

Martha's Monthly

November 2005

Cattle Drives and First Contract Legislation

A few weeks ago Martha was visiting some family in Gladrock Valley in Southern Alberta. Now Gladrock is the kind of place where no one locks the door and everyone has a corn roast together on Saturday nights in August. So when one of the neighbours phoned up for some help doing a cattle drive on Sunday afternoon, Martha and Henry didn't have to think twice. After all, it's just being neighbourly.

One hour later Martha stood in the middle of a gravel road facing a herd of cattle being driven down the road. Her job was to steer them into a small gate and their new pasture. When the rancher was explaining this to her this made a lot of sense. It started to make less sense as she saw the hundred or so cattle coming straight for her. For a few seconds it looked like there could be trouble. Then one of the cows, a large female, stopped dead in her tracks. A hundred cattle stopped behind her. She looked at Martha. Martha looked back. It was a showdown. Then the old cow looked at the pasture and just turned into the gate. All the other cows followed her lead. Martha, was, I'm sure you can imagine, grateful and relieved. Sometimes it just takes one leader to avert a disaster.

The whole cattle drive got Martha thinking about the Lakeside strike, which began a few days before. Prior to the strike there was a 9-month long negotiation. The strike lasted three weeks. As of November 4th, the workers voted yes to a contract with the employers. But the questions still exist: What lead to the strike in the first place and how can we avoid another bitter and violent dispute in the future?

For answers, Martha turned to some experts. She called up Dr. Ian MacLachlan of the University of Lethbridge. He wrote the book *Kill and Chill: Restructuring Canada's beef commodity chain* in 2001. Dr. MacLachlan told Martha about the high turnover of workers in the meat packing industry and the difficult physical labour that the workers endure. He and Martha spoke about a photo of the strike that had really touched Martha. It was a veiled woman, a Sudanese woman, wearing a striker's placard over her veil. Martha could not stop thinking about that woman and how she likely had never worked outside her home before coming to Canada, and now here she was doing such difficult work AND

having to make sense of all these negotiations. And Dr. MacLachlan told Martha that many of the woman who work in packing plants work in the worst section: entrails. Women tend to have to do the worst jobs and for it they receive the least pay. Martha felt a strong sisterhood with that woman. This issue was now Martha's issue.

Martha then turned to Ian McKenna, a University of Lethbridge Management professor who specializes in labour relations and law. Not surprisingly, Professor McKenna had some clear solutions to such labour strife in Alberta. He told Martha that this province lacks adequate labour laws.

McKenna pointed out to Martha that we are one of the few provinces without something called first contract binding arbitration. Essentially, this means when an employer and its newly certified union fail to negotiate a collective agreement, an arbitrator may be appointed by the neutral Labour Relations Board to impose a binding first collective agreement on both parties. At first blush, it may seem like government dictatorship but Martha thought how such legislation avoids nasty strikes and lockouts and (strongly) encourages the employer to come to the negotiating table. (Because they know that if they don't a binding agreement will be handed to them) Employers couldn't stonewall while they wait for a union to fold and employers could also benefit from some labour stability, as strikes are illegal during the life of a collective agreement.

It is time for first contract binding arbitration in Alberta. The Liberal opposition critic Dan Backs has written a letter to Premier Klein offering the Liberals' support for the Premier to use the Official Opposition's bill on first contract binding arbitration (see the Liberal website for the story and the letter) That is a great offer.

Alberta's NDP have stated they will call for an emergency debate on this issue when the Alberta legislature is (finally!) recalled from their summer break on November 15. (see NDP website)

So what is the Conservative Party saying? Well, it depends who you ask. The Premier has claimed to have no power to intervene. (Despite the fact that his government did intervene in the summer to impose a Disputes Inquiry Board hearing.) But Mr. Klein's Infrastructure Minister Lyle Oberg (who is the MLA for Brooks) has said he thinks the government should look at first contract legislation. (CBC story) And Human Resources Minister Mike Cardinal released a statement saying he thought "it may be time to look at labour relations legislation in Alberta and determine if any changes are needed" (News release) Of course, Minister Cardinal also reiterated the government's stance that these

disputes are "private" and so government should be have a "limited response".

Martha thinks that it is high time that the government recognizes this issue for what it is: a cattle drive gone bad. We need a leader stop the stampede! Alberta needs to have first contract legislation so that duly formed unions can negotiate contracts with their employers the first time out, without having to strike. This strike didn't need to happen.

If you agree, and never want to see unions have to strike in order to get their employers to negotiate a first contract then please write a letter to Premier Klein asking him to be a leader now by agreeing to the Official Opposition's bill on First Contract Arbitration. Use our letter below or write your own. Email it to premier@gov.ab.ca, Edmonton.Manning@assembly.ab.ca, Alison.Crawford@assembly.ab.ca, newdemocrats@assembly.ab.ca, edmonton.riverview@assembly.ab.ca, marthasmnthly@yahoo.ca (Hint: you can use your cursor to highlight and then copy all these addresses. Then open a new email message and paste them into the To: line. Easy!)

November 8, 2005

Dear Premier Klein:

The past month has been very disturbing to me as I, and my fellow Marthas, watched the Lakeside strike in Brooks unfold. I have been most disturbed to discover that the lack of provincial legislation for first contracts was part of why this dispute took place.

I believe that unions and employers should be allowed to negotiate their contracts and so I believe that your government needs to support the First Contract Arbitration legislation proposed by the Official Opposition. I believe that had Alberta had such legislation a year ago we would not have had a strike at Lakeside at all.

It is incumbent upon your government to show leadership now to prevent any similar labour disputes in the future.

I will be carefully watching when you recall the Legislature on November 15th. Please support first contract legislation so that unions and employers can negotiate in fairness in the future.

Sincerely

Your name

Your address (if you leave out your address your email is not registered as "correspondence" and can be overlooked!)