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Speech from the Throne Opens New Session of the Alberta Legislature

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Public Right Yes! Monopoly Right No!

Speech from the Throne Opens New Session of the Alberta Legislature

- Peggy Morton -

The Second Session of the 29th Alberta Legislature opened on March 8, 2016, with a Speech from the Throne delivered by Lois Mitchell, Lieutenant Governor of Alberta on behalf of the NDP government. The Throne Speech opens a new session of the Legislature and outlines the broad goals and direction for the government.

A major concern in the Speech from the Throne was what action the government should take in the face of the economic crisis in Alberta, the continuing collapse of oil and natural gas prices, and rising unemployment.

The Speech says, "We are facing another deep slump in the international price of oil. Let there be no doubt. Albertans are going to get through this together, as we have done before. We will address the difficult choices that lie before us, in keeping with our deeply held values.

"Albertans are an optimistic, entrepreneurial, can-do people. And Albertans are community-minded, caring and neighbourly. Ours is a society of friends. In tough times, we always pull together. We have each other's backs. We support each other in these times instead of making a bad situation worse. We don't need to put our short-term bottom line over the interests of long-term recovery."

By stating that we will all get through it together, the NDP is taking a stand that wrecking of public services as demanded by the PCs and Wildrose is not a solution but will only make the crisis more severe.

What also needs to be addressed is the clash of rights. Without doing so, how is the question of what constitutes a responsible approach to the upcoming budget to be determined?

Under the PCs, monopoly right had free rein and the government declared its mission to make the monopolies competitive internationally. The most powerful monopolies have their own agenda in the face of economic crises, which regularly occur under their control. Once again, they are using the present crisis as an "opportunity" to wipe out the smaller players, destroy the competition, expand their social wealth and control, and strengthen their dictate over the entire society. They have thrown tens of thousands of workers onto the streets without concern for their well-being or the communities that are suffering, and demand those who remain accept anti-social concessions.



The same drive for hegemony and to come out on top is what led to the collapse of oil prices in

the first place. As well as carrying out predatory wars to maintain control and deprive their rivals of secure sources of energy, the U.S. imperialists embarked on a course to vastly increase North American oil production using new techniques such as hydraulic fracturing along with government funding for energy projects, relaxed environmental regulations and state-supplied infrastructure. This was done while knowing full well that many large-scale longer termed oil development projects in Alberta, Newfoundland and the Gulf of Mexico were well underway that in themselves will bring new oil to market not to speak of Iran's potential once free of the embargo, which the U.S. government had already decided to lift.



The deliberate flooding of the global oil market with millions of barrels per day of new fracked oil has caused a predictable glut and collapse of oil prices. This was a conscious policy of U.S. imperialism to damage the economies of its rivals. Not only is Canada suffering, but many other countries including Venezuela, Brazil, Russia, Iraq, Nigeria and even Iran are all hard hit with oil market prices below the prices of production and transportation.

The claim that Canada could become an energy superpower has been shown to be completely bogus, and the working people of Alberta, Saskatchewan and Newfoundland are suffering as a result. The efforts of the United States of North American Monopolies to crush its rivals and those who do not submit to their dictate have led to the present situation. The same monopolies that caused the crisis want to create a diversion by using the Wildrose and PCs to make the absurd claim that this is all the doing of the NDP government, and that the NDP must carry on with the neo-liberal mission to pay the rich to make the monopolies they own competitive, privatize public assets and services, and decrease public investments in social programs.

The agenda of the working class is to solve the crisis by providing solutions on the basis that society must look after the wellbeing of its members. What actions to be taken concern everyone; the working class must rise to the occasion and create public opinion for a new pro-social direction for the economy and defeat the agenda of the rich and their monopolies.

The alternative to the rip and ship, boom and bust economy that certain monopolies dominate is to build a vibrant, all-sided economy with development of upgrading, processing and manufacturing, and to increase investments in social programs and all manner of public services. The various schemes to pay the rich from the public treasury should be eliminated and then made illegal, in favour of public enterprise and public control with which public revenue can expand and the economy stabilized and inoculated against recurring crises.

