


March 6, 2023 - No. 10

**Our Security Lies in Our Fight for the Rights of All!**  
**Defend the Resources, Livelihoods  
and Work of Canadians!**  
**Stand with Windsor Salt Workers!**

INTERNATIONAL  
WOMEN'S DAY  
WEDNESDAY MARCH 8  
"SALT OF THE EARTH" ON STRIKE  
  
JOIN THE PICKET LINE !  
4:30 PM  
30 PROSPECT AVE. - WINDSOR  
EMPOWERYOURSELFNOW.CA

- **Salt Workers Challenge Arrogant U.S. Holding Company**
  - **Union-busting in Canada by Unscrupulous U.S. Law Firm Jackson Lewis**
- **Former U.S. Vice-Consul Represents Mine Owners**

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**Our Security Lies in Our Fight for the Rights of All!**  
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The Windsor Salt Strike is another case of a U.S. /global conglomerate taking over the production in Canada of an essential commodity and thinking it can do whatever it wants to be able to seize for itself ever more of the wealth produced by the workers it employs by trying to break their strikes and their unions, blackmailing them and their communities and refusing to negotiate. The profile and history of the U.S. law firm that is notorious for its expertise in breaking unions and of the lawyer the company has engaged to do their dirty work is very telling in this regard. The experience of Canadian and Quebec workers shows without the shadow of a doubt that they should not be permitted to operate in Canada. Like the Stelco workers' fight in Ontario and the fights of aluminum workers and others in Quebec, as well as the battles public sector workers are increasingly waging, the support of other workers and the affected communities, as well as public opinion generally, will be important for the Windsor Salt workers so that the experience the workers in Pugwash, Nova Scotia suffered with the same company as it broke onto the scene in Canada is not repeated.

### **The Facts**

Windsor Salt workers are under attack from a California cartel that seeks to deprive them of their rights and liquidate their livelihoods. The global cartel seized control of all Windsor Salt production facilities in 2021 including those in Windsor, Ontario and Nova Scotia and seeks to destroy throughout Canada the wages, benefits and security that salt workers have acquired through union-organized struggles.



The cartel informed the 250 workers of Unifor Locals 1959 and 240 in Windsor that no renewal of their union contract would take place without workers' agreement to relinquish their security of employment. The cartel wants the monopoly right to lay off, or fire workers at any time and replace them with others it may hire through contractors. In this way the cartel can force down the wages and benefits they pay to those who do the work and deprive them of any right to security of employment. This would increase the cartel's expropriation



of the value salt workers produce, which the owners could spirit out of the community and Canada and into the pockets of oligarchs in California and elsewhere around the world. This must not pass! The salt and production facilities, which have been in operation since 1893 and provide a vital resource for road safety, food production and chemical processing, belong to the peoples of Canada. The California cartel has no right to steal what belongs by right to Canadian workers and their communities and country and to trample on their dignity.



The global cartel already has a sordid reputation of depriving workers of their rights after it seized control of Windsor Salt operations in Canada. The cartel dictated a new contract full of concessions to miners at the Windsor Salt mine in Pugwash, Nova Scotia in 2021 and refused to discuss or negotiate anything else. It cruelly began to stockpile salt in Halifax and Prince Edward Island and bragged to workers, their families and community that it had the annual production capacity of over 29 million

tons of salt in 24 production facilities, 15 processing plants and 130 storage locations across North America, South America and the Caribbean. It threatened that any reluctance to accept the dictated concessionary contract would be met with brutal use of its global power, which it demonstrated in full view of all forcing workers in the small community to agree.

In Windsor, the state joined forces with the cartel on March 1, giving it a provincial court injunction against the salt miners to weaken their picket line and allow scabs, trucks and trains to enter the facilities to pursue production and remove salt. This joint cartel/state assault on the rights of workers must be loudly denounced. Canadians should respond to these attacks with active support of Windsor Salt workers on their picket line and financially, and by raising their voices loudly throughout the country and internationally. The cartel/state attack on workers and on what belongs to Canadians by right must not pass!

