

June 26, 2018

Unacceptable Actions of Quebec Government
Crane Operators Back on the Job:
the Fight Continues



Unacceptable Actions of Quebec Government

- **Crane Operators Back on the Job: the Fight Continues**
- **Stand in Support of the Crane Operators!**
- **Our Security Lies in the Defence of the Rights of All!**
- **Might Makes Right**
- **Militant Demonstration of Crane Operators in Montreal**
- **Vocational Teachers Say Quebec Premier Must Reverse Decision**

Letter to the Editor

- **The Crane Operators Are Right**

Coming Event

- **Support Locked-Out MANA Workers: SHAME -- Five Long Years**

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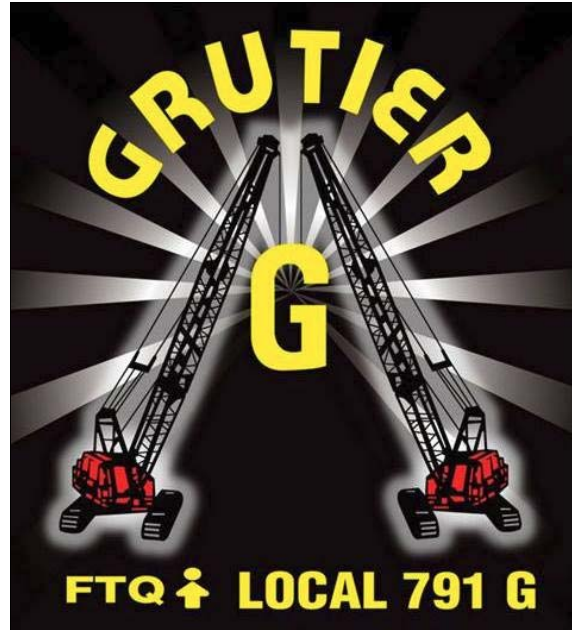
Crane operators returned to work on the morning of June 26, after having refused to work for a

week. They had walked off the job in opposition to irresponsible regulatory changes made within the crane operator trade by the Quebec Construction Commission and the Couillard government.

In a letter addressed to the members of the Crane Operators' Union, issued on the evening of June 25, union director Evans Dupuis wrote:

As a result of the decision rendered on June 21, 2018 by Judge Alain Turcotte of the Administrative Labour Tribunal (TAT) ordering crane operators back to work, we are required to abide by the decision. I therefore urge you to return to work and to discontinue any strike or work slowdown.

However, it is obvious that your local is not abandoning any of its demands. In particular, the health, safety and integrity of workers and the public remain a key demand in the various legal and administrative procedures we have already undertaken.



The union's Director invites all members to a general assembly on the evening of June 26.

(Quotes from letter translated from original French by Workers' Forum.)



Stand in Support of the Crane Operators!



Crane operators demonstrate in front of CNEEST offices in Montreal, May 5, 2018, demanding changes to regulations on training be rescinded.

The struggle of Quebec crane operators for their dignity and safety and the safety of the public is just. The Quebec Construction Commission and government must back down!

Crane operators in Quebec walked off the job one week ago to oppose the irresponsible regulatory changes made to their trade. The Quebec Construction Commission (CCQ) and the Couillard government unilaterally imposed changes without the consent of those who do the work and know the dangers involved in their trade. Since the strike began and with the effort of their supporters to inform the public of their just cause, more and more people, individuals and organizations are denouncing the CCQ and government and expressing support for the crane operators and their just demands.

Crane operators are concerned that the new regulations governing certification of the competence of new crane operators are grossly inadequate. Without the agreement of those involved, the government and CCQ have abolished the requirement that a crane operator must complete the Diploma of Vocational Studies (DVS) to operate a crane. To combat the alarming number of accidents injuring both operators and the public, the DVS was established as a rigorous training program of 870 hours delivered by professional instructors. The DVS requirement effectively reduced accidents in the sector.

The CCQ and government want to eliminate the professional DVS as mandatory and replace it with a 150-hour on-site training program delivered by employers. They have also concocted an 80-hour course to operate boom trucks with a maximum capacity of 30 tonnes. Following the course, which can be completed in two weeks or less, a worker starts operating such a crane without any on-site training. These unilateral changes come at the behest of the big construction companies to facilitate a speedy increase in the number of crane operators without considering the negative consequences. Crane operators say *No!* to these changes that lack any concern for the safety of those who do the work and the public.



