

By JOHN BALL

"lock-out" includes the closing of a place of employment, a suspension of work, . . . or a refusal by an employer to continue to employ a number of his employees, done with a view to compel or induce his employees to refrain from exercising any rights or privileges under this act, . . .

N.B. Industrial Relations Act

—Every employee has the right to join a union, and to participate in its lawful activities

—Employers may not attempt any measure of control over unions,

Coercion, intimidation or threats may not be used to encourage or discourage membership or activity in a union,

—Employers may not interfere with unions in their formation, selection or administration

—A Layman's Handbook to Industrial Relations Act by N.B. Dept. of Labour.

On February 16 the employees of H. S. Gill and Sons Limited at their Harvey Station saw mill were told that the mill would be closing down. In fact it shut down that afternoon and stayed out of operation until February 27.

According to a report carried in the Daily Gleaner on February 28, "The mill was closed down last week following certification of Local 2-309, Woodworkers of America by the Industrial Relations Board. Company spokesman Ralph Gill said only 20 percent of the employees had favoured the certification."

The question which remains to be answered is why did the Board certify the union local if only 20 percent of the employees concerned wished to be affiliated with that union?

Mr. Ralph Boyd, the Executive Director of the Industrial Relations Board, told The BRUNSWICKAN that there are three criteria which the Board uses when it is considering an application for certification. These are (1) Is it a trade union (2) Is the unit large enough or appropriate under the Industrial Relations Act and (3) Does the union represent the majority of the workers? The only one of these criteria which appears to be indispute is the third. Gill claims that the union represents only 20 percent of the workers. The fact that the Board certified the union would lead one to doubt the validity of Gill's statement.

The position of the Industrial Relations Board is that it will more or less automatically grant certification to a union group if the three previously mentioned

Gill employees run the mill at Harvey Station...

criteria are met. Boyd said that the Board may order a vote if it has any doubt about the wishes of the workers or whether the union does in fact represent a majority of the workers involved. He continued, "No one else has the authority to order a vote under the Act except the board."

In fact, Mr. George Bradford, the Regional Representative of the International Woodworkers of America, told The BRUNSWICKAN that they had signed up 19 of the 22 workers at the Harvey Station mill.

When union organizer Bradford was asked where he thought Gill got his figure of 20 percent, he said it could have come from a meeting which the company called on 24 Feb. "We had called a union meeting but only nine of our guys showed up. The rest must have gone to the meeting the management had called at the same time."

Bradford went on to say that the I.W.A. had become bargaining agents for seven mills in the Miramichi area and that in all cases there were "perfect