If the cartel continues to refuse to negotiate in good faith with Canadians who do the work in order to increase its theft of the resources and value workers produce, as it has already done in Nova Scotia, then this global cartel must be brought in line by the working people of Windsor and the rest of Canada and Quebec. If it cannot operate these critical production facilities in a mutually beneficial manner with the workers, retirees, their community and Canada as a whole and the relations that have been built up for 129 years of production in Windsor, then they should not be in the salt business and governments worthy of the name should ask them to leave the country so that the workers can establish an arrangement that favours them in the modern spirit of respecting and upholding the rights and dignity of all.



**Laura Chesnik from EmpowerYourselfNow.ca interviews Dario Zuech from the Unifor bargaining Committee at the mine.**

By whose decision is it appropriate to permit a U.S. law firm which is notorious for its expertise in breaking unions to operate in Canada with impunity? Where are the laws which defend workers and the claims they are within their rights to make? What kind of governments are those in Ontario and Canada which talk big, very very big, about human rights in the rest of the world and of foreign interference and even sovereignty but do not care a fig about protecting the human rights of Canadian workers to live and work in dignity? What kind of a definition of human rights and rules-

based international law do these governments defend when they claim that they cannot interfere in private business decisions because it will harm Canada/U.S. relations and be bad for the economy? What kind of laws and courts pass injunctions which protect narrow private interests?

Canadians have every intention of holding such governments to account. By affirming what belongs to them by right they are finding the ways and means of doing so. In this struggle, go all out to defend the just claims of the Windsor salt miners and workers! Oppose union-busting by unscrupulous law firms, especially when they come from the U.S. where the workers are also fighting against them, and oppose governments and courts that in the name of high ideals help finance, support and protect the narrow private interests which hire such law firms.



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*(Photos:Unifor)*



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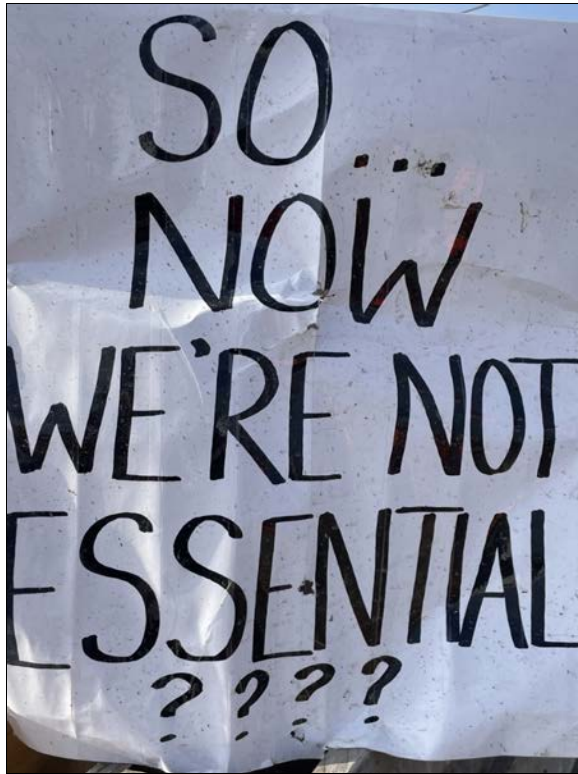
## **Salt Workers Challenge Arrogant U.S. Holding Company**

The strike at the Windsor Salt operations in Windsor, Ontario is into its third week. The workers report that the company's lawyer, a well-known anti-union gun-for-hire, left town after tabling the company's first unacceptable offer to contract out workers' jobs, returning to Milwaukee. Since that time, despite the workers making it clear they are ready to negotiate, there has been no response from the company to negotiate. However, the company has been trying to remove large amounts of stored salt by rail from the evaporation facility, which the workers were able to prevent until the company was granted a court injunction on March 1 to stop striking workers from defending their livelihood by blocking the removal of salt from the plant.





