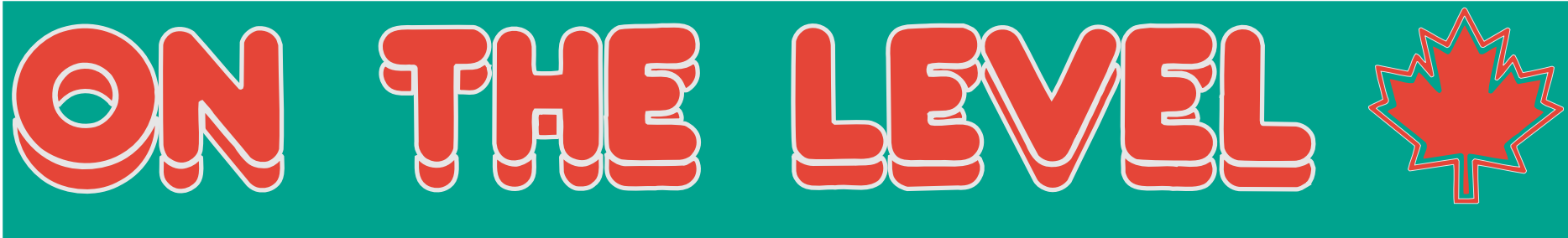


SEASON'S GREETINGS

and Best Wishes for a Merry Christmas and a happy, peaceful New Year

Best wishes for a happy holiday season and a peaceful New Year from the officers and staff of the British Columbia Provincial Council of Carpenters and its affiliated Local Unions and District Councils.

We wish you peace in the world, sovereignty in Canada and unity in the house of labour. Please have a safe and happy holiday season and thank you for your support over the past years.



Vol 38 No 3

This edition mailed December 27, 2002

• 2 •

Publications Mail Registration number 40667532

December 2002

Council waits for judge to decide merits of McCarron's lawsuit

Judgment reserved in suit by International

BC Carpenters anxiously await the outcome of a court case brought by the International Union, demanding access to BC Provincial Council of Carpenters books and records. Judgement on the case was reserved by Madam Justice Brenda Brown in BC Supreme Court on November 4, 2002 after 15 days of testimony and more than 20 days of discovery evidence. Justice Brown is expected to deliver her verdict soon, hopefully by early in the new year.

The case stems from a demand by the United Brotherhood

of Carpenters and Joiners International General President Doug McCarron to send a team of auditors, pursuant to Section 10 B of the UBCJA Constitution, to "take possession for examination all books, papers and other records, including all financial records of the Provincial Council."

The demand, dated June 9, 2000, goes on to detail a two-page list of information to be provided, most of which is available in the convention reports published annually, according to

Provincial Council Secretary-treasurer David Flynn.

A number of Local Unions received similar letters within a span of several days.

The BC Council refused permission for the auditors appointed by McCarron (KPMG) to scour the books "looking for excuses to put the council under trusteeship," as BC President Len Embree said at the time.

McCarron, in his 10B order, suggested he was concerned about the tenor of resolutions at the April 2000 Provincial Convention that gave him the im-

pression BC Carpenters were about to split from the International.

He also added he was concerned about the finances of the BC Provincial Council and G.R.&S Holdings, the holding company that the Provincial Council has used to hold and administer its assets since 1970.

When asked why the Provincial Council was opposed to granting the International access to the books, Flynn said he is suspicious about McCarron's motives. "I believe that this directive is the first step towards the International moving to put the Provincial Council under trusteeship," he said.

In court McCarron said, "I wanted to protect the assets of the United Brotherhood, and I read some resolutions that were passed at the Provincial Council convention that called for — called for taking all reference to the United Brotherhood out of their constitution, it called for not allowing representatives of the United Brotherhood to attend the convention, and it also called for doing away with the per capita tax and I believe putting like a 25 cent — what they call franchise fee in there, and, in fact, they did stop representatives of the Brotherhood from going to the convention. And that was just unprecedented, and I wanted to act to secure the assets of the United Brotherhood, and that's what — you know, I wanted to hire a good international accounting firm, KPMG, to go in there and give me where — where the assets and the records of the Brotherhood were right at that time. I wanted to know where they were so I could protect those assets."

When asked in court if he had examined the audited financial statements of the BC Provincial Council and G.R. & S Holdings

Ltd., he had to admit he had not. Nor had he instructed anyone else to brief him on the finances of the Council since the 10B order was given, over two years ago.

Section 10B of the International Constitution states:

The General President may personally, or by deputy, take possession for examination of all books, papers and other records, including all financial records, of any Local Union, District Council, State Council or Provincial Council, summarily when necessary, and the same shall remain in possession of the General President within the jurisdiction of the Local Union, District Council, State Council or Provincial Council until a complete report has been made and filed. During said examination a representative of the Local Union, District Council, State Council or Provincial Council may be present.

In cross examination, McCarron said he had been told about the convention resolutions by Ninth and Tenth Districts Representative Jim Smith and his attorneys, but had not read the convention proceedings himself. He also indicated he was not aware that similar resolutions had been passed at many previous conventions with no drastic action being taken.

McCarron indicated that neither of two of his co-plaintiffs in the action, Wayne Cox of 1598 Victoria or Mike Autzen of 1541 Floorlayers, both of whom were members of the Provincial Executive Board and privy to all financial information, had ever been asked for or volunteered these records. Autzen, it was pointed out, was a Provincial Council Trustee for several years

See McCARRON SAID page 2

Strike Fund referendum passes

Members support using Strike and Defence funds to combat International

BC Carpenters have overwhelmingly approved a plan to finance the fightback against the International lawsuits from the strike fund.

Almost 80 percent of the membership voting on a referendum this fall approved a change to the Provincial Constitution that would allow the Council to pay the legal expenses of the current dispute with the International from the Strike and Defence fund.

The resolution and recommendation coming out of the April 2002 Provincial Convention, *K1 — Use of Strike Fund Monies*, indicated that there is little likelihood of an industry-wide labour dispute in the near future that would require a large part of the nearly \$7 million sitting in the strike fund. The resolution indicated that the cost of carrying out the fight against the International's restructuring initiative has placed a considerable drain on the Council's general fund, leaving it almost depleted.

The referendum question was: Are you in favour of the recommendation adopted by the 59th Convention to amend the wording of the Provincial Council of Carpenters' Constitution as follows:

A The Construction Locals' Strike and Defence Fund is established for the purpose of providing strike and lockout pay in accordance with Section 18 and for the payment of defence costs in accordance with Section 19A and for the payment of any legal fees and disbursement associated with litigation initiated or financed by the United Brotherhood of Carpenters and Joiners of America or its officers against the Provincial Council or its affiliated Local Unions or District Councils.

The 79 per cent vote in favour is even higher than the previous referenda held on autonomy and restructuring, indicating a commitment of the members to get on with achieving a resolution to the dispute with the International that will preserve the democratic rights of the membership to vote on the structure and governance of their organization.

So far, the International has dragged its feet in approving many of the recent constitutional changes mandated by an overwhelming majority of the BC membership.

IN MEMORY



George Bengough
1911 — 2002

Bengough, George Robert, passed away peacefully on October 6th, 2002, at the age of 91, after a short illness. George was born in Vancouver in 1911, and attended Vancouver Technical School. During his sixty-seven years as a member of the United Brotherhood of Carpenters and Joiners of America, he held a number of posts, serving four terms as president of Vancouver Local 452 and eventually serving as International Vice-President. Following his retirement in 1971, he continued to tackle every project with optimism and good humour; he served as Director of the BC Automobile Association from 1970 to 1982, and participated keenly in the Vancouver Sun Run until moving to Qualicum Beach three years ago.

