

Labour Reporter

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Most Available Hours axed !!!!

The furor whipped up in recent weeks over the Most Available Hours initiative has caused the Calvert government to completely abandon the measure and even indicate they'll remove the section from the Labour Standards Act.

The labour movement strongly opposed this capitulation to the business lobbyists, and here's why -

In early November last year the Minister of Labour, Deb Higgins, announced the province was going to proceed with implementing the Most Available Hours law that was first passed by the legislature in 1994.

Higgins also announced that she would schedule consultation sessions to hear from stakeholders on the matter of designing - or refining - a regulatory framework to implement Most Available Hours.

The Saskatchewan Federation of Labour and a number of unions presented briefs and indicated their willingness to negotiate with employer groups to

come up with a workable system of implementing the measure, which is intended to help part-time employees get more hours of work until they have full-time employment.

PART-TIME WORK

It is generally agreed that one job in five is part-time. In the service sector in particular, but also at retail outlets, there is an even higher percentage of jobs which are less than full-time.

Young working class people would at one time complete their schooling and go out to look for a job. Young people today often go out and look for more hours of work and hope to obtain enough hours to pay the rent and cover the bills.

Research by Statistics Canada Labour Force Survey and the Sask Trends Monitor indicates that at least one in five part-time employees wants a full-time job. That is fully 20 per cent of the part-time workforce, and there is certainly no indication that this is an inflated or exaggerated figure. In fact this issue was specifically studied

by extensively distributed questionnaires when the Labour Standards Act Review was under way as the government proceeded with legislating Most Available Hours in the mid-1990s. At that time the Department of Labour survey found that 32 per cent of part-time workers in Saskatchewan wanted full-time jobs.

An extensive study done for the Canadian Council on Social Development (Schellenberg, 1998) entitled *The Changing Nature of Part-time Work* found that the percentage of part-time workers who want full-time jobs had increased steadily from 11 per cent in 1975 to 35 per cent in 1994. The study also found that low incomes, few employee benefits and a pervasive, chronic insecurity accompany part-time work. Two out of five part-timers earned less than \$7.50 an hour. Fewer than one in five had any access to employee benefit plans. And many had fluctuating hours resulting in a

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Available Hours

not only inadequate but also an unpredictable income.

Beyond that there is another group of part-time workers that should not be ignored. These are the part-timers who want more hours of work than the current system is able to deliver to them, but because of educational or family obligations, they can not take full-time employment. These workers just want some additional hours beyond what they have now.

The research identifies part-time workers to be predominantly young, female and lower income. The studies indicate that 75 per cent of part-time workers in Saskatchewan are women and 75 per cent of part-timers work in the service sector.

The employed provincial labour force is currently 475,000. Assuming that this Statistics Canada figure is accurate, something close to 100,000 Saskatchewan people are part-time workers.

Clearly this is a very sizable group of citizens, voters and taxpayers and they have every right to look to their provincial government for initiatives that will provide them with an improved work life and a better standard of living.

The government should enact Most Available Hours as it had originally planned.

Business lies about the Most Available Hours law

NO MONSTER HERE

There has been significant opposition to Most Available Hours, some of it - in fact much of it - unreasonable, irrational, incoherent and nearly hysterical.

This proposal is not a "job killing monster", as the bosses say, it is a modest, sensible and workable initiative.

The hostility to this proposition has been driven by blind ideology rather than well researched facts and informed good sense.

It is hard to imagine any viable company, let alone any sector of the economy being put in jeopardy of an economic tailspin by an initiative as innocuous as Most Available Hours.

One criticism of Most Available Hours is that it will be complex to administer. Let's examine that concern.

Presumably employers with part-time workers will presently be using some method of keeping track of these employees. Perhaps it will be an alphabetical listing of the employees, together with their phone numbers and addresses. This Most Available Hours proposal will simply require the boss to rearrange the list to

have the longest serving employee's name at the top and the more junior workers listed in descending order below. Not an overly onerous requirement. In fact management will already have to know about the length of time an employee has put in with the company for the purposes of extending holidays for example.

