

September 7, 2017

Nova Scotia

Government Proclaims Bill 148, Public Services Sustainability (2015) Act

*- Interview, Jason MacLean, President of the Nova Scotia Government
and General Employees Union -*



Protest outside Nova Scotia legislature, December 2015 when Bill 148 was passed.

Nova Scotia

- **Government Proclaims Bill 148, *Public Services Sustainability (2015) Act***
*- Interview, Jason MacLean, President of the Nova Scotia Government
and General Employees Union*

Quebec

- **Paramedics on Strike**
- **Tentative Agreement for Montreal Pre-Hospital Sector Workers**

Salaberry-de-Valleyfield

- **Adopt a Striker at CEZinc**

British Columbia

Support the Pacific Blue Cross Workers!

- **"My Integrity Can't Be Bought!"-- Locked Out Pacific Blue
Cross Worker - Anne Jamieson**

- **The Use of "Essential Services" and "Consultants" to Break Strikes**
- **Defending the Benefits of Pacific Blue Cross Retirees Is Defending the Rights of All**
- **Blue Cross/Blue Shield Restructuring in the U.S.: A Hint of Things to Come?**

For coverage on Labour Day activities across the country
see this week's *TMLW* No 27, September 9, 2017.

Nova Scotia

Government Proclaims Bill 148, *Public Services Sustainability (2015) Act*

- Interview, Jason MacLean, President of the Nova Scotia Government and
General Employees Union -



Picket outside Nova Scotia legislature, December 2015 against passage of Bill 148.

On August 22, the majority Liberal government of Nova Scotia proclaimed Bill 148, the *Public Services Sustainability (2015) Act* which is a major attack on the public sector workers of Nova Scotia and their right to negotiate their working conditions, namely their right to negotiate wages that are acceptable to them. The Bill was actually adopted in December 2015 but was never proclaimed as it served as a sword of Damocles over the heads of the public sector workers to get them to "voluntarily agree" to anti-labour and anti-public services concessions they would never have agreed with if the process of negotiations adhered to the process of "free and fair" negotiations without the over interference of the state on behalf of private interests. This government of Stephen McNeil is the same government that brutally violated the right of the Nova Scotia teachers to negotiate their working conditions by imposing a concessionary contract on them through the adoption of Bill 75 in February of this year.

Posted below is an interview with Jason MacLean, the President of the Nova Scotia Government and General Employees Union (NSGEU). The NSGEU just launched a court challenge to have Bill 148 declared unconstitutional and in contravention to the *Charter of Rights and Freedoms*

Workers' Forum: What are the main features of Bill 148 that the Nova Scotia government just proclaimed?

Jason MacLean: There are two main issues with Bill 148. One of them is that it sets a wage restraint, which the government calls a wage pattern. The bill freezes wage rates for a two year period from the expiry of the collective agreement and restrains increases in wage rates for the remaining two years at 1 per cent in the third year, and 1.5 per cent in the fourth year, with an additional 0.5 per cent on the last day of the fourth year.

The other part of this bill reaches into our collective agreement, tearing out a long-standing provision which is called the Public Service Award. The Public Service Award is a deferred wage that was actually bargained back in 1974. When we were bargaining, in lieu of getting a raise, we worked out this provision according to which somebody, upon retirement, receives one week's pay for each year of service up to 26 years of service. Then is it capped off, it does not continue anymore. You get this amount upon retirement. You do not get it if you leave and go to another job.

So, one aspect is the wages and the other aspect is the removal of a provision in the collective agreement, an actual article.

WF: What is your main argument in terms of your court challenge of the Bill?

JM: We feel that it infringes on Section 2 of the *Charter of Rights and Freedoms* which is about freedom of association and freedom of assembly. We feel that this bill is punitive as it severely hampers the ability of the unions to bargain. The bill applies to all public sectors in Nova Scotia which means around 75,000 workers and 8,000 of them are civil servants that we represent. Our Civil Service component is currently in negotiation and on its way to arbitration. There are going to be arguments that are going to be made in arbitration that are going to be affected by that bill. At least 80 per cent of these 75,000 workers have not gone to bargain yet and they are going to bargain under that law.

Another part that we are actually trying to display here is that it unevens the playing field. The employer has no pressure to bargain with anybody because we have the wages in place in the bill. Usually wages is something that really gets things moving in bargaining. An employer does not have the incentive to bargain with anybody. They are looking for people to accept concessions.