In 1955, when Local 452 was placed under trusteeship and the elected officials suspended by the International for daring to pay \$5.00 printing costs of 100 copies of a speech by CCF Member of Parliament Colin Cameron denouncing the rearming of Germany, the General President in Washington appointed Bengough to be in charge of Local 452. The local was not allowed to elect its own officers until 1958 and even then the former executive members who had been suspended were not allowed to run for office. The GP required that all officers sign a loyalty pledge swearing they were not a member of the Communist Party or the Labour Progressive Party and "not in sympathy with communist philosophy."

Bengough made the original motion to suspend the members at the January 27, 1955 meeting of the District Council. A number of 452 members attended the meeting and it became so unruly police were called.

The suspensions were commuted to probation and a fine in July 1955, and the suspended members were completely reinstated in 1961.

George Bengough, along with Jack Stevenson and H. Peden, signed the first jointly negotiated agreement for Locals 452 and 1251 in 1943 and for the first time published the agreement in booklet form.

Bengough was elected president of the BC Provincial Council of Carpenters in 1953 and served until he resigned in 1957.

On October 24, 1961, the Allied Hydro Council, which was responsible for negotiating the agreement for the Peace River projects, elected its first slate of officers. H.W. Flesher of the Labourers was elected president and George Bengough of the Carpenters secretary-treasurer.

Family, friends, and community were always Bengough's first priority; he will be sadly missed by his wife of 66 years, Anne; his sister, Margery (John) Galick; his daughter, Barbara (Albert) Brett; grandchildren Jason (Cindy), Christine, and Kenny; great-grandson Rico; many nephews and all their families; his cousin Joan Bengough and her family; as well as many friends and neighbours.

ON THE LEVEL

Is dedicated to representing Carpenters Union members' views and news and reporting on social issues of interest to working people in British Columbia.

ON THE LEVEL, the newspaper for Carpenters in British Columbia, is owned and operated by ON THE LEVEL PUBLISHERS LTD., which maintains editorial offices at #304 - 2806 Kingsway, Vancouver, British Columbia, Canada V5R 5T5, telephone (604) 430-8140. Fax 437-1110. It is printed at Broadway Printers, Vancouver. Annual subscription fee \$10.00 in Canada, US\$10.00 in the USA. Active members pay \$9.60 per year through their Carpenters Union dues.

Editor: Ray Tickson

Members of the editorial board are: Len Embree, David Flynn, Jane Richey and Brian Zdrilic.

ON THE LEVEL is a member publication of the Canadian Association of Labour Media (CALM) and the International Labor Communications Association (ILCA) and is signatory to Local 15 Office and Professional Employees International Union
www.carpentersunionbc.com

PUBLICATIONS
MAIL REGISTRATION
N° 40667532



ISSN 0822-7004
DATE OF ISSUE
December, 2002

Acquiring Union Representation Under the BC Labour Relations Code: A Critical Analysis

This Bursary winning essay by the wife of Vancouver Local 1995 member Raymond Becker, is very slightly abridged for publication.

by Suzanne Rouse

Section 2(1)(a) of the British Columbia Labour Relations Code (2001) states that one of the purposes of the Code is "...to encourage the practice and procedure of collective bargaining between employers and trade unions". Of course, in order to encourage this practice, workers must first be able to acquire these bargaining rights. This essay seeks to present a critical analysis of the utility of the BC Labour Code in supporting this objective, with particular focus on key sections of the Code effecting the certification process.

As a trade union activist and participant in a number of organizing campaigns, I have had first hand experience of some of the failings of the role and effectiveness of law in labour relations. The following sections of the Labour Code present the greatest obstacles to the pursuit of free collective bargaining.

Penalty, coercion, and intimidation for union activity are prohibited by Sections 5, 6, and 9. Unfortunately, proving a violation of the Code can be an extremely difficult task because assaults on workers' rights can take very subtle forms. Rumors of downsizing or closures, sudden changes of management, and stricter enforcement of existing rules are but a few of the many tactics employers can use to influence a worker's choice to seek union representation. The key workers involved in a union organizing campaign are at an even heightened risk. While it is often common knowledge who the primary supporters are, it has been my experience that it is difficult to prove the employer had access to that knowledge — which is necessary to establish

malicious intent and a violation of the Code. Consequently, reprisals and serious threats to job security are a common menace to those who might seek to establish their right to "free collective bargaining".

An employer may continue to discipline employees with "proper cause", and make changes in the business that are "reasonably necessary", even while a union organizing drive is underway, as per Section 6(4). While this may seem reasonable at face value, the terms "proper cause" and "reasonably necessary" are very ambiguous and subjective; to be interpreted on a case by case basis by each individual Chair and Vice-Chair of the LRB. Although patterns and precedents are set in jurisprudence, this does not necessarily create a guarantee of outcome for future cases, or prevent the development of new patterns set by appointees of new governments.

Unions are prohibited from organizing on the employers premises by Section 7(1), even though this is the only place where one could reasonably be expected to meet the workers of a proposed bargaining unit. Of course, it is this same workplace where employer unfair labour practices primarily occur, shielded by law from the watchful eye of union representatives.

In order to certify a bargaining unit for representation, a union must first prove membership of 45 per cent of the workers and then, win a majority vote. This process, laid out in Section 24, presents an arduous undertaking for workers and union organizers alike. Just locating 45 per cent of a large workplace, without access to the employer's premises can be nearly impossible for fellow workers and unions alike.

See BC Code Page 3

McCarron said he didn't like Port Alberni walkout or the 1997 Convention anti-yank demos

Cont'd from page 1

and had never indicated any dissatisfaction with the Council's records. He said he was never refused access to any information he needed to fulfill his financial oversight duties.

McCarron complained about the reception he got from members in British Columbia.

He described his 1999 tour of Vancouver Island, saying:

The first meeting we went to (on Vancouver Island) was Port Alberni and it wasn't a very — it wasn't a good meeting. There was — my understanding there was a lot of people there from the Mainland. I was treated with a lot of hostility, and I was asked two questions and couldn't get a dialogue going. I recall the two questions were whether they could vote on restructuring and whether they could vote on the executive of the council prior to it being formed, I believe. And I answered no to both of those, and they walked out of the room and turned off the lights.

Parts of the video of the Port Alberni meeting were entered as evidence at the trial by the International's lawyers.

McCarron indicated he had previously received a hostile reception at a BC Provincial Carpenters Convention.

"I spoke at the (1997) BC Convention. And there was a lot of hostility at the convention towards — towards the United Brotherhood there also. There was, you know, Yankee go home, and there were members wearing shirts with a bald eagle and a frying pan with an arrow stuck through its heart. I was woken up three or four times in my room with anti-American and anti-Brotherhood yelling in the phone. So I mean it was kind of contentious.

McCarron's position implies that the International Constitution gives him unfettered rights to impose his will on any subordinate body without membership approval in a vote. When asked at the trial why he had no intention of letting members vote on restructuring, McCarron said, "That's the way the Brotherhood's always been run. The General President and the Executive Board makes those decisions..."

This trial has been a huge strain on Council resources: 15 days of trial testimony, over 20 days of discovery evidence (pretrial information gathering sessions where documents are examined and witnesses answer questions before a court reporter), production of countless documents demanded by the International's lawyers, as well as hearings on another case put by the International involving Locals and the Council not contributing to the International Officers Pension Plan on behalf of officers and business agents.

The officers and staff of the Provincial Council look forward to it being over soon.

Winners 2002**Carpenter Bursaries awarded to seven students**

The BC Provincial Council of Carpenters Education Committee is pleased to announce that seven post secondary students have been selected to receive a \$450 Carpenters Union bursary for the 2002-2003 study year. The students were required to submit short essays on some aspect of trade unionism in relations to politics, economics, social reform, history or personal experience.

