

# your voice

United Food and Commercial Workers Canada Union, Local No. 401 - Vol. 103 - June - Sept. 2014



Alison Redford's Gone...  
Now What?

**Staying Strong, Safe and  
Secure at Safeway.**

Major Supreme Court of  
Canada Victory!



# your voice

United Food and Commercial Workers Canada Union, Local No. 401 - Vol. 103 - June - Sept. 2014



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This quarterly magazine is designed, written, and printed union.

# President's Message

A word from your President, Douglas O'Halloran



The last two years at UFCW Local 401 have been a whirlwind to say the least and the journeys on which we have embarked have been both challenging and exciting.

Our union's membership has become some of the most engaged and passionate union activists in the country. The union's leadership has welcomed this engagement; it has kept us on our toes and pushed us to be as creative and proactive as our membership when determining what campaigns and efforts we should take on. And let me tell you, this is a problem that any local and certainly any president is happy to have. None of our union's accomplishments would be possible without the strength of our membership – they challenge us to be the best union possible and everyday we aim to rise to that challenge.

UFCW Local 401 is fortunate to have so many members who are active in their communities and regularly represent the union as a positive force in community involvement. So much so that we have been able to create a new member driven committee. This is the Community Action Network (CAN) Committee, which is a relatively new concept throughout UFCW both nationally and internationally. The beauty of the CAN Committee is that a broad and diverse group of members is required to make it successful. The Committee is best served with a mix of long serving and new members to ensure we are reaching out to as many different community groups as possible. I can tell you I am thrilled to see how this Committee will help mold Local 401's future.

UFCW Local 401 has also seen real success with steward training. We have more members than ever interested in attending steward schools and becoming active in their workplace. Local 401 even tried something new this year when we organized a company specific steward training conference after we ratified the new Union Contract with Loblaw for their Real Canadian Superstore and Liquorstore locations in Alberta. The Conference provided those members with the opportunity to take classes specifically focused on their Union Contract and was a great success. The union looks forward to organizing similar events for our stewards in other units throughout the province.

Another development I'm excited about is the cultivation of the communications department. Local 401 is truly in a position to effectively and promptly provide the members with the most up to date information. This gives our members the knowledge required to be the kind of activists we need to continue fighting for and winning trend-setting contracts for all the industries that we're active in. I'm excited about how much we've ramped up our communications with our members and know that they will put that information to good use in their workplaces and communities across the province.

There is no better way for the labour movement to address the challenges it has faced recently and will continue to face over the years ahead than building a strong, passionate and vocal group of union activists; whether we are taking on abusive employers or bully conservative governments.

*Local 401 membership will continue to lead the way - as you always have.*

Sincerely,  
Douglas O'Halloran  
President, UFCW Local 401

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Welcome to the third edition *Your Voice*, our quarterly magazine that aims to keep Local 401 members up to date on the issues affecting them. June's magazine comes out in conjunction with our Members' Conference. Both focus on our union's efforts to build a better future and world for everyone.

That building takes place during events like the Superstore Conference, within our political efforts, in our community engagement, in the engagement of our Safeway member during contract negotiations, in the work we're doing for our members in the camps up north, all the way to our recent fight for freedom of expression in the Supreme Court of Canada!

It's building we couldn't do without you. So we hope as you read the stories in this magazine, you take some pride in what we've been able to accomplish together.

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# Staying Strong, Safe, and Secure at Safeway.

Written by Theresa McLaren, Secretary Treasurer

To say that it has been an eventful year for our Safeway members so far would be an understatement. Between the November 4, 2013 sale of Canada Safeway to Sobeys Inc. for \$5.8 billion and the resulting sale of three Safeway stores in Alberta to maintain sufficient competition in affected markets, Safeway members have had plenty on their plate. Now, those members head into the summer starting negotiations with their new employer, Sobeys Inc.

While outstanding questions remain, one thing that our Safeway members have not had to ask is who's got their back. Come what may, UFCW Local 401 is always ready to fight for the rights of its members, especially when we think there may be reason for concern.

A change in employers is always an uncertain and stressful time. But our experience with Sobeys gives us additional pause as they have not generally been the most amicable company to deal with.

Along with our members, we are concerned that there may be a storm coming due to the sale of Canada Safeway. So we started making plans to ensure that everyone remained strong, safe, and secure at Safeway.

Our Safeway members have taken some solid steps forward in this regard.

Between January 21 and February 6, 2014, many Safeway members turned out to proposal meetings across the province to tell us what improvements they would like to see negotiated into their Union Contract. During those meetings, Safeway members also voted overwhelmingly in favour of joining the National Defense Fund, a special fund made up of UFCW

Canada members used to provide workers with the resources to run a strong strike campaign if necessary.

Additionally, Safeway members did a great job of filling out the surveys we mailed out to them and posted online, again seeking input on contract negotiations. The Bargaining Committee has reviewed those surveys and formulated a strategy for engaging Sobeys in negotiations.

This is a great start. But if there is one thing we've learned about contract negotiations, it's that the more we build engagement with the membership, the bigger the victories we are able to win.

When a company can see that its employees are watching what is happening with negotiations, paying attention to how the company acts towards them, and are prepared to take action if necessary; it has a major impact on their attitude and behavior at the bargaining table. They no longer operate with a sense of anonymity and know that they will be held accountable for any shenanigans they try to pull both at the negotiating table and in their stores.

Your Bargaining Committee is encouraging you to become as active and involved in negotiating as you can. Negotiating meetings will be happening on the following dates:

- **July 14 – 18** in Calgary  
at the Holiday Inn Express  
(45 Hopewell Way NE)
- **August 25 – 29** in Edmonton  
at the Chateau Nova  
(13920 Yellowhead Trail)
- **September 15 – 19** in Calgary  
at the Holiday Inn Express  
(45 Hopewell Way NE)

All Safeway members in the area are invited to attend the meetings.

Additionally, we have set up a Safeway section on our website to provide Safeway members with updates about negotiations. To get the latest information, you can visit [www.gounion.ca/news/safewaysobeysbargainingupdates.cfm](http://www.gounion.ca/news/safewaysobeysbargainingupdates.cfm).

Finally, we'd like to stay in touch with you as much as possible. We know that everyone is busy and that it can be challenging to stay on top of everything, especially in the summer months. So your union is here to help you out by delivering the information you need directly to your inbox.

Make sure we have your email address by going to [www.gounion.ca/stayconnected.cfm](http://www.gounion.ca/stayconnected.cfm) and filling out our fast and easy contact information form. That way, we can let you know how negotiations are going and what we may need you to do to ensure that everyone comes out ahead.

By bargaining strong together and building an active and engaged membership, we can make sure that everyone stays strong, safe, and secure at Safeway!