I pleaded with the government to bring the bill in its entirety to the Court of Appeal to ask questions. They told Nova Scotians that they were taking the bill to the Court. We found out a few days later from a reporter that they are not taking the whole bill, they are only taking certain sections of it which they deem will be declared constitutional. So the government only put the pieces that they believed are standing on a constitutional basis but they are not bringing the pieces that are taking something out of our collective agreement. The government was being untruthful to the public when they said they were bringing the bill. We believe that taking a section alone will only create confusion as the court will only rule on something that is being seen out of its context. The court needs to see the bill in its



entirety to realize that it is indeed unconstitutional. So we are moving forward. We filed our intention and we are moving forward in that route. I would say "Stay tuned" for any other actions that will come from this.

I would want to see them get rid of Bill 148 because they know it is unconstitutional. But if anything they must keep their promise to Nova Scotians and bring the bill in its entirety to the Court of Appeal. That is an expedited process. We would have an answer for that probably in 6 months while our court challenge may take 6 years. The process is different because the Court of Appeal will look at it and they will give their opinion back to the government. I want them to hold true to what they promised Nova Scotians in the first place. Besides, if McNeil was to retire today he would get \$89,000. He has a transitional allowance and so does every other MLA but they are taking away the public service award for public servants across this province.

WF: Do you want to say something in conclusion?

JM: We are facing across this country an austerity agenda that is a race to the bottom. We are being told why should we have something when nobody else has it. What we are saying is that everybody should have it, everybody should have a pension and so on. That is the agenda we are up against.



Quebec

Paramedics on Strike



Striking paramedics contingent in 2017 Montreal May Day march.

While their collective agreements expired on March 31, 2015, the 6,000 paramedics in Quebec have now been on general strike since March of this year. They are fighting for improvements to their conditions of employment, which are the conditions of the important services they provide. To improve the service they deliver, the paramedics want to abolish the on-call schedules in the regions, where paramedics are on duty seven days in a row for 24 hours a day followed by seven days off. Within this demand, they seek a workload that corresponds to what can be done under the current conditions given the ever more complex tasks they have to perform and the reduced level of staffing. Their demands include similar wage increases to those obtained in 2016 by other public and para-public workers and improvements to the pension plans.

The Quebec government refuses to budge on any demands given its own law that paramedics must provide full services during the strike except administrative duties. The government withdrew from direct negotiations with the paramedics in 2016, leaving the situation in the hands of the employers' associations, which operate with state funds. The government did intervene negatively by imposing

budget and staffing cuts for this important work.[1]

Interviews

Benoît Cowell, President of the Brotherhood of Pre-Hospital Workers of Quebec

Benoît Cowell, President of the Brotherhood of Pre-hospital Workers of Quebec (FTQ), which represents 1,000 paramedics told *Workers' Forum* that nothing has moved at the bargaining tables.

"We're trying to get the discussions going with the employers and the government," Benoît said. "The government says that employers have the mandates they need in order to settle and the employers are saying that their service contracts do not allow them to settle. Employers have suffered cuts of \$121 million in their service contracts so it is certain that private companies do not want to cut their profits. They cut our conditions. We are putting pressure on the Ministry of Health, on the Treasury Board and on the main members of the Cabinet so that real negotiations take place. Nothing has been put on the table since the spring by the employers and the government."

The Brotherhood of Pre-hospital Workers is also subject to a temporary injunction, extended until October, making it illegal for workers to demonstrate in front of the constituency office of Health Minister Barrette, or anywhere on the property on which the office is located. A court hearing will be held in October when the Brotherhood will plead for the injunction to be withdrawn.

Daniel Chouinard, President of the Quebec Federation of Pre-Hospital Employees

Daniel Chouinard, whose union represents 1500 paramedics, recently spoke with *Workers' Forum* affirming their intention to continue the strike struggle to improve working conditions and the services they provide.

Daniel said, "The Ministry of Health and the companies are currently in a legal dispute over the service contracts that have been imposed on the companies and we hear that there is going to be no new offer (to paramedics) until the dispute is resolved unless the Corporation des services ambulanciers du Québec (CSAQ) and the Ministry reach an out-of-court settlement.

"We have stepped up our actions since the beginning of August, notably by increasing our administrative pressure by not providing the information that the employers need to bill the patients. We are going to start a campaign soon to distribute pamphlets to the people across Quebec to explain the conflict, to explain that we are not only fighting for our working conditions but also for the quality of service."

Note

1. Employers of paramedics include Urgences Santé, which is governmental, and many contracted non-governmental agencies (private companies, not-for-profit organizations and cooperatives) represented mainly by the Corporation des services ambulanciers du Québec (CSAQ). The CSAQ has taken legal action against the Ministry of Health to challenge the imposition of service contracts that include budget cuts, which has effectively stalled negotiations with the paramedics.



