December 7, 2017

Stop State-Organized Abuse of Our Sick and Injured Workers!

Uphold the Dignity of Labour -- Defend the Rights of All!

- K.C. Adams -

Join Actions of Ontario Injured Workers' Groups on December 11 to Defend the Rights and Dignity of Injured and Sick Workers

CALENDAR OF EVENTS

Stop State-Organized Abuse of Our Sick and Injured Workers!
• Uphold the Dignity of Labour -- Defend the Rights of All! - K.C. Adams

No to Violating the Right to Conscience!
• Four Ontario Faculty Suspended for Refusing to Submit to College Dictate
• Violating Teachers' Right to Conscience Is Unacceptable - Enver Villamizar
• Suspensions at La Cité Show Why "Academic Freedom" Matters - Ontario Public Service Employee's Union
Discrimination Against Women Still on the Agenda
• Rights Are Not Negotiable!
• Trudeau Government's Self-Serving Refusal to Reverse Harper Era Anti-Union Anti-Women Legislation - Peggy Morton

Quebec Paramedics Step Up Their Struggle for Conditions Commensurate with the Important Work They Do
• Paramedics Block Access to Quebec Ministry of Health to Demand Negotiations Be Unblocked - Pierre Chénier

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September 11, coinciding with the opening of Ontario legislature, Ontario Network of Injured Workers' Groups launches province-wide campaign defending workers' right to compensation.

How society treats injured and ill workers is an important indication of being modern and civilized. All workers must know that if injured at work or when they become ill, they and their families will be treated with respect and dignity. They must know and see in practice that upon injury or illness their standard of living will be maintained and guaranteed without question or aggravation. They must know and see and have the peace of mind that trained professionals will provide everything to assist them to return to good health, and if that is not possible to guarantee a Canadian standard of living with alternative options for a fulfilling life. If the worst occurs and a worker is killed at work or suffers death through occupational illness, the state through social programs must assume its responsibility and ensure a worker's family will retain its standard of living.

Sadly under the current workers' compensation regimes across the country, this is not the case. Workers are often subjected to state-organized nightmarish bureaucratic procedures and suspicions that hinder and do not help their recovery and often lead to greater misery and anguish. The anti-worker practices of the workers' compensation regimes condemn Canada as backward and uncivilized and not a worthy member of the modern and cultured family of nations.
Proof of how little the Canadian state regards and treats its wounded and ill workers is found in the constant necessity of injured workers' groups to agitate for improvements to the existing regimes. For injured workers to be forced to agitate for civilized treatment because the current regime refuses to treat the working class with the dignity and respect it deserves, is a serious indictment of Canada and its prevailing relations of production and state. It is also a great credit to the Canadian working class that in spite of this ill treatment that justice for injured workers is more and more a rallying cry of the workers across Canada.

Workers produce the value our society and people require for their well-being and existence. Why does the state treat the actual producers with such contempt and condemn them as a cost rather than honour them as the producers of all value? What drives the ruling elite to spit on the working people who create the social and material conditions for society and the economy to exist? The answer can only be that the ruling imperialist elite view injured workers as a drain on the social wealth they crave, as disposable wage-slaves easily replaced from the wage-slave labour market.

The anti-worker contempt of those who own and control the economy originates in class privilege and their belief that workers when seriously injured, sick or old should simply be replaced and discarded as useless scrap machines. Once workers are injured, sick or too old to work, the ruling elite look to replace them from the wage-slave labour market and eliminate any claims of the injured, sick or retired workers on the value the working class produces.

This backwardness and inhumanity stems from the social being and outlook of those who own and control the socialized economy, those who do not do the actual work that produces value yet profit from the work of those who do. Their contempt for workers originates in class privilege and lies at the root of the constant class struggle of injured workers for their rights and to live in dignity. The control of those who do not work yet profit from the work of the working class is the root reason workplaces are not humanized and unsafe conditions are allowed to persist. To do otherwise and improve conditions and care for the sick, injured and retired would drain revenue from the coffers of the rich. The anti-social anti-worker outlook of the ruling elite must be confronted and opposed on every issue and condemned and eventually overturned as the ruling outlook in society.