## The connection between unions and communities stretches back almost to the inception of unionism itself.

In their study, *Community Unionism - A Comparative Analysis of Concepts and Contexts*, Jo McBride and Ian Greenwood note that in the early period of trade unionism, unions were formed in and intrinsically tied to particular communities. Roughly 150 years ago, communities clustered around particular opportunities for employment: factories, mines, docks, mills, and other large operations. So it only made sense for unions to anchor in those communities as they sought to establish themselves.

As the nature and geography of various industries changed, so too did the density and vibrancy of those communities. As their employment shifted, people moved elsewhere and so the community-based anchoring that made natural organizing strategies for unions also changed.

In the 1960s, the specific term *community unionism* emerged referring less to the geographical tie between unions and particular communities and more to the practice of forging alliances between trade unions and different community groups in order to work towards achieving common goals.

This form of community unionism remained a staple of union organizing into the 1980s, but faded as charter rights enshrined the freedom to associate with a union, unions won strong contracts (and thereby cemented their own strength and influence), and the middle class flourished. In a period of relative prosperity, community connections became less important.

The rise of neo-liberal economic policies changed all of that.

The emergence of devastating trade agreements moved once well-paying jobs out of the country to developing nations where employers could pay a fraction of the wages and avoid workplace regulations. Replacing those jobs was a raft of low-paying, part-time and precarious work that hollowed out the middle class we'd taken decades to build and forced many families into a permanent state of working poverty.

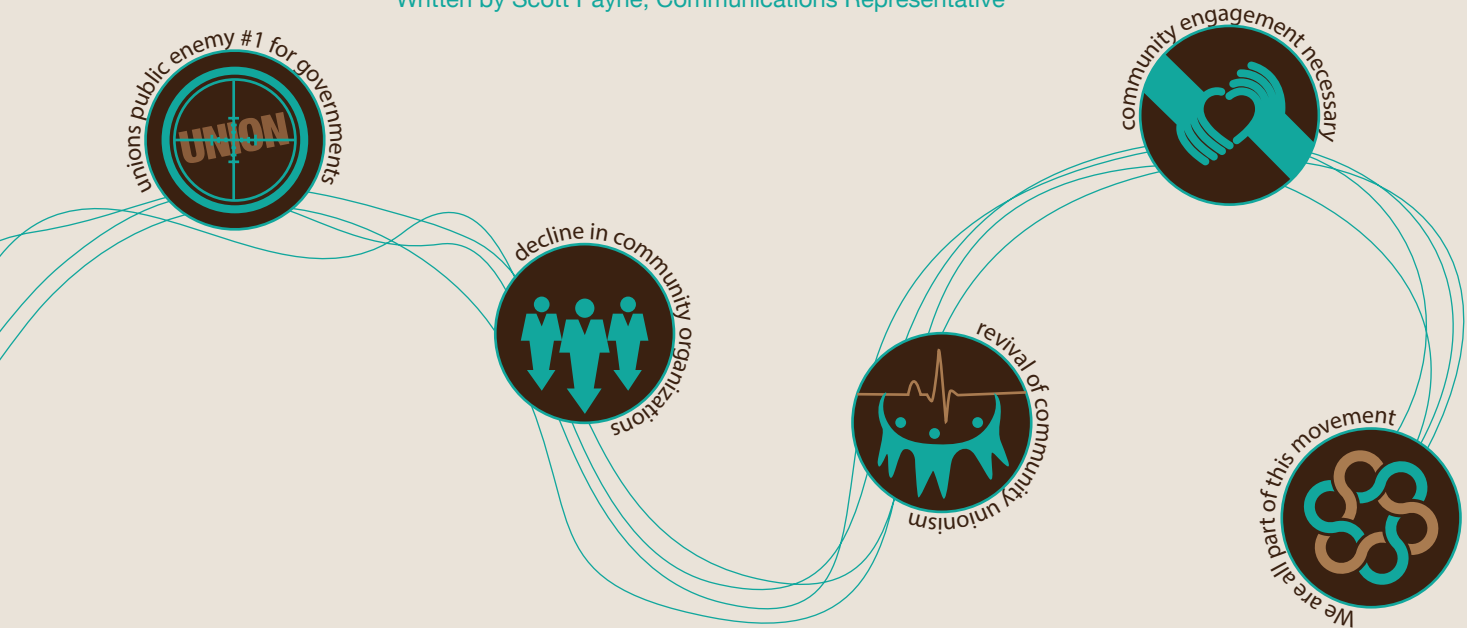
Unions, as the primary defenders of high-quality jobs, became public enemy number one for governments of all stripes, convinced that legislation and economic policies prescribing a race to the bottom for workers was the only way to the top (for a very few wealthy beneficiaries).

To make matters worse, a social hallmark that accompanied these policies included a steep decline of participation in community organizations. In his book *Bowling Alone*, Harvard professor Robert D. Putnam looked at this phenomenon in late twentieth-century America. A synopsis on the official website for the book (<http://bowlingalone.com>) places the challenges for community unionism in stark terms:

*Putnam draws on evidence including nearly 500,000 interviews over the last quarter century to show that we sign fewer petitions, belong to fewer organizations that meet, know our neighbors less, meet with friends less frequently, and even socialize with our families less often.*

As we emerge from this malaise, determined to build a better and more connected future of shared prosperity, community unionism is also experiencing a revival and taking on a new importance.

UFCW Local 401 has long standing commitment to supporting events like the Pride parades in Edmonton, Calgary, and Lethbridge. The union's Women's Committee regularly organizes community events to raise awareness around the issues faced specifically by women both in their communities and



their workplaces. And the union's Youth Committee regularly organizes events that give back to the community.

But our recently formed Community Action Network Committee aims to further increase the union's community presence and provide active members who are also active in their communities with an opportunity to help steer the efforts of the union.

UFCW 401 Union Representative Ricardo de Menezes, who facilitates the new Committee, reflects on the new role that community involvement plays in building stronger unions:

*The face of the Canadian worker and of Canadian society is changing. By about the 2020s, racialized people will make up the majority of the population. Yet the union movement is still not reflective of that changing landscape in either its composition of staff or activists.*

*These workers are flooding to community organizations instead of their union for assistance at work. Community engagement is necessary not only to build the profile of the union as a community partner, but also to strengthen the membership base of our unions themselves.*



in Alberta, on a film screening. The film *The End of Immigration?* looks at the increasing prevalence of temporary foreign workers in a variety of Canadian industries and how that practice is creating a permanent underclass of disposable workers.

As part of that new reality, UFCW Local 401 recently coordinated with Migrante Alberta, a community-based organization that seeks to education, organize, and mobilize Filipinos

The screening was a real success with great turnout from very engaged participants who, in addition to seeing the film, had the opportunity to ask questions of two of the workers featured in the Film, one of the film makers, and immigration advocate and expert Yessy Byl. The event is the first of many that the union will be coordinating as we continue to develop our relationship with Migrante Alberta and other organizations.

