



# FORWARD TOGETHER

## A Canadian Plan

Rebuilding our economy that is disaster proof and works to the benefit of all Canadians will mean addressing the failures and weaknesses revealed by the pandemic. We need a plan that's rooted in helping workers - on health care, on jobs and in how we care for each other. Forward Together addresses three critical priorities to help our country recover and keep us safe in the future.



### Replace Lost Jobs with Better Ones

Canada's economic shutdown hit people hard - especially women, youth, people of colour and vulnerable workers in precarious forms of employment. We need the Canadian government to help kick-start local economies by investing in public infrastructure, public services, and a made-in-Canada procurement strategy.

**Many people who lost their jobs lost their drug benefits. But they still need their meds. Let's make prescription drug coverage part of public health care.**



**There are shovel-ready projects waiting for the Liberals to say yes. It's time to get people back to work.**



### Strengthen Canadian Public Healthcare

Canada is the only country with a universal health care system that doesn't include prescription drug coverage. We also know 3.5 million Canadians can't afford the medication they need. It doesn't add up - and it's only going to get worse in the pandemic. Our best policies are ones where we stick together.

### Disaster-Proof our Social Safety Net

Canada has weathered the pandemic better than most places because we all worked together. Support a plan that's rooted in our way of doing things like making sure Employment Insurance is there for everyone who needs it, investing in a plan for child care and keeping communities strong with better affordable housing.

**Some people who pay money into EI aren't even eligible to claim it. And many precarious workers can't access it at all. That's why we needed CERB in the first place. Fix EI.**



# PRAIRIE VOICE

## Manitoba Edition

It is an understatement to say that these last nine months have been difficult. Numerous members have lost their jobs due to the pandemic shut down or had to adjust to working from home practically overnight, many working in less than ideal circumstances while managing childcare responsibilities. Other members have continued to go into work, often risking their health and the health of their family. To say the least, life has been challenging.

Unfortunately, like the rest of the country, the typical work of the union will not be getting back to normal any time soon. We have been trying to adjust as best we can, adhering to public health recommendations, while ensuring we put the health and safety of members and staff first.

It has not been easy. Core functions of the union have had to be done completely different. As anyone who partic-

ipated in the recent ratification votes knows, there have been a number of growing pains. I appreciate your patience and understanding as we navigate this new normal.

To aid my work and that of PSAC, I am asking for your feedback. I have prepared a survey for you to fill out online. To do this, please scan the QR code at the bottom right hand corner. I would like to know how you want to get or stay connected with your union in lieu of face-to-face activities, what kind of online education opportunities you would find useful, or what kind of local initiatives PSAC committees could be supporting, among other things.

Life throughout this pandemic is uncharted territory. Please take the time to complete the survey so we can get a better sense of how to continue to serve you during this uncertain and difficult time.

COVID-19 has impacted every aspect of our lives and the recent public health measures have been difficult, regardless of how necessary they are. In addition to the COVID-19 reality that Manitobans are struggling with, I wanted to acknowledge further challenges Manitoba is going through because of a recent piece of legislation from the Pallister government. I am concerned about the impact Bill 16, *The Labour Relations Amendment Act*, will have on you, your loved ones, and our province. Included in this leaflet is information regarding Bill 16 as well its consequences on Manitobans.

In Solidarity,

Marianne Hladun  
Regional Executive VP  
PSAC - Prairies



## SCAN THE QR CODE TO COMPLETE THE SURVEY

### PRAIRIES.PSAC.COM

**Contact Marianne**

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# THE ISSUES



## Bill 16, Labour Relations Amendments Act

This bill will significantly change collective bargaining rules in Manitoba and tip the scales in favour of the employer, disenfranchising workers and their unions. It is clear Premier Brian Pallister wants to punish the public sector unions who challenged his unconstitutional bill – and won.

This June, Court of Queen's Bench Justice Joan McKelvey ruled that Bill 28, The Public Services Sustainability Act, violated Manitobans' charter right to freedom of association and collective bargaining. Justice McKelvey stated the 2017 bill, "left no room for a meaningful collective bargaining process on issues crucial to union memberships." PSAC Prairies was a part of the Partnership to Defend Public Services, the coalition of Manitoba unions that challenged Bill 28 in court.

Instead of listening to the court ruling, Premier Pallister gave Manitobans Bill 16, The Labour Relations Amendments Act.

Since this bill makes changes to The Labour Relations Act, these changes will affect how working people can unite through their union for things like better pay, benefits, and working conditions. There are extensive

changes in this bill and we could not include everything, but here are the main takeaways.

