



# Labour Reporter

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## A better way to pass labour laws

The spring session of the Legislature opened March 14 providing the NDP government with an opportunity to enact new laws and amend existing statutes.

It is labour's expectation that the Calvert administration's current legislative program will include Bills which were introduced at the 2004 fall sitting - legislation amending the Trade Union Act to improve the effectiveness of the first contract finalization section and to clarify and strengthen the procedural powers of the Labour Relations Board. It's also anticipated that the so-called "whistleblower" amendment to the Labour Standards Act will be dealt with during the 2005 spring session.

On the subject of labour legislation generally and how it is handled by government, the labour movement, has

been aware for some time that there are different levels of efficiency displayed by governments as they bring labour laws into being.



A good example is the New Democratic Party administration in office from 1971 to 1982. That government introduced quite a number of very worthwhile legislative measures, from repealing the anti-worker provisions placed in the Trade Union Act by the previous Thatcher regime, to bringing in three weeks paid vacation after one year with the same employer.

The Blakeney government also enacted progressive changes of its own to the Trade Union Act, and passed entirely new and very substantial labour laws - unprecedented elsewhere in the world - such as the Occupational Health and Safety Act.

And the Blakeney government brought these new labour laws into being in a timely way, without endless delays or futile attempts to "consult with stakeholders" or "find a consensus" or public hear-

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# Blakeney government's better way to pass law legislation

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ings with employer associations.

SFL staff have looked at the Votes and Proceedings, the Journals and the Hansard record, and found a consistent pattern of prompt passage of labour laws by the NDP administration in the 1970s. Conversations with former senior department officials such as Bob Sass have confirmed our research.

The Blakeney government introduced good labour laws and passed them without delays or wasting time on seeking a consensus with business groups who are self-identified opponents of good labour laws, and not interested in finding a consensus.

Since the early 1990s there has been a marked deterioration in the rate at which labour laws are introduced, passed and implemented. The Romanow administration established a model of dealing with labour legislation which apparently is still being used today, and it is a process which does not work! The recent Most Available Hours fiasco is evidence of that.

In the early 1990s the Romanow government announced that the Trade Union Act was to be amended. A huge committee was appointed under the chairpersonship of Dan Ish. The committee included four employer representatives, two of whom were well known union busters and proud of it. The Committee took many

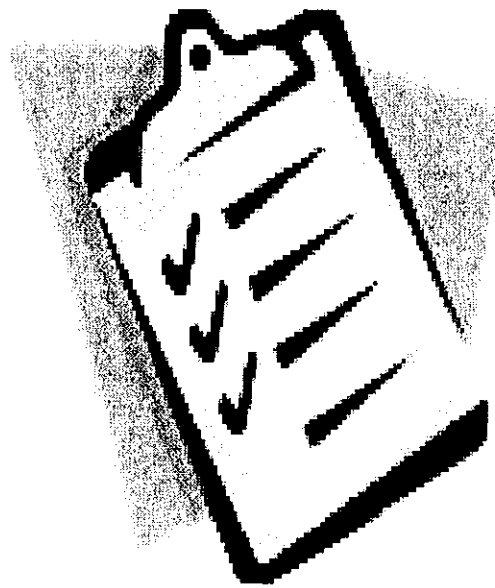
in a futile attempt to find common ground.

A similar procedure was used by the Romanow government to amend the Labour Standards Act. A committee, populated in part by uncooperative business representatives, was established, almost endless consultation was undertaken with employer groups and ultimately no consensus was found. No one in the labour movement was surprised by this outcome. It was entirely predictable.

Finally the government decided to act primarily on its own departmental advice and introduced Bills 54 and 32 at the spring session in 1994. But the consultation with the bosses was not over, even at that point!

The opponents of better labour laws kept up their lobbying and apparently it located some sympathetic ears, because House Amendments were drawn up weakening the legislation at second reading stage.