Two students are eligible to win from each participating District Council area. A total of 11 applications were considered in 2002. Four were submitted from the Kootenay District, four from the Lower Mainland, one each from the Okanagan, the Northwest, and from Vancouver Island. Bursary cheques were distributed by the winners' Local Union office.

Kalea Buckler from Cranbrook continued her streak by winning her fifth bursary in a row, while Trevor Brady from Kitimat captured his fourth.

Congratulations to those who won and thanks for the tremendous efforts of all who applied. There were no applicants from the Central District again in 2002.

Any member, or spouse, son, daughter or grandchild of a BC member, who is registered to attend most types of post-secondary education may enter the annual bursary contest. Bursary application forms will be available at Local Union offices in May, 2003. The deadline for applications is usually the last working day of August before Labour Day.

The BC Carpenters Provincial Convention in April decided to offer the money left in the Bursary Fund to the Provincial Council to use in the defence of the union or general expenses as they see fit. Enough was left in the account to cover anticipated bursaries for three years. The program will be reviewed after that time to see if it will be possible to continue offering bursaries. Bursaries not applied for will be folded back into the fund to subsidize further offerings.

**Carpenters Union
Bursary
Winners for
the year
2002**

Northwest District Council
Trevor Brady Local 1081

Okanagan
Jocelyn Wentland Local 1370

Vancouver Island
Cara Weisner Local 1812

Kootenay
Kalea Buckler Local 2300
Brad Carter Local 2300

Lower Mainland
Suzanne Rouse Local 1995
John Alexander Local 1995

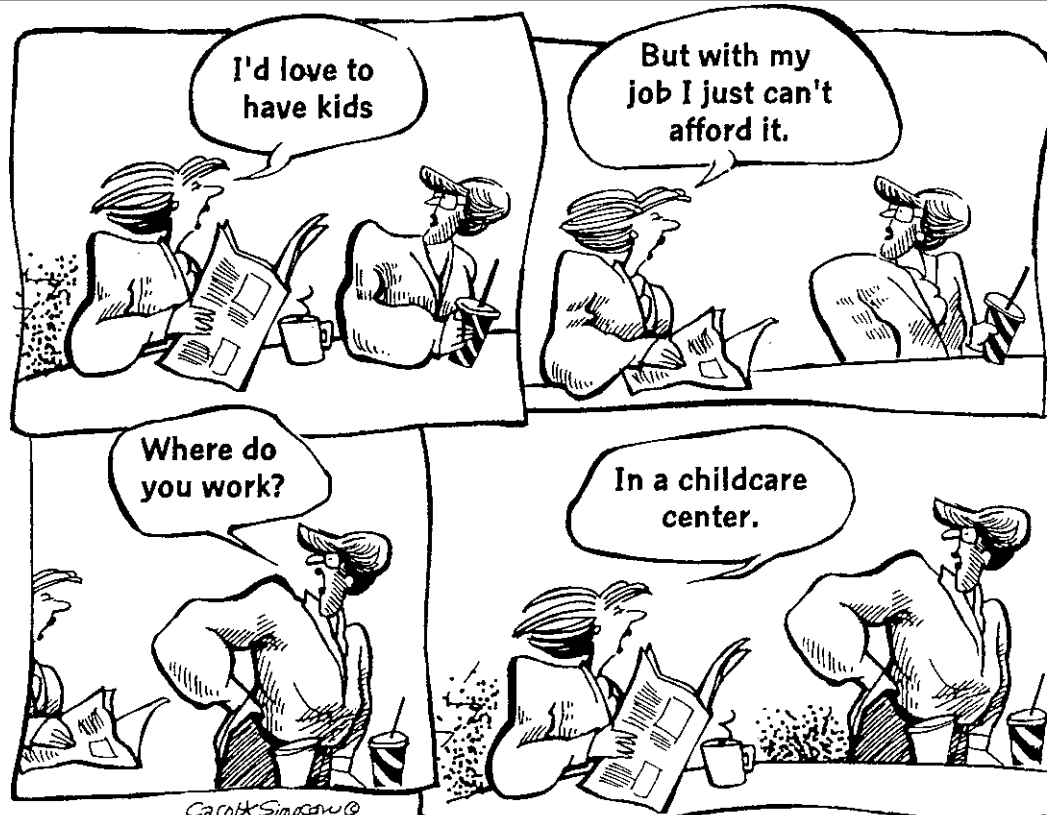
Bursary continuation**BC Code doesn't meet stated objective**

Cont'd from Page 2

When and if a union is able to find enough employees to gather the 45 per cent membership, the employer then has up to 10 days of exclusive access to the workers until a vote is held. During this time, it is not uncommon for some workers to become involved in spreading rumors on the employer's behalf, or actively campaigning against unionization to garner favour with their bosses. Despite Section 6(4), it has been my experience that hiring sprees tend to occur just after an employer becomes aware of a union drive, thereby increasing the number of memberships re-

quired for a vote. These new employees can easily be screened for their views on unions because the likelihood that they'll later testify to this illegal practice is unlikely. In short, a lot can happen in 10 days - a lot that's hard for workers or their unions to prove.

In summation, I would argue that the BC Labour Relations Code does not meet its stated objective of encouraging the practice and procedure of collective bargaining. Rather, it serves to obfuscate the rights of the working class by laying out a set of rules that clearly favours the interests of employers.

**CLC Justification application**

By Doug McCorquodale

It has been over 14 months since the British Columbia Provincial Council of Carpenters applied to the Canadian Labour Congress (CLC) for justification of an action. The action was to resolve our dispute with the International and, failing that, to directly affiliate to the Canadian Labour Congress.

Further attempts were made by the CLC to mediate the dispute. These attempts failed. The International is not prepared to allow the vote in British Columbia.

The Canadian Labour Congress requested information, which has been provided, so a vote can be conducted of all the members in British Columbia. The vote will likely be conducted by each bargaining authority. This means where local unions hold their own bargaining rights, such as School Boards or Industrial shops, the vote will be counted separately. Each bargaining authority will require a majority of members to be able to directly affiliate to the Canadian Labour Congress.

A direct affiliation will bring the dispute to a resolve. At this point, any litigation against British Columbia must cease and no further lawsuits are to be launched. If either side fails to comply, the CLC constitution allows expulsion from the Canadian Labour Congress for failure to adhere to the justification process.

This dispute has lasted far too long. The only way to resolve it is with a vote of the members, conducted by the CLC.

School Board Report**Carpenters School Board Local Unions****Many School Board Locals to bargain in the spring**

By Doug McCorquodale

By the spring of 2003 a majority of School Districts that have bargaining relationships with Carpenters School Board Local Unions will be collective bargaining.

Carpenters School Board Local Unions 1237 Dawson Creek, 2423 Hope-Agassiz, and 1995 Vancouver have agreements that expire on June 30, 2003. Local Union 2545 Quesnel commenced bargaining on December 11, 2002 for an agreement that expired in March 2002. A continuation clause in the agreement and the Labour Relations Code ensures that Quesnel School District is still covered by the agreement.

This past summer Fort St. John School Board Local Union 2397 concluded collective bargaining with a two-year agreement expiring in June 2004. The agreement calls for a 2 percent increase covering the 2-year period (\$0.37 across the classifications) with improvements in benefits and language. In particular the agreement now covers new harassment policy language.

Prince George School Board Local Union 2106 collective agreement does not expire until June 2004. Local Union 2106 is presently dealing with the cutting of six positions due to school closures in the School District.