Our workers security, not negotiable

Workers demand a process be established, such as a roundtable discussion including all stakeholders in the construction sector, to review the current regulations calmly and establish new ones that would enhance, not degrade, the safety standards for the crane operators' trade within the changing conditions of the construction industry. Voices are mounting in support of the crane operators and against the heavy-handed dictate of the CCQ and government. Many want an immediate end to the government's measures that criminalize the workers whose actions are in defence of their rights, safety and the public.

In their hysteria to impose their dictate, the CCQ and government have unleashed a flurry of repressive measures. The Administrative Labour Tribunal on June 21 ordered crane operators to return to work or face huge fines and possible imprisonment for contempt of court. The next day, the Ministry of Transport sent a formal notice to the targeted unions warning them the government will claim damages as a result of the Labour Tribunal decision declaring the strike illegal. It said the damages will include company losses from delays on construction projects due to the absence of crane operators.

These measures are unjust and repressive. The CCQ and the government must change course. The unilateral imposition of substandard regulations without the consent of those affected is not acceptable in the modern world. The criminalization of workers standing up for their rights must not pass. For the government to accuse crane operators of waging an illegal strike in opposition to

threats to the safety of fellow workers and the public, and for Premier Couillard to jump in and denounce the workers for violating the rule of law are the height of hypocrisy and contempt for workers' rights.

Workers' Forum reiterates its support for the courageous struggle of crane operators in Quebec and the struggle of all construction workers for their rights.

***No to the Criminalization of Crane Operators!
The CCQ and Government Must Back Down!***



Our Security Lies in the Defence of the Rights of All!

The Quebec Construction Commission (CCQ), which represents the private interests of the big construction companies, along with the Quebec government have unilaterally changed the working conditions of construction crane operators. They have done this without consultations, negotiations or gaining the consent of crane operators and their union. In doing so, they have shown utter contempt for the safety and rights of the workers and public. They have refused to listen to the legitimate concerns and proposals of the workers to improve safety on construction sites. By abolishing the compulsory government training for new crane operators and deregulating oversight of crane operator credentials, they are lowering the standards so as to increase competition among workers for available work.



The end result is to pressure construction workers generally, and crane operators specifically, to lower their claim on the value they produce, their wages and benefits, and to compromise their vigilance on safety standards, allowing construction companies to engage in dangerous practices.

The attack of the CCQ and government on construction workers directly threatens the health and safety of workers and the public by loosening and lowering the standards of work on job sites. Everyone knows that vocational training and upholding standards at the workplace, or conversely their absence, have a direct impact on safety and working conditions.

A strong union defending workers on job sites and their terms of employment is a necessity. This is of particular importance in the construction sector where under-the-table work is widespread and non-permanent job sites put workers under constant threat of not being called back to work if they defend their rights.

No worker or union has approved or negotiated these significant changes in the training conditions for new crane operators. Is this not illegal? According to the government, only resistance to such illegitimate actions is illegal. Before taking strike action, crane operators and their unions did everything they could to explain their point of view to the CCQ, the Administrative Labour Tribunal, the Labour Standards, Pay Equity and Workplace Health and Safety Board (CNEEST) and anyone else in the government who would listen. They were told that under the "rule of law," the

government bodies do not have to listen to workers and their concerns; they do not have to gain their consent. The "rule of law" according to the government gives them the unilateral right to deny workers their rights and a say even in actions that directly affect their working conditions. This Couillard "rule of law" is in fact police powers of the state to criminalize and crush workers and their unions.



In opposition, crane operators have come to understand that only through making themselves absent from construction sites can they be heard. No other way is effective in having a voice. By making themselves absent they gained a voice that is now resonating throughout Quebec and gaining more and more supporters who declare their cause is just, a cause that concerns all the people. Many people are declaring boldly that criminalizing workers who take a stand in defence of their rights will only aggravate the situation and will not lead

to a just solution.