UFCW 401 is even reaching back to some of the original union organizing strategies by reinvigorating its connection to specific communities. More and more, active members are getting involved in their community associations, local political groups, and other initiatives as representatives of the union.

There is no “the union” on one side of the equation and “the members” on the other. We are all part of the same movement.

Indeed, they are the union – in that unions are, fundamentally, collections of workers acting together to promote their own interests. There is no “the union” on one side of the equation and “the members” on the other. We are all part of the same movement.

And so communities in which the members are active and invested are also communities in which the union is active and invested.

**IT'S  
ABOUT  
FAIRNESS**

**Fairness means:  
rights  
health  
safety  
respect  
security.**



**Fairness means unions.**

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# Bargaining Strong Together!

## Palace Employees are Bargaining – Baccarat Employees are Getting Ready to Bargain!



Written by Thomas Hesse, Executive Assistant to the President and  
Lead Negotiator for Palace Casino negotiations

Union negotiations for Palace Casino employees have commenced. A few meetings have been held, but negotiations have not yet developed nor have they developed any rhythm. The company showed up at the bargaining table lead by their VP of Human Resources. Now, Gateway Casinos (who own Palace Casino) has said that they don't have the "time" to negotiate anymore. Instead, Gateway has hired a consultant to negotiate, but that consultant told us he was unable to negotiate in April. He also now tells us that he is unavailable in May. Negotiations will continue in June.

Palace Casino members are invited to attend union negotiations! Ever wonder what happens during union negotiations? If you are a member who works at the Palace Casino and have a day off or a few hours available, drop by and see for yourself. Please let Palace Casino Union Representative, Rick Schneider, know you're coming. You can reach him at (780) 452 – 0362.

Some people wonder why bargaining "takes so long". There's a long answer to this question and

there's a short answer to this question. The short answer in this instance is that the company has not offered anything to their employees to settle the contract! The company could stroll into a meeting tomorrow and offer a fair wage increase, improved benefits, retroactive pay and a variety of other reasonable improvements to the terms and conditions of employment and we would bring that offer back for a vote.

The company hasn't done that. But they could whenever they wanted to. Instead, we face a company that is unresponsive and unwilling to bargain in any meaningful way. Let's see what happens in June.

Baccarat Casino employees are watching Palace Casino negotiations carefully. Preparations are already being made for Baccarat negotiations. Baccarat employees Raymond Chiu and Bridgette Karpetz are attending Palace negotiations to become versed in the issues and to ready themselves again for Baccarat negotiations. While the Baccarat Agreement doesn't expire until the New Year, we hope to be meeting with Gateway about Baccarat as early as the fall of this year.

Ever wonder  
what happens  
during union  
negotiations?



**WE  
DID IT  
TOGETHER!**

**NOW IT'S TIME TO**

**walk the walk**

# and Superstore & Liquorstore Workers are Ready to Continue to Walk the Walk!

Written by Christine McMeekan, Communications Representative

The memories of our short, but very effective three-day strike have barely faded. But over the course of three days, Superstore & Liquorstore workers from across the province came together in an action packed weekend to learn about contract enforcement and put their new rights to good use. The Conference, held from March 14th to 16th, was a great success thanks to all who attended and now it is indeed time to continue to walk the walk.



President Douglas O'Halloran welcomes the members

On Friday afternoon, March 14th, about 140 Superstore & Liquorstore Stewards and activists met at an Edmonton hotel and conference centre to listen to several speakers talk about activism, engagement, critical thinking and how to continue the invaluable work of being an effective communicator and advocate in their workplace.

President Doug O'Halloran made opening remarks and shared some humorous stories about his own beginnings in the labour movement. Doug has a long and proud history of leadership, not just in UFCW but also in the broader labour movement across the country. Doug shared his thoughts on brutal employers and what we've learned through our ongoing struggles.

Marv Funk from UFCW Canada's National Office spoke about the critical role of Shop Stewards and gave some invaluable advice. Marv stressed the importance of not only learning new things, but more importantly, unlearning all the things we have been conditioned to think over the years in a society that insists on developing followers rather than leaders. Through the use of interesting videos and numerous examples, Marv highlighted our inherent and learned behaviours and desire to "fit in" and inadvertently become part of "group think", while at the same time showing us that there is another way.

Tom Hesse, UFCW 401 Executive Assistant to the President and the union's lead negotiator for Superstore & Liquorstore negotiations, talked about unions and their relevance throughout all areas of our society. In our current pop culture of celebrities and glamour that often make headlines, we can forget the integral role unions have played in advancing the rights of not just blue collar or trades workers, but that of our entertainment industry as well.

Why is that relevant? We don't often think of rich and successful people as supporters or beneficiaries of unions. But the fact is that unions help many people we aren't used to associating with them. Workers organizing collectively through their unions are responsible for virtually every advancement working people enjoy, no matter their industry, and it's an empowering reminder.



Tom Hesse introducing the Superstore & Liquorstore bargaining committee

The entire Conference was designed to ensure that everyone enjoyed the maximum benefit of all being in one place at one time. Organized breakfasts, lunches and dinners provided ample opportunity for members to sit down together and really get to know their co-workers from all over Alberta, many of whom they'd never met. They were able to exchange stories about their experiences in their locations and stores. As well, UFCW 401 elected officials and staff used this time to mix and mingle with the members and spend valuable time bonding. For many of us, it was a bit of a reunion and a wonderful reminder of the amazing variety of personalities that make up this fine union.



Participants listening to several speakers on the opening day

The course work began bright and early Saturday morning - there was a lot to go through! All day Saturday was dedicated to instruction on the most important of the many improvements in the new Contract. After all, what's the point of having new rights and rules that benefit you if you don't learn how to enforce them?

There were 10 classes and all instructors reported how impressed they were with the level of interest, input and determination in the participants. The instructors also reported they were confident these members were amply armed with new knowledge in order to begin the hard work of applying their newly won rights. Though there was a lot to learn, Stewards and activists eagerly jumped in with both feet through the use of group exercises and working together to get the most out of all that was offered.



A few of the participants from Union Representative, Shauna Robertson's class excited to attend

Sunday morning was action packed as well. Members learned how to deliver 30-minute orientation sessions for future Superstore & Liquorstore new hires in their stores. One of the many remarkable things won in the three-day strike was a provision in the Union Contract that obligates the employer to provide the union with 30 minutes (of paid company time) to spend orienting each and every newly hired employee to their union. This time is invaluable in many ways, not the least of which providing a great "first contact" with new-hires and availing them of all their rights the moment they walk in the door.

Sadly, with a high ratio of part-time workers and high turnover, many people don't find out soon enough about their rights. Things like 100% employer paid prescription, eyeglasses, insurance and dental plans are important to know about right away. Knowing who to go to for help when a problem or concern arises in the workplace is key to job satisfaction and longevity. Informed members are strong members. Knowing your rights at work is not only imperative to ensuring you don't become a victim of a bad boss, it's critical to making sure improvements are made over the years.