Over eighty per cent of the School Districts throughout the Province have collective agreements among various unions expiring on June 30, 2003.



Apprenticeship contests hone trades skills of the best

Guy Kiss, the Carpenter-Lather training co-ordinator says the annual contests help bring out the very best in the new tradespeople coming up through the apprenticeship system. He says that without the hard work of volunteers and the generous donations of sponsors, it would be impossible to put on the annual contests. He would like to thank the following companies for supporting the apprenticeship program with donations this year:

Acklands Grainger \$127.50 worth of hardhats and safety goggles

Association Of Wall And Ceiling Contractors of BC \$500 donation

BC Ceiling Systems Ltd. T-shirts and T-bar ceiling supplies

BC Provincial Council Of Carpenters \$300 donation

BC Institute of Technology contest venue and blueprint plotter

Carpenters Union Local 1995 \$180 donation T-shirts and hats

Corus Metals all steel studs for projects

Dewalt Industrial Power Tools Ltd. loaner tools, 1st 2nd and 3rd place prizes, T-shirts

Dryco Building Supplies Ltd. material delivery and metal corner beads

Empire Levels 6 levels

Est Wing 6 drywall hatchets

Falcon Ladder & Scaffold Manufacturing 6-3' workhorses

Gallagher Bros. Contractors Ltd. \$300 towards participation plaques



Contestants at the National Apprenticeship contest held in Edmonton this year. Victoria Local 1598's Neil Cottier won for Carpenters while Dale Huzar took second for lathers

National Apprenticeship Contest

Front Row (kneeling from left) Kevin Breen, Alberta carpenter—third place winner; Brian Hamm, NS Lather, Neil Cottier, BC carpenter—first place; Ken Savoie, Ontario carpenter—second; Darren Joss, Manitoba carpenter. Back Row (standing from left) Sterling Giddings, PEI lather—first place; Mathieu Cournoyer, Quebec lather; Stephane Richard, Quebec lather; Jeff Allen, NS lather; Donald Cameron, NB carpenter; Jeremy Winter, Ontario lather—third place; Robert Wall, Saskatchewan carpenter; Dale Huzar, BC lather—second place

Georgia Pacific Canada Inc. 54 sheets of drywall

Grabber - John Wagner Associates Inc. 13 boxes of screws, 6 drywall knives

Gene Homel - Trowel Magazine trade for advertising sponsors in magazine

Hodgson King & Marble Ltd. \$100 donation

J & L Digital Studios discount on contest signage

Komelon USA Corporation 6 magnetic tipped measuring tapes

Keyline Marketing setting up the contacts for the drywall hatchets and tape measures.

Modern Drywall 1st 2nd and 3rd place plaques and engraving of the Mike Krawchuk memorial trophy

Optima Building Systems \$300 donation

CARPENTRY WORKERS' BENEFIT PLAN OF BC

Benefit Plan policy change

November 1st, 2002

POLICY CHANGE: For any or all claims where the Carpentry Workers Benefit Plan of BC is the secondary payer, the "explanation of benefits" statement from the other plan (primary payer) is required in order to adjudicate your claim. **(This is a detailed statement of what has been paid either to yourself or to the dentist directly by the primary insurance carrier)**

If the "explanation of benefits" statement is not included with the claim, it will be returned to you for re-submission.

PLEASE NOTE: If you previously sent in claims with an account statement itemizing what your dentist has charged your other plan directly, these will NOT be accepted until the other plan has paid the claim and an "explanation of benefits" statement is obtained.

Thank you, CWBP



Neil Cottier, Local 1598 Victoria being presented first place trophy by CATC co-ordinator Bob Whitaker at National Apprenticeship contest in Edmonton



Dale Huzar, Local 1998 Prince George, showing his screwgun form while winning second place for Interior Systems (lather) at the National Apprenticeship contest in Edmonton this year

photos by Guy Kiss

Q&A

Questions about the Carpenters Benefit Plan

The following questions have been frequently asked of the Carpentry Workers staff lately. To further the understanding of the rights and benefits available to union members, *ON THE LEVEL* will publish selected questions and answers about the Plans on a regular basis. Please feel free to write to *ON THE LEVEL* if you have a question you would like to see in print, or call the Carpentry Workers Benefit and Pension Plans for further information

Question: Why does the life insurance end at age 65? Shouldn't life insurance cover me for my lifetime?

Answer: There are basically two types of life insurance - permanent policies or temporary policies called term policies. Your coverage under the Carpentry Workers' Benefit Plan, as with any group plan, is term insurance.

Term policies provide insurance coverage for a specified period (while you are on benefits, up to age 65 in our plan) and then expire. The death benefit is paid only if you die during the term of the policy. When your coverage expires, you no longer have insurance.

Our policy does provide for early payment of 50 per cent of the benefit if you apply before age 63 and are terminally ill with life expectancy predicted to be 12 months or less.

Permanent or whole life insurance is designed to provide insurance protection for your entire lifetime, as long as you keep the policy in force. This type of insurance is much more expensive than term insurance; however, unlike term insurance, as you pay premiums reserves accumulate as a cash value or cash surrender value. The cash value is available to you if you want to borrow against your policy or cancel (surrender) it. This type of insurance is purchased by individuals from an insurance agent.

Question: Why would the early payment of 50 per cent of the benefit on terminal illness only be in effect if I apply before age 63? I thought I was covered to age 65.

Answer: Our policy covers death up to age 65 and our premiums are based on that. If you are terminally ill after age 63, there is a chance you won't die until after you turn 65, even if you are very seriously ill. And there is no benefit paid on a death after 65. If you did die between age 63 and 65, your beneficiary would be paid the full value of your life insurance.

Carpenters' Pension Plan outperforms other plans

Given the current uncertain economic environment, members of the Pension Plan will be understandably concerned about the performance of the Plan's investments. Stock markets have been performing very poorly for at least two years and have hurt the financial position of most pension plans in Canada and around the world.

In the Plan Year ended June 30, 2002, the Plan assets earned a return of 4.4%. This compares to a return of 0.7% for the median pension fund during the same period. Similarly, in the previous Plan Year, the Plan's investment return of 2.1% exceeded the median return for other plans of minus 1.7%. Although it is good news that the Pension Plan has outperformed the majority of other funds in each of the last two Plan Years, unfortunately the returns have not been at the level needed over the long term to meet the Plan's obligations.

For several years prior to 2000, the Pension Plan's investment performance lagged behind the performance of most other plans by a sizeable margin. In order to improve the Plan's performance, the Trustees made several significant changes to the Plan's investment policy, including:

- hiring a professional investment management firm to invest the assets held in bonds, instead of having these assets invested by the Administrator;
- investing the bonds in long-term securities that more closely match the Plan's obligation for future pension payments;
- gradually increasing the portion of the Plan's assets invested in stocks as stock prices became cheaper during the recent market decline;
- increasing the proportion of stocks invested in global markets in order to broaden the diversification of these investments;
- reducing the commitment to real estate and mortgages, particularly under-performing assets, and re-deploying these monies in more liquid assets offering potentially higher returns.

The implementation of these changes in investment policy has not only helped to protect the Plan against the recent poor investment conditions, it has also positioned the Plan assets to perform more effectively as investment conditions improve.

Dental-Optical-Hearing Eye exams

In response to a Benefits Resolution at the Convention, the Trustees have decided that effective October 1, 2002, eye examinations will be covered under the Dental/Optical/Hearing Aid Plan and will be subject to the overall Dental/Optical maximum. In other words, if you have already claimed dental expenses up to your maximum for 2002, you will have to wait until 2003 before you and your covered dependents can take advantage of this change to the Plan.

