

# Teacher Staff Union

c/o 100 – 550 West 6<sup>th</sup> Avenue, Vancouver, BC V5Z 4P2

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March 15, 2018

Labour Relations Code Review Panel  
Via email: [LRCReview@gov.bc.ca](mailto:LRCReview@gov.bc.ca)

Dear Panel,

I represent the Teacher Staff Union (TSU) at the British Columbia Teachers' Federation (formerly Unifor Local 464). We wish to alert you to two decisions of the BC Labour Relations Board that we believe highlight a necessary change to the BC Code.

B94/2017 and B135/2017 both involve a National Union, Unifor, that unilaterally revoked a Local charter to the detriment of the members in those Locals. In our case, in a letter dated November 14, 2016, we were advised that the Unifor National Executive Board voted unanimously to revoke our Local's charter because the interests and loyalties of our employer, the British Columbia Teachers' Federation did not match their own. At that time, a Unifor National Representative was preparing for arbitration on our behalf for a December 12, 2016 hearing. The members of our Local had to quickly secure outside counsel and our employer's counsel questioned the validity of the upcoming arbitration given that we were no longer a chartered Local.

Despite numerous attempts to contact Unifor, it took filing a complaint with the BC Labour Relations Board to get any real response from the national union. These cases went in Unifor's favour because the Board does not have jurisdiction under Section 10 to review a national union's decisions. This is outlined in *Booker* by Vice-Chair Terai:

“Unifor is a national union and is or was the parent union to Local 468-W. As a national union, Unifor is not a local or Provincial organization in British Columbia. It therefore does not fall within the definition of “trade union” under Section 1 of the Code. Accordingly, I find the present application seeking to have the Board determine whether Unifor has acted in breach of Section 10 of the Code does not fall within the Board's Jurisdiction. On this basis the application is dismissed.”

Certainly, this is a flaw in the BC Code. The unilateral actions of Unifor put our Local and the employment relationship with the BCTF in jeopardy. National unions play a significant role in unionized work, often providing support for grievances and arbitrations, providing training to local shop stewards, and providing strike pay during labour disputes. Certainly, our members had paid significant dues to Unifor's targeted funds in these areas, and since November 14, 2016, the Local and members have had no access to them.

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The Panel's terms of reference direct you to, "...assess each issue canvassed from the perspective of how to "ensure workplaces support a growing, sustainable economy with fair laws for workers and business" and promote certainty as well as harmonious and stable labour/management relations." If national unions are able to escape their core responsibilities, workers can face serious consequences in an unstable labour relations environment.

Thank you for considering our submission, and I look forward to seeing the outcome of the significant work you are undertaking.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Harris". The signature is fluid and cursive, with a large initial "C" and "H".

Chris Harris, President  
Teacher Staff Union (TSU)  
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