

**Bill C-257 on Replacement Workers:  
Rare Anti-Union Consensus**

**BDO Dunwoody Weekly CEO/Business Leader Poll  
by COMPAS in the *Financial Post*  
for Publication March 12, 2007**



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## **1.0 Introduction**

In almost six years of weekly polling, the CEOs and business leaders on the COMPAS panel do not reach a consensus with great regularity. They do not agree on issues ranging from the environment to which party to support. But they agree on the anti-scab legislation being proposed in Parliament. The consensus or near consensus is unusually strong, stronger and more homogeneous even than some of their near unanimous positions on taxation.

Panelists are deeply concerned and deeply opposed. They see unions as having far too much power. Some concern is volunteered that excessive union power threatens the viability of individual sectors and potentially the economy as a whole, sometimes to the personal benefit of union managers. Panelists feel this at least as strongly as they did two years, when COMPAS last asked them.

These are the principal findings from the weekly business web-survey conducted by COMPAS for the *Financial Post* under sponsorship of BDO Dunwoody LLP.

## **2.0 Widespread Anti-Union Consensus**

Panelists feel strongly that unions have too much power and that the bill to ban replacement works is bad legislation. In practice, 88% believe that unions have too much power, scoring 5-7 on the 8 point scale, as compared to 82% two years ago, as shown in table 2a. On the specific bill in question, 85% oppose it—63% very strongly (score of 1), as shown in table 2b.

Asked to assess reasons for and against the legislation, panelists generally see no or very little merit in any of the reasons for it along with much merit in all the reasons against it. The least persuasive, supportive reason in their view is that “Bill C-257 is fair because it applies only to larger companies, which are



better able to survive a strike and can often pass along extra costs to their customers,” as shown in table 2c.

Among reasons for opposing the legislation, the most persuasive is that “Bill C-257 could shut down airports if the unions representing snow removal and other maintenance were to strike,” as shown in table 2d.

The following is a selection of verbatims offered by respondents:

Bill C-257 is a lousy idea, reflecting labour dominance of the opposition parties in Canada. At best, it is purposeless & ill conceived; i.e we have had, relatively speaking, labour peace federally since 1998, when the federal labour laws were last overhauled... If employers are not to have the right to use "replacement workers"; then, if we are to be equally fair about balancing economic power, then striking workers should not be allowed to take temporary jobs elsewhere when on strike. This is not about bringing so-called "balance" - it's about giving more power to the union bosses to dictate "peace" terms unilaterally to employers. And who really causes/encourages "violence" in strike situations - I know of no employer since the 1930's who ever wanted violence - who is really threatening violence & lawlessness as the ultimate weapon here if they don't get what they want - are workers really all that "out of control"?

Unions have for long played the role of "protector" of the workers rights. Unfortunately, unions have not come of age and have changed their destiny dramatically. Unions now look after themselves first to the detriment of the worker. Unions have become an enormous organisation, very costly to run and maintained and someone has to pay for that. The reality is that the workers through their union dues pay to maintain the fat cats and their executives in place. Look at the marauding period that happens from time to time in Quebec, where unions try to steal members from each other so that their union could be the biggest, bring the most revenue and allow the union management to live even fatter



lives. At the end of the day unions are destroying the Canadian economy. The worst of it is that they are using the workers to achieve their objectives.

A worker, or collective, has the right to withdraw services; it seems absurd that the corporate corollary of maintaining operations when services are withdrawn might be banned. How, then, is a balance of power to be maintained? And the answer does not lie in a forced settlement to be determined at the whim of a government employee or appointee who does not have to eat his own cooking. I have significant personal familiarity with the use of replacement workers during a labour dispute. Without them, the company in which I work, a net exporter of high value-added goods, would no longer exist. Instead, it would have gone bankrupt immediately due to lack of production, or slowly as the result of an economically unsustainable agreement. The labour dispute in question fell under the purview of provincial, not federal, law. Nonetheless, should federal law edge towards a ban on replacement workers, provincial laws will ultimately slide down the same insidious slope.

You forgot to consider the impact on transportation workers such as the railways- where a large sector of the Canadian economy can be shut down by a short strike of only a couple of weeks.

If business lets Bill C257 pass without letting the politicians know what it will do to Canadians, we deserve to suffer under it. At that point, I hope the economy falls right on its face so we can get the stupid left leaning momentum out of government. The problem is the Bloc wants Canada crippled. The NDP never has to worry about governing and the Liberals and a few Conservatives are just plain stupid. Oh, well, short of the oil companies who have fewer options left, foreign corporations are starting to look at Canada as an unstable place to invest.