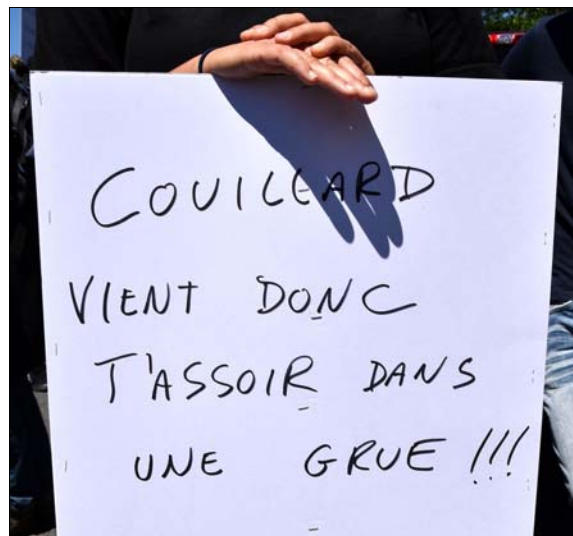
The government and CCQ must back down because their goal of unilaterally lowering safety regulations and working conditions on construction sites to benefit private interests is not an honourable one and not one that accords with modern conditions. Nothing stops the government from freezing the new regulations and establishing a process of calm discussion in the fall after the Quebec election; nothing that is except their intransigence to serve powerful private interests.



Might Makes Right

The following commentary was written by Réjean Parent in his blog in the Journal de Montréal, June 23. Parent was president of the Centrale des syndicats du Québec from 2003 to 2012.

The crane operators' refusal to return to work for reasons of safety is raising the eyebrows of employers and the government. Other than reservations that may be expressed regarding the behaviour of these workers, the situation reveals once again that our politicians and state institutions are first and foremost in the service of the financial oligarchs. Premier Couillard, true to his party's image over the past 30 years, is quick to put the blame on workers when they revolt, while caving in to big business when it threatens to relocate if its demands are not met.



What led to the present conflict was the government's deaf ear regarding the concerns expressed by the representatives of the crane operators, on the impacts on worker safety through the lowering of training requirements. Rather than undertake serious discussion and work out how to alleviate concerns, the government chose to respond to the complaints of contractors and jeopardize workers' health.

Government laxity has rendered the premier's statements all the more shocking when expressing his intransigence or when he comments that: "It's a bit like a final expression of the old Quebec, where groups would decide to hold a larger group, or the society, or Quebec's economy hostage. Quebecers don't want any more of that. Those days are over." His is a rather facile overuse of equating the refusal of workers to return to the worksite for reasons of safety, with hostage taking. However, he becomes more circumspect when dealing with companies such as Air Canada, when they resort to blackmail by demanding that the Quebec government put an end to legal action such as in the case of Aveos, if it wanted the company to service part of its C Series fleet in Montreal.

In response to the bidding of the wealthy, state re-engineering, as advocated by the Charest government, merrily slashed away at union rights. Mr. Couillard continues in that vein by resorting to the repressive state apparatus to force workers to kowtow to the requirements of big business, at the risk of their lives. One would also have thought that those days were over.

Although the present revolt is disruptive, it would be far more alarming to see workers resigned to risking their safety under the constraint of legal institutions led astray by a state in the service of a ruling class.

(Translated from original French by Workers' Forum.)



Militant Demonstration of Crane Operators in Montreal



More than 300 crane operators demonstrated outside the Head Office of the Quebec Construction Commission (CCQ) in Montreal on June 21. People of all ages, from students enrolled in the 870-hour Diploma of Vocational Studies program to long-time crane operators who have been fighting for over thirty years to make the job safer, joined in the demonstration. Their signs focused on the need for adequate professional training for current and future crane operators. They vigorously denounced the deregulation of the trade and the consequent downgrading of health and safety standards which impacts not only crane operators but all



construction workers and the public.

To illustrate their point the workers brought a boom truck that they deployed with a load. As the booms were extended and the load moved away from the truck, one of the boom truck's legs was seen rising from the ground, creating an imbalance in the position of the boom truck. A larger load, a greater distance of the load from the truck, and the boom truck could have overturned. It was the crane operator, based on his professional training and experience in the field, who maintained the balance. According to the crane operators, the regulatory change which allows a worker to operate a boom truck after taking an 80-hour course is dangerous and unacceptable.

