

Canada's union-backed Liberal government imposes indefinite ban on national rail workers' strike

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The federal Liberal government has indefinitely criminalized the planned strike by 9,300 rail workers across the country's largest rail networks—Canadian National Railway (CN) and Canadian Pacific Kansas City (CPKC).

Locomotive engineers, conductors and yard workers at both companies have been working under expired contracts since December 31, 2023. A separate contract for CPKC rail traffic controllers is currently under renegotiation.

Last Thursday, May 9, federal Labour Minister Seamus O'Regan turned to the unelected, pro-employer Canadian Industrial Relations Board (CIRB) to block rail worker job action. In mobilizing the CIRB, which has sweeping, but until recently seldom used, arbitrary powers to illegalize an impending strike, O'Regan was building on the role he played in breaking last year's West Coast dockworkers' strike.

The state attack on the railway workers must be taken as a warning by all workers. As Canadian imperialism backs Israel's genocide against the Palestinians and takes on an ever greater role in NATO's war on Russia and the US strategic offensive against China, the union-backed Liberal government will tolerate no opposition from workers at home that challenges corporate profits and the austerity policies necessary to fund Canada's war machine.

Rail workers voted overwhelmingly for job action at the beginning of the month with a strike scheduled by the Teamsters Canada Rail Conference (TCRC) as early as May 22. However, at the behest of big business commodities exporters, the Liberal government illegalized any job action, when O'Regan ordered the CIRB to investigate whether a strike could have "potential impacts to the health and safety of Canadians." In so doing, he cynically highlighted the heavy fuel, propane, food and water treatment materials needed in remote communities and "throughout Canada"—a justification that could have been invoked to bar any Canadian rail strike in modern history.

CN and CPKC operate vast rail networks. Both span the vast breadth of Canada, with CN's running south into the US while CPKC's stretches even further into Mexico. The railways are critical to the Canadian economy for the export of grain, potash, wood products, oil and coal, among other commodities, to the global market. If the government was being honest about why it blocked the strike, it would have said that no interruption to this global trade network is acceptable as tensions between the great powers mount, nor any strike by a major section of workers that could unleash the seething anger felt by workers across the country over decades of concessions contracts, rising social inequality and the decimation of public services to pay for handouts to the capitalist elite and war.

A simultaneous strike by rail workers at both companies would quickly bring the country's economy to its knees and significantly impact the North American economy as a whole. With members of the United Auto Workers at University of California campuses voting to take strike action in support of anti-genocide encampments by students, a strike by rail workers directed against the Trudeau government's efforts to suppress the class struggle would have the potential to unleash a broader movement of workers that could escape the suffocating confines of the "collective bargaining" straitjacket.

O'Regan asked the CIRB to rule on which "activities need to continue during a strike or lockout," with the aims of undermining the impact of the strike and keeping profits flowing. The CIRB has no set timeline for its decision, but it's highly likely it won't be issued until weeks or even months after May 22. Until then, all worker job action is legally barred.

The Teamsters bureaucracy meekly submits to the government's strike ban

The Teamsters bureaucracy immediately surrendered to O'Regan's diktat and the government-designed, pro-employer collective bargaining system, announcing that it would "obviously comply with any order" from the CIRB.

When rank-and-file workers voiced their intense disapproval, the TCRC leadership thought it politic to issue a statement in which it deplored the reference to the CIRB as "incredibly frustrating" and claimed it would "challenge any result that impacts our charter (i.e., constitutional) rights." That this was all hot-air was underscored by the TCRC's blunt reiteration in the very next breath that it will enforce whatever anti-worker decision the CIRB issues. "However," declared the TCRC top brass, "the reality is that we must follow the law and respect the process as described."

This Teamsters leadership's pliant response will come as no surprise to rail workers. After the rail workers' overwhelming strike vote, TCRC President Paul Boucher, in words almost identical to those O'Regan used to justify his strike-breaking initiatives, said, "A simultaneous work stoppage at both CN and CPKC would disrupt supply chains on a scale Canada has likely never experienced. I would like to make it very clear that provoking a crisis on that scale has not been, and never will be, our goal. The reality is that we would very

much like to avoid a work stoppage.”

O'Regan's claim that he is acting out of concern for the “health and safety of Canadians” is all the more hypocritical in that a pivotal issue in the rail contract negotiations is CN and CPKC's reckless disregard for worker and public safety, which has led to a rising toll of accidents, injuries and deaths.