Unions for the most part operate in harmony with corporations, it is the actions of a few that jeopardize the livelihoods of many. This bill is too wide ranging in that it shackles the good ones to accommodate the few bad ones. Specifics need to be added before any debate or vote takes place.

In a modern society there are essential services very often provided by government. On no account should they be permitted to strike. Government at every level is much too big in this country. There are areas where in modern society where private enterprise is not suitable and as an alternative Crown Corporations should be set up.

This legislation is regressive and will further hurt the economy. It protects those unions that use their power in an unreasonable fashion. The best solution to labour strife is to use mediation in all cases. This may sound like an expensive and time consuming process but it will allow the economy to move in a natural manner while parties present their respective cases. Such process should have set drop dead dates with an arbitrator making the decision should negotiations run out of time. This is in fact how many strikes are settled, why not expand it to all labour matters?

Unions: I live in Saskatchewan where unions have way too much influence; 34% of the working population is unionized. That leaves the NDP government in power all the time. We have around 90 crown corporations [driving the province's businesses to] go to Alberta. I can't see it changing anytime soon. Tommy Douglas' legacy. And now they will have more power to hold over everybody's head. Not a good idea...

It seems to me unions are not using their power in a proper manner most of the times and even sometimes they are abusing it. The decline of the domestic automotive industry is an example of the result of the abuse of union power.



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Unions should re-evaluate their position very seriously or be ready to face unpleasant consequences.

*Table 2a: (Q1) There's been some talk in the media about unions in Canada. Using a 7 point scale where 7 means too much power, 4 means about the right amount, and 1, too little power, to what extent do unions in Canada have too much or too little power under the law?*

	Mean	7	6	5	4	3	2	1	DNK
March 2007	5.9	35	33	19	12	2	0	0	0
May 2005	5.7	33	29	20	17	1	1	0	1

*Table 2b: (Q4) Using a 7 point scale where 7 means strongly agree and 1, strongly disagree, to what extent do you agree with Bill C-257 and the banning of replacement workers?*

Mean	7	6	5	4	3	2	1	DNK
1.4	1	2	5	5	6	16	63	2



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*Table 2c: (Q2) As you may know, the House of Commons is considering Bill C-257, a proposal to ban replacement workers during a strike in federally regulated workplaces. Please score your agreement with the following opinions in favour of Bill C-257 and banning replacement workers on a 7 point scale where 7 means agree a lot and 1, disagree a lot RANDOMIZE...[RANDOMIZE]*

	Mean	7	6	5	4	3	2	1	DNK
The use of replacement workers fosters a “starve them out” mentality by employers, increasing violence on the picket lines	2.9	5	5	13	12	14	17	33	2
Bill C-257 protects workers who might be pressured to cross the line by management	2.8	4	6	9	12	12	21	30	7
The use of replacement workers prolongs strikes, hurting workers and the economy	2.6	4	7	5	8	12	28	35	2
Bill C-257 is fair because it applies only to larger companies, which are better able to survive a strike and can often pass along extra costs to their customers	2.1	2	4	3	9	6	24	48	5



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*Table 2d: (Q3) Please score the following opinions against Bill C-257 and against banning replacement workers on a 7 point scale where 7 means agree a lot and 1, disagree a lot. [RANDOMIZE]*

	Mean	7	6	5	4	3	2	1	DNK
Bill C-257 could shut down airports if the unions representing snow removal and other maintenance were to strike	6.4	63	18	8	3	1	1	2	5
Many small businesses could be affected by the bill because of their dependence on larger federally regulated businesses to provide infrastructure services like rail transport	6.1	54	17	15	6	1	1	2	5
Remote communities would be hurt because of their reliance on federally regulated companies, such as airlines and trucking companies	6.1	53	21	10	8	3	1	2	4
Bill C-257 unfairly deprives employees of the right to disagree with their union and cross the picket-line	5.7	47	19	9	8	4	5	3	5



## **5.0 Methodology**

The COMPAS web-survey of CEOs and leaders of small, medium, and large corporations was conducted March 6 - 9, 2007. Respondents constitute an essentially hand-picked panel with a higher numerical representation of small and medium-sized firms.

Because of the small population of CEOs and business leaders from which the sample was drawn, the study can be considered more accurate than comparably sized general public studies. In studies of the general public, surveys 132 are deemed accurate to within approximate 8.6 percentage points 19 times out of 20. The principal and co-investigator on this study are Conrad Winn, Ph.D. and Tamara Gottlieb.