The government's draft Most Available Hours regulations make calculating length of service easy by using date of hire rather than accumulated hours worked.

The shift to this new scheduling system can be straightforward and simple.

It should be noted too that the requirement for part-time employees to state their availability for more work will be very useful to employers. The draft regulations oblige part-time workers to provide a statement of their availability. This will greatly assist managers in scheduling people to fill upcoming shifts. Employers will not have to contact employees to see if they can work or not.

Another claim by the business lobby groups is that the proposed Most Available Hours regulations will damage

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Business opposition to Hours law irrational

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or destroy the employers' ability to engage in employment equity programs and accommodate groups such as disabled persons, Aboriginals, visible minorities and women.

Since the business crowd generally has managed to achieve a pitiful record in this area to date - characterized chiefly by foot dragging and inertia - it is a bit ironic, to put it mildly, that they should now turn to this as a centerpiece argument in opposing rights for part-time workers.

Furthermore, the Charter rights in the Canadian Constitution and the rights extended by the Saskatchewan Human Rights Code are not eroded, diminished, infringed upon, trumped and certainly not extinguished by a simple, short Order in Council enacting some regulations attached to the Labour Standards Act.

This whole "denial of minority rights" assertion is bogus and ludicrous given the legal supremacy of the Charter and the Code. The argument is not one an objective observer would categorize as "a clincher".

One undeniable fact is this:

length of service is the only real truly objective criteria, because it is "colour blind" - and not open to racism, sexism, discrimination, favouritism, and the like.

Another of the criticisms of Most Available Hours is the suggestion that it will necessitate the assigning of unqualified people to tasks that require skill to perform.



Labour's response is to point out that it is the owners and managers of workplaces who have been doing the hiring thus far, and they will continue in that capacity following the

proclamation of this legislation. They will continue to be in charge of training and skills development among their staff. If it is the wish of employers to hire qualified people and devote some resources to maintaining their qualifications, nothing in the proposed Most Available Hours regulations would have hindered that.

In fact the regulations insist on qualified people being assigned to do the work, and the term "qualifications" is specifically defined in the draft regs. The regs needed to be tightened up in this area to take into consideration the concerns raised by some affiliates of the SFL. There would have also been, upon proclamation, a statutory requirement at section 13.4(1) that only employees with "qualifications" be offered additional hours of work.

If less than qualified or underskilled part-time employees were put to work under Most Available Hours regulations, it would not have been because of the Most Available Hours legislation. In fact, it would have been in spite the proposed law, not because of it.

Wal-Mart's sad business model

The Wal-Mart business model has relied on new innovations in inventory management, focusing on ignored markets (low-income shoppers in rural areas -- though this is now changing), and squeezing suppliers to lower their margins. But it has also relied centrally on undercompensating employees and externalizing costs on to society.

In a February 2004 study done by U.S. House of Representatives member George Miller, the California Democrat sets out the ways that Wal-Mart squeezes and deprives its employees, among them: blocking union organizing efforts, paying employees an average \$8.23 an hour (as compared to more than \$10 for an average supermarket worker), allegedly scheduling off-the-clock work, and extending in-

adequate healthcare packages for employees.

Miller's report documents how Wal-Mart's low wages and minimal benefits not only hurt workers directly, but impose costs on taxpayers. The report estimates that a 200-person Wal-Mart store may result in a cost to federal taxpayers of \$420,750 per year - about \$2,103 per employee.

These public costs include:

- * \$36,000 a year for free lunches for qualifying low income Wal-Mart families.

- * \$42,000 a year for housing assistance, assuming 3 percent of the store employees qualify for such assistance, at \$6,700 per family.

- * \$125,000 a year for federal tax credits and deductions for low-income families, assuming 50 employees are heads of

household with a child and 50 are married with two children.