One examination for each covered family member will be allowed per year (rolling period), but only if Medical Services Plan will not cover your exam. Medical Services Plan now pays only for medically required eye examinations, or routine eye examinations for those 18 years of age and under and 65 years of age and over.

Retired members

The following BC Carpenter Union members have recently taken normal, early or disability retirement and are eligible to receive a Carpentry Workers Pension

| | |
|--------------------|-------------------|
| Andre, Adam | Mazzocato, L |
| Appenrodt, Otto | Moccia, M |
| Artuso, Dorino | Newart, Fred |
| Bidder, Robert | Nyerges, Sandor |
| Bourdin, Wayne | Pausche, James |
| Bzowy, Doug | Plate, Gerry |
| Canjar, Ivan | Pocnic, Nikola |
| Curry, Russell | Ponak, Gary |
| Fernandes, Antonio | Proulx, Pierre |
| Fuchs, Herb | Reid, Alexander |
| Gaines, Mike | Schulz, Gero |
| Gallie, Robert | Skender, Joe |
| Harder, Henry | Sobolik, Gerald |
| Hucl, Henry | Strasky, F |
| Hunter, Frank | Tomasic, Vladimir |
| Jerome, Brian | Walters, Art |
| Jussinoja, Henry | Whitfield, Terry |
| Keller, Vernon | Zacharias, Gunter |
| Kuttig, Rudy | |

Pension Plan

Changes to Termination of Membership Rules

The Pension Plan Trustees have recently approved three changes to the rules for terminating membership in the Pension Plan. The first change, affecting disabled members, became effective March 1, 2002, voluntary termination changes took effect July 1, 2002, and the automatic termination rule change will be deferred to July 1, 2003.

Disabled Members

The Plan change that took effect on March 1, 2002 affects members who are totally and permanently disabled and who do not have the 10 years of Pension Credit needed to qualify for a disability pension. Previously, members in this situation who wished to transfer their entitlements out of the Plan must have either withdrawn from the union or waited until they qualified for portability benefits (i.e. after two consecutive Plan Years with less than a total of 350 hours of covered employment). Imposing those qualifying requirements on members suffering from a disability condition that prevents them from working is not appropriate. Accordingly, the Pension Plan has been amended so that these members can voluntarily terminate their Plan membership at any time after becoming disabled and without having to terminate membership in the union.

Automatic Termination

As one of the measures taken to address the Plan's financial difficulties, termination of active Plan membership was made automatic if a member had not earned any pension in a period of three consecutive Plan Years even if the individual was a union member. Previously, plan membership was terminated automatically after three years with no earned pension only if the member had already left the union. Initially, this change was due to become effective on July 1, 2001 but was subsequently deferred for a year to July 1, 2002. In view of the concern expressed that members struggling to find employment covered by the Plan be accommodated as much as possible, the Trustees have deferred the automatic termination rule for a further year to July 1, 2003.

Members who have at least 25 hours of covered employment in a Plan Year, but less than the 350 hours needed for a unit of pension, can prevent automatic termination by purchasing a unit of pension with self-payments once in every three-year period.

Voluntary Termination

In the past Members could terminate their plan membership voluntarily six months after taking a withdrawal from the union. This voluntary termination option, which has been a feature of the Plan for many years, has acted as an incentive for some members to move in and out of the Plan using it as a short-term savings vehicle and not as a means for accumulating a pension – the primary objective for which the Plan was originally intended. It has also added significantly to the Plan's administrative workload since the option can be elected at any time throughout the Plan Year.

The need for the voluntary termination option has been supplanted by the requirements of the Provincial pension legislation, introduced in 1993. The legislation requires the Plan to offer a member the option to terminate membership voluntarily if the member has completed less than a total of 350 hours of covered employment in two consecutive Plan Years.

Since the Plan is required to comply with the legislated voluntary termination option, the Trustees have decided to discontinue the option to terminate membership voluntarily six months after withdrawing from the union. This change became effective July 1, 2002.

Please contact the Administration Office if you have any questions about these Plan changes. Call toll free 1-877-411-2806

Eligible but not enrolled

Carpenter Union members listed below have not enrolled in the Carpentry Workers Plan and as a result may not be earning pension or Benefit coverage. They should contact their Local Union and complete the necessary Enrollment Form. Once the proper Enrollment Form has been completed and filed with the Carpentry Workers Benefit and Pension Plans office, in accordance with the Plan rules and Trust Deed, the enrollment date can be back-dated a maximum of six months.

| | | | | |
|---|---|---|---|---|
| No Local assigned Babiak John N Braulin K N Ferguson P P N Foulkes Jim N Goulet D N Horman B N Jack S N Jensen Cliff N Johnston T N Levings C N Little A N Luke D N Osmond Russell N Poznikoff Gary N Rego J N Scroggs D N Scroggs Ben N Urquhart D N Wilfred G N Wyck J N | Local 513 Leckeband Peter P Local 527 Naylor Kevin N Poirier Bradley N Ward Michael J Local 1237 Babcock Clifford G Local 1325 Wocknitz Timothy H Local 1346 Gray Barry D Nenasheff Paul A | Local 1370 Sherstobitoff Barry M Van Dusen Leslie D Local 1460 Fast Malcolm A Local 1598 Arseneault Gary J Banfield V N Bradley Mark F Doe Graham N Fox Darcy K Gibbons Gary A Gnech Anthony J Hitchen Terry S Hookey B N Myers Alan J Poulsen Robert B Schmitke Brian L Local 1719 Crofton D Jaice J Johnston Brian N Postnikoff B N Smith Dwight N Stevens George F Local 1735 Colongard J N Grier Shawn A Lindsay Gary W Main D J Moore Ron A Padalec Mervin S Local 1812 Baldwyn Mike C South Clifford A | Local 1907 Baldwin Robert A Richardson Robert A Turner Bruce N Local 1989 Farnell Gary D Fauteux David N Legault James D Purkiss Robert W Russ Craig N Shrubsole Jon E Strachan Michael W Local 1995 Antinozzi Ronald J Balbino Roy J Bridges Paul N Brown Brendan M Campbell Bruce D Charbonneau Jean Luc N Cornick Romeo N D'Autuill Richard G Foxon Jason A Greenwood James E Lesage Sean M Mckay Richard A Menunzio Wayne G O'hara Daniel P Recksiedler Ray W Regnier Gary W Roshan Samarian Reza N Savolainen Michael P Slaney Timothy J Stromquist Corrie N Sweeney John N Woitzik George N Yaacoub Samir N | Local 1998 Corbeil Herbert N Halvorson J N Herbert Kevin N Plant David N Strachan Willard N Thomas Baron E Zaporozan Robert D Local 2068 Anderson Donald L Local 2300 Andrews D C Dawson Eric F Ennila R T Moro JEFF N Perepelkin Walter N Torra Todd N Local 2736 Alexander Ken A Local 9736 Knight D N Mager Roland N |
|---|---|---|---|---|

*Consolidation proposed***Three large general contractors lead split from CLRA**

By Doug McCorquodale

The bargaining agent for the construction employers, the Construction Labour Relations Association (CLRA), and the Provincial Council of Carpenters were about to conclude a collective agreement last spring (2002) when three large general contractors resigned from CLRA.

The resignations of two Vancouver-based contractors, Dominion Construction and PCL Constructors, made front-page news in the Vancouver Sun. The two contractors, citing falling market share because of their "uncompetitive position" in the industry complained bitterly about the subcontracting clauses in their collective agreements with the building trades. They protested to the Liberal government that legislative changes were required to abolish the subcontracting clauses. Unlike the other construction trades, the Provincial Council of Carpenters served notice on the resigning contractors to commence collective bargaining to prevent their escaping their obligation and responsibilities under the Labour Relations Code and the collective agreement. The Carpenters did this to hold these companies in a collective agreement relationship.

