

# Harper government to criminalize Canadian Pacific railway strike

Carl Bronski  
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Thirty-three hundred locomotive engineers, conductors and yardmen went on strike early Sunday morning after negotiators for Canadian Pacific (CP) Railways and the Teamsters Canada Railway Conference (TCRC) failed to reach agreement on a new contract. The main issue in the strike is CP's unwillingness to address the issues of a brutal scheduling regimen and inadequate rest time for the rail workers.

Currently, employees must work a six-day-on/two-day-off schedule. Only minimal government recommended rest rules are recognized by the company, but even these are routinely ignored. Workers have reported being required to labour for up to 18 hours in a day. During their rest days, workers are "on-call" should additional overtime be demanded by the company. Furthermore, workers have no guarantee they will be anywhere near their home when their rotation ends.

Disciplinary action is regularly applied against workers resisting these grueling schedules. Grievances filed by overworked employees are systematically referred to arbitration—a process that can take months and even years to resolve.

Shortly after the breakdown of negotiations, Conservative Labour Minister Kellie Leitch issued a statement blaming the union for the impasse. "I am incredibly disappointed that the TCRC failed to reach an agreement with CP Rail," she told reporters. "Due to this reckless disregard for Canadians and the Canadian economy, our government will review all available options to end any work-stoppage expediently, up to and including the introduction of legislation in Parliament."

The threat from the Labour Minister is only the latest volley in a concerted government drive to effectively outlaw all forms of industrial and social dissent and trample on basic democratic rights. Since June 2011, the Conservative government of Prime Minister Stephen Harper has repeatedly outlawed worker job action,

including illegalizing a strike by Canadian Pacific railway workers in 2012, two different walkouts at Air Canada, and a Canada Post strike. The government has also used the threat of such legislation to force "settlements" in several other disputes including against workers at Canadian National Railways.

Under these conditions, employers have taken the offensive against significant sections of the working class, demanding ever-greater concessions, including the gutting of work rules, confident that they can rely on the government to illegalize any worker resistance and to task an arbitrator to dictate the workers' terms of employment.

In the current dispute, Leitch initiated moves to illegalize the strike a full 36 hours before the breakdown of talks. On Friday, she placed on the parliamentary order paper for Monday morning, "an act to provide for the resumption of rail service operations." The government plans to invoke procedures so as to dramatically curtail debate and speed through the bill's passage. All three readings of the bill are scheduled to take place on the same day with only one hour earmarked for the required "mandatory referral to parliamentary committee."

Leitch's moves come in the wake of appeals made by corporate associations representing the forest, agriculture and auto industries for quick government action to end the strike. Corporate interests are particularly concerned because an ongoing work-to-rule (and subsequent lockout) of West Coast longshoremen in the United States has already caused shipping bottlenecks in Vancouver, British Columbia as importers and exporters shifted their loads north of the American border.

The rail workers' strike and other signs of working-class opposition in North America, including the current national strike by thousands of oil refinery workers in the United States, are manifestations of the pent-up anger of workers who have suffered through decades of giveaways in wages, benefits and working conditions, even as

corporate profits and stock markets soar in the sixth year of a supposed economic recovery.

Workers at CP Rail should place absolutely no confidence in the Teamsters union to redress their grievances. The same issues that animated their nine-day strike in 2012 remain unresolved. Then too, the Harper government passed back-to-work legislation with Teamsters officials immediately bowing to the order and instructing the workers to comply. Several months later, CP management announced the layoff of 4,500 union and nonunion employees—23 percent of the company’s workforce—resulting in the ultimate shrinking of the Teamster local by 1,700 members. At the same time, management further increased the length of individual trains and their running speeds. CP profits soared.

The trade unions, which have colluded with big business for decades in forcing on their memberships massive concessionary contracts, united over the weekend in their determination to prevent disputes at the bargaining table from in anyway providing fuel for an industry wide workers’ offensive against big business.

Whilst the clock was running out on negotiations with CP on Saturday night, Teamsters officials, who also organize 1,800 locomotive engineers at Canadian National Railways (CN), came to an eleventh hour agreement with that company. Although contract negotiations for both CN, the nation’s largest carrier and CP, the nation’s second largest carrier, were occurring at the same time, union officials did not even conduct a strike vote amongst their CN membership. So as to further divide the two groups of workers, the release of the full terms of the Teamsters’ deal with CN and the contract ratification vote are being delayed until mid-April.

Union officials with Unifor, representing another 1,800 rail safety workers at CP, also showed no interest in mounting a united struggle against the rail companies. Although they were in a legal position to strike alongside the engineers and yardmen, Unifor ordered the rail safety workers to remain on the job after negotiating a separate contract deal with CP late Saturday night. No details of the proposed contract have been released. Unifor has for years been notorious for pushing through concessions-laden contracts in the industries it organizes, including in the Canadian auto sector.

Over the weekend, New Democratic Party (NDP) leader Thomas Mulcair issued no statement on the strike and Harper’s pending legislation. The trade union-backed NDP views support for strike action as an electrified third rail in national politics. In the face of historic attacks on

the right to strike, the social democrats occasionally mouth empty phrases about “unfairness” but like the union leaders are utterly opposed to any defiance of the strikebreaking laws.

The issue of rail safety has been paramount in public consciousness for several years, particularly since the tragic rail disaster in July 2012 at Lac Megantic, Quebec when an unmanned runaway train operated by a regional carrier, overseen by only a single employee and transporting a highly volatile oil cargo careened into the town and incinerated 48 people. Subsequent investigations showed that the disaster was in large part due to reductions in government inspections and ever-more lax regulations.

In order to further ratchet up profits, more and more trains—longer in length and staffed by only a conductor and an engineer who are often fatigued—are carrying dangerous goods at high speeds across the country. CP has led the way in this drive for increased productivity and profits. A 2013 report showed that the railway had posted a 39 percent increase in personal injuries on the job and a 25 percent spike in train accidents since the ending of the last strike.

Rail workers must draw some hard lessons from their recent experiences. To find a way forward, they must break free from the grip of pro-company unions and build new organizations of struggle controlled by the rank-and-file, to mobilize a powerful strike movement to reverse the erosion of jobs, living standards and working conditions. In the face of globally organized transport companies, workers must reject the nationalism of the unions and fight to unite with their international brothers in a common struggle.

Above all, the development of such an orientation in the working class requires the fight to develop an understanding among workers of the fundamental *political* questions at stake—that to secure their interests, workers must embark on a path aimed at taking political power and reorganizing society internationally on the basis of socialist principles.



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