The working class through organized actions with analysis is determined to make its modern and civilized pro-social outlook dominant in society. In the here and now this means fighting for increased investments in social programs such as those to care for sick and injured workers. It means workers must condemn and banish from the collective consciousness the anti-social outlook of the ruling elite that holds the actual producers, the working class, in contempt. The current state-organized system of abusing our sick and injured workers declares the ruling elite unfit to rule.

With a pro-social outlook in command of the economy and state, workers would have the confidence that if an accident or illness happens to them, social programs would jump into action to ensure their quick recovery, and that their standard of living and that of their family would not suffer. Under a pro-social regime, workers would be confident that if injured, everything would be done to
guarantee their well-being and security, and that assistance would be forthcoming to ensure they are able to continue living a productive and full life at whatever level they are capable of managing.

Workers are born to society and produce the value the people and society require for their existence. Workers are modern society's human foundation. They need and deserve society's complete respect and assistance without reserve under all circumstances.

Stop the State-Organized Abuse of Our Sick and Injured Workers!
Increase Investments in Social Programs!
Join the Working Class Movement to Build Workers’ Independent Institutions
Fighting for a New Pro-Social Direction for the Economy.

La Cité Collégiale, the French language community college in Ottawa, has suspended four faculty members without pay until January 26 for “insubordination.” The three full-time and one partial-load faculty who teach in the college's Respiratory Technology program refused to sign a contract with the college guaranteeing that all the necessary competencies required of the program's students would be met with three weeks less of instruction so their school year could still finish by the end of April. The suspended full-time teachers make up the entire full-time faculty complement of the program.

Respiratory therapists help people suffering from pulmonary issues, including procedures during trauma care, anaesthesia and life support. Respiratory therapy is recognized under the Regulated Health Professions Act. Graduates of the program work in hospital emergency rooms and critical care units. Respiratory therapists use mechanical ventilators and other life-support equipment. They
also help diagnose and treat heart and lung disease.

The four faculty members felt they could not sign the guarantee and instead submitted two of their own proposals for completing the program that entailed extending the school year until the end of May. Both proposals were not accepted by the college. There are mechanisms in the existing collective agreement, which continues in place until a new one is imposed by a provincially-mandated arbitrator, for disputes over changes made to workloads by the employer to be settled by an arbitrator. The college has instead resorted to force and violation of the faculty members’ right to conscience.

La Cité has now brought in substitute instructors to take over the classes of the four suspended respiratory therapy faculty, creating further stress for the students. They are behind five weeks and one day of instruction as a result of the refusal of the College Employer Council to negotiate and the refusal of the Ontario government to invest in college education which caused the strike. This specific college wanted the fall semester completed in a condensed fashion by eliminating one week of the Christmas break and the spring reading week, leaving students with three weeks less of instruction instead of five. The college claimed there were measures which students could use to catch up, such as tutors or open lab time; however this ignored the opinions of the faculty who were expected to teach the course and uphold their duty to society.

There is a provision that a student can graduate "with restrictions" noted on their license. This allows them to practice except in that specific area which they have not completed. This is not an ideal outcome for the students. The administration is using the faculty members' concerns for their students to pressure them to put in additional work time in order for students to graduate without restrictions. The faculty who were suspended could not agree to such a demand, calling it unethical.

No doubt the college wants to avoid lawsuits or other actions by students as a result of their loss of education. However, instead of resolving matters in a manner than upholds the rights of all and the integrity of public education and health care, La Cité Collégiale administration has resorted to force and the suppression of rights which attacks these individuals, their students and harms the society as a whole.

By refusing to accept what the college administrators wanted to impose and instead making their own proposals for how to complete the program in a compressed fashion, the faculty upheld the integrity of their profession, the students’ right to education and the right to health care of those who rely on the professionals educated and trained in the college system for their well-being.

The Ontario Public Service Employees' Union (OPSEU) informs that in addition to the suspensions La Cité demanded that at least one faculty member remove a Twitter post containing a link to an Ottawa Citizen story about their suspension.[1] La Cité has accused union members of "tarnishing" the reputation of the college.