When the now watered down Bills were finally passed, they remained unproclaimed for many months.



months to consult with virtually every business and employers group in the province.

When no consensus was achieved the process was handed off to a smaller committee – again with hostile business representation – to spend considerably more time

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# Legislating for the workers not for the bosses

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A number of provisions did not become law until the following year, others have not been enacted to this very day, and still others quite likely never will become law.

The Labour Reporter presents the forgoing in an effort to convince current day legislators that the Romanow model of legislating labour laws is not a viable one. It does not serve the interests of working people...nor their unions...nor the government either. It only frustrates wage earners, annoys trade unionists, discredits the government and alienates it from workers.

The only winners are employer groups, who have been consistently hostile to the best interests of wage earners. They are the great beneficiaries of the rigmarole and delays of the Romanow model of legislating (or not legislating) labour laws. The member groups of the great coalition that founded the NDP are not well served at all.

So we serve notice on the NDP government that we, in the labour movement, are aware that there is a better way to enact legislation that is im-

portant to workers. The Blakeney government's model is far superior, and should be employed starting with Bills 86 and 87 during the present sitting of the Legislature. We do not want these Bills vetted by business, or subjected to employer association veto, or delayed with public hearings or rendered useless with pro-



business House Amendments, or postponed in their first, second or third reading, Royal Assent or proclamation.

And just to perhaps anticipate some of the reaction to this article, we remind everyone who reads it that government initiatives which impact other segments of the economy or society are not subjected to

the ineffective procedural methods labour legislation has been put through in the last decade and a half.

For example, there were tax changes designed to greatly benefit employers, brought into effect January 1 this year. The corporate income tax was reduced from 5.5% to 5% and the threshold at which the corporate capital tax applies was upped from \$17.5 million to \$20 million.

Now, we in the labour movement would like to know, when were the public hearing on that business tax reduction initiative? Where was the consultation with other interested parties such as tax-paying working people? What attempts were made to achieve a broad consensus among non-business groups?

Clearly what is required is for the government to resolve to use methods that work in implementing measures that better the lives of working people. Any move in that direction will be supported by organized labour. Any resort to the unworkable model of recent years will be opposed by the trade union movement.

# How to enact labour legislation (and how not to) !!!

## The Romanow Government's Model

- 1 Do nothing for years until working people are thoroughly alienated from government and disgusted with politicians
- 2 Do extensive polling to see if better labour laws are in any way unpopular with the voters (if they are, continue to do nothing)
- 3 Have it appear that you take your employment law legislative initiatives from the Chamber of Commerce policy manual
- 4 Consult for many, many months with every employer group you can find
- 5 Draft a Bill which is so moderate it has to be rationalized with excuses by MLAs such as "We wanted a law that will stand the test of time" or "We had to try to achieve some common ground among all stakeholders".
- 6 Have the more pro-business cabinet ministers promise employer groups that there will be no changes enacted if there is no consensus among interested parties (effectively handing bosses a veto)
- 7 Extend the consultation period and process almost endlessly to give the business lobby groups ample time to organize opposition to any proposed new law
- 8 Introduce "House Amendments" during second reading to remove clauses in the Bill that the Federation of Independent Business dislikes
- 9 Don't proclaim the law in force for years if there is the slightest hint of employer opposition
- 10 If a big enough furor is whipped up by the business crowd, introduce amendments removing the authorizing section from the Act

## The Blakeney Government's Model

- 1 Draft decent legislation
- 2 First Reading
- 3 Second Reading
- 4 Third Reading
- 5 Royal Assent
- 6 Proclamation

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## Which of these models should the Calvert government adopt?

The current NDP administration needs to make some choices: Will it continue to employ the inept and counterproductive methods of the 1990s when handling labour laws? Or will the obvious be recognized, and no further attempts made to achieve a consensus on improving labour laws with the sworn enemies of improved labour laws?

After all, the rigmarole which labour legislation has been subjected to in recent years is not something which is inflicted on any other draft laws.