Without informed and engaged workers, unions are helpless to create positive change on their own. Unions are NOT the elected officials alone. Unions are NOT the staff who work for those officials alone. Unions are collectives made up of workers, union staff, and elected officials who work for them. It is through those collectives, along with the dedication and hard work of the union officials, that improvements are achieved. Education, the spread of information, and ongoing communication are all integral parts of any successful movement.



Secretary Treasurer, Theresa McLaren gives final congratulatory message to close the Conference

When members weren't in their classes, they also had the benefit of hearing from other interesting speakers. Deron Bilous, NDP MLA for Edmonton Beverly-Clarview, talked about the Party's role in advancing worker rights over dinner one evening. Siobhan Vipond, Secretary Treasurer

from the Alberta Federation of Labour, spoke about the importance of activism in our workplaces and all that can be achieved when we unite and work together. And Alberta NDP Leader Brian Mason dropped in to mingle one-on-one with Conference participants, answer questions they had, and listen to people's thoughts about the state of our province and how to make it better.




Deron Bilous, NDP MLA for Edmonton-Beverly-Clarview from the Alberta NDP

Shortly after the Conference, we sent out surveys to all participants asking for their feedback. It's not enough that we offer these educational and solidarity-building opportunities, we also must ensure that we're perfecting them each and every time. The energy throughout the Conference was electric and the feedback we've received from the surveys has been overwhelmingly positive, much to our delight.

UFCW Local 401 members are some of the most active and dynamic trade unionists shaping the labour relations landscape in this province, and dare we say, even within the country. This Conference was yet another shining example of the accomplishments that can happen when 401 members get together to make change happen.

Superstore & Liquorstore workers are armed with enthusiasm, courage and knowledge and are indeed continuing to walk the walk!



My union recognizes the true heritage of Canada. We are all participants to agreements to share our land and its resources wisely - and I'm happy that my union is committed to celebrating our unique cultures and to fighting for justice for all Earth's peoples.

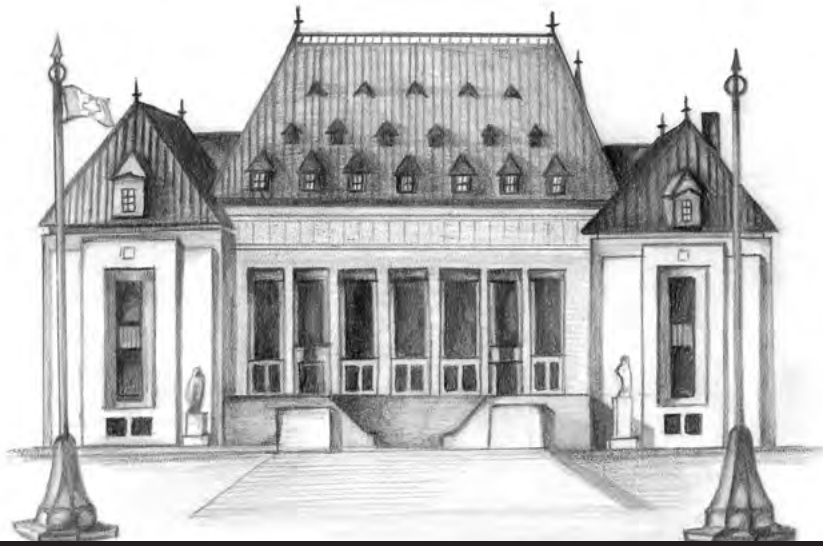
**together**  
**WE'VE GOT**  
**RESPECT.**

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## UFCW 401 Scores Major Supreme Court of Canada Victory!

### Fundamental Freedom of Expression for Workers Prevails

In the January edition of *Your Voice*, we featured an article about our case at the Supreme Court of Canada (SCC) where we defended our Alberta Court of Queen's Bench and Alberta Court of Appeal victories, both protecting our right to take pictures and video on our picket lines. Both courts also agreed that there were fundamental and intrinsic freedom of speech rights associated with unions and their members that had to be protected. Our victory at the SCC came right at press time and the article dealt mostly with what events lead up to the court case. Now, we will delve into the win itself and its ramifications for unions and workers.

To quickly summarize; it all began back in 2006/2007 during our 305 day Palace Casino strike. As is our regular picket line practice, we set up video cameras and took pictures of everyone who decided to cross the picket line and patronize the Casino. There are numerous reasons we do this, not least of which is to act as a deterrent to those who would harm our members' cause by choosing to cross their picket line. It's also a very effective tool to encourage people to act responsibly and not abuse the picketers. These images are often used in the event evidence is needed where alleged criminal conduct may

result from aggressive people who encounter our picket line. Finally, it's an important educational tool for our members and the public.

Most importantly, being able to get our story to the public is a significant part of our overall strategy. The ability to disseminate information about our strike through the collection and distribution of some of these images is crucial to letting the public know why our members are striking and why they should support the strike. Whether we use the Internet, publications, or billboards, it is imperative that we have access

to all lawful media avenues to communicate our message. Our website is a vital part of our communications strategy and we launched "casinoscabs.ca", which is really where this battle began. Our threat to post pictures of people who crossed our picket line apparently annoyed some people. Good. It was meant to be a deterrent.

During the strike, a few individuals who insisted on crossing our picket line, including the VP of Palace Casino, filed complaints with the Alberta Information and Privacy Commissioner, claiming that taking their pictures infringed

on their privacy rights under Alberta's Personal Information Protection Act (PIPA).

To make a long story short, we lost. The adjudicator from the office of the Privacy Commissioner found that under the narrow confines of PIPA, we had overstepped and we were ordered to stop taking, collecting and using people's images for all manner of communications in future strikes.

We sought a judicial review of the adjudicator's decision and brought a constitutional challenge to PIPA in the Alberta Court of Queen's Bench, arguing that PIPA infringed on our freedoms as protected under the Canadian Charter of Rights and Freedoms. To make another long story short, we won. Justice Goss agreed with us that PIPA was unduly restrictive and didn't consider the unique needs and rights of unions and their members in the course of strikes and lockouts.

Not an organization to be outdone, the Alberta Attorney General's office appealed that decision to the Alberta Court of Appeal. We won again! The Court of Appeal ruled that PIPA was unconstitutional in relation to union activity and agreed that taking pictures and video for these purposes was a protected right under the Charter.