Tentative Agreement for Montreal Pre-Hospital Sector Workers

The Union of the pre-hospital sector of the Federation of Health and Social Services-CSN (FSSS-CSN) announced a tentative collective agreement on July 20 with Urgences-Santé. The agreement includes a new defined benefit pension plan that the union considers superior to the current pension plan. It also includes wage increases deemed satisfactory by the bargaining committee.

The tentative agreement can only go to members for ratification if the other unions in the pre-hospital sector receive the same pension plan, as the pension plan is a Quebec national decision and arrangement. The agreement also includes various improvements in conditions at the local Montreal level.

The FSSS-CSN representing approximately 3,600 workers in the pre-hospital sector is now seeking to replicate the Montreal tentative agreement with respect to the pension plan and wages with other pre-hospital employers throughout Quebec where it has members. The union has also called upon other unions in the sector to seek the same tentative agreement.

Jean Gagnon, representative of the pre-hospital sector of the FSSS-CSN told *Workers' Forum*, "We are asking employers to agree to offer the same working conditions as those negotiated in Montreal for the whole of Quebec as has always been the case with regard to the common matters, namely the pension plan and wages."



Salaberry-de-Valleyfield Adopt a Striker at CEZinc



Striking CEZinc workers march outside Noranda Income Fund's shareholders meeting in Toronto, April 28, 2017.

The Quebec section of the United Steelworkers (USW) has launched an "Adopt a Striker" campaign to support CEZinc workers who have been on strike since February 12. The Quebec Director of USW Alain Croteau announced the campaign in Salaberry-de-Valleyfield on July 28, during a solidarity action with the strikers.

"Adopt a Striker" involves asking all USW locals across Canada to make a recurring donation to a CEZinc striker at an amount and frequency of a local's choice until the end of the strike. All USW

districts in Canada and locals are being mobilized to participate in the effort.

"Of course, our strike relief continues to be distributed," explained Alain. "But after six months of conflict, solidarity rises a notch. By adding this campaign to what already exists as strike relief, the employer must understand that support for our workers will never cease to grow. And our CEZinc workers will know once again that all the steelworkers of Canada are at their side, always ready to support them to the end."

The 371 CEZinc workers are engaged in battle against the company's demands for concessions. CEZinc wants to introduce a system of gradually shifting wages to contributions to the pension plan. The company also proposes to reduce the value it puts into the pension plan by the same amount. This would directly lower workers' wages while increasing the corporate claim on the new value workers produce. CEZinc also wants an increase in the age when workers can take early retirement. Early retirement is a necessity for these plant workers because they work in an environment full of highly toxic products.



Workers point out that the pension plan is more than solvent at 114 per cent. They reject these attacks against their pension regime that CEZinc workers have built through determined struggle over the years and one that must remain in place for themselves and future generations.

The Noranda Income Fund owns the CEZinc Refinery. The Anglo-Swiss trading and mining empire called Glencore plc owns 25 per cent of the Noranda Income Fund and operates the Salaberry-de-Valleyfield plant. Glencore is the exclusive supplier of zinc concentrate to the plant and the sole buyer of the products the workers produce. Glencore plc ranks tenth in the *Fortune Global 500* list of the world's largest companies.

The CEZinc striking steelworkers continue to be engaged in actions to support the struggles of other workers who face similar problems and demands for concessions. They traveled to Abitibi on August 23, to meet a delegation of U.S. miners from the Lucky Friday mine in Idaho owned by Hecla Mining. The U.S. miners have been on strike for 6 months on issues related to their health and safety. They journeyed all the way from Idaho to meet the workers of the Hecla-owned gold mine Casa Berardi in Abitibi-Témiscamingue.

The CEZinc workers are also waging an international campaign against Glencore plc. In May, with the support of other international unions, they intervened at the Glencore shareholders' meeting in Switzerland to present their case. Previously, in late April, with the support of Steelworkers in Hamilton and Toronto, they intervened in Toronto at the Noranda Income Fund's shareholders meeting to present the facts of their strike and call upon shareholders to put pressure on the owners for a settlement that is acceptable to the workers. They are now preparing to go to Colombia on September 12, to support other Glencore workers.

The Steelworkers' "Adopt a Striker" campaign demonstrates their determination to continue the CEZinc strike with increased vigour and determination to force the company to withdraw its demand for anti-worker concessions.



CEZinc workers rally in Salaberry-de-Valleyfield, Quebec, March 29, 2017.