Last July, O'Regan was instrumental in shutting down the two-week militant strike by 7,400 West Coast port workers. After the dockers' union failed to force through a rotten sellout agreement after a two-week strike, O'Regan prevailed on the CIRB to ignore its own previous decisions and arbitrarily rule the resumption of strike action “illegal.” The CIRB then oversaw a rigged “vote” on the government-dictated agreement that included a gag order on the International Longshore and Warehouse Union and the threat that a “no” vote would immediately result in the government criminalizing further workers job action. Following the anti-democratic four-year contract's ratification in August 2023, O'Regan and Transportation Minister Pablo Rodriguez stated, “This dispute caused serious disruptions to our supply chains, risking our strong international reputation as a reliable trading partner. We do not want to be back here again.”

The Liberal government's latest move against the rail workers mirrors its continuing offensive against the port workers and any other section of the working class that dares to demand decent wages and working conditions. Last month, O'Regan appointed veteran mediator Vince Ready, who has a rotten record of imposing pro-employer sellout contracts onto workers, to head an Industrial Inquiry Commission into the British Columbia port dispute, with the stated goal of providing “stability” for the country's supply chains, i.e., preventing future strikes.

Workers' rights under systematic attack

The right to strike has been under systematic attack in Canada for decades. On dozens of occasions, federal and provincial governments of all political stripes, including the New Democratic Party, have imposed back-to-work legislation and criminalized worker job actions.

The big business Liberal government prefers to retain a “democratic” veneer while it pursues its reactionary class-war agenda of imperialist war abroad and austerity at home, by using its junior partners in the corporatist trade unions to suppress increasingly explosive worker opposition to the worst cost-of-living crisis in decades. The government's preferred mechanisms are the sham “collective bargaining process” or binding arbitration. However, when all else fails, it will ruthlessly impose the dictates of corporate Canada through the criminalization of strike action, as it did in 2018, when the Trudeau government enacted the reactionary Bill C-89 to ban a strike by 50,000 federal postal workers. In 2021, the Liberals rammed a draconian law through parliament criminalizing a four-day strike by 1,150 Montreal dockworkers.

But the suppression of workers' struggles has now been taken to a new level. The state-led coordination to ban strikes and other forms of protest, particularly when workers find themselves in a position of strength, was illustrated earlier this year by a meeting that Washington's ambassador to Canada convened with the leaders of the country's major trade unions at the explicit request of US President

Joe Biden. Among those who joined with Ambassador David L. Cohen and Labour Minister O'Regan to discuss “strengths and opportunities of labour relations” were Teamsters Canada President Francois Laporte. Held at the behest of a US administration that intervened to ban an impending strike by more than 100,000 rail workers in late 2022 and cooperates to an unprecedented degree with the UAW to suppress opposition among auto and other industrial workers, the meeting was clearly focused on how to sabotage worker opposition to both governments' policies of war and austerity.

The Liberals, ably abetted by their trade union and New Democrat allies, try to cover their tracks with “progressive” propaganda. With great fanfare, they introduced late last year an “anti-scab” bill that will supposedly prohibit the use of scabs when workers are on strike. In fact, the legislation contains just about as many restrictions on workers' right to strike as it does on the use of scabs, including a broader definition of what constitutes an “essential employee” that will bar significant sections of workers from ever striking. Even the Conservatives and their far-right leader Pierre Poilievre felt able to vote in favour of the measure on its second reading in parliament in February. Poilievre, who would win an election hands down were one held today if the polls are to be believed, has pledged to invoke the “notwithstanding clause” when in power to override democratic rights protected in the Charter of Rights and Freedoms, among which is the right to strike.

The Trudeau government's latest actions once more underline that rail workers face a political fight, not simply against the profit-hungry rail barons, but the warmongering, pro-austerity federal government and its allies in the trade union bureaucracy and the NDP. During the 2022 contract struggle, CP Rail workers organized the CP Rank and File Committee to advance the interests of workers independently of the union bureaucracy and provide a path forward against the corporate-union-government conspiracy. This tripartite alliance works tirelessly to subordinate all society's resources to the waging of imperialist war and enrichment of the wealthy elite.

Workers at CN and CPKC must develop this work in the latest round of talks by building rank-and-file committees on every line and in every rail yard and shop from coast to coast. These committees should seize control of the contract fight and place power back in workers' hands so they can wage a counter-offensive against the rail profiteers and their backers in government. A united struggle by Canadian rail workers can only go forward in alliance with their brothers and sisters in the US and Mexico.



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