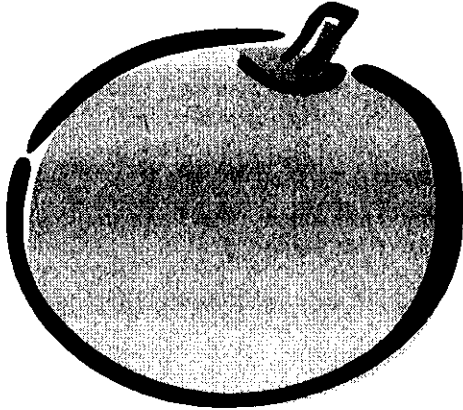
- * \$100,000 a year for additional educational expenses, assuming 50 Wal-Mart families qualify with an average of two children.

- * \$108,000 a year for the additional federal healthcare costs of moving into state children's health insurance programs, assuming 30 employees with an average of two children qualify.

"There's no question that Wal-Mart imposes a huge, often hidden, cost on its workers, our communities and U.S. taxpayers," Miller said. "And Wal-Mart is in the driver's seat in the global race to the bottom, suppressing wage levels, workplace protections and labor laws."



A Labour Minute



Wagner peels an orange

In 2004 United Mine Workers of America members in the open pit coal fields of southeastern Saskatchewan were in a struggle with their employer over where the miners were going to eat their lunch.

The coal company was insisting that the workers eat on their machines—big earth movers, bulldozers and other heavy equipment.

The union wanted to maintain their long-standing practice of going to lunch rooms where they could wash up and take a break from the noise and coal dust while they ate.

A delegation of UMWA members asked for and got a meeting with Department of Labour officials to discuss the issue.

When the senior bureaucrats seemed reluctant to accept the miners arguments UMWA local president Lorne Wagner produced a small bag of coal, rubbed his hands in the oily lignite and then proceeded to peel an orange, just as a miner would have to do if forced to eat on his machine.

Wagner then offered the now nearly black orange segments to the government officials, who for the first time seemed to begin to understand what the issue was all about.

Labour Minutes recount trade union and working class history 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

Labour Law Conference

For the last few years the SFL has organized an annual conference to acquaint trade union activists with changes and trends in labour law, regulations, Labour Relations Board decisions arbitration awards, court decisions and any other legal matters affecting workers and unions.

The local lawyers who practice labour law also attend and make presentations in subject areas where they have expertise.

The 2005 version of this conference will be held at the Bessborough Hotel in Saskatoon March 23 and 24. You can still register, but try to get that done as soon as possible.

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.

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/>

Airing dirty laundry

A nursing home employee says there are some real problems in the newly redesigned Sun Country Health Region's laundry service.

Jillian Rainville, who has worked at the Estevan Regional Nursing Home for 14 years, says things have gone downhill since the health region switched to a new centralized laundry system last month.

Previously, the laundry was done at the nursing home.

Now, sheets, pillows and other laundry are trucked to Weyburn, while residents' clothes go to the hospital in Estevan.

Rainville says the new system is not working well at all.

Recently some personal items came back damaged and shrunken to half their original size.

"Sweaters, in particular, were extremely wrinkled and it didn't look like any pressing would take out the wrinkles," she said. "And there were some that actually had holes in them."

Health region spokesperson Lloyd Searcy said the problems can be summed up as "bumps in the road". He said Rainville's concerns have been addressed.

"We did contact the families and offered to replace the items to a value of \$35," he said.

Rainville is glad something has been done, but added her concerns weren't taken seriously until she went to the local newspaper.

Now she's hoping other wrinkles with the new system can be ironed out more easily.

Help a study

A two-year research project has been funded by Health Canada's Health Policy Research Program to examine health care workplaces in Saskatchewan. In early December, more than 4000 letters of invitation were mailed to a **random sample** of those working for Saskatchewan's Regional Health Authorities, inviting them to participate in this research by accessing a website to complete a survey.

