



VOTE

Provincial Election 2007



Labour Law Reform Card Certification

Modern collective bargaining legislation was introduced in Ontario in the 1940s and enshrined in law in 1950 by the Conservative government of the day. Successive Conservative, Liberal, and NDP governments supported the 'card majority' system of certification. The card-based system effectively reduces the temptation of employers to intimidate and coerce employees. To impose a vote, in addition to the signing of a union card by an employee, leaves workers open and vulnerable to employer influence and pressure.

The card majority system of membership evidence provided an accurate picture of the wishes of employees because it protected them, to a great extent from intimidation, harassment and reprisal from anti-union employers. Where the number of employees signing cards was between 40% and 55%, a secret ballot vote was conducted. This secret ballot was necessitated because a clear majority of employees had not indicated their support for the union.

However, in cases where a clear majority of employees (55%) had indicated that they wished to be represented by the union, the Ontario Labour Relations Board (OLRB) would automatically certify the union as the bargaining agent for those employees. This process allowed employees to express their views confidentially and it provided greater reassurance to employees that the employer would not exercise its economic power over them in an attempt to coerce them into abandoning the union.

But in 1995, the Conservative government of Premier Mike Harris dramatically changed labour relations in Ontario. Within months of taking office, the Harris Tories introduced Bill 7. Bill 7 required a **mandatory certification vote** even where a majority of employees in the workplace had already indicated support for a union through signed union membership cards. The Harris government asserted that its reforms made the certification process more "democratic".

In 2005 Dalton McGuinty's Liberal government introduced amendments to the *Labour Relations Act* in their Bill 144. It restored card-based certification **only** to employees in the construction industry. The many sectors of the economy where jobs are held mostly by women, such as clerical, sales and service jobs, were not included. By deliberate omission, the government discriminated against women, racially visible communities, newly landed immigrants, and workers with disabilities.

Ask your Local Candidates:

Do you support re-instating card certification for **all** workers so that all workers can exercise their democratic right to unionize without intimidation?