The workers also indicate that the mine safety representative from the province of Ontario has taken their safety equipment out of the mine, meaning that no production can take place underground, which the company seemed to want to try and do using managers. At this point managers are sleeping in the facilities on three-day shifts. Workers indicate that normally after a two week shut down of operations of the mine it can take up to a month to re-start operations as machines seize over time and have to be made ready to work again.



In discussion on the picket line the workers make it clear that they are firm in their resolve to not be dictated to and have their union dismantled through contracting out, which they see as an attack on the entire labour movement and the country as a whole. They explain that during the pandemic they were considered essential workers and kept the operations going 24/7 -- going to work while isolating from their families. The company gave them essential worker letters so that if they were stopped by police while going to work during the mandatory isolation periods, they would not be fined. Now that the company wants to attack their union, they are declared *de facto* non-essential and dismissed as irrelevant. It is not something they are in any mood to accept.

The workers are also clear that having a union in their operations is what upholds their own health and safety in the mines and processing. The demand to contract out the work would undermine health and safety in the operations,

something the workers cannot accept.

There is a lot of disdain growing for the arrogance of the U.S. company, Stone Canyon Industries Holding Ltd., Mark Demetree and Affiliates, that bought the operations. The workers note, in particular, that the bringing in of a third-party lawyer who is a well-known anti-union gun-for-hire signals that the company thinks it can do as it pleases in Canada and this they cannot accept.



The workers know that the work they do and the salt they extract and process is of huge value to the society. They are ready to negotiate agreements that are for mutual benefit but are not in a mood

to accept being dismissed and dictated to by U.S. anti-union, anti-worker firms. They know that Windsor is being established as a hub for the transport of critical goods, which includes the salt operations, and they want this to be of benefit to the community, not a chance for more blackmail from U.S. owners who just want to make a quick buck and then flip the company to another buyer.

They report that they are receiving a lot of support from the community and that this really helps them to keep standing tall.

*(Photos:Unifor, EYN)*



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## **Union-busting in Canada by Unscrupulous U.S. Law Firm Jackson Lewis**

The unscrupulous U.S. law firm that is attempting to break the union at Windsor Salt's operations in Windsor, Ontario is Jackson Lewis. It is one of the top anti-worker, anti-union law firms in the United States. In 2019, after professors at the University of New Mexico (UNM) signed a petition to affiliate with the American Federation of Teachers and the American Association of University Professors, Jackson Lewis was brought in by the University to prevent the union from being established. The attempts to prevent the professors from organizing failed miserably with the professors getting their first contract in May 2021. The following are excerpts from an article by David Correia, an associate professor in the Department of American Studies at the University of New Mexico, about the firm.

"Jackson Lewis is not just any law firm. It is big business's go-to firm for anti-union campaigns. They've represented thousands of employers, including large retailers such as Ikea, manufacturers such as IBM and Boeing, and health care firms from coast to coast. In the past decade, it has moved aggressively into public-sector higher education union busting. In recent years, in addition to UNH [University of New Hampshire] and now UNM, it has represented Barnard College, Emerson College, Northeastern University, Middlesex County College, Columbia College, and NYU among others. College administrators hire Jackson Lewis for the same reasons for-profit employers do: to bargain to impasse with existing unions, or, in the case of UNM, to stop unions from being formed in the first place.

"Jackson Lewis charges its clients hundreds of thousands of dollars -- in some cases millions of dollars -- because it's good at what it does. Its two founders got their start at a firm called Labor Relations Associates of Chicago, Inc. (LRA), which was founded in 1939 by Nathan Shefferman, a man labour historians consider the father of the 'union avoidance industry.' Shefferman got his start when Sears and Roebuck hired him to oppose efforts by Sears retail clerks to unionize. Shefferman parlayed that experience into LRA, which had hundreds of clients by the 1940s. According to Professor John Logan, a prominent labour historian, 'LRA consultants committed numerous illegal actions, including bribery, coercion of employees and racketeering. Congressional hearings into its activities effectively forced LRA out of business in the late 1950s. But the firm provided a training ground for other union avoidance gurus such as Louis Jackson and Robert Lewis of the law firm Jackson Lewis.'

