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Michelin has used it against URW ever since.

"The URW's representation to the tariff commission in the United States made no reference to Michelin at all", MacDonald says.

In the middle 1970s, Michelin launched a court action in the U.S. alleging that the other large tire manufacturers were discriminating against it through the tariff commission.

"Michelin was after the companies," said Mike Beliveau, URQ information officer in Pictou county, "they know damn well the union has no power to lobby, that's the irony of it."

The Joint Labour Management Committee

Since 1962 the province has used a mechanism that is unique to North America to stabilize its labour management relations. Under the auspices of the Dalhousie University Institute of Public Affairs, the Joint Labour Management Study Committee has bridged the traditional gap between the two groups.

In mutual fear of restrictive legislation both labour and management had declared a moratorium on directly approaching the government to make changes in the Trade Union Act. The Study Committee would act as a sounding board and its recommendations would be passed on to the Ministry of Labour. The Ministry would then decide what action to take, based on the Committee's advice.

Although it was never clear sailing, things worked relatively well from 1962 onward. In the early seventies, however, the economic completion of the province had changed. The spirit of the founding of the committee, enhanced by the moderate size of the business interests in the province, the geographic concentration, and the relatively small number of personalities involved, was lost on some of the new multi-national arrivals to the province.

Organized labour almost withdrew from the committee when it was not consulted until after the fact during the operating engineers case in 1973.

The Study Committee got its first look at a draft of what would later be Bill 98 during the spring of 1979. On the Thursday before the Easter weekend, Ken Streach told the chairman of the Study Committee, Kell Antoft, the Bill was going to be introduced to the House the following Wednesday.

The committee examined the legislation and came to three conclusions. The committee said the interdependency provision was a misnomer. Instead of calling for broad based bargaining, the legislation stipulated broad based certification, the committee said. Broad based bargaining has usually been understood by labour and management as the practice of several different unions in the same industry bargaining with all the employers of the same industry in two large groups.

On the other hand, the term broad based certification

stipulated that applicants who would normally be considered as separate bargaining units would have to apply for certification to become a bargaining unit simultaneously.

Under the proposed legislation, nonunionized personnel would be considered as part of a bargaining unit with other unionized employees. An example cited was that National Sea Product's trawler captains would be lumped together with nonunionized fishpackers and cutters and organized truckers. The management caucus of the committee objected to the bill saying it would disrupt their already stable labour relations.

The committee also found the relationship between employment and broad based bargaining to be very indirect and tenuous. The committee urged the minister not to use the Trade Union Act as a development tool and asked for more time to study the proposed legislation.

The legislation was not introduced to the House the following Wednesday.

Sources close to the committee indicate that certain people in the management caucus were told the provincial government was going to introduce the legislation whatever the committee recommended. The Canadian Manufacturers Association in particular wanted the legislation directed away from its members as it would upset existing agreements that were working with relative stability.

The bill that was eventually introduced into the House was substantially a CMA proposal to limit the scope of the interdependency provision to manufacturing plants, of which there are only two in the province who would come under the terms used—Michelin's.

The deputy Minister of Labour has observed status on the Study Committee and while he does not attend the

meetings he does receive the minutes.

The labour caucus of the committee said the legislation was an attempt to undermine a principle of the committee's founding charter which stated that all workers have the right to organize. The labour representatives asked the management caucus to join them in protesting the bill to the Minister. The management caucus split with a small but important minority wanting to support labour. This minority included industrialist and millionaire socialist Lloyd Shaw and J.B. Morrow, senior vice-president of National Sea Products.

The Labour Relations Board

The Labour Relations Board's function is to administer and interpret the Nova Scotia Trade Union Act. Under the jurisdiction of the Ministry of Labour the Board monitors bids for union certification and rules on the appropriateness of bargaining units when there

is a dispute. It consists of labour and management representatives and is chaired by a generally acceptable third party.

In Nova Scotia a union has three months to sign forty per cent of the employees in a proposed bargaining unit to union cards. When the forty per cent is reached, they can apply to the Labour Relations Board for a vote at the work site so the employees can determine whether or not they are interested in union representation. After the vote is taken the Labour Relations Board has a hearing where interventions are heard concerning the union's application for certification. The Board then rules on the merit of the interventions and if the application is upheld the vote is counted. A simple majority (50 per cent plus one) is needed to certify a bargaining unit.

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