By June, Victoria-based Farmer Construction also resigned from CLRA and made an application to the Labour Relations Board to consolidate bargaining units.

A consolidation application seeks to have multiple bargaining units combined into a single unit. It is not new in the BC construction industry to have all-employee (wall-to-wall) or single units in construction.

By mid-September PCL Constructors joined Farmer's application seeking consolidation of bargaining units for their companies as well. However, PCL's frustrations with the Carpenters and the Building Trades unions led them to make further applications. PCL also applied to decertify the unions. Their application stated that if the Labour Relations Board refused decertification then the Board should remove the subcontracting clause from the collective agreements. PCL further argued that if the Board would not remove the subcontracting clauses then they would seek consolidation of bargaining units.

The Provincial Council of Carpenters regards a decertification and/or subcontracting clause removal as highly unlikely outcomes at the Labour Relations Board. The consolidation application, however, is entirely a different matter.

The Provincial Council chose to deal with PCL and Farmer before moving to a resolution with Dominion Construction. Dominion, with their multiple companies involving the Carpenters, the Building Trades unions, and the Christian Labour Association

of Canada (CLAC), presented a more complicated legal and organizational challenge.

On top of all these intersecting problems, the provincial Liberal government made changes to the Labour Relations Code on September 1, 2002. While all these changes were regressive toward labour, the most frightening change was the insertion of the "economic viability" clause in the Code. This new "economic factor" may allow the Labour Relations Board to alter bargaining relationships between unions and employers if the employers can demonstrate that their economic viability is jeopardized.

Section 2 of the Code was changed from "Purposes of the Code" to "Duties under this Code." The language was made stronger by replacing persuasion language to compulsion. The most offensive being: "...persons who exercise powers and perform duties under this Code must exercise the powers and perform the duties that... (b) fosters the employment of workers in economically viable businesses..."

It is this "economic" clause in the Code that provides the fuel driving the consolidation applications. Consolidation applications are not only occurring in the construction industry but in the public sector as well. What is different is that it has never occurred in construction on the scale we now face.

Since 1988 the labour law in BC has allowed either all-employee units or craft units in construction as equally credible ways of organizing workers into unions. However this "equality" never allowed craft bargaining units (i.e. carpenters, labourers, ironworkers, bricklayers, etc.) to be carved out of an existing all-employee bargaining unit. The law in British Columbia permitted an all-employee unit to be replaced only by another all-employee unit. The Carpenters began organizing all-employee units in construction to address this problem eight years ago. Many times the Carpenters and the Building Trades unions joined forces to create a single bargaining unit entity to replace a CLAC unit in an organizing raid. Lack of cohesion, petty jealousies, jurisdictional distrust, and many other factors prevented success in these organizing raids. The major general contractors remained in a firm bargaining relationship with CLAC. Experience taught the Carpenters Union that chances of success were much greater with a Carpenter all-employee application to supplant a CLAC all-employee bargaining unit.

The construction industry has significantly shifted in the last twenty years. Along with the implementation of regressive labour laws in the BC construction industry, the inability of the Building Trades unions to meet the new challenges in the industry has produced a serious de-

cline in their membership. Construction companies escaped their traditional agreements with craft unions and set up new relationships with employer-friendly or -dominated unions. These relationships persist to this day and the number of contractors with bargaining relationships with bona fide construction unions continues to decline.

BC is one of three provinces that do not have registration bargaining. In British Columbia a construction union that organizes a company from the ground up by applying for certification, followed by a successful vote, finds itself with an empty certification. This occurs when the construction job winds down. The employer lays off the workers on the completion of the project and hires new employees for the next job. The union is left with the legal right to bargain but has a different group of employees in the bargaining unit. The new group is, of course, hostile to the union and a collective agreement can

never be agreed upon. The inevitable decertification application ends the relationship that never really began.

The shift in the construction industry is now picking up steam. It appears that the few remaining large general contractors with collective agreements with the Carpenters and building trades are bolting from the traditional craft bargaining relationships to a wall-to-wall bargaining relationship or failing this, decertification.

The contractors are also challenging the subcontractor clause of the collective agreement. The lather and the carpenter have been bound together since the early 1970s. The affiliation clause prevented a union general contractor from contracting out to non-union lather/drywall companies. This worked well when a majority of general contractors were unionized. This is not the case today. The majority of general contractors are either signatory to the company influenced

unions, such as CLAC, or non-union. They are not restricted by affiliation clauses.

A union drywall company is not restricted from bidding to the union and non-union general contractor. Indeed our members are predominantly working as drywall subcontractors to non-union generals.

Separate drywall local unions in North America have generally prospered better than their sister carpenter locals. Separating the administration of the union to allow for a provincial lather local makes sense. It is a niche market that is easily tracked. Market Recovery programs could be applied easily in comparison to a potpourri of carpenter craft jurisdictions.

The issue is largely about the affiliation clause not about wage rates, benefits, etc. We are facing a significant turning point for our union. It will require dramatic change to ensure our survival in construction.

*BC Federation of Labour Convention Report***Standing up for Working Families**

By Robbi Bowden OPEIU 15

Standing up for Working Families, the theme of the 46th Convention of the British Columbia Federation of Labour at the Vancouver Trade and Convention Centre in November, was reflected in the discussion and debate on almost every resolution to hit the floor.

Opening on a very positive note, the convention was introduced to newly elected Lower Mainland mayors Derek Corrigan of Burnaby, Scott Young of Port Coquitlam, Barb Sharp of North Vancouver, and Vancouver's Larry Campbell, *the People's Campbell*, all of whose elections were supported by the labour movement.

In his opening address, BC Fed President Jim Sinclair welcomed the recent affiliation of the BC Nurses Union and plans for the BC Teachers Federation to vote on affiliating. He outlined extensively the attack on the labour movement taking place not only at the bargaining table but also in the political arena. He touched on several recent labour disputes, including a protracted lockout of members of the Grain Workers Union in Vancouver, who have become additional victims in a disastrous year for Prairie farmers that resulted in very little product to transport. TWU members, faced with massive layoffs by Telus, have voted 85 per cent in favour of strike action. On a more positive note, a union victory came out of a strike at the Victoria Times Colonist, which was settled soon after management's attempt to launch a scab paper was thwarted when the labour movement convinced local businesses not to advertise in it and retail outlets not to carry it.

And, for the time being at least, provincial government moves to allow private insurance companies to compete with ICBC, which would have had a very detrimental impact on OPEIU Local 378 members, have been shelved. Under great threat, however, are our fellow members at Local 378 and members of IBEW Local 258 who are employed at BC Hydro. Their ranks could be decimated by the provincial government's decision to break up the corporation and contract out much of its work to Bermuda-based firm Accenture. In solidarity with those workers and in defence of public power, delegates took to the streets during one day's lunch break, in a large march and rally at the BC Hydro building.

Not only Brother Sinclair's opening remarks but also addresses of guest speakers and discussion of delegates focused on the cuts by the Liberal government in Victoria that have led to unemployment, misery, and despair for so many. The urgency for labour's involvement in the political process was emphasized. Victories can be won, as in the recent municipal elections around the province, which saw over half of the candidates endorsed by labour being elected. Some labour council offices had even reported receiving calls from candidates complaining about their exclusion from the lists of recommended candidates.