The suspended faculty member quoted in the Citizen, herself partial-load, spoke on CBC radio during the strike, explaining the problems faced by students as well as part-time contract faculty because of the unstable nature of their jobs.[2] No doubt her suspension could also be retaliatory in nature for daring to speak out publicly on that issue. Whatever the case, such persecution will not be accepted by the working people of Ontario!
The suspensions and attacks on freedom of speech are unacceptable and must be reversed. The college's actions were no doubt calculated and meant to send a message to faculty across the province facing the same demands to submit or else. Mona Chevalier, President of the Cité Collégiale faculty union, called the college's actions "a clear abuse of power" and said, "This is creating terror in any kind of teacher who wants to assert their professional beliefs. And not just their beliefs -- their ethics. We're not going to let that go."

The fact that these faculty refused to submit shows that the dictate is illegitimate and goes against their right to conscience as teachers and professionals, the most important block to the destruction of public education to make it better serve the rich. OPSEU informs that it is organizing a province-wide action to support the suspended faculty, including with financial support.

Workers' Forum calls on everyone who is in a position to do so to express opposition to this blatant use of dictate and to uphold the right of faculty to defend the integrity of their disciplines and students to the highest level of education the society can provide. The Wynne government must be held to account for this state of affairs as they have resorted to dictate giving a green light to the colleges to do the same.

Reinstate the Suspended College Faculty!
No to the Criminalization of Dissent! No Means No!

Notes

1. Joanne Laucius, "College instructors who say they can't fit material into school year suspended for 'insubordination,'" Ottawa Citizen, November 28, 2017.

2. Interview, Ottawa Morning, CBC Radio, October 20, 2017.

Violating Teachers' Right to Conscience is Unacceptable
- Enver Villamizar -

The suspension of faculty for refusing to submit to La Cité Collégiale's dictate cannot be accepted. How can faculty uphold well-established professional standards that are supposed to defend the public interest when their right to conscience is so blatantly violated? How can standards be legitimate and uphold what society has established as norms and expectations to this point, without affirming the right to conscience of those who are supposed to uphold them and judge whether they have been met or not? How can those who have not practiced in a field dictate to those who are
knowledgeable about the skills, techniques and knowledge required for licensing in that field, simply because they are the employer? How can any government which claims to care about the public and students create such a state of affairs?

The government imposed back-to-work legislation on the striking college faculty and made illegal any form of strike, or even counseling one, under the penalty of huge fines. This now means individual or collective action by faculty such as working to rule to oppose such unacceptable violations of the right to conscience and professional ethics has been made illegal. Meanwhile the legislation also outlawed lock-outs by the employer. Yet four faculty have essentially been locked out by college management and replaced with what amounts to scabs. Such a blatant disregard for even the notion of "fairness," that calls for everyone to play by the same rules, shows the content of the Liberals' "fairness" when the aim is to attack workers' rights.

Faculty cannot accept measures which attack the integrity of their disciplines and the important role they play in preparing their students to uphold high professional standards. If they did then they would be in contempt of their professions and the important work they do. There is also the threat of the loss of their licenses or other penalties. Something has to give and it cannot be those who are upholding professional ethics and rights. The working people and general public are in no mood to accept fundamental violations of the freedom of speech and freedom of conscience in general, but in particular of well-respected teachers.

The aim of the Wynne government's back-to-work legislation was to suppress the college faculty's demands and their rights by forcing them into an arbitration system in which an arbitrator, constrained by government parameters, can dictate an outcome without the consent of those who will be forced to work under the new contract's provisions. That faculty refuse to submit to the college's demands, that go against their professional ethics, shows that dictate only makes matters worse. Now the students' education is in further jeopardy, faculty have been disrespected in the most egregious manner and any confidence that exists in the public health care system is being further undermined.

