

I want to thank the Manitoba Federation of Labour, its affiliated unions, and all those who stand with us in opposition to this regressive legislation.

My name is Marianne Hladun and I am here this evening on behalf of more than 8,000 Public Service Alliance of Canada members living and working in Manitoba.

As the largest union in the federal public sector, representing over 180,000 members from coast to coast to coast, PSAC has a fundamental interest in preserving and promoting the rights and well-being of all workers. We are here because it is critical that we stand up for working families and make our views known.

We are disheartened to once again find ourselves commenting on major changes to critical labour laws that have been developed unilaterally without consulting stakeholders. We object to the disregard shown for the delicate balance between the rights of employers and the rights of workers, which is a cornerstone of harmonious labour relations.

PSAC is proud to be an organizing union, and we have welcomed hundreds of new members into our union from various workplaces throughout the province over the past several years. In each and every instance, workers approached us with concerns of intimidation from management, precarious employment, and low wages, to name just a few of the current issues we are seeing in workplaces. These are very real concerns that affect our members and their families, and issues we fight every day.

At its core, Bill 7 is not about protecting workers' democratic rights. Rather, it is directly aimed at expanding the ability of employers to interfere in the process. This legislation's purpose is to make it more difficult for workers to exercise their legal right to unionize and depress the rate of unionization in Manitoba.

The PSAC submits that Bill 7 proposes negative and regressive changes for organizing and for the protection of union bargaining rights that have already been established.

Bill 7 will make it harder for everyday Manitobans to join a union, and opens the door to greater intimidation, bullying and harassment by employers. This bill is a deliberate attempt to weaken the protections workers seek through collective bargaining.

Experience in provincial jurisdictions that have done away with automatic certification demonstrates that workers who have signed cards are vulnerable to employer intimidation prior to votes and are therefore unable to exercise their right to unionize.

Three studies have shown that the introduction of a mandatory vote regime reduces certification success.<sup>1</sup> The studies included both private and public sectors and found about a 10-percentage point drop in the certification rate. By lowering the likelihood of successful certification, the introduction of a mandatory vote regime can also reduce the number of certification attempts. While this report was available at the time Bill C-525 was introduced to Parliament, it was only made public when Bill C-4 was introduced to repeal Bill C-525<sup>2</sup>. I have included a copy of the report for your reference.

Bill 7 is unnecessary because it claims to fix a problem that does not exist. To be clear, unions are democratic institutions, well versed in conducting votes of all kinds. For example, to elect leaders, to confirm policy directions, to support strike action and to ratify contracts. It is an integral part of how unions—including PSAC—work, and how our members determine the actions and priorities of the union.

Employers already have a significant advantage in workplaces. The purpose of labour law is to insert fairness and balance to ensure the rights of workers are protected and to encourage and promote harmonious labour relations.

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<sup>1</sup> HRSDC Labour Program, Workplace Information and Research Division. (2013). *Union Certification Regimes and Declining Union Density in the Canadian Business Sector*.

<sup>2</sup> Bill C-4 amends the *Canada Labour Code*, the *Parliamentary Employment and Staff Relations Act*, and the *Public Service Labour Relations Act* to restore bargaining agent certification and decertification procedures to the former card check model, which requires evidence of majority support from employees, instead of the mandatory secret ballot vote implemented by Bill C-525 upon its coming into force on June 16, 2015.

The PSAC submits that when examining labour legislation and proposing changes, it is critical to look at the entire framework to ensure a healthy balance between the rights of workers and the rights of employers. This includes democratic safeguards that enable workers to express their wishes free from interference and intimidation.

We are, unfortunately, all too familiar with interference and intimidation from employers. In recent organizing drives, we have encountered an employer who would stop at nothing to intimidate the workers involved in the organizing drive. Employees involved in organizing drives with PSAC have been cornered and threatened in the washroom, stalked at their homes, and told outright they would see no career advancement opportunities. Employers have deployed staff resources to disrupt union meetings and communicate lies about the union, in the hopes of gaining momentum for a decertification.

Despite this, the majority of workers support their union. They support the union because they understand that they *are* the union and they are empowered to create a safe and respectful workplace. Workers also understand, as unions do, that given an opportunity, anti-union employers will continue to exploit and intimidate workers. The current laws do a reasonable job of maintaining that healthy balance, and of ensuring workers' rights are protected. There is no evidence that the current labour relations regimes with respect to certification need to be changed.

It was disheartening to hear Bill Morneau, Minister of Finance for Canada, say that “we have to accept” precarious work. PSAC strongly disagrees and believes that a worker should be able to work a full-time job, pay their bills, and save some money from the salary earned. The issue of precarious work is a significant factor in a worker's decision to join a union, and these workers are even more vulnerable to an anti-union employer. Bill 7 proposes to add another hurdle, and only increases the probability that precarious workers will continue to be exploited.

PSAC agrees with the recommendation of the Manitoba Federation of Labour that the timeframe for scheduling a vote when required should be reduced. We agree that the

location of voting should be flexible and the Manitoba Labour Board should allow the union to request a vote off-site if the union feels the workers are subject to intimidation in the workplace. We also agree that anti-union employers should be subject to much higher consequences for intimidation and coercion during an organizing drive.

We strongly urge this Committee to proceed no further with this flawed piece of legislation that will do nothing to help workers in Manitoba.

Thank you.