The convention's format is one of presentation by each of the Fed's standing committees of its annual report and related recommendations, as well as resolutions submitted by affiliated unions. All of these reports and resolutions are debated and voted on by the delegates. This year, almost every committee report and many of the resolutions dealt with the actions of the provincial government led

See BC FED ACTION PLAN Page 7



Mayor-elect Larry "the people's" Campbell addresses BCFL convention

Lawsuit finally concluded: now we wait for a verdict

We can be patient. Soon enough it will all come out

By David Flynn

After many days of discovery hearings, enough documents to fill a small warehouse, and three full weeks in court, the International's lawsuit seeking to seize the Provincial Council's books and records is finally over. The evidence is in, the arguments are complete. Now all that remains is waiting for the Judge's decision.

This lawsuit was filed by the International in July 2000, after the Provincial Council refused to give the International appointed auditor access to the Council's books. In layman's terms, the lawsuit is based on the premise that the UBCJA constitution is a binding contract that gives the General President the absolute authority to take possession of all the Council's books and records. They attempted to justify the



COUNCIL COMMENT
by
Dave Flynn

need for an audit by arguing that the General President was concerned the Provincial Council may cease operating as a subordinate body of the International. In the event that the members in BC decide to break away, the position of the International is that all the assets of the union, those assets that the members in BC have built up over the last hundred years, would become the property of the International. Therefore, argued the International, the General President needs an accurate accounting of all those assets.

Our defence was based on the position that the International was acting in bad faith. We don't believe that the General President's directive has anything to do with an accounting of the assets. The International already has access to all

the Council's financial information. We believe that the directive was all about furthering the International's restructuring agenda in BC. It's a picture we've all seen before. Just as in the case a few years ago with

be to remove the elected officers, appoint a supervisor and assume control of the union in BC in order to advance their restructuring agenda.

Whatever the final outcome of the lawsuit, the evidence will eventually be made public so you can judge for yourself about the underlying motives of the International and their supporters. That will have to wait for now, however, because the International is attempting to suppress publication by threatening us with a defamation suit

ability to bully the members and elected leadership in BC into submission. In what I thought was a very peculiar line of questioning when I was being cross examined in court, counsel for the International asked me "whenever the International tries to do something in British Columbia you are very vigilant to make sure that whoever is the subject of the International's action has legal advisors ... to ensure natural justice is complied with; isn't that right?"

He went on to ask, "So you make sure that there's counsel there to ensure that procedural fairness and natural justice principles are adhered to by the International?"

The answer to those questions, I'm proud to report, is an emphatic "Yes." And we will continue to do so whenever it is necessary. The sad part of this commentary is that supposed trade unionists have to be **forced** to comply with basic democratic principles such as natural justice and procedural fairness.

Our defense was based on the position that the International was acting in bad faith

Local 1928, the International sends in the auditor to look for any irregularities, real or imagined. Based on the auditor's report, the General President orders supervision hearings. The goal of the exercise would

if we publish our final arguments. We can be patient. Soon enough it will all come out.

One thing that became very clear through all of this is that the International has been extremely frustrated with their in-

BC Fed Action Plan adopted unanimously

Cont'd from Page 6

by Gordon Campbell. Delegate after delegate rose to the microphone to recount horror stories of job loss by public sector employees, impact on patients of closure and downsizing of hospitals and delivery of related services, deregulation, contracting-out and privatization. From early in the convention, many delegates' comments on the fightback included a call for the Fed to prepare for a general strike. The potential for this to become a very divisive is-

sue was diffused by the Executive Council's presentation of a comprehensive eight-point Action Plan that included mobilization of support for workplace and community action up to and including job action "and/or a general strike." By not binding the Fed to an action that at this time might well fail to receive wide support, the Action Plan was adopted unanimously by the delegates, leaving the convention united on this very crucial issue.

During the week, the convention heard several guest speakers, including Canadian Labour Congress President Ken Georgetti, New Democratic Party of Canada Leader Alexa McDonough, and BC NDP Leader Joy McPhail. All stressed the need to continue the fight against the draconian cuts of the provincial government, and the need to put forward a viable alternative.

The convention also heard from Jack Nichol, President of BC Federation of Retired Union Members, about a successful rally in Victoria the previous day by busloads of seniors opposed to pharmacare cuts and other provincial government actions.

For many delegates, the highlight of the week was an address by Canadian Health Coalition spokesperson Shirley Douglas (daughter of Tommy), who made an impassioned plea for the preservation of Medicare in Canada. She outlined the development of our Canadian public healthcare system, from its advent in the Province of Saskatchewan to its eventual universality throughout Canada, and its now precarious state as right-wing provincial governments and federal politicians attempt to sabotage it by opening the doors to private healthcare delivery. Some of its proponents had misquoted Tommy Douglas, stating that he had supported private clinics; a check of his long-ago speeches divulges that what he had in fact advocated was utilization of community health clinics as part of the public healthcare system.

In her speech, delivered on Tuesday, two days before release of the Romanow Report on Healthcare, Douglas expressed optimism about its contents, but also stressed the crucial battle that lies ahead to maintain what we might have come to take for granted but also cherish as part of our way of life. Privatization of services, under the North American Free Trade Agreement, could be irreversible. "Thursday will be an amazing day," she predicted, "but Friday will be tough." On Thursday, at its release, the contents of the report were widely applauded by those concerned with the well-being of all of our citizens. Friday, though, almost as though on queue, certain provincial premiers and Canadian Alliance MP's mouthed outrageous comments calling into question the very credibility of the report's

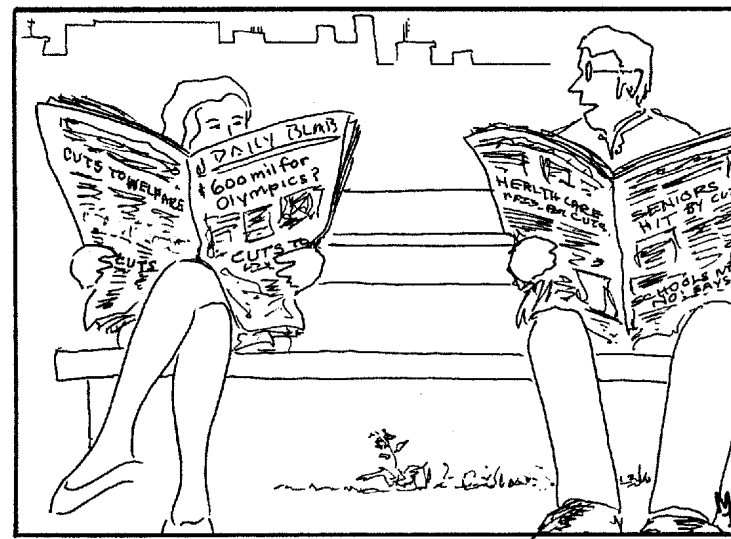
author, suggesting that he is advocating a return to the 1960s.

The overwhelming number of issues discussed and voted on by delegates during the week resulted in some very important resolutions not being presented to the floor until the convention's dying hours. One of these dealt with Canada's bid for the 2010 Olympics, calling for public disclosure and consultation, along with a change in course by the Liberal government After being debated until well past the set time of the convention's adjournment, the resolution passed in a standing vote of 278 to 253.

It is critical that we get involved in the all-important BC Federation of Labour Action Plan fightback campaign against the BC Liberals' agenda, and also in the battle to maintain our Medicare system in Canada.



Local 1812 member John Middleton is the only carpenter member to successfully win a seat in this fall's municipal elections. He ran unopposed for Cowichan Valley Regional District Representative (Area C - Cobble Hill) when his only opponent dropped out, "realizing he had no chance" says Middleton



"Strange that there's money available for Olympics but everything else gets cut!"

