

# COALITION OF BC BUSINESSES

7228 Highcrest Terrace  
Saanichton, BC, Canada V8M 1W5  
Telephone: 250.652.6384 / Fax: 250-652-6385  
www.coalitionbcbusiness.ca

October 9, 2007

All British Columbia MPs  
House of Commons  
Ottawa, Ontario  
K1A 0A6

RE: Bill C-415, An Act to amend the Canada Labour Code (replacement workers)

Dear Member of Parliament

The Coalition of BC Businesses strongly urges members of the House of Commons not to support Bill C-415, a private-members bill that would prevent federally regulated employers from employing replacement workers during strikes and lockouts.

The Coalition represents the voice of over 50,000 small and medium-sized businesses in the development of British Columbia's labour and employment policies. Our concern is that the passage of the bill would risk the delivery of essential services to Canadians, harm the national economy and negatively affect third parties and small businesses that are dependent on federal industries in transportation, financial services and telecommunications.

Earlier this year, the anti-replacement worker bill C-257 was defeated in the House of Commons. The bill was rejected for many good reasons, including its failure to incorporate any provisions to protect "essential services" in the event of a work stoppage.

Although the essential services clause of Bill C-415 protects the "health and safety" of Canadians, the bill falls short of taking into account services that are essential to the national economy. The bill also risks the economic viability of Canadian businesses that depend on the seamless delivery of services in federally regulated industries.

This year, Parliament recognized the overriding importance of the national economy when it legislated an end to the CN strike. Passage of Bill C-415 would handicap Parliament in the future from protecting our national economic interests during a strike or lockout.

## Member Associations

BC & Yukon Hotels Assn  
BC Chamber of Commerce  
BC Real Estate Assn  
BC Restaurant & Foodservices Assn  
BC Trucking Association  
Building Owners & Managers Assn  
Building Supply Industry Assn of BC  
Canadian Council of Grocery Distributors  
Canadian Home Builders Assn – BC  
Canadian Restaurant & Foodservices Assn  
Council of Tourism Associations of BC  
Go2 Tourism HR Association  
Independent Contractors & Businesses Assn  
Insurance Brokers Assn of BC  
New Car Dealers Assn of BC  
Retail Council of Canada  
Retail BC  
Vancouver Board of Trade  
Western Silvicultural Contractors Assn

By granting organized labour the ability to shut down federally regulated businesses, Bill C-415 would have a catastrophic domino effect on third parties. Small and medium-sized employers and employees have much at stake.

Take for example the manufacturer who depends on the railways to ensure just-in-time delivery of components to the factory; retailers and their customers who rely on the financial services sector to process millions of payment transactions every day; the small business which depends upon Canada Post to deliver its goods to customers in a cost-effective and timely manner. And finally, the millions of businesses, including home offices that depend on the services of telecommunications companies for their telephone, fax and email communications.

Work stoppages of this magnitude are damaging not only to small businesses but also to the employees who work there. BC small businesses employ over one million people, many of whom could fall victim to the unintended consequences of a ban on replacement workers. The burden of Bill C-415 on small business employers, employees and their families, is staggering.

Some federal politicians have remarked that British Columbia's anti-replacement worker laws and stable labour relations environment serve as a model for the push behind Bill C-415. It is a misguided belief. The experience of B.C.'s ban on replacement workers strongly suggests that Bill C-415 would negatively affect employees, employers and Canadians at large.

Last year's strike at Extra Foods in West Vancouver, British Columbia exemplifies the shortcomings of B.C.'s replacement worker ban. The strike was unnecessarily protracted over a period of seven months as the union was under no pressure to settle terms expeditiously. While striking employees found alternate employment during the strike, the employer was prohibited from hiring replacement workers.

Customers of Extra Foods avoided the picket line and shopped elsewhere. Sales dropped. Management was over-worked and over-stressed. Eventually the employer closed the businesses for months before concluding terms with the union.

It has been noted that Bill C-415 attempts to protect unionized employees from large federally regulated companies. But what protection can small and medium-sized employers expect from large and powerful unions? Big business has the resources to survive a strike or lockout. But small companies are at risk of being put out of business when these federally regulated services are paralyzed by a strike.

The Coalition of BC Businesses supports labour policies that will help foster a positive working relationship between employers and employees and a climate for economic growth and jobs. Bill C-415 represents a profound power imbalance between big unions and small and medium-sized businesses. Surely, Parliamentarians do not intend that a labour dispute should destroy or cripple a small business. For this reason, we encourage you to defeat Bill C-415.

Thank you for reviewing this matter. Should you have any questions or comments, please contact me directly at 604-683-0700.

Yours truly,

*John Winter*

John Winter  
Chair, Coalition of BC Businesses

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Hon. David Emerson,  
Minister of International Trade &  
Minister for the Pacific Gateway and the Vancouver-Whistler Olympics  
House of Commons  
Ottawa, ON K1A 0A6

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By granting organized labour the ability to shut down federally regulated businesses, Bill C-415 would have a catastrophic domino affect on third parties. Small and medium-sized enterprises have much at stake.

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Yours truly,

John Winter  
Chair, Coalition of BC Businesses

CC:

Right Hon. Stephen Harper, Prime Minister

Hon. Jean-Pierre Blackburn, Minister of Labour & Minister of the Economic Development Agency of Canada for the Regions of Quebec

Colin Metcalfe, Director, Regional Affairs

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Blair Wilson, M.P.  
914 Confederation Building  
House of Commons  
Ottawa, ON K1A 0A6

RE: Bill C-415, An Act to amend the Canada Labour Code (replacement workers)

Dear Mr. Wilson:

Thank you for the opportunity to have met with you to discuss the impact of Bill C-415 on small and medium-sized businesses in British Columbia. The purpose of this letter is to expand on our discussion and communicate the position of the Coalition of BC Businesses with regard to Bill C-415.

The Coalition of BC Businesses represents the voice of over 50,000 small and medium-sized businesses in the development of British Columbia's labour and employment policies. Our concern is that the passage of Bill C-415 would risk the delivery of essential services to Canadians, harm the national economy and negatively affect third parties and small businesses that are dependent on federal industries in transportation, financial services and telecommunications.

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President & CEO, BC Chamber of Commerce