British Columbia
Support the Pacific Blue Cross Workers!
**"My Integrity Can't Be Bought!" --
Locked Out Pacific Blue Cross Worker**
- Anne Jamieson -



The workers of Pacific Blue Cross (PBC), members of Canadian Union of Public Employees (CUPE) Local 1816, have been locked out since July 6. A picketer reports that a BC court issued an injunction against union members on Friday, August 18. The injunction prohibits them from congregating around cars bringing scab replacement workers across the picket line.

Locked out workers report that the employers refuse to negotiate a new collective agreement in good faith. During a session on August 18, they refused to budge one iota from their anti-worker stand of stealing retirement and other hard-won benefits from current and retired CUPE members.

In a bizarre twist, on the same day the court ordered picketers not to harass scabs, the BC Labour Relations Board told the PBC administration to "cease and desist" its use of scab replacement workers. The employers are flagrantly disobeying this instruction assisted by the court. A picketer said, "They don't even bother to sneak them (scabs) in at 11:30 at night, or 2:00 in the morning. They do it in full daylight, rubbing our noses in it. They have the full weight of the courts, the police, the RCMP, and the Supreme Courts behind them, while we have next to nothing," she said. "The Labour Relations Board has no mechanism to enforce its rulings."

"Welcome to capitalism!" another picketer said.

"Yes, we know this, but it takes actual experience to really know this!" said another. "Well, we won't quit. My integrity can't be bought!"

Pickers expressed disappointment with certain former union members who are now on the board of directors of PBC, including a former CUPE member. Picketers said those individuals have shown no support to the members of CUPE Local 1816, but instead have been helping to spread the anti-worker propaganda of PBC CEO Jan Grude.

Those former union members on the board have chosen to become part of the ruling elite acting to undermine the resistance of workers in defence of their rights. They are pushing the rotten ideology of the powers that be onto the working class. The picketers have militantly rejected any association with those who betray their fellow workers and class. Picketers have publicly exposed the cowardice and treachery of those on the board.

In contrast to the crass betrayal of some, the picketers while walking the sidewalks around the Pacific Blue Cross building constantly hear the approving honks of drivers in cars and trucks passing by on the busy thoroughfares of Canada Way and Gilmore who express their firm support for the locked out workers. Every week, new signs adorn the CUPE 1816 tent headquarters from members of other unions and associations who have been walking the picket line in solidarity such as those from ILWU, ATU, VDLC, and the Douglas College Faculty Association.



Members of the BCGEU join picketers at Pacific Blue Cross on July 12, 2017.

The Struggle of the Pacific Blue Cross Workers Is the Fight of All Workers

The New Westminster Labour Council organized a spirited solidarity picket to support the more than 600 workers of Pacific Blue Cross who have been locked out by their employer since July 6. Members of the Canadian Union of Public Employees (CUPE), Local 1816, have been without a contract since last autumn. Their efforts to negotiate with the employers for a new contract have been met with intransigence, demands for concessions and punitive measures when workers decided to take action to defend their just stand that retiree benefits not be touched.

Members of other unions participated in the solidarity picket on July 20, bringing banners and supplies of food for the locked out workers. Among them were ILWU, BCGEU, CUPE, CUPW, ITF, HEU, BCNU, HSA, and other unions as well as representatives of the Vancouver & District Labour Council.

The day the company announced the lockout, Beth Miller, President of CUPE Local 1816 said, "The Union will not have its strategy dictated by the employer. If the employer chooses to lock out our members, we will picket the employer's places of business." Indeed, the workers have organized daily pickets round the clock at the headquarters of PBC at Canada Way and Gilmore Way in Burnaby.

CUPE BC President Paul Faoro said in solidarity at the rally, "It is absolutely shameful that this employer is not only trying to roll back retiree benefits for these workers but is essentially punishing them for trying to get a fair deal. On top of denying them sick leave and no longer collecting their union dues, locking them out just seems beyond the pale. This is obviously a form of retaliation for the Union's job action."

At the solidarity picket July 20, the numerous unions brought banners and messages of support for the striking and locked out workers and their resistance against the imperialist agenda of the ruling elite. One large banner by the International Transport Federation (ITF) said, "No union busting in the ports!" The transport workers are clear that their demands for justice in the ports and transport corridors are similar to the resistance of the Pacific Blue Cross workers to the imperialist agenda of austerity and attacks on workers' rights.

The solidarity event expressed the determination of all to organize to resist the current wave of attacks on workers' rights and society. Cars and trucks passing the event honked noisily in support, as happens during the daily PBC pickets. The PBC workers and their allies are determined to see this struggle through to a just conclusion.



