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Toronto on strike: They want to work, but their union won't let them

Posted: July 16, 2009, 6:31 AM by Rob Roberts

[Kuitenbrouwer](#), [Toronto on strike](#)



A dozen unionized City of Toronto employees lay on beach blankets and sat in folding chairs outside a welfare office in Scarborough yesterday, working on their tans.

These workers (pictured above), most of them young women, want to cross the picket line and return to their jobs helping Toronto's least fortunate, but striking workers with Local 79 of the Canadian Union of Public Employees will not let them in.

They are being paid, but they cannot enter their workplace, and the city is letting it happen.

"We have 17 scabs that are trying to enter the building," said Leroy Miller, a picket captain, who was blocking the rear staff entrance of the Toronto Employment and Social Services office for Scarborough West, at 1225 Kennedy Rd. "It's our choice whether we let them in or not. There is no way I'm going to let them in."

The city press office did not return my call asking whether pickets do have the power to restrict anyone's access to a city office. A City of Toronto security guard standing by the office door refused comment. The workers lying in the grass, reading novels, listening to their iPods and eating sandwiches, also would not talk to me.

Joe Pennachetti, the city manager, said yesterday that 615 striking employees have applied to cross the picket line. "It's all in flux. We are reviewing in excess of a hundred at this time. I don't have an exact number as to how many are back to work."

It's fair to say most [are being used]."

As the strike drags through its fourth week, the inability of these employees to resume their jobs is clearly making worse a tough situation for thousands of people who rely on social assistance.

Toronto has 14 social service offices. When employees walked off the job June 22, the city locked 11 offices and moved management staff into three locations: 220 Atwell Drive in Etobicoke, 111 Wellesley St. E., and this one in Scarborough.

The strikers here let management staff and social assistance recipients enter and leave at will. Inside the office, one client was reading the help wanted ads in a newspaper while waiting for a meeting with a case worker. I told her about the pickets preventing staff from coming in to work.

"That makes no sense," she said. "It's crazy. What about all of us who don't have a job? If I had their job, at least I'd have an income other than social assistance." And she added, "Unions suck."

Most of the pickets at this Scarborough strip mall do not work here. Pat Carito is a surveyor with engineering services who works on Upjohn Road in North York. But since the strike began he has joined a "flying squad," who go to picket line trouble spots. He arrived here Monday with other pickets to stop unionized workers crossing the line.

"They're scabs," Mr. Carito said. "That's disgusting to see them try to take away our jobs. We've fought for our benefits, we can't let them get away with it. What bugs me is they're getting paid just to sit here."

But one worker who has crossed the picket line at another social service office is unrepentant.

"I am a scab," the worker said, meeting me yesterday at the end of the work day. The worker was terrified of being followed, and insisted on speaking only on a secluded park bench. "I have returned to work. With a staff of 100 or 150 people we are taking care of the work of 700 people.

"The people who are hardest hit by the strike are the people who are already hard hit by the recession," the worker added. "They're waiting hours on end to see a case worker. It's unacceptable."

This worker went to Metro Hall on the first week of the walkout and asked to cross the picket line. The worker has no sympathy for the strikers.

"Even the lowest-paid unionized employee at the city makes \$20 an hour," the worker noted. "It's a ridiculous amount of money. I don't know any admin assistants who make more than \$12 or \$14 an hour in the private sector."

Several daycare workers on another picket line told me it would be dangerous to cross the line. A bulletin on the web site of Local 416, the 6,000 outside city workers who are also on strike, defines a scab as any union member who crosses a picket line. The bulletin warns, "Those members choosing to ride on the coat-tails of fellow Brothers and Sisters and choosing to be a scab will have their names published on our blacklist and/or brought to trial under B6.1 of the CUPE constitution."



