

May 29, 2018

**CP Rail Workers Continue to Press Just Demands  
Conductors, Engineers, Signals  
and Communications Workers Serve  
Strike Notice**



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## CP Rail Workers Continue to Press Just Demands

# Conductors, Engineers, Signals and Communications Workers Serve Strike Notice

The Teamsters Canada Rail Conference (TCRC) and the International Brotherhood of Electrical Workers (IBEW) issued a press release on May 26 to announce that they have served Canadian Pacific (CP) with notice of intent to strike, effective Tuesday, May 29 at 10:00 pm if there is no negotiated settlement by then.



The unions issued the strike notice the day after the Canada Industrial Relations Board reported that CP workers had voted overwhelmingly to reject the company's final offer. The workers were forced to vote on the company's offer by order of the Federal Minister of Labour issued on April 20, only hours before the CP workers were to strike. TCRC members at CP voted 98.1 per cent to reject the offer with a turnout of approximately 77 per cent while IBEW members voted 97.2 per cent to reject with a turnout of 89 per cent. TCRC represents about 3,000 conductors and locomotive engineers at CP and the IBEW represents about 360 CP signals and communications employees.



**Sign from the 2012 CP strike, showing the company's longstanding refusal to deal with scheduling issues.**

In the joint communique, the unions report that after one day of attempting to negotiate with CP once the vote to reject the offer was announced, it was abundantly clear that the company was still refusing to negotiate on the basis of the just demands of the CP workers. The communique quotes TCRC President Doug Finson as saying, "CP is offering more of the same contract language that workers just voted to reject a few hours ago. The company clearly isn't serious about reaching a negotiated settlement and delivering on their promise to do right by their employees." Steve Martin, Senior General Chairman from IBEW System Council No. 11 said "CP has continually changed directions during negotiations with little evidence that a settlement was ever possible. We have given CP every reasonable opportunity to negotiate and avoid a strike, but sadly that has led us nowhere."

Among the important issues that workers have raised in the negotiations is fatigue, largely caused by irrational and unsafe schedules, and the requirement that workers be basically on call 24/7, and the company's punitive discipline and adversarial labour relations. The company's position throughout the negotiations and before was to reject workers' demands, claiming that making changes that would protect the workers and the public did not satisfy the company's need for "flexible working conditions" and that workers must be "open to change" in a competitive environment.

CP is counting on anti-worker propaganda in the monopoly media to support its assault on the workers. The monopoly media only acknowledges the existence of railway workers when there is a strike or the threat of a strike and there are already press reports attacking the CP workers, alleging that their strike action will cause hardship to grain shippers and others who rely on the railways to move their products. They do not report on the conditions workers are facing or on the justness of their demands for working conditions that protect both the workers and the public. Nor do they report that CP is deliberately provoking a strike and counting on further intervention by the federal government to crush it. CP is counting on the federal government to prevent a strike or legislate striking workers back to work, citing the "national interest" and even the necessity to "keep talking" when "talks" are a figment of their imagination.

To date there have been no negotiations to address the serious issues facing the CP Rail workers, those who actually operate and maintain the entire railway system and who know firsthand the dangers to themselves and the public posed by their working conditions. The workers have repeatedly rejected threats and stood their ground. Their demands are just and their fight to achieve an acceptable contract by exercising their right to withdraw their capacity to work must be supported.



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### FTQ-Construction Triennial Convention

## Quebec Construction Workers Defend the Dignity of Labour

FTQ-Construction, the construction union affiliated with the Quebec Federation of Labour is holding its Triennial Convention in Victoriaville from June 5 to 7. With more than 75,000 members and 43 per cent of all unionized construction workers, it is the largest of the five Quebec construction unions. On the convention's agenda is what the union has accomplished in the last four years and setting its program for the next four years. As it is a general election year in Quebec, the convention is also taking up the election platform of the FTQ-Construction, with the main demands it will be putting forward.



The convention takes place at a crucial time for the workers when they must work out how to defend the union which is under all-sided pressure to submit to the anti-social offensive of the big construction companies and the government of Quebec which serves them. The workers and their union have been targets of state-organized attacks and slanderous propaganda which blames them for corruption and mafia-type activity on construction sites when it is well-known that these are the speciality of the big construction companies. The workers have faced these attacks with courage and defiance at critical moments. To accuse them of intimidation when they organize to defend their rights against the employers' denial of proper wages and working conditions reveals the profoundly anti-worker outlook of their accusers.

*Workers' Forum* is publishing an interview with Richard Goyette, a labour lawyer and former

Director General of FTQ-Construction, on the problems and challenges construction workers face at this time.