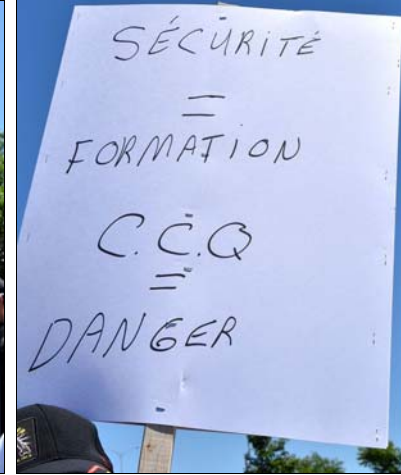
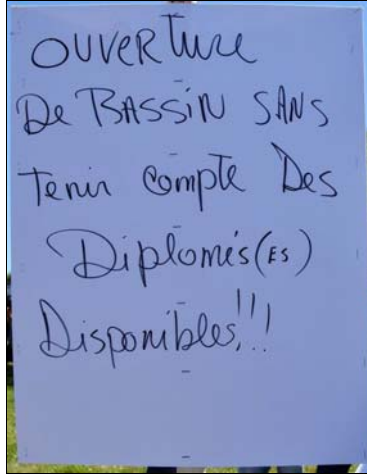
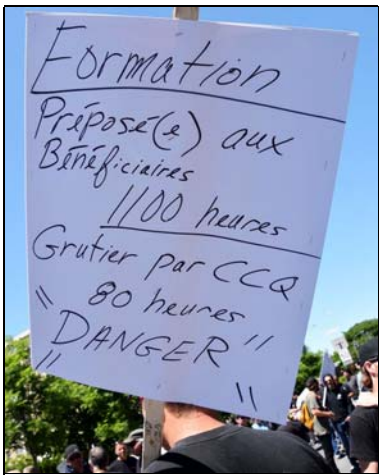


On behalf of the Union of Crane Operators, its director Evans Dupuis greeted everyone and expressed the union's support for the mobilization of the last few days that came from the grassroots, from the crane operators themselves. "This conflict is a health and safety conflict, as we have said from the beginning. This mobilization, it came from you," he said to applause.

He refuted many of the comments that the CCQ was peddling in an attempt to justify its measures and to attack the crane operators. "The CCQ says that it respected the process to change the regulations, that it consulted crane experts. That's wrong. We were never consulted. The experts in cranes, it's you!" he said. He quoted comments made by the CCQ in 2013 in a response to employers' associations which wanted to remove mandatory vocational training so as to allow any untrained journeyman to become a crane operator. The CCQ said that the context was different for crane operators, that this request did not reflect the concrete conditions of the trade of crane operator. And yet that's what the CCQ is doing today, he said. He refuted the CCQ's claim that the Labour Standards, Pay Equity and Workplace Health and Safety Board (CNESST) was consulted and approved the regulatory changes. He quoted e-mails from senior CCQ officials that show that they were not consulted and did not approve the changes. In fact, the CNESST is completely passive on this matter which directly concerns its mandate of looking after the health and safety of the workers.

He reiterated the crane operators' demands: "The government needs to reverse its position and withdraw the regulatory project. The Crane Operators Collective has solutions that are better than what was done before the regulatory change and better than the regulatory change. We are ready to sit down with the CCQ, the CNESST, the government and the employers' associations. We could solve the problem in a day."

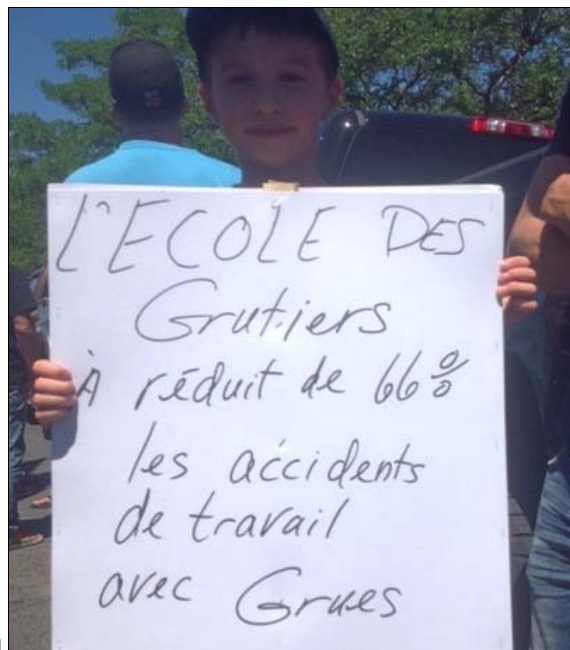
This solution, he said, must include mandatory vocational training for all crane operators in Quebec to ensure the trade is as safe as possible for workers and the public.