Farmers and landlords and lawyers and chiropractors and contractors and denturists and academics and a long list of other groups can get their concerns addressed by government in a straightforward honest way. Why can't working people?

The wage earners of this province are not second class citizens in any way. It's time the law makers stopped treating us as though we were.

# Much remains to be done on women's issues: SFL

The province's largest labour organization chose March 8 – International Women's Day – to call for action on a number of issues that are important to female wage earners.

The Saskatchewan Federation of Labour says governments, employers and the labour movement need to place a much higher emphasis on adopting and enacting the priorities of working women.

The Federation of Labour is particularly concerned that the government of Saskatchewan has not introduced legislation to specifically require equal pay for work of equal value in all sectors of the provincial economy.

SFL vice-presidents Carla Smith and Colleen Malley, who co-chair the Federation's Women's Committee, said the Calvert government needs to follow the lead of eight other provinces and the federal government and pass a pay equity law to erode the thirty per cent wage gap resulting from gender-based discrimination.

Malley said government departments need to do a better job of acquainting working women with their legal right to a violence-free and harassment-free work environment.

Smith called for better enforcement of restraining orders on violent spouses, more emphasis on applying anti-stalking laws and stepped up pursuit of those people with unpaid maintenance orders.

The SFL is also calling for an immediate increase in the minimum wage to \$8.16 an hour to lift low income workers' earnings up to at least above the poverty line. A large number of young women work at or near the minimum wage, and a hike in the province's lowest legal rate of pay is long overdue.

The origins of International Women's Day date back to March 8, 1857, when women employed in New York City's garment district walked off the job and staged a march to protest twelve hour days, poverty wages and unhealthy, unsafe working conditions.

Shortly thereafter the women formed the first needle trades union and started the long struggle for economic justice and security.



## **Tune in to Labourstart**

LabourStart, the online news service that serves the international trade union movement, has launched a brand-new radio station on the Internet.

Radio Labourstart broadcasts 24 hours a day, seven days a week. Programming includes a mix of news, views and music.

You'll hear songs that fan the flames of discontent by artists like Woody Guthrie, Bob Dylan, Pete Seeger and Bruce Springsteen. And, there's a daily three-minute labour news report from the Workers Independent News Service.

All you need is an Internet connection, a sound card and speakers. Learn more at <http://radio.laborstart.org/>

## **Award Well Deserved**

In partnership with the United Way, the Saskatoon and District Labour Council held its seventh annual Labour Community Service Award Dinner on Friday, February 11<sup>th</sup>, 2005.

The Labour Community Service Award Dinner is an annual event held to recognize a union member who is active both in their community and in their union. Michael MacIsaac, Executive Director, Canadian Labour Congress addressed the group of union and community leaders and spoke of the importance of the Labour/United Way partnership.

The recipient of the Labour Community Service Award this year is Tracy Goodheart, Advo-

cate, Unemployed Workers Help & Counselling Centre.

Her ten-year history of volunteer leadership includes roles as Chair of her employer's United Way workplace campaign, Chair & Co-chair of the Labour Division of the United Way of Saskatoon's Volunteer Campaign Cabinet and for the past four years a member of the United Way of Saskatoon Board of Directors.

Tracy also sits on the Advisory Committee of Volunteer Saskatoon, is the Secretary of the Saskatoon & District Labour Council and is a member of the Board of Directors of CHEP.

The Annual Community Service Award and Dinner is one of several projects of the Labour Partnership Program of Saskatoon and District Labour Council and United Way of Saskatoon; a partnership that is working to build community together.

## **Labour calls budget "underwhelming"**

The provincial budget was read March 23. It contained some worthwhile announcements, but overall workers will regard it as underwhelming.

The SFL endorses the increases in spending for health care and education. The new money for cancer diagnostic procedures and renal dialysis services is good news and welcome. Unfortunately many of the needs and priorities of the

people delivering services are not addressed in this budget.