"What do you get when you hire Jackson Lewis? Jackson Lewis doesn't just advise and consult for its clients. As Logan told a reporter, Jackson Lewis runs the entire anti-union campaign. It 'basically runs the entire show,' Logan explained. 'They're writing speeches, training supervisors, making video and websites to convey the anti-union message. They script everything.'

"There are thousands of law firms in the U.S. that do management-side labour law, and most do it much cheaper than Jackson Lewis, and most do not bend and break the law like Jackson Lewis.

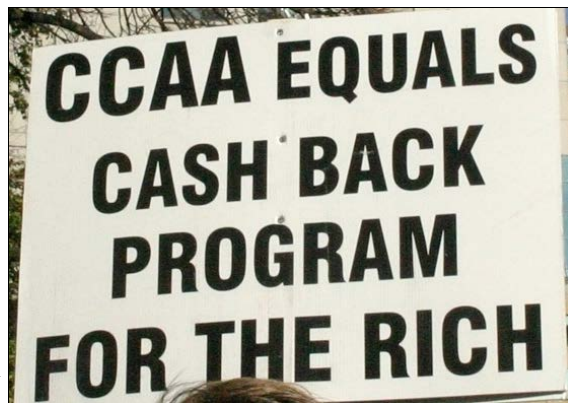
When a company or university hires Jackson Lewis, it's because of its specialty at no-holds-barred anti-unionism. As Professor Logan told me when we talked on the phone, 'you don't hire Jackson Lewis if you want an agreement with a union or you want to respect your employees' right to unionize. You hire them for their hardball tactics.' You hire Jackson Lewis if you want to delay an NLRB [National Labor Relations Board] election, as UNM is now doing. You hire Jackson Lewis for their success in 'undermining union campaigns.'

"Jackson Lewis is in-demand by university administrators because of its reputation, not despite of it. And Jackson Lewis's reputation is as notorious as its origins. During union organizing at the New York Daily News, Jackson Lewis posted armed guards at factory gates in multiple states to stop union organizing efforts. It directs companies to set up forced overtime when union meetings are scheduled, as it did with Ikea. It threatens workers, as it did in its notorious, and illegal, EnerSys campaign. It intercepts the distribution of union material. It places negative stories about union officials in tabloid newspapers. It operates in a legal gray area, explained Professor Logan, and considers the subsequent legal penalties the cost of doing business. Breaking the law is part of its overall anti-union strategy. Labour busting used to be the domain of Pinkerton goons in jackboots. Now it's right-wing lawyers in Brioni suits.

"And labour busting today is not just a partisan obsession among the political right. Jackson Lewis has emerged in the past few years as a major contributor to Democratic political candidates. During the 2016 election cycle, Jackson Lewis's political action committee handed out more than \$70,000 to federal candidates. More than 60 percent of those donations went to Democrats, including Senate Minority Leader Chuck Schumer (D-NY), and Senator and Democratic presidential candidate Kamala Harris (D-CA).

"The University of New Mexico, according to Professor Logan, will most likely deny it's familiar with Jackson Lewis's reputation and claim it just needs legal representation. The latter might be true, he said, but the former is most certainly not. 'The university will claim this is just a legal process and Jackson Lewis is well regarded, but it's quite clear that most of the time, when you hire Jackson Lewis, it's to take a hard line.' And it will be expensive. A basic anti-union campaign, as the one UNM is clearly gearing up to fight, 'will cost at least a few hundred thousand dollars. It could be less, but Jackson Lewis isn't the firm you hire if you have a budget in mind.'"