Vocational Teachers Say Quebec Premier Must Reverse Decision

The Autonomous Teachers' Federation (FAE) and the Syndicat de l'Enseignement des Seigneuries (SES) representing vocational training teachers are asking the Premier of Quebec, Philippe Couillard, to cancel the regulatory changes that allow a non-graduate who wishes to become a crane operator to qualify with significantly less training than is currently required. Nothing justifies these changes which compromises the safety on construction sites in Quebec, the vocational teachers say. In a June 22 statement the FAE also calls on the government to bring together the concerned groups, including the teachers, for a round table discussion.

"The Liberal government is solely responsible for the current situation. Philippe Couillard must show courage and reverse this decision, since it puts crane operators, their co-workers and the public at risk. The training does not take place in a controlled



environment, but on real construction sites, which increases the risk of accidents. Moreover, this decision devalues both the current training and the competent teachers who provide it. At the FAE, we are proud to represent the vocational training teachers who, each day, through their expertise and know-how, make a difference in health and safety and allow students to learn their craft in a safe environment," said Sylvain Mallette, president of the FAE, and Benoît Giguère, president of the SES.

In the context of the dispute, the FAE and the SES inform they will soon be submitting a complaint to the Québec Ombudsman regarding the dangers inherent in the decision of the Couillard government. This complaint will also remind the Ministry of Education of its obligation to promote proper qualifications and provide quality training, they say.

The FAE brings together eight unions representing nearly 38,000 teachers in preschool, elementary, high school, prisons, vocational training, adult education, Peter Hall School staff, and the Fournier Academic Center, as well as a thousand members of the Association of Retired Persons of the Autonomous Teachers' Federation (APRFAE).



Letter to the Editor

The Crane Operators Are Right

What we see in the struggle of the crane operators is a group of workers mobilizing themselves around such an important issue as workers' health and safety. This is trade unionism with crucial demands such as health and safety. That is the most basic demand that can be.

What I find a little disconcerting is that the media, through their criticism, seem to underestimate the movement. However, no demand can be more important than this. We only have to look to the battles that the unions waged for years to prevent those workers from being killed by cranes due to a lack of training or because of equipment not being properly adapted to the required work. In the past, loads were hoisted by any kind of device, come what may. Today, workers are trained and equipped with lifting devices corresponding to the load to be lifted. Certain devices are required for certain types of loads, along with specific training.

I am proud of the movement. It shows courage, because the trade union movement is being criticized by all governments, which promote all kinds of ideas within the population, such as that the unions do not serve any purpose and are too costly. However, statistics show that more and more workers are being killed on worksites. Why? Because the door has been opened to all-pervasive subcontracting, which translates into a lack of training and skills. That's what's happening. They are not being paid, not being trained. Those workers are right. They do not want the situation to end up that way. Kudos to them!

A Lac-Saint-Jean metal worker



Coming Event

Support Locked-Out MANA Workers: SHAME -- Five Long Years



Hamilton

Picket at MANA Gates

Friday, June 29 -- 5:00-9:00 am

855 Industrial Drive

For information visit Steelworkers Local 1005 online: uswa1005.ca

Come out and show support for the MANA workers who have been locked out for five years, and all were laid off long before that. Drop in, everyone is welcome -- even if you can only stay a few minutes. The plant is being run using scab labour.

For Workers' Forum articles in support of the MANA workers see:

[Hamilton Steelworkers Highlight MANA Lockout at May Day Action](#)
[The Disgusting and Tragic History of MANA in Hamilton](#)



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