What will happen to students who oppose this dictate of the college administration and stand with their professors and refuse to go along with the college's plan? Will they be threatened with expulsion or have their tuition stolen based on claims that they had the choice to withdraw from the semester and obtain a refund but didn't meet the December 5 deadline for doing so? Are they supposed to accept whatever the college wants, regardless of how it compromises their education and the important role they want to play in society? This is untenable.
The Wynne government and the colleges must be blocked from using force in this manner to resolve differences of opinion. Colleges cannot be permitted to suspend or fire faculty for upholding the integrity of their profession, especially when for all intents and purposes, it is a means of locking out faculty and bringing in scab labour. The opinions of those who deliver the education and are responsible for the outcomes must be respected, as well as those of the students. The government and the colleges must be forced to back down and end their violation of the right of those who provide public services to say No! to working conditions that are unacceptable.

*Negotiate, Don't Dictate!*
*Uphold the Right to Conscience and Freedom of Speech!*

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**Suspensions at La Cité Show Why "Academic Freedom" Matters**

- Ontario Public Service Employee's Union, November 30, 2017 -

The suspension of four college professors at La Cité Collégiale in Ottawa shows why college faculty must have the freedom, and the authority, to make decisions on academic matters, the Ontario Public Service Employees Union (OPSEU) says.

"La Cité has suspended four OPSEU members for standing up for the integrity of their profession," said JP Hornick, chair of the college faculty bargaining team for OPSEU. "College administration wants faculty to say that students possess the full range of skills related to the practice of respiratory therapy whether they do or not.

"This just shows what faculty have been saying all along: college administrators are making decisions about academic programs that they are not qualified to make," she said. "In this case, administrators are putting both students and the public in danger."
The union has proposed that the College of Respiratory Therapists of Ontario be brought in to assist with the matter.

The return to work of over 12,000 faculty after a five-week strike that ended November 20 has been plagued by problems that are interfering with the colleges' efforts to save students' semesters, Hornick said. Bill 178, the back-to-work legislation passed November 19, requires the parties to abide by the existing faculty collective agreement, but the colleges are refusing to do so.

"Unless the colleges begin issuing new contracts and Standard Workload Forms to faculty to make up the lost time, we are heading for a crisis very soon," she said. "Faculty are working hard to save the semester, but we will not do it in a way that violates our collective agreement or the law."

OPSEU President Warren (Smokey) Thomas called the colleges' antics "classic union busting."

"The problems at La Cité, which is notoriously anti-union, are just the tip of the iceberg," he said. "The colleges are engaging in a centrally coordinated strategy that appears designed to bust the union even if it means sacrificing education quality. That's why I'm calling on Advanced Education Minister Deb Matthews to direct the colleges to obey Bill 178 and start cooperating with faculty to save the semester."

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**Discrimination Against Women Still on the Agenda**

**Rights Are Not Negotiable!**

In Canada, the vicious anti-social offensive, waged by governments at all levels in their drive to make the monopolies competitive on global markets is worsening the condition of women. Claims that women have achieved equality are put to shame so long as women continue to be considered "fair game." Society sanctions impoverishment, exploitation and oppression of women, and women dominate the sectors which are most impoverished, exploited and oppressed. Given these facts the government's claim that it can defend women's equality through the promotion of female entrepreneurship rings hollow indeed. Governments which pay the rich and cut funding to social programs are directly responsible for the abuse and humiliation of women and the brutality against them.
Governments and the financial oligarchy they serve stubbornly refuse to even recognize that women have rights by virtue of being both human and women, responsible for production in society and its reproduction, let alone provide these rights with a guarantee. This shows that they have become a block to progress. They are dead set against renewal based on the recognition of the rights of all and are not fit to rule.

A modern approach will have as its starting point that people have rights by virtue of being human, and that women have rights because of their womanhood. It will establish once and for all that it is illegal to discriminate against women and hold governments and the monopolies to account by ensuring that women have redress and discrimination is actually punished.

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**Trudeau Government's Self-Serving Refusal to Reverse Harper Era Anti-Union Anti-Women Legislation**

- *Peggy Morton*

In June 2016, the Public Service Alliance of Canada (PSAC) reached a negotiated settlement with Statistical Survey Operations (SSO) to settle a pay equity dispute involving between 20,000 and 25,000 current and former Interviewers and Senior Interviewers who worked at Statistics Canada or SSO between 1985 and 2013. The purpose of the pay equity settlement was to remedy a long-standing discriminatory wage rate for workers in this female-dominated workforce.