According to its website, Jackson Lewis appears to have relations with the Canadian management labour and employment law firm Filion Wakely Thorup Angeletti LLP, as it has held at least two seminars with them on what U.S. companies need to know about Canadian labour law. To give an example of the deals this Canadian firm has been involved in, one of the firm's lawyers, Brian Mulroney (not the former prime minister of Canada), boasts of being mergers and acquisition counsel to the U.S. vulture capitalist firm Bedrock Industries when it became the new owner of Stelco in Hamilton using the *Companies' Creditors Arrangements Act* (CCAA) to restructure the company to the benefit of its new U.S. owners. They got the pension plans off their books, the benefits of pensioners off the books, the environmental liability waived for the land cleanup, if necessary, and a \$150 million one per cent loan from the province waived.



It appears that in the case of Windsor Salt, Jackson Lewis is trying to operate in Canada directly and establish itself as an anti-union law firm in its own right. It is crucial to go all out to defeat their tactics by exposing what they stand for and mobilizing working people across the region and even the country to support the Windsor Salt workers' just cause.





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## Former U.S. Vice-Consul Represents Mine Owners

The lawyer representing Stone Canyon, Mark Demetree and Affiliates, the new owners of Windsor Salt, is Brian Christensen. He is a principal at the Jackson Lewis Law Firm in Milwaukee, Wisconsin. Christensen's biography says, "his primary focus is to foster relationships with labour that result in maximizing his clients' operational flexibility to achieve their profitability and efficiency objectives." "He brings a unique approach to resisting union organizing efforts that have resulted in an enviable win-loss ratio," it adds. "Brian's years of experience in [employment disputes] allow him to balance aggressive defence with practical solutions for potential resolution of disputes and claims," it says.

Clearly, the lawyer reflects the aims of the company to smash the union and force it to comply.

Prior to joining private practice, Christensen was part of the Judge Advocate General's Corps for the U.S. Navy where he was legal advisor to "an overseas base commander." Christensen also says he was, at one point, a Vice-Consul for the United States government but does not indicate where or when.

According to his LinkedIn profile, he officially worked for the Navy from 1993-1998 which was when Bill Clinton was the president of the U.S. and NATO's "new strategic concept" was adopted. This was the concept which gave the U.S. the mandate to give NATO a new lease on life after the end of the Cold War. During this period, the U.S. took military actions in Yugoslavia in advance of the U.S.-led NATO all-out bombardment of Yugoslavia in 1999 and its subsequent dismemberment, in which to its eternal shame Canada participated. It was also a period of incursions into northern Africa (Somalia 1992-1993) in which Canadian peacekeepers also committed crimes, as well as the long period of enforcing crippling and illegal sanctions on Iraq in the lead-up to the U.S. invasion in 2003 carried out in violation of international law by a "coalition of the willing."

After graduating from Brigham Young University's Kennedy Center in 1994, Christensen held a position in Sardinia, Italy with the U.S. Navy and was International Law Coordinator for the western Mediterranean area, an article from his Alma Mater informs. The islands of Sardinia and the neighbouring island of Corsica host U.S./NATO bases where NATO militaries run war exercises, test fire their latest weapons -- including those with radioactive material -- and generally treat the islands as their own territory to do with as they please. For many years, the local populations have been campaigning for the bases to be shut down and for compensation for the effects of alleged nuclear material that has been scattered around the islands for years. Sardinia is in the western Mediterranean and the U.S. uses it as a staging ground for U.S. wars of aggression in southern Europe and northern Africa as well as the Middle East. The Mediterranean Sea is where the U.S. Sixth Fleet operates and marauds.

Bullying, threatening and intimidation seem to be this lawyers' specialty and why he has been hired by the new owners of Windsor Salt to break the union. The Canadian working class has shown time and again that it is up to the task of defending itself in the face of union-busting activity. It is no mood to be bullied or threatened by U.S. guns-for-hire.