The survey asks questions about the characteristics of quality workplaces and whether you be-

lieve you are working in one. It asks questions about recent research on the subject and whether you believe it has made a difference. And if it has, how and if not, why you believe it hasn't.

If you received a letter of invitation to participate, we encourage you to go onto the web-site, enter your access code, and provide your input. If you want to vent, let 'em have it! If you see a glimmer of hope, that's good to hear too. Whatever your reality is in your health care workplace, they'd like to hear it. So please, if you received a letter of invitation to participate, take time to complete the survey. You may even want to volunteer to participate in a focus group to discuss the subject in more depth. Contact information is provided at the end of the survey.

All the information you provide is **confidential** and **anonymous**. You have their word on it. Data provided by participants in the survey will be used in a general, aggregate form only. The research team is led by Dr. Marlene Smadu, Associate Dean, College of Nursing, University of Saskatchewan.

For further information about the research project, the research questions and background, the web-link is:

http://www.spheru.ca/PDF%20Files/SMADU/Healthy_Workplace_Main_Page.htm

If you prefer to talk to someone, the Research Co-ordinator can be reached toll free at 1-866-440-4479 or in Regina at 337-2511.

SFL offered remedy on hours law

The organization that speaks for the province's working people offered several times to enter into discussions with business groups to work out differences over the Most

Available Hours legislation.

In January, Saskatchewan Federation of Labour president Larry Hubich wrote to the Saskatchewan Chamber of Commerce proposing a meet-

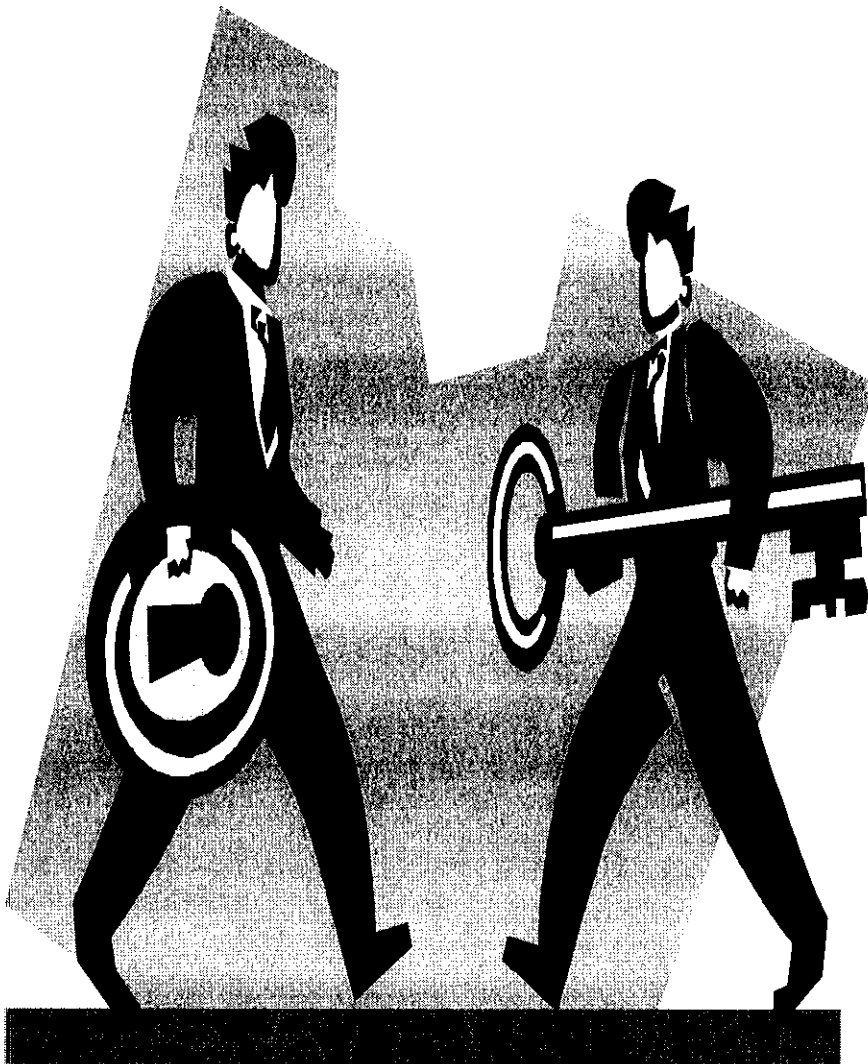
ing to discuss the draft hours of work regulations.