A new pro-social direction means restricting monopoly right to make decisions regarding the economy according to their narrow private interests. It means recognizing that in a modern socialized economy, those who produce the goods and services must have a say over what is produced, how it is produced and how the social wealth is distributed.

The immediate necessity is to stop paying the rich and increase investments in social programs and public services!



The Clash of Rights and Interests

Stop Paying the Rich! Increase Investments in Social Programs!

The preoccupation of the PCs and Wildrose with wrecking and privatizing public services has never been about balancing the public accounts *per se*. The same forces that want to destroy public services or turn them over to private interests and deprive the people of their rights do not object to expensive pay-the-rich schemes and providing the energy monopolies with free infrastructure. The PCs and Wildrose and their rich allies have no problem with governments handing public funds over to private interests to maintain or increase their profits.

Public funds represent a portion of the social wealth workers have produced, which governments claim on behalf of all the people. To then use those public funds in pay-the-rich schemes on behalf of certain privileged private interests flies in the face of government serving the public interest. Such schemes increase the claims of the rich on the social wealth workers produce and decrease the claims of the actual

producers within the socialized economy, the working class, and reduce the amount available for social programs and public services such as education, health care and to meet the needs of the unemployed and society's most vulnerable members.



When oil prices collapsed in the 1980s, then Alberta Premier Don Getty reduced royalty rates on oil and expanded the system of direct handouts to the energy monopolies to other sectors. Those pay-the-rich schemes are estimated to have resulted in \$19-billion directly handed to the oil, construction and forestry monopolies. The budget deficits that resulted from those handouts to the rich became a pretext used by Ralph Klein to step up the anti-social offensive and engage in all-out wrecking of social programs and attacks on the working class demanding anti-social concessions. Not only did Klein slash social programs, he handed over public assets to private interests, depriving the public treasury of billions in revenue from the value created by public sector workers.

With today's collapse of oil prices, the clash is not between deficits vs. no deficits or deficits vs. social programs as many in the camp of the rich would have us believe. No, the clash is not of that quality but rather a clash of rights and interests. Whose rights are to be upheld and how: monopoly right or public right? Whose interests are to be cherished and served: the narrow private interests of the monopolies or the broad public interests of the people?

We live in a modern socialized economy whose sectors, industries and units are integrated and completely interdependent and reliant on one another yet ownership and control are private mainly concentrated in the hands of the very rich. Those who own and control the main means of production are desperate to maintain their domination over social wealth and its production and distribution, and preserve their grip on economic and political power, their monopoly right to decide everything according to what is in their narrow private interests.



This desperation to use monopoly right to serve their narrow private interests flies in the face of the realities of the economy where production is broadly socialized and most everyone is engaged in social production and depends on it for their livelihoods and well-being. The historical and social conditions demand that the rights of workers and the defence of public right and the public interests require that monopoly right and the narrow private interests of the monopolies be restricted and curtailed.

The clash of rights and interests is real and palpable. Monopoly right strives to deprive public right and vice versa. The private interests of the monopolies strive to deprive the public interests of the people and vice versa. The working class cannot rest indifferent to this clash of rights and interests. It must take a stand and fight for the modern principle that the responsibility of governments is to guarantee the well-being and rights of the people and look after the broad public interests and general interests of society.

At this time the clash of rights and interests is expressed in the demands: Public right yes! Monopoly right no! Stop paying the rich! Increase investments in social programs and public services!



Discussion on Essential Services Legislation

Teachers' Experience with Being Declared Essential

- Kevan Hunter -

As the Alberta government considers legislation to replace the unconstitutional laws that criminalize workers' right to strike, it is useful to examine the experience teachers have with legislation that has been used against them, as a weapon to silence their demands for the improved classroom conditions necessary for student learning and other issues. Large class sizes and long hours of work affect not just teachers, but the rights of all to an education on par with what society can provide.



Neo-liberal governments refuse to provide the necessary funding to guarantee the right to education, while strengthening private and charter schools, which pose a threat to public education.

While teachers' right to strike is not presently criminalized like that of health care workers and others, neo-liberal governments have never hesitated to push through legislation whenever they

wish to criminalize teachers' struggles and wage the anti-social offensive. The experience of teachers shows that legislation is needed to restrict government's ability to use arbitrary measures as a weapon against public sector workers and those who rely upon the services they provide.

