



A Voice of Thousands

THE BRADSON LOCKOUT

With submissions at the hearings held on or about August 26, 1992 to amend the Ontario Labour Relations Act - Bill 40 The tides were turning in our favour, but prior to that and prior to the Canadian Guards Association Carleton University operated like UPGWA (which was a security guard only Union), but like UPGWA there were not many resources, so Stuart Deans went to the Canadian Labour Congress (CLC) to find out about joining a bigger union and was directed to Leo Gerard and the United Steelworkers who met in the fall of 1987.

The campaign by the United Steelworkers to organize some 5,000 security guards across the Province of Ontario who were with UPGWA (United Plant Guard Workers of America) at the time started in earnest around March 1988 in Ottawa. With the help of Doug Foley who was a Pinkerton's Manager until it was found out that he was helping the USWA only to be fired by them and hired by the Steelworkers, which culminated with the case at the Board with all applications lined up.

While UPGWA had a lot of members, there was no real bargaining strength or power behind this union. The United Steelworkers came in and the campaign was successful. The guards became members of the United Steelworkers of America and thus having greater rights and benefits along with the right to bargain and had some real support and power behind them.

There was a constitutional challenge in the late 80's early 90's against Section 12 of the Act, using the Freedom of Association rights in the hopes of making a change, however the case was lost by a decision of the Board.

But all was not lost, in June/July of 1990 the NDP were elected into power and Stuart Deans, with the help of Brian Shell and Leo Gerard, petitioned the government for a Labour Law reform which did not come to fruition until January 1, 1993. Through his submission (**item 1**) under Bill 40 to the Ontario Labour Relations & Employment Statutes Law Amendment Act 1992, Stuart Deans who was then the President of the Independent Union, Canadian Guards Association appealed to the panel to abolish Section 12 of the Act, it was antiquated and had no practical matter or substantive reasoning for it to remain.

The amendment was made to the Act with Section 12 being changed which was a very good change because in June of 1995 when the Harris government took over and tried to repeal all of Bill 40, the guards put up the biggest defense campaign against the proposal and met with Elizabeth Whitmere to try and convince her not to strip the rights of mixed unions. The USWA was successful in getting the Tories to back down and in allowing them the security guards to retain their rights to their union and Collective Agreements.

This was a great win for security guards but not a good one for lawyers, farm workers, engineers, or people working in any agricultural industries who had the right to organize then found themselves, almost overnight, stripped of their rights to unionize. Section 14 of the Act under Bill 7 gave the recognition of security and others to join mixed unions and to keep their Collective Agreements.

Unbeknownst to most, there was a group of about 360 security guards who worked for a company called Bradson who had started bargaining a Collective Agreement around October 1, 1996. Conciliation was conducted in early October as negotiations were already not going to well which was clear to the Local and when they got their strike vote from the members it was 99 per cent in favour of a strike. From there things got worse. When mediation was held on October 23, at the same time that the employer brought in “scabs” for training and when talks broke down at 4:00 p.m. on October 24, 1996 Bradson management delivered lock-out notices to all their employees and started handing out uniforms to the “scabs” (replacement workers), which started an 11 and a half month fight for their rights. A picket line was set up on Parliament Hill since a lot of the contracts that Bradson had were government contracts.

The employees did have some support on Parliament Hill, as you can see by (*item 2*), when on October 24, 1996 during the Oral Question Period, Mr. Nelson Riis raised the question about “scabs”.

November 15, 1996 a final offer vote on the Collective Agreement was brought to the membership which was rejected by a 90 per cent vote.

December 1996 saw a Day of Action which was attended by not just the Bradson employees and United Steelworkers but also members from PSAC, CUPW, CUPE, and others; it was a great success!

When Bradson got an injunction against the Union for having too many picketers on the picket line, the strategy was developed to ensure the USW didn't breach that injunction by putting mannequins along the picket line that were dressed and holding up signs. They were only allowed to have four human picketers on the picket line as not to breach the order, but it sure made people take notice!

One day the members dressed up as clowns and handed out balloons to all the children entering the Museum of Nature, these balloons of course contained messages about the locked-out workers and the use of "scab" workers, and because they were filled with helium and the children lost them, they floated up and remained on the ceiling for everyone to see.

In January 1997, with the lock-out entering its third month, Doug Young from Public Works Transport tells picketers to "get a job" at a rally in Quebec City, which was overheard and plastered all over the newspapers the next day.

They would not return to work until October 7, 1997, but with their heads held high they managed to not only negotiate a Collective Agreement but also language to retain their successor rights between Steelworker sites, which we still have in our Collective Agreements today. While some of the "scabs" remained hired with this employer it did leave some hard feelings between the locked-out employees and these newly hired workers however, it is unclear if there are any remaining in employment today. There are still former Bradson members who are still Steelworkers today.

Remarkable things were done in that lock-out that are still used in strikes today, and the 20-year anniversary of that strike occurred October 24, 2016, but the history of this lock-out and the fight by those employees who participated and were locked-out is only remembered by a handful of employees who are still around today. This is a very good opportunity to get this documented now before time erases all memory of this fight.

While these employees managed to retain their rights to USW successorship language in their Collective Agreements, the fight is not yet over because, as long as the site you are working on is taken over by another USW related Employer our members and the Union will retain the Collective Agreements, but if the site contract happens to go to a non-union company then overnight we lose everything because there is no legislation to prevent this from happening or protecting us as you can see by the transcripts from the Standing Committee on Regulations & Private Bills – Bill 77 hearings (*item 3*) we are still trying to affect change and maybe one day we will get there.

On a side note since it is a part of our history but not with respect to this lock-out, at the time of this fight there were three security locals, one covering the Ottawa and Eastern Ontario area (5297), another covering Southwest Ontario (5295) and one covering the GTA area (5296). In May of 2002 Locals 5295 and 5297 merged to create 9597 a larger Security local that gave us, we believe, the ability to ensure the employers were managing the province the same way across the board. It gave us more control and power to bargain as well as the resources for our members being two larger locals instead of three smaller ones.

The following documents are a timeline of this fight, with newspaper articles and pictures documenting this fight and some of the antics used by the locked-out employees.