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April 10, 2015

Shaila Anwar
Committee Clerk
The Senate

Re: Reintroduction of Bill C-377

Dear Ms. Anwar:

The Nova Scotia Building Trades is deeply concerned with the reintroduction of Bill C-377 to the Senate.

Our organization includes over 11,000 professional industrial-commercial-institutional tradespeople, including 2,700 apprentices. We partner with over 350 contractors in a sector that represents over 10 per cent of Nova Scotia's GDP. The Building Trades has many concerns with this piece of legislation and its potential impact on labour relations in Nova Scotia.

This legislation unfairly singles out trades unions and imposes unprecedented reporting requirements. The Bill's constitutional validity has been questioned by many, and the Building Trades see Bill C-377 as completely discriminatory and unjust.

In a previous introduction of the Bill on September 25, 2014, Senator Bob Runciman cited examples out of Ontario and Quebec where there is a lack of spending controls and disclosure. These issues are strictly of a provincial nature, and by no means justify the need for federal intervention. In fact, the regulation of labour law, including governance of trade unions, is an area of provincial jurisdiction.

The legislation raises questions regarding the disclosure of detailed financial information, including salaries, contracts, loans, investments, and spending on organizing, collective bargaining, education and training. The Bill would also require the reporting of pension and medical benefit information, and therefore the disclosure of members' sensitive personal medical and financial information. This information would appear online in a searchable database on the Canada Revenue Agency website. This would violate the privacy of thousands and is unacceptable. We believe that the internal administration of a union is a matter between the union and its members and not the general public.

Senator Runciman also made reference that "83% of all working Canadians want unions to publicly disclose their finances". This stat was pulled from a Nanos Research study

commissioned by the Canadian LabourWatch Association (CLWA), arguably a conservative, anti-union public relations and marketing entity. The integrity of the survey methodology has come under much scrutiny.

Veteran Canadian Pollster, Allan Gregg, Chairman of Harris/Decima Polling examined the Nanos/CLWA survey instrument and found that “the two key questions [in the survey] were crafted in a ‘horrendously biased’ way to get the results LabourWatch wanted to promote tougher disclosure laws” that would apply only to labour organizations.

The Canadian Labour Congress filed a formal complaint about the poll with Canada’s Marketing Research and Intelligence Association. Their complaint noted that respondents, when asked the broad question about whether unions should publicly disclose spending, were “primed” by a preamble designed to sway them. This question was purposely designed to achieve a certain result rather than to accurately gauge public opinion on a specified issue. Why are the results of this type of polling justification for such far reaching changes to legislation?

If this legislation is to apply only to trade unions, why would it not also apply to corporations, rotary clubs, the Fraser Institute and the Canadian LabourWatch Association, all of which receive tax credits from government?

The fact is the relationship between unions and their members is built on transparency and accountability. Local leadership is democratically elected, and union members decide how their dues are spent. The members approve budgets, and audited statements are readily available to members for approval. Unions are democracy in action. Each member has a voice. Each member has a vote.

I think we need to reflect on where Canada would be without labour unions. The trade union movement, which has been largely responsible for creating the middle class, ensures fair wages, pensions, health care, safe working conditions. Our working conditions, wages and occupational health and safety standards are what keep this country's economy running.

One thing is clear; Bill C-377 violates the constitutional rights of individuals, working Canadians and the provinces. I would very much appreciate the opportunity to speak about this anti-union piece of legislation on behalf of my 11,000 members.

Attached for your review is a summary of our key arguments for the defeat of this Bill.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Smith', written in a cursive style.

Brad Smith
Executive Director

Attch.