Similarly in education, the increased expenditures are a positive move, but the one year freeze on tuition fees for university students is for too short a duration. Most university courses are at least three years in length, and the tuition cap should apply to all post secondary education, not just academic programs.

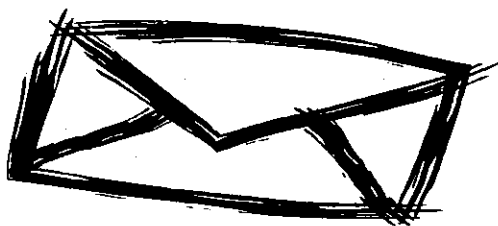
The SFL is critical of the small increase announced in social assistance rates. Most recipients will get less than \$150 a year. This after two decades without a meaningful increase. The planned shelter subsidy for low income families will be inadequate to relieve the financial strain on many of the working poor.

The announcement of funding for an additional 250 child care spots in the coming year is also very modest in relation to the sizable need in families where both parents work.

The labour federation is not optimistic about good things coming out of the announcement of a "Business Tax Review" in the coming year. This has all the earmarks of a process to further reduce corporate income tax, and provide more corporate welfare.

The provincial treasury realized over a billion dollars of unanticipated, increased revenue in the last fiscal year and should have been able to do more with it than is reflected in this budget.

## A Labour Minute



### Neil's letter

Neil Reimer went to work at the Consumers Cooperative Refinery in Regina in 1942. Before long he helped organize the employees into their first union.

Reimer became a staff rep with the Oil Workers International Union (later known as the Oil Chemical and Atomic Workers) and did a lot of organizing in chemical plants and refineries in Alberta.

A bright, capable man, Reimer rose steadily to become the top official with his union in Canada.

At one point a veteran union rep working under Reimer was having some problems with alcohol. He missed an important arbitration meeting and a worker was terminated from his job.

Some said Reimer should fire the rep, but Neil didn't do that. Instead he sent him a letter in which he asked if the union staffer could straighten himself out and represent workers as they deserved.

The union rep did clean up his behaviour and for years carried with him a copy of Reimer's letter to remind him of his duty to union members. The union rep did some of his best work in the years that followed.

Labour Minutes recount the great stories of working people and their unions and take just a minute to read

## Goings On

### Ready for Work Program

Ready for Work facilitators will talk to high school students about safety on the job and workers' rights.

A new group of facilitators has been trained and are available now to speak to classes. For information contact the SFL Ready for Work Coordinator at 924-8576.

This is a great program, that saves lives. Your kids' school should make use of it.

### Labour College courses

The Labour College of Canada offers great labour education programs in Ottawa.

Regional programs are also held at other locations across Canada. For information visit the website - [www.labourcollege.ca](http://www.labourcollege.ca)

### Spring School

The SFL - CLC Spring School will be held May 8-13 at Athabasca Hall on the University of Saskatchewan campus in Saskatoon. There is residential accommodation available and childcare too.

Courses include collective bargaining, shop steward training, labour law, union counseling and many other classes. Get a registration form from your union office or the CLC.

### SIAST offers Labour courses

The 4 campuses of the Saskatchewan Institute of Allied Science and Technology in Prince Albert, Saskatoon, Moose Jaw and Regina offer courses in Labour Relations, Human Resources and other classes - including night classes - that would be of interest to working people, particularly those workers interested in being more involved in their union.

Get a SIAST calendar and check it out.



# Labour should be part the Centennial

This year - 2005 - marks the centennial of our province, and working people and their unions should be involved in the celebrations.

We want to commemorate the part played by workers in the development of Saskatchewan, and have readings from the soon to be published Saskatchewan Labour History Book in all parts of the province, and expand the cultural events during May Works, and take up other good ideas too.

You and your local can help Labour be part of the Centennial.

Cheques made out to the Saskatchewan Centennial Workers Celebration Committee, can be sent to the Saskatchewan Federation of Labour, 220 - 2445 13th Ave Regina.