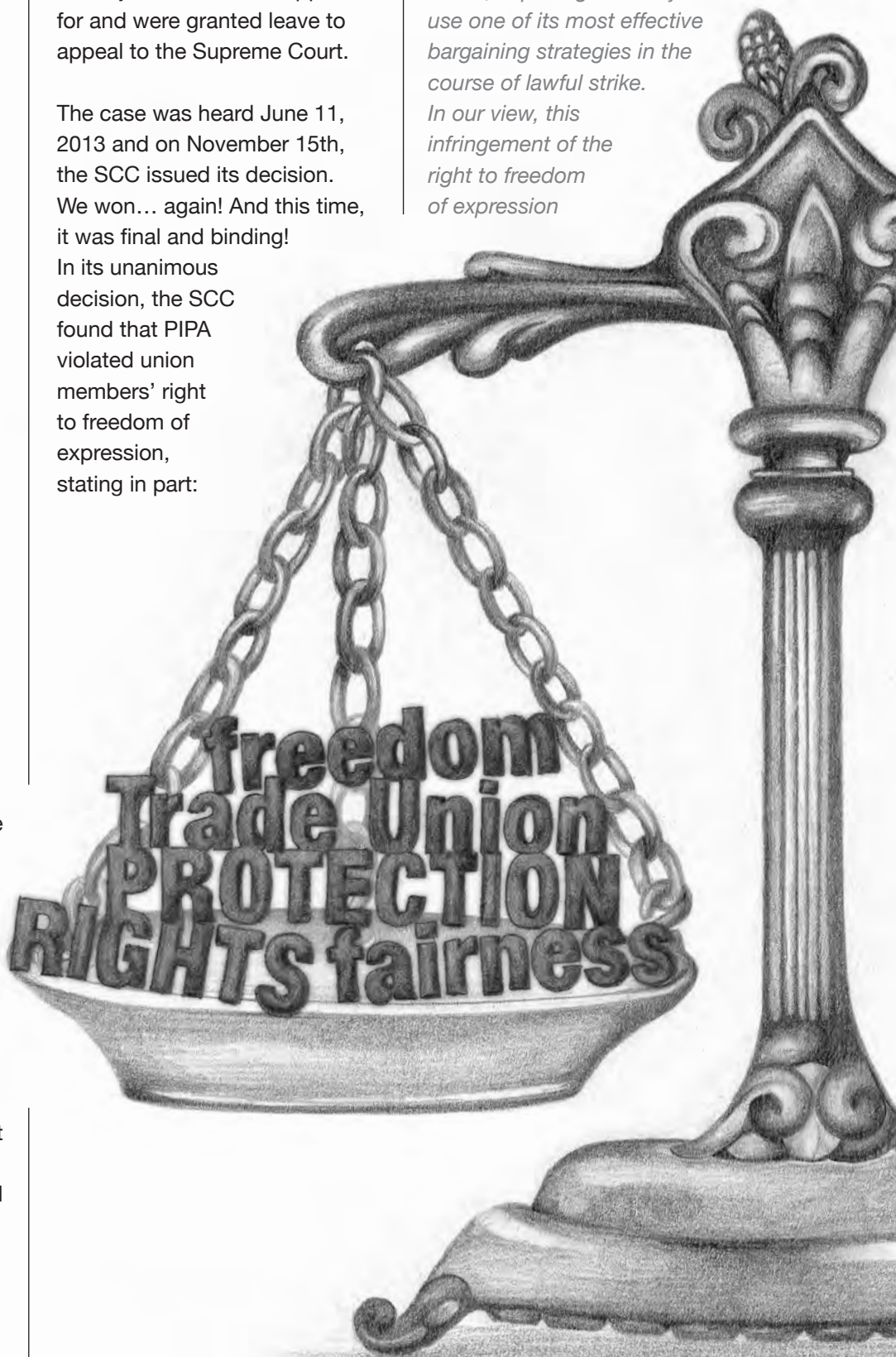
Undeterred by their ongoing pounding in the Alberta courts, another request for appeal was

filed, this time to the Supreme Court of Canada. The offices of the Attorney General and the Privacy Commissioner applied for and were granted leave to appeal to the Supreme Court.

The case was heard June 11, 2013 and on November 15th, the SCC issued its decision. We won... again! And this time, it was final and binding!

In its unanimous decision, the SCC found that PIPA violated union members' right to freedom of expression, stating in part:

*PIPA imposes restrictions on a union's ability to communicate and persuade the public of its cause, impairing its ability to use one of its most effective bargaining strategies in the course of lawful strike. In our view, this infringement of the right to freedom of expression*



*is disproportionate to the government's objective of providing individuals with control over personal information that they expose by crossing a picketline.*

The nine Justices declared the entire Act to be invalid and gave the Alberta government 12 months to rewrite it in order to make it constitutional.

So we ask ourselves: what's so important about this decision? What are the highlights of this decision?

In all the court decisions on this case, what became glaringly apparent was the fact that those who drafted Alberta's privacy legislation obviously had no idea about the significance of the history of

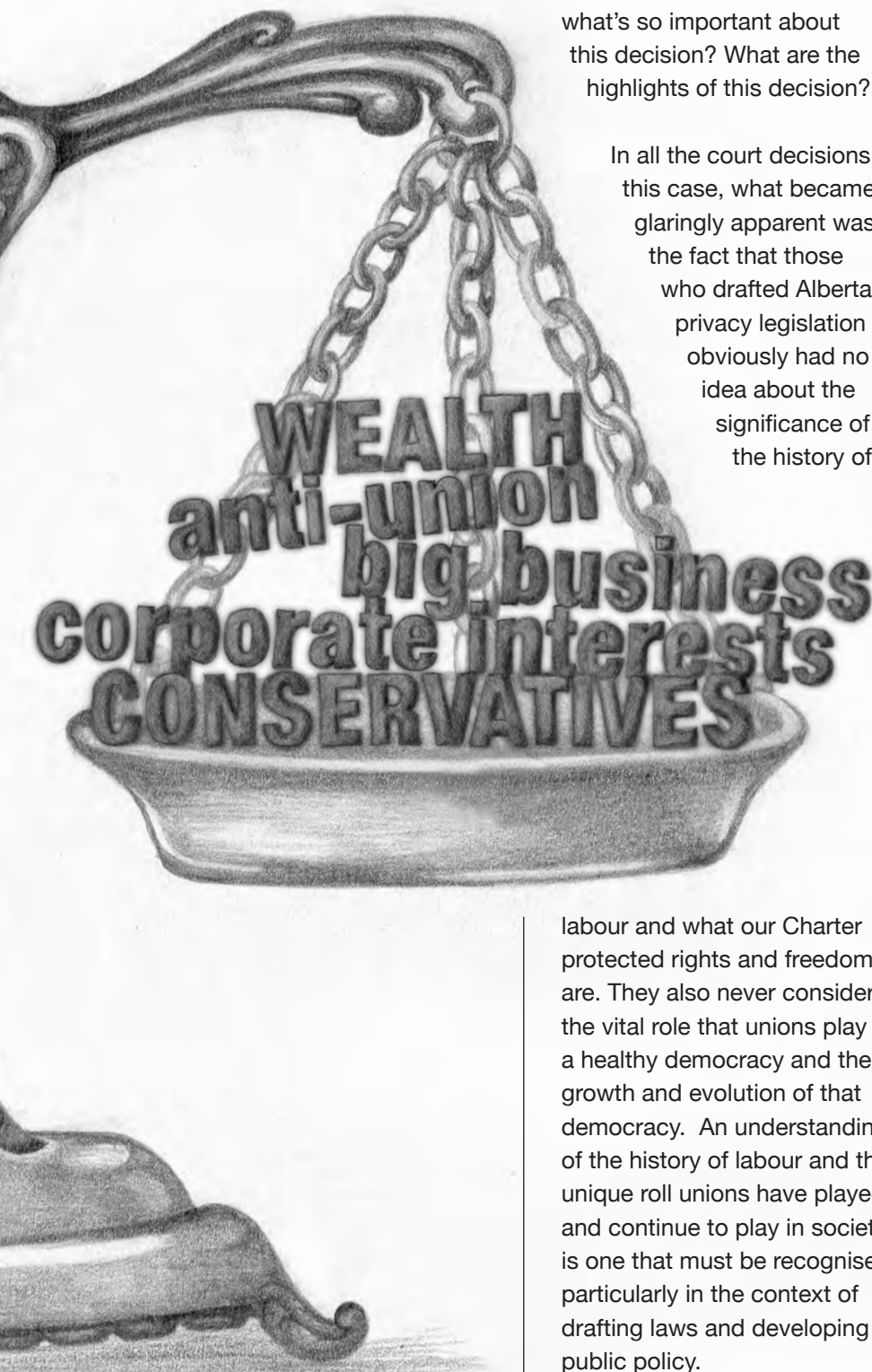
Indeed, there is a very long history of workers striking their employers. For over a hundred and fifty years, workers in Canada have been asserting their freedom to withdraw their labour. Over this time, legislation has developed and evolved through many battles. The overriding principle has always been that workers must have the freedom not only to walk off the job, but also to talk about their struggles and inform the public about those struggles if positive change is to happen at all. Our pockets are not deep and so we must be creative in how we communicate our message and impose effective pressure on employers with deep pockets.