*Workers' Forum* wishes the delegates to the FTQ-Construction convention success in their deliberations on how to make their voices heard and be effective in providing solutions to the problems they face.



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## Interview, Richard Goyette, Former Director General, FTQ-Construction

**Workers' Forum:** As FTQ-Construction prepares to hold its triennial convention, what do you think are the main problems facing construction workers in Quebec at this time?

**Richard Goyette:** The problems go back a long way. Whenever governments have looked at the construction industry over the last 50 years, rather than saying that the problem is the lack of job security and seniority, the lack of income security, the staggering number of deaths per year; instead of dealing with the human side of construction, they have made policies more restrictive, brought in the police, fined people etc. They neglect to say that construction is a precarious, dangerous, cyclical, seasonal industry in which, on average, projects last two-and-a-half months, although there are some that last much longer. Every time there is a crisis in the industry, they say the problem is the unions fighting each other. Even when they organized inquiry commissions to chastise us, the recommendations of the commissions always came back to the question that the source of the problems was [the workers' need] to put bread on the table, the problems of lack of security, whether it is job, income or physical security.

If you want to solve the problems of construction, it is not by introducing repressive measures but by giving people security. That is the problem. You can have your wages stolen and the Quebec Construction Commission takes a long time to react, and you cannot grieve this. This is an industry where there are thousands of wounded, 50 fatalities a year, where people are pressured to work under the table and are being silenced, where the construction-related provisions of the *Act respecting occupational health and safety*, legislation that has been in force since 1980, have not yet been promulgated. In this situation there are always going to be crises in the industry. The government always intervenes in favour of the owners, the contractors and the big companies by using repression against workers. The workforce in the construction industry is kept in a precarious situation, as if the industry was not a structured industry.



**Quebec construction workers protest issues of imposed labour mobility and untenable work schedules during their 2017 strike.**

The example of crane operators is different. They have a seniority and job security clause. It is they

who log the most hours, who do the most recorded extra time. The employer cannot tell a crane operator not to declare his hours, that he will fire him if he does so. And now crane operators are under attack by the Quebec Construction Commission, with new rules that allow anyone to operate a crane. If that is not deliberate, someone should explain that to me. They know very well that this will endanger the safety of the crane operators and the public.

We hear about a shortage of labour as the reason given to justify those kinds of measures. Among construction workers and salaried people in the industry, 18 per cent leave the profession each year. This is not a shortage of labour, it is a shortage of the capacity to retain workers. Crises in the construction industry can be fixed, without police. Job security, income security, right of recall, recall of laid off workers when there is a real shortage of labour, the application of all of the provisions of the *Act respecting occupational health and safety* on construction sites -- the solutions are there. I do not think governments will do it unless we force them to. It must be remembered that 68 per cent of construction contracts are with government. Does the government, as an administrator, prefer precariousness and not want trouble so it allows companies to do what they want?

**WF:** What is the role played by Bill 152, (*An Act to amend various labour-related legislative provisions mainly to give effect to certain Charbonneau Commission recommendations*) in this situation?

**RG:** The first thing is to draw the conclusion that the problem is insecurity, instability. Bill 152 is another step to silence workers. It adds repressive measures.

Among other things, Bill 152 singles out union representatives alleged to have done something deemed to be intimidation. If you are found guilty of intimidation, you will not be able to hold a union representative position for five years. If you have been found guilty before, this measure will apply retroactively to you. The bill adds to the offences that constitute intimidation. It's done deliberately. It is being discussed everywhere in the industry that it is to get rid of the union reps who the employers do not want on the construction sites because they stir things up, not to put money in their own pockets but to defend their members. When it comes to health and safety, if you raise your voice to defend a worker's life, you have just intimidated the employer. You first try politely to convince him, then you raise the tone and you can lose the opportunity to be a union representative for up to five years.



**WF:** What, in your opinion, are the prospects for the struggle of construction workers?

**RG:** We have to talk about solutions, as I just mentioned. We must go back to our drawing boards and establish income, physical and job security processes. Then we must establish the demands and the means of action to achieve them. A platform of demands for political and social

action is needed. We must show that our demands serve the collective interest, which is the case, but we have to show that job security, the availability of jobs in all the regions, is good for the regions. If you create the conditions for people to live in the region, the money doesn't go into the pockets of millionaires, it stays in the region. There is a direct link between our demands and the public interest. We must also work on public opinion, which is not easy because of the media, but at least to create public opinion that says that maybe we're right.

Construction workers build Quebec. They are proud of their work. They love this industry. They are

everywhere, in schools, hospitals, agribusiness, the petrochemical and aircraft industries, everywhere.

They are human beings doing this work. We must take care of these humans.

It has to be done. That's my message.