Membership is resolute

Trial testimony indicts International's integrity

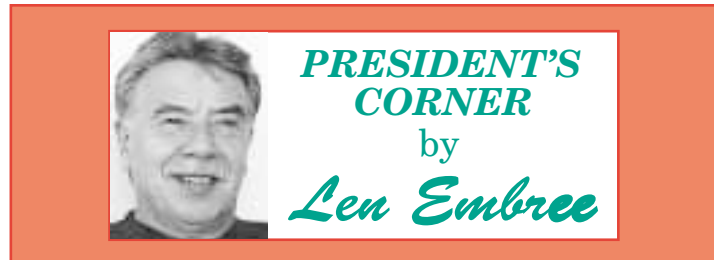
In looking back over the past year, it's impossible to ignore the litigation brought against the Council by the International and their lackeys.

Twenty days of examination for discovery and three weeks of trial finally have come to an end.

The cost to our membership, in terms of both time and money, has been extraordinary. This, of course, was part of the International's strategy. It hasn't stopped us until now, and it won't in the future.

Our membership is resolute in our struggle for autonomy. The 79 per cent support on the last referendum vote should make that clear to even the most uninformed International supporter. Not that it will make any difference in their arrogant and demeaning attitude towards the membership in BC.

What I'm sure they weren't counting on – and this, of course, includes the plaintiffs from BC – was the information that came out of the trial that, in my opinion, is an absolute indictment of their integrity. To this end, we've already been threatened with legal action if we publish our statement of defence. What



a shameful response. Let me say, from my point of view, that the membership has the right to review all the appropriate evidence and testimony presented in this case. To that end, initial information has been published in this issue. We, of course, will not go outside the legal advice given to us by our counsel but there will be a thorough airing of all issues raised at trial when this is all over.

What was most astounding to me in this event was how justified we have been in our suspicion of their motives, and also how integral the BC plaintiffs were to this deception. Fortunately, this experience ensures that our membership will not be deceived by these characters in the future. So, win or lose this particular lawsuit, we will continue in our fight for autonomy.

Justification at CLC

Which brings me to the CLC justification application. In the courtroom, the International made much of our application. What completely escaped them was our absolute right in our country, Canada, under the CLC constitution to make this application. At the present time, we are awaiting word from the Congress on how and when to proceed with a CLC-conducted vote of all our bargaining units in BC on affiliating directly to the CLC. This avenue is being pursued on suggestion of CLC President Ken Georgetti, after a meeting he had with Brother David Flynn and myself on October 16 this year.

I fully appreciate our membership's frustration with the process, but I also appreciate that this is the largest application ever received by the CLC; consequently, every effort is

being made to adhere to the process in the constitution. Once we receive instruction from the Congress, we will get the information out to the membership.

Consolidation

Early this fall, Farmer Construction from Victoria applied to the Labour Relations Board for a consolidation of unions under the Labour Code. If successful, this would result in their being brought under a single all-employee certification rather than multiple craft certifications. Considering that the Provincial Council already has a number of contractors signed to all-employee agreements, it shouldn't take a great intellectual leap to understand that we wouldn't be opposed to this application. Even though a number of the other building trades unions, as well as our union, have all-employee agreements, they couldn't make the connection. For whatever reasons, they have attempted to cast the Provincial Council in some demonic role around this issue.

The Provincial Council position remains the same as it has

for a number of years. We will not stand by and watch the rest of the trades go to work for non-union contractors, with no support whatsoever for the carpenter. If contractors wish to apply for consolidation, which by the way involves the workers for that contractor **voting** on which union they wish to have represent them, we will respect that decision of the workers, regardless of the result. This issue will probably continue for some time, with considerable subjective background music!

New Agreement

The other significant event that took place in the last year was ratification of a collective agreement in the construction sector. It was reassuring to see majority support in the referendum for ratification.

In conclusion

Once again, I would like to express our thanks for your support and participation in our union. I also would like to extend my warm regards and best wishes for the upcoming festive season and for the New Year to all members, staff, and their families.

Spotlight on organizing by Josh Coles, provincial organizer

BC carpenters can look East for work and solidarity

In an effort to get more work for union carpenters, lathers and floor-layers in BC, the BC Provincial Carpenters has formed a relationship with the Fraternité Nationale (FN), the largest civil construction union in Quebec.

The alliance was formed last month when, on behalf of the BC Provincial Council Executive Board, Local 1995 Organizers Apolo Suarez and Jan Noster and myself met with representatives of the FN in Montreal.

The goal of our burgeoning relationship is to spread the strength of the FN directly to BC Carpenters Union members. Many contractors that operate non-union in BC are unionized in Quebec. For example, Peter Kiewit is currently building \$2 billion worth of dams and powerhouses and in and around Grand-Mère. Most carpenters are FN members on the mega project and FN leadership has made a commitment to help BC organize Peter Kiewit by applying pressure on Quebec job-sites.

This kind of cross-Canada solidarity can only help strengthen the BC Carpenters Union success in organizing. For their part, the FN also knows that unionizing a contractor across Canada adds more steam to their own powerhouse union.

More Similarities than Differences

The BC Provincial Council of Carpenters has plenty in com-

mon with the FN. Now 15, 000 members strong, the FN is an autonomous union that was formed with less than 100 members who broke away from the United Brotherhood of Carpenters and Joiners of America in 1981. The UBCJA now has 4, 000 members in Quebec, including millwrights.

By law, Quebec construction workers must hold the required certificates and must join a union. There are a variety of unions that workers can choose to join but most carpenters, lathers and floorlayers belong to one of the FN's two province-wide Local Unions. Local 2366 represents lathers and floorlayers while Local 9 is made up of carpenters and piledrivers.

FN members work on nearly every civil construction job in Quebec, which is experiencing its greatest building boom in a decade.

Quebec Construction Union Relations Unique

Quebec's construction regime developed from a "decree system" adopted in response to depression of the 1930's. The provincial government, by decree, made existing labour agreements binding on the parties that signed the agreements but also on all other employers and workers covered by the decree.

In other words, a union agreement with one contractor in a region of Quebec became the

agreement for all the contractors working in that region.

Construction labour relations in Quebec operate in highly regulated environment and differs from BC in many ways. Quebec collective bargaining is highly centralized, focused on just a few rounds of bargaining frameworks, while BC's is so fragmented it seems chaotic.

In Quebec, unions and employers negotiate the agreements, but enforcement of these agreements is not done through a grievance procedure controlled by the unions. Instead, the Commission de la Construction, a government body, does it. Stewards and union representatives give particulars to the government and instruct them to file a grievance.

But all is not perfect in Quebec. The underground economy is rampant, cutting into the legitimate construction market. Construction unions also struggle with the erosion of standardized skills training, E.I. violations, and persistent corporate attacks.

Another problem for Quebec workers is the increase in US duties on softwood lumber, which are having a devastating ripple affect in the construction industry across Canada. We were asked numerous times by Quebec workers about how we are fighting back against the UBCJA and their public support for the tariffs.

These federal issues are one reason why Fraternité Nationale is reaching out to the BC Carpenters Union. Another reason is that they see a reflection of themselves in our struggle with the UBCJA and our quest for liberation from a foreign body.

National Organization Considered

In the coming months leaders of our two unions will begin to hammer out the framework of a new national organization of carpenters. The group will not be a new union, but a fraternity of existing unions with common interests, such as organizing.

Based on our discussion last month in Montreal, this organization will be based on mutual respect and democracy. Neither groups will tell the other what to do or think, but both will assist each other wherever possible.

Such an organization is only fitting, considering most members and contractors move laterally from coast to coast, not from the south to the north. Further details of the new organization will be presented at the spring BC Provincial Council Convention for debate and possible ratification.

Vive la Columbie-Britannique! Vive la Quebec! Vive la Fraternité!

