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During the second application for certification made by the URW in 1978 the Board heard extensive testimony on the interdependency of Michelin's operations, and a variety of other points.

The Trade Union Act gives some direction in deciding an appropriate bargaining unit stating the decision should be made with, "regards to the community of interests among the employees in the proposed unit, in such matters as work location, hours of work, working conditions, and methods of communication."

The Board decided three out of the four "community interest factors" were satisfied by both the Granton and Bridgewater plants. These include hours of work, working conditions, and methods of remuneration. The fourth factor, work location, was only unique to the unit being proposed, in this case Granton.

Under the bargaining unit outlined in Bill 98 the unit must consist of all employees working in interdependent manufacturing plants owned by the same employer. The new definition of the bargaining unit stipulates work location as all the locations in an interdependent manufacturing operation.

Michelin and the provincial government say the legislation does not limit the rights of workers but ensures stability in the labour force. They argue that since one plant ceasing operation would shut down the other interdependent plant, putting those employees out of work, all employees at the two plants should have the same bargaining unit.

The Labour Relations Board heard this argument in 1978 and admitted there was a sacrifice in the stability, and the likelihood of a strike is increased somewhat, by creating two separate bargaining units.

"The Board accepts that a strike at one plant would inevitably bring a halt to work at another. While the dependence of the Granton plant and Bridgewater plants is physically demonstrable to a somewhat unusual degree, it is not uncommon for separate operations of the same employer to be heavily dependent on each other in an economic sense." The Board went on to say, "Nobody can fail to be aware of how dependent economic units in today's world are on each other, even when they are not owned by the

same employer, but these facts of economic life have never been held to dictate single province-wide bargaining units."

Economic facts of life aside the Board also outlined some of the social obstacles that make including Granton and Bridgewater in the same bargaining unit unreasonable.

"Employees at Granton live 150 miles away from employees at Bridgewater. They do not have social interchange during the day, develop friendships and acquaintances and engage in after hours athletic and social events except on a formal and very occasional basis. If they were combined into one bargaining unit and certification resulted, the distance between the two would prevent any natural cohesion because they do not have the facilities for communication and travel back and forth available to management. Any such bargaining unit would not be a natural unit."

The House Debate

The majority Progressive Conservative government was harshly criticized by several groups, besides the opposition parties and labour, for rushing the bill through the legislature and stifling debate.

The day after the bill was introduced Development Minister Roland Thornhill announced in the House that Michelin was going to expand its existing facilities and build a third plant-creating an additional 2,000 jobs. The announcement was greeted with delight by the government benches and amidst cries of "why do we need the bill?" and "anti-labour", the polarization on the House floor was set.

Premier John Buchanan refused to withdraw the legislation so more public debate could be facilitated and within two weeks it moved to second reading. The House law amendments committee held public hearings and about fifty groups presented briefs. Only one, the Halifax Board of Trade, supported the bill. The hearings were so crowded they were moved from the designated committee room to the more spacious legislative chambers.

Liberal and New Democratic MLA's kept filibustering until December 23 when the legislature broke for Christmas. One day opposition members taunted individual government MLA's for 11½ straight hours in an effort to flush out backbenchers personal views on the bill. They were met with silence. Premier Bu-

chanan said after the session the government had already made its position clear and there was no need for continued debate. The Legislature reconvened December 27 and the next day the Conservatives used their overwhelming majority to pass the bill.

The Nova Scotia Federation of Labour

The 70,000 member provincial federation of assorted trade and public service unions had denounced the legislation as an outright attack since the first day it was introduced.

The federation argues that the Nova Scotia labour force is the most productive in the country, losing less people hours per capita due to strikes than any other province. Michelin's plants in the province are two of their most productive in the world. They term the legislation as needless and point to Michelin's announcements of further expansion as proof the company is using the government to satisfy its corporate whim and not basing its demand on economic performance. They call the use of the Trade Union Act a basic erosion of traditional human rights in the province.

President Gerald Yetman has refused to meet with Labour Minister Ken Streach and publicly ask him to resign. The federation has withdrawn from the Joint Study Committee and refused to sit on the Labour Relations Board until the new government appointed chairman (a management representative on the board for years) is replaced by a neutral third party. The federation also threatened a general strike, and to withdraw from the host of government agencies and commissions it has representation on.