The Use of "Essential Services" and "Consultants" to Break Strikes

Provisions in the previous Pacific Blue Cross (PBC) collective agreement, allow some workers to work in essential services during a strike action. PBC employers are using those provisions as a strike-breaking tool to weaken the just struggle of PBC workers.

Originally allowed in contract language for emergency services like ambulance paramedics and nurses, for example, the concept of essential service has been distorted to mean any work the employer deems essential for the company to continue operating during a strike. The rationale in this case is that cheques to some benefit recipients covered by PBC insurance plans must not be delayed. The alleged employer concern for some benefit recipients rings hollow indeed when the company cares nothing for the well-being of its workers and their families, or that of its retirees.



In addition to forcing some workers to keep working as essential services, the company is bringing

in scabs to do work and calling them consultants. This shows the company's utter contempt for the people who work and those who have worked in the past and are now retired but under the threat of losing benefits.

Those now in control of the company seem to think they can violate with impunity any aspect of the *modus vivendi* that had previously been worked out in collective agreements with workers. This form of imperialist intransigence and denial of workers' rights has come up against a just wall of working class resistance!

The Intransigence of Blue Cross Directors and Management

Without a renewed contract for almost an entire year, members of CUPE Local 1816 voted 95 per cent in favour of strike action. It had become clear that the employers were not interested in negotiating in good faith. Despite the best efforts of the negotiating team of the local, the employers kept repackaging the same unreasonable demands to slash benefits for union members in retirement.

In an effort to achieve equilibrium within a collective agreement agreeable to themselves, union members resorted to several tactics including work to rule and rotating strike action in different departments. The company retaliated by trying to make life difficult for the workers. This included an announcement that flex time was no longer allowed. This arrangement permits a working parent to work 7 hours within a 12-hour time frame to facilitate care of children and other exigencies.

Pacific Blue Cross escalated the attack on workers with the lockout on July 6. The company continues to bring in scab consultants to do work in addition to management personnel doing workers' work and forcing workers deemed essential to work as well.

The workers are determined to deprive the company of its demand for concessions. Stand with the just struggle of the Pacific Blue Cross workers!



Defending the Benefits of Pacific Blue Cross Retirees Is Defending the Rights of All



The struggle of the workers at Pacific Blue Cross to defend their rights is all the more commendable in that they did not give in to the employer's demand to roll back retirees' benefits. Monopolies often

start taking apart collective agreements piecemeal, starting with retirees' benefits as a first step because they appear as an easy target without recourse to withholding their capacity to work.

The imperialist view separates workers' productive years when working with their years in retirement. The anti-social line does not see workers' lives as a single whole from birth to passing away. Once retired, the imperialists argue, workers hold no further value for the monopolies and should be cast adrift from fellow members of the working class still working. It is the classic tactic of divide and rule, except it does not work if the working class refuses to be divided.

The struggle of the Pacific Blue Cross workers flies in the face of the imperialists who think they can act with impunity in attacking the rights of workers. The resistance of the Pacific Blue Cross workers is significant in terms of defending the unity and rights of all working people in the immediate sense and for the future, the struggle signals a desire and need to organize for a new direction for the economy and society where the imperialists are deprived of their power to divide and rule and control the lives of working people.

***Defend the Dignity of All Workers Both Working and Retired!
Support the Just Struggle of the Pacific Blue Cross Workers, Local 1816!***



Blue Cross/Blue Shield Restructuring in the U.S.: A Hint of Things to Come?

As Pacific Blue Cross (PBC) employers were demanding concessions from the union negotiating team, the PBC CEO Jan Grude was reporting that the company's financial health "has never been better." The new PBC CEO comes from the U.S. giving rise to a view that the model the CEO is pushing on the company and its employees is based on the Blue Cross/Blue Shield model in the U.S.

The U.S. version of health insurance manages services similar to Medicare in Canada. Blue Cross/Blue Shield was officially non-profit until 1994, when it changed its rules to allow its licensees to be for-profit corporations. Since then, public trading of stock ownership in the company and massive profits have been reported. The Health Care Service Corporation, the parent company of Blue Cross/Blue Shield in some states, reports corporate profit nearly doubled to \$1.09 billion in 2010, followed by four successive years of billion-dollar profits. These private corporate profits in the health care insurance sector come at the expense of the collective agreements, working conditions, and retiree benefits of the workers who provide the service. At Pacific Blue Cross in Canada, workers and retirees face the same imperialist anti-social agenda of the rich against workers and retirees.



[PREVIOUS ISSUES](#) | [HOME](#)

Website: www.cpcml.ca Email: office@cpcml.ca