Teachers' experience also shows the need to repeal section 112 of the Alberta *Labour Relations Code*, which gives the Minister in charge broad arbitrary powers to order workers, both in the public and private sectors, back to work. [1]

Strike Actions in 2002

The last time a large number of teachers went on strike was 2002. Leading up to the 2002 strike, the Alberta Teachers Association (ATA) took the position, as it does now, that a strong public education system requires good salaries and conditions of practice for teachers. Wages had still not recovered from the 5 per cent rollback of the Ralph Klein era. Government took the stand that teachers would need to choose between smaller class sizes, and increased wages for themselves, and budgeted accordingly.

The PC government invoked Section 112 of the *Labour Relations Code*, which permits the Lieutenant Governor in Council to issue a back to work order if, **in their opinion** an emergency exists or if "unreasonable hardship" is being experienced by persons who are not parties to the dispute (*emphasis added*). This claim of unreasonable hardship was made 17 days after the first locals walked out, but only 24 hours after other locals joined the strike.



While government argued that the Section 112 phrase "in the minister's opinion" meant the courts had no power to overrule on the issue, the courts decided that the government must demonstrate that an emergency exists and that the PCs had failed to do so. Nevertheless, the net effect was that teachers were back to work while the back to work order was fought in court, and remained at work afterwards while the ATA attempted to reach a political solution with the government. Under these conditions, the ATA fought for a "fair, open and independent arbitration process." What they got was *Bill 12*, the *Education Services Settlement Act*, described by the ATA as "one of the most punitive pieces of legislation ever seen in Alberta." This was punishment for having challenged the government and won.

Bill 12 was introduced on March 11, 2002, and passed third reading on March 13. The bill created an arbitration process where the arbitrator was not allowed to consider

conditions of practice, and required that awards not create a budget deficit for school boards. Teachers had taken action to defend classroom conditions with reasonable class sizes and working hours, as well as salaries on par with the qualifications and skills necessary for teaching. With a stroke of the pen, government prevented teachers from bargaining on precisely

those issues. Calgary Public teachers had fought and won a clause dealing with student-teacher ratios in past agreements yet this too was torn up. Strikes, defined as two or more teachers refusing to perform assigned responsibilities, were declared illegal.

Assurance for Students Act

In 2013, the ATA attempted to negotiate with the provincial government a framework for local collective bargaining, which would outline wages and working conditions for all teachers in the province, while individual collective agreements would be made at the local level as has always been the case. [2]

In the face of its own refusal to negotiate, the government declared that a crisis existed. It did not matter to the government that locals never even had a chance to bargain with school boards or that no local had taken a strike vote or was even suggesting they might do so. The government had simply become tired of negotiating with teachers and chose to impose an arbitrary deadline, and when the deadline passed the government declared that an emergency existed. In two days, *Bill 26*, the *Assurance for Students Act* was rammed through the legislature. *Bill 26* imposed a three year wage freeze and gave only empty promises to reduce teacher workloads, which three years later teachers almost unanimously agree have not been addressed.

Despite the fact that no threat to life and limb exists when teachers take job action, the PCs never hesitated to use legislative powers to dictate to teachers and criminalize their actions in defence of teachers' working conditions and students' learning conditions.

Notes

1. Section 112.1 of the *Alberta Labour Relations Code*, which was invoked to order teachers back to work, presently states:

(1) If in the opinion of the Lieutenant Governor in Council an emergency arising out of a dispute exists or may occur in such circumstances that

(a) damage to health or property is being caused or is likely to be caused because (i) a sewage system, plant or equipment or a water, heating, electric or gas system, plant or equipment has ceased to operate or is likely to cease to operate, or

(ii) health services have been reduced, have ceased or are likely to be reduced or to cease,

or (b) unreasonable hardship is being caused or is likely to be caused to persons who are not parties to the dispute,

the Lieutenant Governor in Council may, by order, declare that on and after a date fixed in the order all further action and procedures in the dispute are to be replaced by the procedures under this section.

