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Nanaimo, Duncan and District Labour Council Submission to the British Columbia Labour Relations Code Review

Authority

The following document is respectfully prepared and submitted by the Nanaimo, Duncan and District Labour Council (NDDLC) and is intended to support the submission made by the BC Federation of Labour (BCFed) and the individual submissions made by its affiliates.

Nanaimo Duncan District Labour Council is an affiliate of the Canadian Labour Congress and represents over 30 Union Locals and 12,000 unionized workers from Qualicum Beach to Mill Bay, BC on Vancouver Island.

Introduction

A 2016 report produced for the BC Federation of Labour describes the importance of the fundamental right of workers to join and be represented by unions as “enhancing human dignity, equality, liberty and autonomy, increasing prosperity, leading to higher standards of living and contributing to the economic health of a country”.

In addition, the report states that “when governments deny the ability of workers to come together to collectively bargain, either directly or indirectly, such as by creating practical or economic barriers to unionization, they are not only attacking unions but also undermining our society, our Canadian values, our democracy and our prosperity”.

The BC Liberal government undermined many parts of the labour code during their 16 years in office and in doing so they undermined the very fabric of our society in British Columbia. It is the sincere hope of the NDDLC that this review will produce recommendations for revisions to the code that will undo the damage that was done by the Liberals and go even further to make improvements to the code that are consistent with our Canadian values.

Submission

The NDDLC submission to the BC Labour Relations Code Review includes but is not limited to the following points:

- Unionization Process - simplify, make fairer, return to card-check certification process.

Our members tell us about the difficulties organizing under the current system. Having a majority of the workers sign cards to join a Union is only the beginning of a long and often stressful process between the employees and employer. Organizers have had to repeat the process over and over again which makes it more difficult for the workers on site supporting the union and some workers have lost their jobs over their involvement in the process. This shouldn't be happening but sadly it is.

- Successorship Provision - add to the code to stop employers from contracting out work to avoid contract obligations.

We have had reports of this happening with a variety of employers from health care to transport and delivery drivers. This practice pushes down wages, loss of jobs, and reduced services.

- Subversion Prevention Provision - add to the code to stop the subversion of collective agreements through contract flipping.

This practice is very common in our area and we have reports of it happening far too often from our delegates especially Hospital Employee Union who represent a large portion of health care workers at senior facilities. Their members are forced to apply for jobs they held with the previous contract provider often at a lower rate of pay and with reduced or eliminated benefits. This has a detrimental effect on the workers and on the patients they serve. We have been advocating against this for many years.

- Sections 6 and 8 of the Code - repeal and restore to 1992-2002 language.
- Bill 29 in Health Care – repeal.

A 2017 report from the Canadian Centre for Policy Alternatives – Privatization & Declining Access to BC Seniors' Care- called for the urgent need for policy changes. The report which used data from 2001 to 2016 revealed a decline in access to residential care and assisted living, decline in access to home health services and a clear link in the increase in privatized facilities with the reduction of care.

We have had first hand reports to our Labour Council from workers and their families who have been deeply affected by the move to privatize care home facilities.

- Labour Relations Board and Employment Standards Branch - return responsibility for funding to the Ministry of Labour and substantially increase funding to both .
- Labour Relations Officers - increase the number to expedite decisions on certifications.

Conclusion

The NDDLDC appreciates the opportunity to provide this submission regarding the labour code review and recommends that the review panel seriously consider the issues raised in this submission. We are confident the panel will recommend revising the code in a manner that is consistent with our Canadian values respecting the dignity, equality, liberty, and prosperity of all British Columbians.

Respectfully submitted,

Ellen Oxman

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