The Court also relied upon and referenced, in part, the affidavit sworn by Dr. Jeffery M. Taylor, which was filed as evidence by the union. He said, "strikes and picketlines have been used by Canadian unions to exert economic pressure and bargain with employers for over a century... The use of picketlines is an invaluable tool in the economic arsenal of workers in the collective bargaining process."

The court also pointed out much needed context, which was not provided for under the strict and narrow confines of PIPA. The SCC said,

*The personal information was collected by the Union at an open political demonstration where it was readily and*

labour and what our Charter protected rights and freedoms are. They also never considered the vital role that unions play in a healthy democracy and the growth and evolution of that democracy. An understanding of the history of labour and the unique roll unions have played and continue to play in society is one that must be recognised, particularly in the context of drafting laws and developing public policy.



*publically observable. Those crossing the picketline would reasonably expect that their image could be caught and disseminated by others... Moreover, the personal information collected, used and disclosed by the Union was limited to images of individuals crossing a picketline and did not include intimate biographical details.*

This is a critical point because capturing peoples' images was for a very specific purpose and done so in keeping with Charter rights afforded workers and their

They also recognise that courts have given substantial importance to the concepts of freedom of expression in the context of labour disputes and as "an essential component of labour relations."

It is important to remember that although a collective of workers has significant power, their employer too has significant power. In fact, it's no secret the employer holds the majority of power and, therefore, workers who have limited economic power must use other creative ways to gain footing if there is

another case, famous in labour circles, involving secondary picketing relating to Pepsi: "Free expression in the labour context can also play a significant role in redressing or alleviating the presumptive imbalance between the employer's economic power and the relative vulnerability of the individual worker."

Once workers are on the picket line, there are several avenues available to them to bring pressure upon their employer. Those things include dissuading the public and other businesses from doing business with the

# "freedom of expression is ESSENTIAL an essential component of labour relations."

unions, as well as individuals. The court emphasized what they found of the "utmost significance" was:

*...that PIPA prohibits the collection, use, or disclosure of personal information for many legitimate, expressive purposes related to labour relations. The purposes include ensuring the safety of union members, attempting to persuade the public not to do business with an employer and bring debate on the labour conditions with an employer into the public realm. The objectives are at the core of protected expressive activity under [the Charter].*

to be a balancing of influence. Employers often have and can use vast resources to quash their workers' attempts to bargain improvements to their working conditions and compensation. However, the single most effective tool in a union member's arsenal is the freedom to withdraw their labour, in other words, to strike their employer.

The imbalance of power is a very real threat to workers and so there are important freedom of expression protections afforded workers in order to, in some small way, correct that imbalance. The SCC recognises this clearly and quotes from

employer during the strike or lockout. Another is the age-old strategic use of shaming through public relations campaigns by way of advertising. Circulating information leaflets to the public, talking face-to-face with people who come in contact with the picket line to share what's going on and why the workers are on the picket line in the first place, the use of dedicated or campaign specific websites (such as the one used in our Palace Casino strike - [casinoscabs.ca](http://casinoscabs.ca)), and any number of other measures to influence and persuade people to support the workers' cause, not the employer's.

The ability to sway public opinion is often at the heart of winning the strike or lockout as was recognised in another well-known case (K-Mart) where Justice Cory J. stated, “it is often the weight of public opinion which will determine the outcome of the dispute.” And the necessity to persuade members of the public or other businesses who wish to cross the picket line is fundamental to winning the battle.

Often employers hire security companies during these strikes who sometimes act more like thugs and are routinely referred to as, “strike breakers”. The law recognises the employer’s right to hire security companies during these times to “protect their property”. But it’s widely understood that their sole function is to create discord and chaos and strike fear into the workers, making for a possible tinderbox of emotion.

In these cases, it’s imperative that the law recognise our own right to protect ourselves and record activities on the picket line. When someone knows they’re on film, they often act differently and in this type of environment the main benefit is one of de-escalation. When we eliminate the “he said/she said” variable with the presence of video cameras, people who would otherwise prefer a more aggressive approach are “encouraged” to behave in a more respectable manner for fear of the video evidence that will be used against them. All three courts saw great value in this as well.

“One must ask themselves; where did the concept of privacy protection even come from? **Unions.**”

Where do things go from here?

The short answer is; we’re not sure because the saga isn’t over yet. The SCC has given the Alberta government 12 months from the date of their decision to make the privacy legislation constitutional. It remains to be seen what the government will do with that time and what form those amendments will take. But what is clear: we are not going away. We will watch very carefully for what they come up with. We will also be at the forefront of the charge should they miss the mark, yet again.