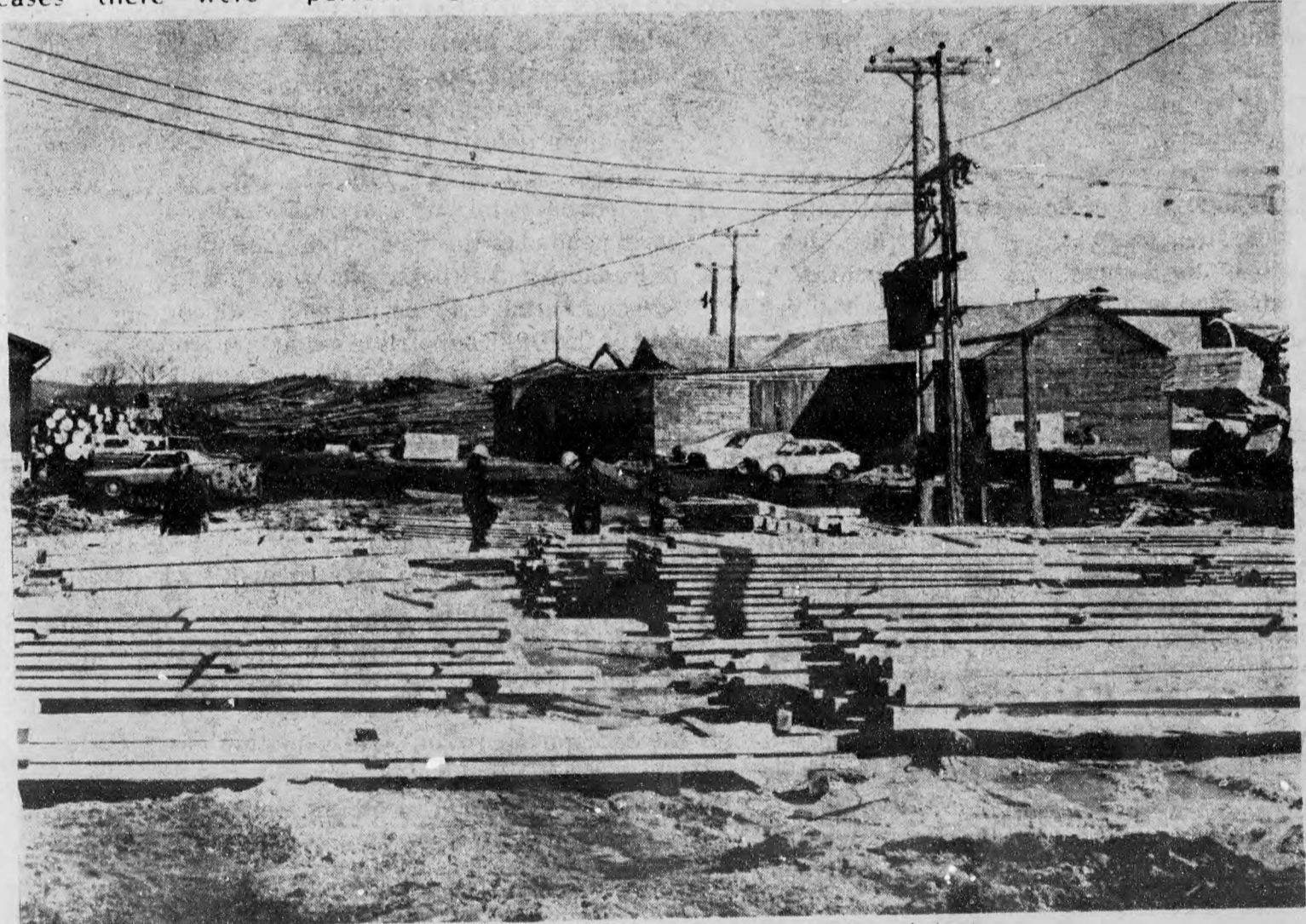
relations". He said that recently the United Brotherhood of Carpenters and Joiners had been certified to bargain for Gill employees in their Chipman mill. According to him the company will not recognize the union and no reply has been forthcoming to their application to the company to negotiate a contract for the Chipman people.

Referring back to the Harvey Station situation he said that the I.W.A. would be appearing before the Industrial Relations Board this week to air their grievances over the situation. The union will be claiming that H. S. Gill and Sons Limited carried out unfair labour practices when they shut down the mill in Harvey Station.

The Harvey Station mill was re-opened after the employees formed a company to operate the mill. According to the Daily Gleaner article of February 28, the Harvey Employees' Wood Products Limited will be operating the mill with all 24 employees as equal shareholders in the company. H. S. Gill and Sons Limited are to be the

managers of the new company. Bradford claims that each of the employees bought a share in the company for one dollar. He said that any profit the company makes will be shared equally by the shareholders and he went on to say that H. S. Gill and Sons Limited will pick up any deficit.

Here again is a situation which leaves one wondering. The Harvey Employees' Wood Products Limited is the company which operates the mill. It has retained (?) H. S. Gill and Sons Limited to manage the operation. The president of the employees' company is Mr. Earl Moffitt of Manners Sutton. What position would he hold in the new arrangement? Who is the boss, the manager or the president of the company? What now is the position of the union local with respect to the employees company? with respect to H. S. Gill and Sons Limited? If the employees' company now is operating the mill, will they be the ones to have to negotiate with the union, which in effect will be to negotiate with themselves?



Workers at the H.S. Gill Sawmill in Nashwaaksis

Photo by Gary Constantine