



# 2017 USW Constitutional Convention RESOLUTION

## Resolution No. 18

### The Fight to Keep Basic Labor Rights

**WHEREAS**, the basic labor rights of workers in Canada and the United States remain a key tenet on which our union is based; and

**WHEREAS**, declining unionization accounted for at least a third of the increase in income inequality since the 1980s. The pressures to hamper effective collective bargaining has reduced wages, maintained the gender gap in wages and benefits, provided less access to pensions, increased student loan debt and individual debt, decreased voter participation, and has stagnated the economy for working people; and

**WHEREAS**, unions have won protections at federal, provincial, state and local levels including raising the minimum wage, expanding overtime pay, providing paid leave to workers and health and safety protections; and

**WHEREAS**, corporations and other organizations collude to keep wages low and undermine efforts for workers to be fairly compensated for the fruits of their labor; and

**WHEREAS**, USW spends significant time and resources ensuring workers have the basic right to collectively bargain; and

**WHEREAS**, the advantages of union membership are also significant in Canada. In Canada in 2015, unionized workers earned an average of \$5.28 more per hour than non-union workers. That union advantage is even more pronounced for women, who earn an average of \$7.10 per hour more when they have a union and young workers who earn an average of 27% more when they have a union; and

**WHEREAS**, at all levels of government in Canada we have seen the gradual erosion of progressive labor legislation including the elimination of anti-scab laws, the weakening of successorship laws, unfair labor practice remedies and certification legislation, including most recently the elimination of card check certification in the province of Manitoba; and

**WHEREAS**, in Canada a growing number of workers are in precarious short-term employment and in service sector jobs, and our labor relations system is unable to provide these workers with a decent standard of living or any access to unionization; and

**WHEREAS**, the advantages of union membership are significant in the United States. Union members' weekly median earnings are \$200 per week more than non-union workers, union members are 29% more likely to have employer sponsored health care and are twice as likely to have supplemental retirement plans or a 401 (k), and are 60% more likely to have a defined-benefit pension plan. The clear financial advantage provided to union workers is due to their ability to collectively bargain; and

**WHEREAS**, in the United States the guiding document of U.S. Federal labor law is the National Labor Relations Act (NLRA) which supports the rights of workers to join and form a union; and

**WHEREAS**, the NLRA has been significantly hamstrung by court decisions and other attacks on labor's right to collective action. The limitations on labor to effectively provide coordinated action in defense of the economic interest of working people though blatant violations of the NLRA by employers has led to disillusionment of many workers in effectiveness of legal remedies. The penalties facing employers or individuals who commit unfair labor practices have not kept pace with a twenty-first century world economy; and

**WHEREAS**, labor rights of workers in the United States at the national and state level have come under the most serious threat since the passage of the Taft-Hartley Act of 1947 which undermined workers ability to organize, strike and created right to work laws; and

**WHEREAS**, anti-union organizations spend large sums of capital attempting to bring right to work laws into state, municipal and county jurisdictions and are currently fighting a court battle to allow cities to pass local right to work laws; and

**WHEREAS**, the current President of the United States has indicated he would sign a national "Right to Work" law if placed on his desk by Congress and has appointed individuals who want to restrict or eliminate public sector collective bargaining; and

**WHEREAS**, "Right to Work" states have a workplace death rate which is 51% higher than fair share states. Wages in states with right to work laws are on average \$3.27 lower than non-right to work states; and

**WHEREAS**, a 40-year precedent which allows the use of "fair share" fees for public sector unions, wherein all union members must pay for the costs associated with collective bargaining and contract administration, is threatened by pending court cases.

**THEREFORE, BE IT RESOLVED that:**

- (1)** The USW will work to raise standards for our members and all workers by supporting changes to public policy that provide for protections and expansions of worker rights.
- (2)** The USW will continue to work in all jurisdictions in Canada to preserve laws which facilitate organizing and collective bargaining, and to challenge and change laws which are anti-union and anti-worker. To that end, we will work to ensure that all jurisdictions in Canada have labor laws that include the following important provisions: card check certification, strong and meaningful penalties and remedies (including certification) when employers intimidate workers during organizing campaigns, better access to first contract arbitration, broad successorship rights, and anti-scab provisions.
- (3)** The USW in Canada will also fight to improve our employment standards system, raise the national minimum wage to 15 dollars an hour, expand the definition of the employment relationship, provide greater protections for collective organizing activity in non-traditional sectors and support broader based bargaining structures that provide workers in the service sector and the precarious economy meaningful access to unionization; and
- (4)** Our Union will vigorously oppose the spread of right to work (for less) legislation and will work to defeat any politician who endorses such legislation.
- (5)** Our Union will not rest until we have gained true labor law reform in the United States and until all workers who want to have a union can exercise their right to form one in their workplace free from intimidation, harassment and firing. Workers should have a right to elections within 30 days of filing for a vote, workers should have access to neutral voting locations, NLRB penalties should be increased to meaningful levels and indexed to inflation, triple back pay without deductions should be incorporated for unfair labor practice terminations, and injunctive relief where employers fail to bargain in good faith.
- (6)** The USW will work to ensure judicial nominees in all levels of government will not work to undermine workers' rights on national, state and local levels.

**(7)** The USW will support workers' rights to organize in non-traditional work settings.