"I attended the business rally in Saskatoon on January 24th to hear what they had to say about the proposed regulations," Hubich said. "While there is a difference of opinion we may be able to find some common ground."

"I offered to meet with representatives of the Chamber to see if we can work things out. It's my experience that Saskatchewan people have found many ways to co-operate and solve problems innovatively over the years. I think it is important that we sit down and discuss this issue face to face."

Hubich said he is calling for a small meeting with "two or three Chamber representatives and two or three representatives from labour." He has also asked that the meeting, if agreed to, be held at an early date and that he would make himself available at any time.

The Most Available Hours law would have provided any new hours of work to qualified part-time employees based on their length of service with their company. The aim was to create more full-time jobs.

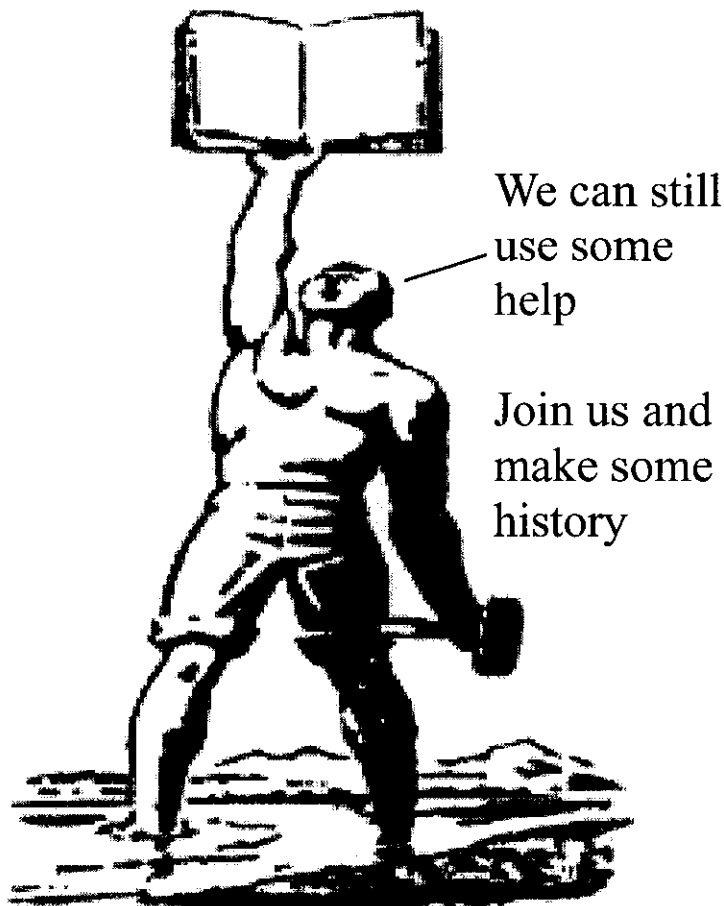


This is positively your last chance

By early April the final editing, photo development and art work for the **Saskatchewan Labour History Book** will be completed.

Fundraising has been very encouraging so far, but if you could help us finish up the remaining work we would appreciate it.

And you will be part of making some history.



If you, or your union, or bargaining unit, or local, or labour council are able to help with a donation, please consider doing so.

Please be part of this important work, by sending us a financial contribution. Cheques can be made out to the **Saskatchewan Labour History Book Project** and sent to the Saskatchewan Federation of Labour office, 220 - 2445 13th Ave. Regina.

All contributors - both individuals and locals - will be listed in the book