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Releases

LRB rules against unscrupulous employer, rat union

Vancouver - The BC Labour Relations Board has issued an important decision that is a setback for employers who conspire with rat unions to prevent workers from joining a union of their choice.

The case—decided by Labour Relations Board Vice-chair Bruce Wilkins—centers around the efforts of SEIU Local 2 and their “Justice for Janitors” organizing campaign. The union is campaigning to improve wages, benefits, and working conditions for staff of contracted-out cleaning companies at a number of publicly-funded, post-secondary institutes in BC.

Top officials from one of those companies, Best Service Pros, sought out the rat union CLAC. They wanted a deal to gain a “competitive business advantage” through signing a long-term, 10-year, no strike agreement with poverty-level wages and no benefits to start for the company’s employees. In return, Best would “voluntarily” recognize CLAC as the union for its staff.

That deal was later expanded to other post-secondary sites where the employer won contracting out bids. It was then used as a legal bar for Best and CLAC to prevent SEIU from organizing.

In a blow against unscrupulous employers and rat unions, the LRB’s Wilkins ruled June 15 that the sweetheart contract between Best and CLAC was null and void. He cited a number of reasons including:

• The employee votes on the deal did not meet the test for a ratification and failed “to respect the employees and their right to choose freely;”
• Failure of CLAC to ensure that workers were properly oriented and fully understood the contents of the agreement, in part because many workers spoke English as an additional language and were given materials only in English;
• The employer’s presence and role at these so-called ratification votes, including directly endorsing CLAC in the presence of their employees which served as an incentive to approve the deal.

The decision paves the way for SEIU to continue its organizing campaign to win decent wages, better working conditions, respect, and dignity for contracted-out cleaning and janitorial staff.

Remarkably, the facts determined in Wilkin’s decision show how far unscrupulous employers will go to prevent workers from exercising their democratic right to join a real union to improve wages and working conditions. But despite this, no penalty was imposed on the employer, Best.

The LRB decision can be downloaded here: **Read the full decision.**