PSAC had originally filed a complaint with the Canadian Human Rights Commission on behalf of members employed with seven separate employers, including SSO, in 2002. The complaint was finally referred to the Public Service Labour Relations and Employment Board for a hearing in 2014. When the payments were finally made, PSAC learned that the settlement calculations failed to
include paid leave, overtime rates, full compensation for designated paid holidays, and other forms of compensation.

Many workers filed appeals, but SSO has refused to resolve the issue and make the payments whole. As a result, PSAC announced that it will now take the dispute to an independent third party for a final and binding decision. "Our members and former members have waited long enough for their discriminatory wage rate to be adjusted and deserve to be appropriately compensated," the PSAC statement says.

Binding arbitration was the only avenue open to PSAC to remedy the situation as legislation passed by the Harper government in 2009, which has been kept in place, removed the right of public sector unions to file complaints for pay equity with the Canadian Human Rights Commission. The Public Sector Equitable Compensation Act bans unions from assisting workers who file a pay equity complaint with the threat of a $50,000 fine. The legislation also includes a condition that "market factors" be considered in complaints concerning pay equity. In this way the legislation legalizes existing discrimination by considering normal and acceptable those "market factors" that already discriminate against women. In Canada, women earn on average about 70 per cent of the wages of men. The legislation makes the low wages of women throughout the economy, which are the result of discrimination, yet another backward justification to pay low wages to women in the federal public service.

The issue of pay equity has been addressed with all kinds of promises and inquiries from governments and parties yet it remains a policy objective in which the victims of injustice are forced to fend for themselves. In 2000, the federal government of Jean Chrétien appointed an expert Pay Equity Task Force, which issued its report in 2004. The Pay Equity Task Force recognized the importance of pay equity as a fundamental human right. It recommended a new pay equity law which would require all employers in the federal jurisdiction, both public and private, to examine their compensation systems to ensure pay equity. All employees would be included: full-time, part-time, temporary, casual and contract. It was claimed that this is particularly important since women face an added barrier to Canadian-standard wages and benefits as they are employed on a widespread basis in part-time, casual and contract work. The Task Force also recommended that national minority women, Indigenous workers, and workers with disabilities be covered by the pay equity law.

The Trudeau government has stated that it will bring in new pay equity legislation by the end of 2018. Then Employment Minister MaryAnn Mihychuk said in October 2016 that the legislation will take a "proactive" approach to pay equity, focused on helping employers comply with the law rather than forcing employees to lodge complaints about discriminatory wages. Mihychuk said forcing workers to file complaints and go to court to get equal pay had proven to be "burdensome, costly and unfair to workers." But to date the government has not even repealed the legislation enacted by the Harper government that bars unions from assisting members who pursue complaints through human rights tribunals. Whether the government will keep its promise to enact legislation or not is a diversion. The Trudeau Liberal government has been swift to make a big show about gender balance.
in the Cabinet and has even put forward legislation encouraging corporate boards to include more women. It travels the world invoking women’s rights as its mantra. Meanwhile, its refusal to overturn such blatantly anti-union and anti-worker legislation aimed at blocking women from organizing through their unions to affirm their rights is very telling. By affirming that rights are not negotiable the Trudeau Liberals can be held to account for their promises and policy objectives that do not match their actions.

Quebec Paramedics Step Up Their Struggle for Conditions Commensurate with the Important Work They Do

Paramedics Block Access to Quebec Ministry of Health to Demand Negotiations Be Unblocked

- Pierre Chénier -

Quebec paramedics are trying to negotiate new collective agreements and have been on a general strike since March 2017. Infuriated by the deadlock in their negotiations caused by the Quebec government, over 300 paramedics demonstrated in front of the Ministry of Health in Quebec City. They blocked entrances to the building with tire barricades and cordoned off the entire perimeter with caution tape reading "Lutte syndicale" (Union fight) from early morning until about 2:00 pm Tuesday, November 21. Only the entrance to the daycare was left open. Ministry employees were sent home and the building was closed for the day. Many people supported the action, including drivers who honked their horns. Jean Gagnon, representative of the pre-hospital sector of the Federation of Health and Social Services-Confederation of National Trade Unions (FSSS-CSN), told Workers' Forum that the action was intended "to convey to the Minister of Health that there is a block in negotiations, so this is what happens when you block things. We want to send the message to the Minister to unblock negotiations in the pre-hospital sector to conclude the negotiations as soon as possible and to our satisfaction."