Organized labour's strategy to fight the Michelin bill has not yet emerged. The resignations from public boards has not happened, the general strike was ruled out because the membership is not solid enough to guarantee effective militant mass action. Promised economic sanctions against the tire company have not been announced.

The federation has stayed to its word not to meet with the Buchanan government while it remains in office and a newspaper informing its members of the ramifications of the Michelin Bill is planned to be out before the federal election.

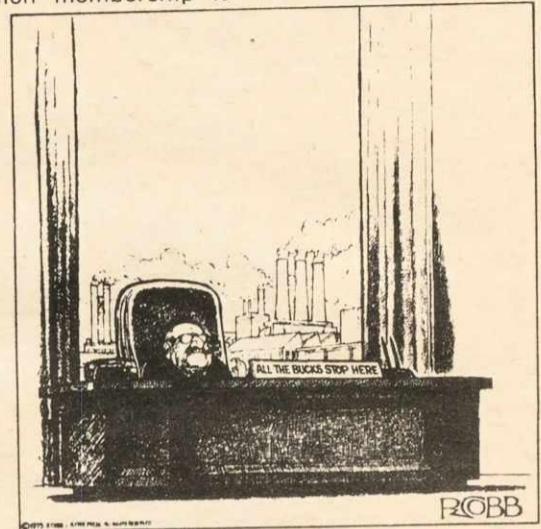
Organized labour in Nova Scotia is reeling. After a decade of being told by the Liberals they were being listened to, despite the operating engineers fiasco of 1973,

the Federation's contribution to the tripartite bargaining process has been ignored. The traditional three way dialogue among government, business and labour has proved ineffective in the face of deliberate erosion of traditional trade union rights.

Unlike the United States, where union membership is

measures above the Canadian average in time lost due to work stoppages. If this bill has been introduced to promote labour stability, it is at best unnecessary.

Further, as labour regards the loss of a traditional right to organize, there is the fear it will become hard line in its



declining (AFL C10 membership dropped from 34 per cent of the work force in 1955 to 20 per cent today according to the Economist) unionized employees as a percentage of the work force in Canada is on the upswing. In Nova Scotia about 36 per cent of the working population is unionized, down about a point from a year ago, and slightly under the national average.

With one out of every three Canadians unionized labour should have some political clout. While the provincial federation staggers to assess its position, the national labour scene is "far too strong to just roll over", says one labour economics expert.

A Vulnerable Social Fabric

As analyzed by the Labour Relations Board, the distance between Bridgewater and Granton and the lack of social interplay between the people who live in the areas and work in the Michelin plants mean the workers do not have the resources or the opportunity to discuss the merits of unionism.

Their right to decide whether they wish to join the URW or any other union has been effectively legislated away.

Critics of the legislation say labour relations in the province are as stable as they will ever be and the work force

bargaining positions, which could lead to strikes and work stoppages. This would consequently create the insecure climate for investment the Bill was passed to avoid.

In addition to the inadequacy of the legislation it is clear the provincial government is following a development policy that has never been debated in public.

The carte blanche given to foreign multi-national investment as the saviour of the provinces economic plight has one glaring side effect. It is the vulnerability of the province's social fabric. This is manifested when a corporation such as Michelin wants and gets fundamental changes in accepted social rights.

The Citizen's Coalition against the Michelin Bill presented a brief to the provincial legislature's law amendment's committee during the Bill's second reading. The Coalition, a group of professional people, academic and business people, concluded the brief saying, "today we are asked to support the undermining of rights of unorganized workers and established labour management relations. Tomorrow it could be pollution controls, safety standards, or human rights legislation that will go on the auction block."

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Regan said he is excited about the team of Liberals this year. The change in the cast of characters is the making of a new government, not the restoration of an old one, he said.

Regan said he knows the needs of the Halifax area and as a previous Nova Scotia premier for eight years, he has had experience with the federal government.

Regan added, however, "it's hard campaigning outside in this weather."

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