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by welldoneson

Interesting that CUPE thinks their own "constitution" supercedes Canadian

Jul 15 2009

law:

7:34 PM

From www.openshop.ca/.../CourtSpurnUnfairUnionFines.pdf :

"Thursday, May 14, 2009

Last week, Supreme Court of Canada [...] rulings upheld the rights of workers against the tyranny of union leaders by reinforcing the common law that the courts cannot be used by unions to enforce discipline and collect fines."

by Ascalepius
Jul 15 2009
8:04 PM

The Canadian Constitution doesn't promote the breaking of legs of those who are in disagreement with it with baseball bats...don't know about CUPE's Constitution, in particular in the fine print.

by Darren in TO
Jul 15 2009
8:04 PM

I sent that as an email to the TTC chair. No response probably, but you never know. The guy actually resorted to using the race card while arguing with residents, something I saw first hand;

I would like to know what the TTC's official policy is on its employees protesting in uniform alongside CUPE protestors at temporary garbage sites. I saw first hand a TTC employee, in his own time I assume, in uniform at the Ted Reeve site on its last evening before it closed. He not only was protesting alongside CUPE members, but he was more then vocal in his harassment to residents dropping off their garbage there. CP24 was there and they were recording, so this may end up on TV. In uniform he represents the TTC, and the TTC should explain their position on this.

by Mambo Bananapatch
Jul 15 2009
9:26 PM

> "They're scabs," Mr. Carito said. "That's disgusting to see them try to take away our jobs. We've fought for our benefits, we can't let them get away with it. What bugs me is they're getting paid just to sit here."

I would rejoice to be thought of as "disgusting" by a man as irresponsible, greedy, and un-self-aware as the speaker.

Indeed, if the sort of man who would exploit the most vulnerable people in the city for the sole purpose of advancing his own interests thought highly of me, I'd feel compelled to perform a very thorough self-inventory.

by hurricaneannie
Jul 15 2009
9:52 PM

I'm sure that most workers aren't aware of their rights when they disagree with their Union. They can demand a vote on any offer given. They can also vote the Union out as easily as they were voted in. Check with the Labour Relations lawyers.

Oh! And they can picket their Union if they want.

by holtom2001
Jul 15 2009
10:18 PM

I'm not up on my laws though. Can they legally take a way any money you earn while crossing a picket line? What law allows them that power?

by Advokat

Information that the CUPE thugs do not want their members knowing: They

Jul 15 2009
11:22 PM

can purport to levy any fine they want, but they have no means of enforcing it. In other words, CUPE is completely powerless to collect fines against members who cross picket lines and go back to work.

The Supreme Court of Canada has recently clearly defined the law in this area. In *Union of Taxation Employees v. Birch & Luberti* (as well as a similar Alberta case), the Supreme Court put to rest a 5-year battle between the PSAC-UTE and 200+ members who crossed picket lines and went back to work during the federal government strike in October 2004.

To put in simple terms the Court's decisions (which consisted of twin refusals to hear appeals by the ON and AB unions), so that even a union thug can understand, in Ontario (and all other provinces except Sask), a union cannot use the courts to collect fines against their members.

by marionetta
Jul 15 2009
11:41 PM

I get a kick out of the National Post heralding how great these scabs are. It would be funny except for this: some of us who have in the past worked in a unionized workplace now no longer do because of scabs. The more scabs that work, the longer the work dispute goes on. The more scabs that work, the less power the union has to represent its members. When the union is gone, the jobs will then go to the lowest bidder and the scabs can say bye-bye to their \$20 an hour. Try \$10. Because that's what you'll get if this stuff goes to the lowest bidder.

Selfish thieves who steal out of their coworkers pockets. If the scabs were so concerned about those on public assistance, why don't they get a job elsewhere and donate money to help these people? Oh, I forgot. Scabs only care about themselves. And while I'm on the subject, the fact that the clients are not getting taken care is because there has been a breakdown in a relationship between two parties - not one - and both share part of the responsibility. Management and union. Not management and union and scabs. The scabs have no legal standing.

by holtom2001
Jul 15 2009
11:54 PM

sounds like Sask needs to change that law

and I back the kids who want to work. screw the greedy union workers. union calls them scabs. does that mean we can call striking union members terrorists holding toronto hostage?

and what's the update on the union guy who stole the ambulance?

all these stories only help to drive people away from TO. keep it up greedy union

by holtom2001
Jul 15 2009
11:55 PM

marionetta

this may shock you, but not everyone loves the union. talk down on scabs all

you want. the whole world knows CUPE is OVERPAID

by reidch
Jul 16 2009
12:02 AM

Union = overpaid.

