

RESOLUTION OF THE NATIONAL EXECUTIVE BOARD

BILL C-39

CUPE WILL:

1. Defy all attempts to trample on our members' right to strike.
2. Lobby the federal government to amend Bill C-39 to repeal Section 107 from the Canada Labour Code by:
 - Joining other unions and allies in calling for all changes to the Canada Labour Code to be removed from Bill C-39 and considered as separate legislation;
 - Making submissions to House and Senate committees studying Bill C-39, and request to appear before these committees.
 - Creating tools for locals to contact parliamentarians to demand the repeal of Section 107.
3. Call for further amendments to Bill C-39 including, but not limited, to:
 - Expand new protections against contract flipping beyond airports;
 - Reverse extensions of bargaining and conciliation timelines;
 - Require that the appointment of a special mediator during bargaining be subject to consent from the union.
4. Work with the CLC and other unions representing federally regulated workers to take all necessary steps to achieve the repeal of Section 107 and to protect the right to strike.
5. Pledge, including through the CLC, to support any union whose right to strike is undermined.
6. Educate members, especially those in federally regulated sectors, as well as the public, about Bill C-39, and about the importance of free collective bargaining and the right to strike.

7. Leverage our strength as the country's strongest union to exert pressure on parliamentarians across the country, organize a week of action for members to meet with their representatives in their communities, coordinate lobby meetings between union and political leaders, facilitate CUPE members' participation in the CLC's lobby day on the Canada Labour Code, and use a diversity of tactics to mount a fight back.
8. Explore potential legal strategies to challenge Bill C-39 in the courts.

BECAUSE:

- CUPE has consistently called for Section 107 of the Canada Labour Code to be repealed. Instead, Bill C-39 codifies and expands Section 107.
- The criteria laid out in Bill C-39 for invoking Section 107 do not fix the problem. Economic and social disruption are inherent features of effective strike action, and these criteria create broad grounds for government intervention in collective bargaining. The mere existence of Section 107 in the law has a corrosive effect on collective bargaining.
- Bill C-39 would lengthen the bargaining process, including extending the conciliation period from 60 days to 90 days. This can prolong uncertainty for members and delay workers' ability to exercise our right to strike.
- Bill C-39 includes contract flipping protections that will maintain union coverage and benefits for workers in airports. These will be particularly important if the federal government is successful in privatizing airports. However, these protections should be expanded to include other sectors.
- Bill C-39 grants the Minister unilateral authority in appointing a Special Mediator during bargaining. Unions should have a say in whether they want a Special Mediator to be appointed and when.
- There is a short time in which to influence MPs and Cabinet Ministers to address the parts of the bill that attack workers' rights. CUPE must act fast with members in federally regulated locals to defeat these attacks.