



Card Check Unionization Fails to Protect Workers in Other Countries

FACT:

Canadian labor law does not allow card-check certification in all Canadian provinces. Some provinces have fought the card check process and require secret ballot elections.

FACT:

In the last 25 years, a major change has occurred in the way unions are recognized in Canada. In 1976, every jurisdiction in Canada used card check. Today, more than 50% of the Canadian labour force is covered by mandatory vote legislation and union recognition procedures continue to be a matter of policy concern and debate.

FACT:

In the private sector, where industrial relations are regulated by a legal framework similar to the one in effect in the United States, union density and bargaining coverage are falling even in provinces such as Saskatchewan and Quebec that have card-check and first-contract arbitration clauses in effect.

FACT:

Other countries are increasing the role of secret ballot elections in labor-management relations. For example, in Australia under the Workplace Relations Amendment Act 2005, known as “Work Choices,” the law now requires what we would call secret ballot strike votes.

FACT:

In 2004, seven female employees (dubbed The Lively Seven) who constituted the entire non-management workforce at the TD Canada Trust bank in Lively, Ontario rejected an aggressive union drive by the United Steelworkers of America (USWA). They were mistreated and harassed by the USWA and were unionized against their will.

The Lively Seven are continuing to fight against the forced unionization of their workplace and for employees to have the right to a democratic, secret ballot vote on unionization. The Lively Seven’s concerns about union tactics such as intimidation, invasion of privacy and misinformation were dismissed by the Canada Industrial Relations Board (CIRB):

“...two union organizers came to my home [and] informed me that ... I needed to sign a card and give them \$5.00. I repeated to them that I did not wish to be part of that organization and they continued to pressure me into signing... They would not leave my home, even after I told them I had to attend to my daughter. They finally left after 45 minutes.”

“... the Steelworkers lied to employees at other branches when they informed them that all employees at the Lively branch had signed Union cards some time ago.”