Quebec paramedics' collective agreements expired on March 31, 2015. They are asking for an improvement in their pension plan, wage increases comparable to what public sector workers obtained in 2015, a reduction in their workload that has become untenable over the years, and the abolition of on-call schedules in remote regions that require them to be on call 24/7 for two weeks and then off for two weeks. Paramedics have long been fighting for recognition of their profession and the invaluable emergency services they provide to society. The people have the greatest respect for them but the government does not. It denies them the conditions that correspond to the work they do and is trying to take away improvements in the sector that paramedics have achieved through
The government calls the work of the paramedics an essential service and has designated them as such in legislation, not for the purpose of recognizing the rights that come from the role they play, but to refuse to negotiate with them and deny their demands, dragging things out for over two years.

The participants in the November 21 action were members of the pre-hospital section of the FSSS-CSN. Last July they reached a tentative agreement with one of their employers, Urgences Santé, in Montreal and Laval. This agreement, however, cannot be ratified and implemented until the pension plan included in the agreement is adopted by the other FSSS-CSN paramedics and the members of the other unions in the sector. The pension plan covers all of the workers in this sector, but the arrangements for Quebec-wide negotiations have been deliberately sabotaged by the government. There has been a negotiating table for all of Quebec in place since 1984 at which things like pensions, insurance and wages were negotiated. In April 2016, Health Minister Gaétan Barrette unilaterally abolished this negotiating table at the ministry level and put these negotiations in the hands of the individual companies delivering paramedic services. It did this despite the fact that the state fully finances all paramedic employers, from Urgence Santé, which is public, to the Corporation des services ambulanciers du Québec (CSAQ) which represents the vast majority of paramedic companies outside Montreal and Laval (private companies, non-profit organizations and cooperatives).

In a most hypocritical and irresponsible way, the government refers to employers in the sector as independent businesses that negotiate with workers independently. The Minister says he entrusted them with negotiating wages, but then he imposed service contracts on them which included budget cutbacks of $121 million over three years. This is tantamount to a direct order to attack the wages and working conditions of the workers. Not only is the government trying to put the blame for any deterioration in the working conditions on these bodies, but it is now facing a legal challenge by the
CSAQ, which challenges the legality of these contracts. Meanwhile, there are no negotiations on wages at this time.

Speaking with *Workers' Forum*, Jean Gagnon explained how reaching a Quebec-wide tentative agreement has been blocked: "Bargaining is not over everywhere in the sector, so the pension plan on the table in our tentative agreement has still not been accepted by all unions in the sector. Since the wage issues have not been settled by all paramedics across Quebec -- because the CSAQ is not currently negotiating -- there can be no tentative agreement elsewhere. The other CSN-affiliated unions and the other non-CSN unions are not going to say yes to the pension plan until their wages are settled. We are a package deal. Since 1984, we have always had the same wage increases. As long as they do not have the same wage increases on the table and the problems of workload and work schedules have not been resolved, there will be no settlement. In other words, agreements must be reached everywhere at the same time.

"Furthermore, employers do not have the authority to make decisions on workload and the on-call schedules we want to eliminate. The deployment of paramedics in Quebec is the responsibility of the government and the health facilities. Our collective agreements are not signed with these facilities. The situation is hell. So we are telling the government to fix these problems. Before that, we had a national negotiating table, we settled things. The Minister has taken that away and since that time we cannot settle anything."

The paramedics are working hard to hold the Couillard government to account, and ensure that its attempts to shirk its responsibilities and sow divisions among the paramedics so as to downgrade their working conditions and pension plans will not succeed. They are keeping up the fight to improve their working conditions and the delivery of services and refuse to be pitted against one another and to have their united strength weakened.

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