### Making it easier for bad employers to fire striking workers

Currently, an employer has the right to refuse to reinstate a worker after a strike if that worker is charged and convicted of a criminal offence for misconduct. Under Bill 16, the requirement of a criminal conviction is removed, enabling an employer to fire a worker based solely on their assessment of "just cause."

Withdrawing labour (a strike) is the last tool workers have in labour negotiations when workers do not feel respected by their employer's proposals at the bargaining table. The previous provision was clear cut and protected workers from bad employers looking to retaliate against striking workers, strike leaders, and union organisers. This change leaves workers vulnerable if they decide a strike is necessary.

Additionally, punitive strike firings can significantly worsen labour relations and prolong labour-management conflict after a work stoppage.

### Making it easier to decertify a union

Bill 16 reduces the threshold for triggering a decertification vote from 50% to 40% and for a displacement vote from 45% to 40%. Meaning, when 40% or more employees petition for decertification or displacement of a union, the Manitoba Labour Board will hold a secret ballot vote of all employees. A simple majority of 50% +1 will determine the outcome.

This change comes on top of Bill 7, The Labour Relations Act, which banned card check certification, making it more difficult for workers to join a union. Therefore, workers who want to join a union must go through a two-vote process – once by signing a union card and then again through the secret ballot vote – resulting in a longer, more difficult process that allows more time for bad employers to interfere and intimidate workers.

### Eliminating Alternative Dispute Resolution (ADR)

Now this amendment is nonsensical. ADR is a made in Manitoba solution that avoid lockouts or strikes from dragging on for months and months. Currently, either party – employer or union – can request binding arbitration to settle a dispute after 60 days. ADR is not mandatory but it is an important tool available for resolving disputes.

This change by the Pallister government completely removes this option in labour negotiations, against the explicit request of the Labour Management Review Committee (LMRC), a decades-long committee comprised of labour and employer representatives.

ADR reduces the length of lockouts and strikes in two key ways. First, it provides an incentive for parties to be reasonable at the bargaining table and try to reach a deal through negotiations, rather than risk a less favourable outcome imposed by a third-party arbitrator. Second, it reduces the lengths of lockouts and strikes by allowing either side to trigger binding arbitration to end a lockout or strike after 60 days.

ADR is good for workers, employers and Manitobans as a whole. It begs the question, why would Pallister and his government remove such a helpful and universally supported tool?

### Targeting Public Sector Unions

To be clear, union organisations are funded exclusively by members and receive no public dollars whatsoever. Despite this, Pallister and his government have taken it upon themselves to interfere in the financial affairs and membership relations of public sector unions – the same

unions that challenged the constitutionality of the government's wage freeze legislation (Bill 28) and won. Coincidence? We think not.

Under Bill 16, public sector unions will be required to obtain independently audited financial statements and provide a copy to every member of the union, whether they requested them or not. Now this one is straight out of Jason Kenney's play book, who has the same requirement of unions in Bill 32 in Alberta.

This does not seem to actually be a problem since the Manitoba Labour Board has not received one complaint from union members in the last 10 years – a literal decade – concerned about access to their union's financial statements. The reality is union members can already access their union's financial statements whenever they want. All a member has to do is make the request.

Public sector unions in Manitoba are concerned about the same consequences as unions in Alberta. If employers get a copy of union financial statements that could compromise collective agreement negotiations for workers. There is no way an employer should know how much money is in a union's strike fund but with thousands of copies of a union's financial statements being released, the probability of

an employer getting their hands on a copy is extremely high.

Another way the Pallister government is targeting unions is through the mandatory creation and distribution of a "sunshine list" of union staff who directly or indirectly receive compensation of \$75,000 or more. Could you imagine a government interfering with a business in this manner?

"Sunshine lists", which require the disclosure of employee salary levels, are common for entities that receive government support through public sector funding but unions do not receive a dime of public money, unlike businesses who are eligible through lucrative tax breaks. However, those businesses do not have the same requirements imposed upon them.

Again, it is unclear what problem Pallister and his government are attempting to solve. What is clear, is this provision has nothing do with fairness – Bill 16's compensation disclosure requirements for unions are intended to interfere in the relationship between unions and its members.

Unions exist because members voted to form them and fund them. Members should be deciding on how their union is run, not an anti-labour government.

**BUT WAIT! THERE IS MORE. GO TO PRAIRIES.PSAC.COM**