*(Translated from the french original by Workers' Forum)*



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## **Montreal Transit Workers Defend Working Conditions and Public Transit Maintenance Workers Give Strike Mandate**



**Strike vote of Montreal transit maintenance workers, May 27, 2018. (CSN)**

In a general membership meeting on May 27, the maintenance workers employed by the Société de transport de Montréal (STM) gave their union a 98 per cent unlimited strike mandate to be exercised at a later date, if deemed necessary.

The 2,400 maintenance workers and their union, the Syndicat du transport de Montréal (affiliated with the Confederation of National Trade Unions), report an avalanche of company demands for concessions that would result in dismantling their collective agreement and violating their rights. Major concessions include conversion of day shifts to evening and night shifts, mandatory overtime and privatization of services.

On May 24, the STM announced that on June 6 it will unilaterally ask the Quebec government to appoint a mediator to intervene in negotiations with the Syndicat du transport de Montréal. On May 14, the STM had asked the union to agree to a joint request to the government to appoint a mediator, but the union refused. The STM justified its request for mediation with the claim that there is a stalemate in bargaining with maintenance employees, citing the fact that maintenance employees worked to rule for the week starting May 7, refusing to work overtime, and were preparing for further actions to oppose the concessions.

In fact, the stalemate is a deliberate creation of the STM to extort anti-worker concessions and degrade services, including the threat to impose working conditions by decree. Negotiations are being held under new legislation, Bill 24, adopted by the Quebec government in 2016, which restructured negotiations in the municipal sector. By unilaterally asking for the intervention of a mediator the STM is rushing the process provided for by the law, which sets timelines for

negotiations and imposes mediation. This can lead to the appointment of a special mandatory if mediation fails or if the government decides that there are special circumstances justifying such an appointment. On receipt of the secret report of the mandatory on the state of negotiations, the Minister may introduce legislation to impose a collective agreement.

Backed by the police powers established by Bill 24, the STM refuses to negotiate with its workers and is attempting to blackmail them to "accept" the unacceptable or face the imposition of working conditions by decree. Montreal transit maintenance workers reject this blackmail and are demanding an acceptable negotiated agreement, one that defends the services to the public.

Meanwhile, the 4,500 STM bus drivers and subway operators who are also trying to negotiate a new contract under the regime of Bill 24 are facing STM's refusal to agree to their just demand for routes that correspond to actual traffic conditions in Montreal.



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## U.S. Monopoly Threatens to Close Ontario's Huron Central Railway Threats and Blackmail Par for the Course in Nation-Wrecking

*The economy needs a new pro-social direction*



Map of the Huron Central Railway (click to enlarge).

The U.S. monopoly Genesee & Wyoming has threatened to close the 283-km long railway it operates between Sudbury and Sault Ste. Marie in Northern Ontario. To continue operating the railway beyond this year, the U.S. global cartel demands \$46.2 million in grants from the provincial and federal governments.

The railway transports 13,000 annual carloads of freight for many in the northeast including three major industrial shippers, Essar Steel Algoma in Sault Ste. Marie, the Domtar paper mill in Espanola, and the EACOM sawmill in Nairn Centre. Huron Central Railway (HCR) connects with the main CP line in Sudbury. Genesee & Wyoming operates HCR under a 1997 lease agreement

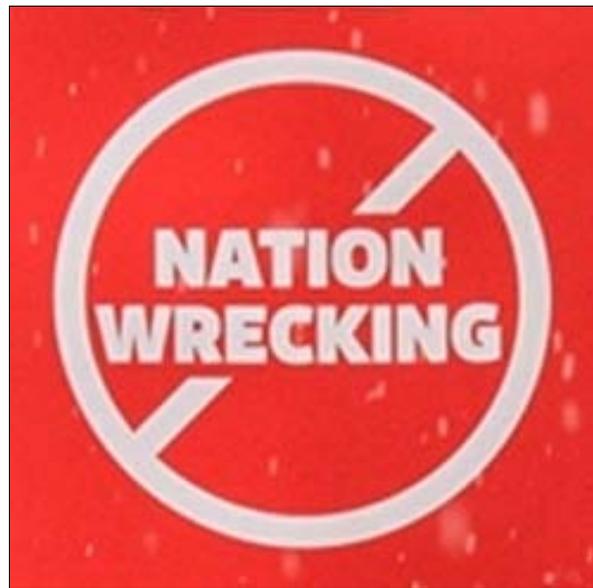
with Canadian Pacific Railway, which owns the line.