I find it funny that a union is battling the government when they are two in the same. Wages should be selected on the free market. Why does the same position make 30-50% less in the private sector.

We need to become more efficient. This is not done by forcing employers to overpay. But to increase your market value through education and experience. This is how you should increase your wage. Not through holding the country's poor and disadvantages hostage.

by frlwinslow
Jul 16 2009
12:26 AM

Union Leaders = Scabs. They have no right to take essential services away from the public. If they are so wonderful they should quit their civil service "jobs" and do something important for society. As of now, they are nothing but leeches feeding off of the "goodwill" of the general public whom they are literally subjugating to their own selfish desires.

by yyz53
Jul 16 2009
12:45 AM

The SCAB has little impact

I look at a scab as representing the healing process once a dangerous cancer like CUPE has been removed.

The brave ones that stand up for their right to work should be applauded. CUPE only represents the the unproductive warts that look upon banked sick days as some sort entitlement society owes them.

by Advokat
Jul 16 2009
12:49 AM

Drank the Kool-Aid and then went back for seconds, eh Marionetta?

Funny - doesn't your name mean, 'puppet'? How appropriate, given the CUPE-fuelled dogma you are so mindlessly repeating.

by MUDLARK
Jul 16 2009
1:43 AM

Will these civic minded SCABS refuse the increased pay and benefits their union is trying to get for them? Not likely. If they are truly so anti-union let them find a non-union job somewhere else - for \$12 an hour and no benefits then they'll appreciate how important it is for them to stand with the union.

by ZeeBC
Jul 16 2009
2:23 AM

As an impartial observer I think all government unions should not have the right to strike. If they are allowed to strike they should not be allowed to intimidate anyone. If they do threatened anyone with physical harm they should serve a minimum 5 year jail term. (Qualifies as a hate crime). If their striking activity results a death of a person unable to access help services then the charge should be murder with malice aforethought.

by Dave_12
Jul 16 2009

Always amazes me when public unionists think their wages at 30-80% above what the job is actually worth in the marketplace is fair. They never seem to

6:54 AM

see that it is only because of monopolistic blackmail of governments that view the public as a bottomless source of tax money that gives them their obscene wages and benefits. Well as we are seeing in the US and places like Windsor the bottom has been reached.

When the punishing taxes, fines and fees levied on their fellow citizens is used to reward the few and the police force is used to allow them to intimidate and threaten the public and their own members that want to return to their jobs our whole society structure is in jeopardy.

Unions have long outgrown their usefulness and it is time that legislators with a backbone make them an open shop and give employees back the right to work.

by InHalifax
Jul 16 2009
7:02 AM

Gosh Marionetta, you mean if enough people cross the picket line (I abhor the term 'scab') then these people may get ... gasp ... market value wages?!

OH JESUS NO.

A college grad making more than a highschool drop out cashier? We need to file a complaint with the HRC. This just isn't right.

by Renko
Jul 16 2009
7:34 AM

To me, these people are heroes - freeborn men and women following their own conscience at significant risk to themselves. If CUPE is so incompetent that they cannot build cohesion within their units, then they have only themselves to blame when people cross the line.

Canadian unions have acted so irresponsibly over the last 30 years or so that they have burned off much of the natural goodwill that Canadians held for their cause - a shame because once upon a time, unions worked for all workers, not just those that shared in their silly pipe dreams of class struggle.

And Marionetta, just because people disagree with you doesn't mean that they have "no legal standing." Typical union bully talk.

by hoppy96
Jul 16 2009
8:17 AM

Hey, marionetta. In case you don't realize it (and being a dyed-in-the-wool union type, you probably don't) we are in the midst of a world-wide recession. There are lots of folks out there who have lost their jobs and may not mind working for \$10 just to have some money coming in. Then there are the other folks who have pay the taxes to support the greedy CUPE pigs who for some reason think the taxpayers should kiss their butt.

Privatize the services and let these jerks find out what it is like to compete for real-world wages in the real-world of the private sector.

by Tours
Jul 16 2009
8:58 AM

I simply don't get it. If I am walking towards the door of my workplace and someone stops me, it's an assault and I am entitled to defend myself under Criminal Code, using any means necessary. Do you people even read the laws of the country you live in?