For the complete labour code, [click here](#):

2. The ATA's longstanding policy has been that since the provincial government is the entity that funds education, matters such as salary and limits to hours of work should be negotiated with the province. The NDP government passed *Bill 8*, the *Public Education Collective Bargaining*

Act, which accomplishes precisely this, creating bi-level bargaining where some matters are dealt with provincially and others locally.



What the Strikes in Continuing Care Reveal

The NDP government's *Discussion Guide on Essential Services* states that inclusion of continuing care in essential services legislation is on the table:

"In addition, the continuing care sector, outside of approved hospitals, currently has the right to strike or lockout. Over the past few years, some continuing care employers and members of the public have become increasingly concerned about the effect of strikes and lockouts on patient care in this sector and, therefore, government is considering whether an essential services model could be utilized for this sector."

A serious discussion of "the effect of strikes and lockouts on patient care in this sector" has to begin with the current conditions the workers are fighting to change. The PCs implemented a deliberate policy to force seniors to fend for themselves. They cut the number of long-term care beds, reduced the level of care provided, and stepped up privatization of health care and seniors' care to further open the "market" for private operators to line their pockets at the expense of seniors, their care, and the well-being of their care providers.

Private operators imposed wages below the industry standard and a permanent state of short-staffing. Work in the entire sector has become even more precarious, with full-time jobs eliminated and more part-time and casual work. This not only denies workers security but denies seniors the continuity of care essential for health and well-being.



Collective action by continuing care workers is a response to this anti-social offensive. To criminalize the workers who take a stand in defence of Canadian standard wages, benefits and pensions and for adequate staffing is not acceptable under any circumstances. The workers are fighting for conditions in which human beings can flourish. Their working conditions are the seniors' living conditions.

Many of the strikes that have taken place were prolonged by the private owners who hired scab replacement workers, refused to negotiate in good faith and set out to break the strike and the union. The Monterey nursing home workers in Calgary were on the picket line for 280 days; workers at the Waterford of Summerlea seniors' residence in Edmonton walked for 150 days. Workers at Revera Riverbend seniors care facility were out for 70 days before the government ordered them back to work and established a Disputes Inquiry Board. Workers at Hardisty Care Centre, also in Edmonton were out for 60 days.

Unions have proposed two changes to the labour law to address the ability of employers to prolong strikes. The first is a law to ban the use of scab replacement workers. The second is first contract legislation that would allow the union to apply for compulsory arbitration if a first contract cannot be negotiated in a newly certified local. These changes to the labour law would restrict the monopolies and make it much harder for them to refuse to negotiate, which often results in strikes going on month after month.

The strikes organized in continuing care facilities smashed the silence on the unacceptable conditions facing seniors and their caregivers. In the course of these strikes the workers and their unions put forward proposals to improve both their conditions of work and the living conditions of the seniors under their care. For example the Alberta Union of Provincial Employees (AUPE) organized a *Stop the Ripoff* campaign calling on Albertans to demand the government stop paying the rich by subsidizing private health care profiteers. AUPE pointed out that the private owners receive the same funding for staffing as public facilities but pay low wages and reduce staffing to grab the largest possible profits.

An immediate step could be taken to set province-wide minimum staffing levels for all levels of continuing care, with sufficient staff to ensure the dignity and well-being of residents, which would allow caregivers to carry out their responsibilities. The workers must be fully consulted about the level of staffing required; as they are the ones who know best what is needed. Another measure would be to establish Alberta standard wages and working conditions across the province that are acceptable to caregivers and their collectives, which are applicable in all facilities and enforced in law without exception. Halting and reversing privatization of long term care and continuing care and increasing investments in seniors care are all further measures needed to solve problems in this sector.

The rights of workers and public right are clashing with monopoly right. The way forward can be found by stepping up the struggle to defend the rights of all and with measures in law to restrict monopoly right and neo-liberal globalization and austerity. The right to modern seniors' care and the rights of workers who provide the care can be defended with collective actions with analysis and in law.



Note to Our Readers

The NDP government has introduced Bill 4, *An Act to Implement a Supreme Court Ruling Governing Essential Services*. The bill was given first reading on March 16. *Alberta Worker* will report further on the bill in the next issue. Stay tuned!



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