The railway complains that the freight rates paid by shippers do not meet its price of production of the transportation service, in particular the value needed to maintain the line. The U.S. company has received state funds throughout the lease arrangement. In 2010, the City of Sault Ste. Marie and the federal and Ontario governments arranged state grants to Genesee & Wyoming totalling \$33 million. The company is now back for \$23.1 million from the province and a matching amount from the federal government. If this money is not forthcoming, Genesee & Wyoming threatens to abandon the railway.

This poses a very serious problem for people and business in northeastern Ontario. Shippers say they cannot pay more for freight delivery as that would render their commodities uncompetitive in markets outside the north. State subsidies to the railway mean in part state subsidies for the shippers, especially the big three industrial producers. The Domtar paper mill and EACOM sawmill are both under pressure from increased tariffs in the U.S. while Algoma Steel in crisis almost continually, resorting to the exceptional state bankruptcy powers of the *Companies' Creditors Arrangement Act*.

Transforming HCR into a public enterprise would eliminate the U.S. company from expropriating and removing value as private profit, which would be a step in the right direction. But this would institutionalize and make permanent state subsidized rates for the major private industries using the public service. This means value from elsewhere in the economy would be needed to make up the income shortfall of the public railway. This in effect would continue the pay-the-rich scheme for those major private industries. As is the case generally, other private interests would refuse to pay for this subsidy through corporate taxes or other means. The shortfall would be manipulated and used to call for austerity for the people and reductions in value being exchanged for the value created within social programs such as public education and healthcare or raised from state borrowing from private lenders, which is yet another pay-the-rich program.

The refusal to deal with the problem of nation-wrecking arises from a refusal to recognize that the source of the problem arises from the competition for maximum profit amongst the privately owned and controlled parts of the economy. Each competing part demands its right to expropriate as much as possible of the new value workers produce, to the detriment of other parts and the whole. They constantly fight to expropriate the maximum possible amount for their own private interests. This constant competition for the value workers produce contradicts the socialized nature of the modern economy and its interrelated parts. The exchange of value within the socialized economy has to be based on mutual benefit to strengthen the whole in conformity with its modern interconnected character.



A remedy could be found with a new pro-social direction for the economy that eliminates the competition of its interrelated parts and replaces competition with cooperation for the mutual benefit and common good of the interconnected parts and the whole. Such an economy would operate as a single seamless interconnected whole with an aim of nation-building to serve the well-being of the economy and the people, rather than suffer an alien aim of expropriating value for the benefit of competing private cartels.

In this new direction, the value workers produce from industry at Algoma, Domtar and EACOM, for example, would not go into private coffers outside the economy but would stay in the north and be redistributed in conformity with the economy's modern socialized interconnected character. This would strengthen and expand the whole and its interrelated parts, especially local manufacturing, infrastructure, public services and social programs.

The production and realization of new value within the economy is uneven and requires cooperation for it to function without disruption and crises. For example, low volumes and long distances on HCR result in lower realization of the produced value. New value has to be moved around to sustain the railway for the common good of the whole. This would also be the way to expand passenger rail throughout northern Ontario, which is an urgent demand and necessity of the people. However the private competing interests refuse to cooperate for the common good.

This moving around of new value has worked before in Canada to support nation-building but only in a limited fashion. Certain public enterprises have been given a monopoly such as Canada Post and Air Canada in its early formative days and even Canadian National Railway for a time. The greater realized new value from the busier shorter routes was moved to the routes where the realized new value was less. For this to succeed with HCR, and with the endangered northern railway and port in Manitoba, which the U.S. owner refuses to repair and operate, to give two examples, would entail making the entire rail system in Canada a single public enterprise allowing realized value to be moved around from the more profitable routes to those that are longer and less utilized.

This would continue the pay-the-rich subsidies to private industries such as Algoma, Domtar and other beneficiaries, but some equilibrium could be arranged for them to expropriate an average profit and not take as much out of the economy. If not willing, they could relinquish their right to ownership and control and make the industries public enterprises serving the economy and common good.

At any rate if Canada is to have a stable viable economy without recurring crises, something radical needs to be done to change its direction and aim so the economy serves the people equally in all parts of the country. The present direction of competition for maximum private profit, constant crises and paying the rich to the detriment of economic security and the common good cannot and should not be allowed to continue.



## Coming Events

**WORKERS' COMP  
IS A RIGHT**

**INJURED WORKERS' DAY  
EVENTS**

**Friday JUNE 1st**  
rally and march  
**11am at QUEEN'S PARK**

**Friday JUNE 1st**  
**ALL CANDIDATES  
Town Hall Meeting**  
2pm at OCAD Auditorium  
(100 McCaul St., room 190)

**Thursday May 31st**  
**Overnight Vigil and Cultural Program**  
**At QUEEN'S PARK**  
Light Dinner 7pm, Program 8pm

**CALENDAR OF EVENTS**

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