Though we’re not interested in being tied up in the courts forever, this issue of freedom of expression is important enough that we will hold their feet to the fire in order to ensure the best possible outcome. All three courts have said very clearly what our rights and freedoms are and rationalised at length about the historical and contextual reasons why they exist and should be preserved. It is our duty to see this through and make sure the rights and freedoms of workers in this context are protected and secured.

When asked what one of the most important aspects of this

victory were in her mind, UFCW 401’s lead Counsel on this case, Gwen Gray, Q.C. stated, “the government can’t control what we say and appropriately puts it back in the arena of the Labour Relations Board.” She also mused that after all these years and all this effort, there is a significant irony that should not be ignored in this battle: “One must ask themselves; where did the concept of privacy protection even come from? Unions.”

If not for unions insisting on laws protecting a reasonable expectation of privacy, there would most certainly be no protection in the first place. What are governments thinking when they take unions to task on issues of fairness and principles of justice? These are the very same unions that have been dragging governments and corporations, kicking and screaming, toward reform and advancement on this and many other matters of social justice since their very beginnings.

We are extremely happy the highest court in the land agreed with us on our critical role in a healthy democracy.



*Join the conversation*

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# Standing in solidarity with you



**Deron Bilous**  
MLA Edmonton-  
Beverly-Clareview

**Rachel Notley**  
MLA Edmonton-  
Strathcona

**Brian Mason**  
*Leader*  
MLA Edmonton-  
Highlands-Norwood

**David Eggen**  
MLA Edmonton-  
Calder



It's the burning question in Alberta politics right now and will likely persist throughout the summer.

Alison Redford, once seen as the great hope for a fatiguing Progressive Conservative Party and government, has resigned from both her role as Premier and leader of the Party. Chased out by mutinous rumblings from within her own Caucus, Redford's exit kicks off a sluggish race to pick up the pieces after a tumultuous two years.

How then do the other parties and various activists make use of the political opportunity that Redford's resignation presents? How will the resignation reshape the political landscape in Alberta?

# Alison Redford's Gone... Now What?

Written by Douglas O'Halloran, Union President

Political speculation of the variety outlined, while often fun and engaging, is generally a fool's errand. As polling methods prove less and less effective in gauging the public's mood, elections are often (though not always) becoming more and more surprising.

Just ask voters in British Columbia – or voters from right here in Alberta just two years ago.

So while the pollsters and political strategists are unlikely to disappear any time soon, the surprising answer to questions like those above is that the questions themselves don't much matter.

Alison Redford's gone... now what? Now nothing, that's what.

There is a prevailing myth about politics at play in questions around what to do with political opportunities like the dramatic resignation of a Premier. It is a popular myth precisely because it is so appealing. But its appeal and assumed accuracy is spurious at best – good from afar, but far from good.

While political savvy and strategic instinct are undoubtedly important tools, the notion that political fortunes are won or lost in split-second moments with pinprick decision-making just doesn't stand up to scrutiny. The federal NDP's success in 2011 is a good example in this regard.

For many observers, including seasoned political pundits, 2011's

Orange Wave seemed to come out of nowhere. Dissatisfied with the “red door, blue door” approach of the Conservatives and the Liberals, many voters opted for the NDP's different approach under Jack Layton – especially in Québec.

While that analysis is not untrue, it fails to grasp the full story of what happened in 2011. As an interview at popular website Apartment613 with author of the book *Building the Orange Wave*, Brad Lavigne reveals, there was a great deal more to the Orange Wave than met many eyes.

*“After winning the party leadership, Layton started the slow work of once again making the NDP relevant. With each successive federal election, he increased the number of NDP Members of Parliament who were elected, before achieving the historic 2011 result, which saw the party become the official opposition for the first time ever. The result also meant that the NDP decisively surpassed the Liberals in votes.*

*But as outlined in Building the Orange Wave these results were no fluke.*

*“We couldn't have caught the wave without all the investment in the organization, candidate recruitment and policy development,” says Lavigne[.]”<sup>1</sup>*

Will the Conservatives aim to stem bleeding to the Wildrose from its more conservative flank by veering rightward? What will that do to the many Albertans who voted PC for fear of a Wildrose majority? And how might the non-conservative parties seek to attract those votes?

The crash of the Orange Wave that fundamentally reshaped Canadian federal politics occurred in 2011. But the momentum that initiated it in the first place began more than a decade prior with the hard work and long-term strategic planning of many New Democrats.

That story isn't confined to progressives. The Liberal's downfall at the hands of the sponsorship scandal may have hastened the emergence of Stephen Harper's conservative dominance in Canadian politics, but the road to power started decades before that for today's Prime Minister.

Harper began sketching the outlines of today's Conservative Party back in the 1990's as the Reform Party's chief policy officer. And Harper was the key player in reshaping and reuniting the country's conservative movement before becoming its leader in 2003.

Harper's path has been nothing if not winding. But wild curves and backtracking aside, agreement is essentially unanimous that the Prime Minister has been charting a clear

course from his earliest political days. The underlying characteristics of that course became the rallying cries that lead him to a majority government in 2011: strong, stable, and conservative.

This is not to suggest that progressive Albertans ought to emulate the Conservative model. Current headlines demonstrate in no uncertain terms that it is fraught with its own perils and shortcomings. But there are lessons to be learned here – lessons we would do well not to ignore, regardless of their source.

In the modern day environment of twenty-four hour news cycles, social media, and constantly shifting political landscapes, it can be easy to lose sight of the role that long-term organizing and grassroots movement building play in political success.

At its best, politics is about building – building trust and communities of people, a common vision and a willingness to carry that vision forward, and the capacity to create change and a better world.

As Tommy Douglas, the grandfather of modern social democracy in Canada once so famously said, “Courage, friends. ‘Tis not too late to build a better world.” That quote is a favourite of New Democrats; as likely to wind up on a shirt, sticker, or mentioned in a conversation as late federal leader Jack Layton’s parting words about love, hope, and optimism.

A lesser known quote by Douglas goes:

*“Sometimes people say to me, ‘Do you feel your life has been wasted? The New Democratic Party has not come to power in Ottawa.’ And I look back and think that a boy from a poor home on the wrong side of the tracks in Winnipeg was given the privilege of being part of a movement that has changed Canada. In my lifetime I have seen it change Canada.”*

The quote is from 1970. Forty years later, the movement Douglas helped to build took a step towards undoing one of the criticisms he outlined by becoming the Official Opposition of Canada. And now, the likelihood of an NDP federal government is a reality political analysts seriously factor into their future considerations of the country.

The change to which Douglas refers and the change that has been achieved since his quotation was built by countless New Democrats working tirelessly, day-in-and-day-out to realize a shared vision of a better world. Their victories were not effortlessly won in sweeping gestures of strategic brilliance, but were rather hard-won, one step at a time, with persistence and determination.

The reality here is that movements create change, not vice versa. And the building that goes on within those movements does not make for sexy or exciting political story telling.

