy's main argument against the legislation in a letter to Prime Minister Harper. The unions, he insisted, provide a service to the employers by acting as guarantors of "labour peace" and should not be so disrespected as to be forced—unlike law societies and other government-recognized associations—to publicly release information that is available, at least in theory, to their members.

"There is," wrote Georgetti, "a delicate balance that exists in labour relations that has benefited the Canadian economy. Over 99 percent of negotiations between employers and unions are settled without disruption because of that balance. The long-term collateral damage of your government's actions will be to upset labour relations, this balance and tip the scales in favour of employers. The consequences of this will have a significant effect on labour peace and the productive capacity of Canada's economy."

The CLC President concluded his letter by urging Harper, the head of the most rightwing government in modern Canadian history, to work more closely with the unions.

The Conservatives' Bill C-377 is a cynical ploy aimed at drawing attention to the bloated incomes and expense accounts of the union officialdom and at furthering a longstanding rightwing campaign to prohibit or impede union expenditure on anything outside collective bargaining and workplace grievances in the most narrowly defined sense. It seeks to tarnish the union bureaucracy from the

right, so as to prepare the way for more draconian legislation that echoes the right-to-work laws passed in the United States. Already, a backbench Conservative MP, Pierre Poilievre, has floated a proposal to challenge the Rand Formula (the right to a closed, union shop) for federal employees.

Ontario Federation of Labour (OFL) president Sid Ryan has threatened that should such legislation be passed by an incoming provincial government in Ontario, opposition to it will make the unions' campaign against Mike Harris, a previous rightwing premier, "look like a picnic." Ryan is known far and wide for such bluster.

An examination of the working-class resistance to the Harris government is nonetheless instructive, for it shows how the unions sabotaged it. Between 1996 and 1997, a wave of demonstrations and strikes erupted against Harris's attacks on social services, jobs, worker rights, and environmental regulations. But the unions and NDP worked to politically emasculate the resistance, insisting that the working class must not challenge the Tories' "right to govern." Most notably, they wound down ever-escalating strike actions by hundreds of thousands of Ontario workers in "Days of Action" against Harris and torpedoed a strike by 120,000 public school teachers that even the corporate media conceded enjoyed overwhelming public support. When the Ontario Conservatives were eventually voted out of office, the incoming Liberal government was welcomed by the unions even though McGuinty left in place all the main elements of Harris's anti-worker "Common Sense Revolution".

The defence of workers' rights must not be left in the hands of the CLC, OFL or CAW. Having spent the last three decades suppressing and betraying workers' struggles, these sclerotic pro-capitalist organizations will not and cannot mobilize the working class against big business and its political representatives and state apparatus. That will require the building of new organizations of working-class struggle—rank-and-file workplace and neighbourhood committees and, above all, a mass socialist party—committed to the unconditional defense of the jobs, living standards and working conditions of all workers, not what the corporate bosses and their political hirelings say they can afford.

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