That building is about attending community events and reaching out to a broad cross-section of voters. It’s about growing constituency associations and local activist bases. It’s about translating your vision into accessible language that speaks to the everyday experiences of voters and attracting candidates who can speak effectively and compellingly about that vision. And it’s about organizing your own events and fundraising so that you’ve got the resources to run competitive campaigns in as many different ridings as possible.

In short, what we need to do in the wake of Alison Redford’s resignation is the same work we did while she was Premier. Truthfully, it doesn’t much matter who the leader of Alberta’s Progressive Conservative Party is; they will still be the leader of a reckless, mean-spirited, and elitist bully government.

Our job is to build a true progressive alternative to that government – an alternative that has the best interests of working Albertans at heart – and that remains our job regardless of who the leader is.

<sup>1</sup> Full interview: <http://apt613.ca/write-on-ottawa-how-the-ndp-surpassed-the-liberals/>

*...best interests of  
working Albertans at heart*



# PTI MEMBERS WIN SUBSTANTIAL GAINS WITH NEW UNION CONTRACT



Written by Chris O'Halloran, Assistant to the President

After vigorous negotiations with the Employer, PTI members ratified a new three-year agreement that included significant improvements to camp working conditions. Members brought a broad cross-section of issues to the table with the help of the union, which meant that discussion and negotiations took some time.

However, by **bargaining strong together**, PTI members were able to achieve concrete resolutions to almost all of those issues. As a result, on May 4, after two-weeks of Contract meetings and voting at the various camp locations, ballots were counted from the 85% of members who turned out to vote and a new Union Contract was ratified.

While the Contract is short-term, expiring in December 2016, Union Representative Chirs O'Halloran sees the result as a major win for PTI members.

"This Contract puts us back in negotiations two-years from now," said O'Halloran. "Between now and then we will have the opportunity to implement all of the improvements we've won and go back to the table with the real benefits those improvements have created for both the Employer and our members as evidence to push for further gains."

An overview of the improvements PTI members won includes:

- Negotiated two full time walking stewards, one for the Athabasca and Beaver River camps and one for the Wapasu camp – this is important to ensure that members' issues are addressed in a timely fashion;

- Enhanced the grievance procedure to ensure that members are able to resolve their issues within days;
- Increased the shift premium to \$1.00;
- Implemented new seniority provisions into the bidding procedures, which allow members' to bid on day shifts, rotation and jobs by seniority;
- Created a new "Trainer" classification that includes an additional \$2.00 per hour in wages;
- Changed working hours to a rotation of 20 days on, 10 days off, with a 20-day work guarantee of 200 hours which includes overtime, time and a half on Saturday, and double time on Sunday;
- Implemented stronger wording to ensure that overtime will not be used to offset staffing shortages;
- Implemented better wording for scheduling of leaves of absence, holidays, and vacations;
- Enhanced health and safety language and provisions to ensure the best health and safety coverage anywhere in Canada for PTI members;
- Increased bereavement provisions;
- Implemented language to provide that the Employer shall not request a doctor's note for three days of sick time or less;
- Implemented language to ensure that the Employer will pay for a doctor's note where requested after the first initial note;
- Increased travel allowance to \$500;

- Implemented provisions to ensure that members' are able to keep their rooms on turnaround;
- Won wage increases of 3.5 % per year, effective January 1, 2014. Total increase of 10.5% over the life of the Contract.

While extensive, these items are only the highlights of what PTI members were able to bargain strong together. The full array of victories will substantially improve the working conditions for PTI members.

While it might be easy to pass over, the provision ensuring that members on turnaround were able to keep their rooms was one of the most important wins.

Often when talking to someone about working in the camps, they will focus on the wage that camp workers receive. While the compensation PTI members receive is fair, most people are completely unaware of the dramatic personal challenges that come along with camp life. Having a guaranteed place to stay while working in the isolation of the camps can make a real difference in feeling like your life is under control.

UFCW Local 401 is proud to have helped PTI members negotiate so many high-quality improvements into their Union Contract. The union knows that when we work together, workers are always able to positively impact their working conditions and win a better quality of life. And we look forward to winning further gains for PTI members in future negotiations.

# 401 EVENTS CALENDAR

## july

1	Canada Day
1	Praise a Postal Worker Day
14 – 18	Safeway-Sobeys Negotiating Meetings – Calgary
21, 22	Old Dutch Negotiating Meetings – Calgary
22	Union General Membership Meeting – Edmonton
23	Old Dutch Negotiating Meeting – Calgary
23	Union General Membership Meeting – Calgary
24	Old Dutch Negotiating Meeting – Calgary
24	Union General Membership Meeting – Grande Prairie
28 – 29	Old Dutch Negotiating Meeting – Calgary

## august

4	Civic Day
6	Union General Membership Meeting – Lloydminster
9	International Day World's of Indigenous Peoples
12	World Youth Day
21	Union General Membership Meeting – Athabasca
25 – 29	Safeway-Sobeys Negotiating Meetings – Edmonton
31	Pride Parade - Calgary

## september

1	Labour Day
15	International Day of Democracy
15 – 19	Safeway-Sobeys Negotiating Meeting – Calgary
21	International Day of Peace
23	Union General Membership Meeting – Edmonton
23	Union General Membership Meeting – Lethbridge
24	Union General Membership Meeting – Hinton
24	Union General Membership Meeting – Calgary
25	Union General Membership Meeting – Grande Prairie
25	Union General Membership Meeting – Red Deer
29	Union General Membership Meeting – Banff
30	Union General Membership Meeting – Camrose
30	Union General Membership Meeting – Fort McMurray

Don't forget to check your Union Bulletin Board or [ufcw401.ca](http://ufcw401.ca) for updates or changes to 401 Events



# UFCW PRIDE UNION PRIDE



Toronto

# 2014

  
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## [www.ufcw.ca/pride](http://www.ufcw.ca/pride)



# Tell Your Story. Win an iPad!

**Members often tell us how joining the union has changed their life. Those stories fuel everything UFCW Local 401 does. We are all "the union" and by working together we can change one another's lives.**

**Now, we want you to share your story with the rest of the membership!**  
Write about how being a member of UFCW Local 401 has changed or improved your life and send it to us for your chance to win an iPad and have your story published in the next issue of YourVoice!

\*\* To enter, simply write us your story, including your name, e-mail address, and phone number and send it to either our Calgary or Edmonton offices (addresses on the inside page of the front cover) or email it to [spayne@ufcw401.ab.ca](mailto:spayne@ufcw401.ab.ca). The contest closes August 15th, 2014 at midnight. The contest winner will be contacted to coordinate delivery of the iPad (subject to Apple availability). To enter, you must be a member of United Food and Commercial Workers Canada Union, Local No. 401, in good standing. Entries are limited to one per member. Once entered, your article will become the property of UFCW Local 401.

