

SASKATCHEWAN CONSTRUCTION ASSOCIATION
1939 Elphinstone Street
Regina Saskatchewan S4T 3N3
Telephone: (306) 525-0171 Fax: (306) 347-8595
Website: www.scaonline.ca

October 10, 2008

Honourable Rob Norris
Minister of Advanced Education
Employment and Labour
Room 208
Legislative Building
Regina, SK S4S 0B3

Note to Applicant: This is not an official letter from SCA but rather the actual record distributed at the sector team meeting in question.

Dear Minister Norris,

On behalf of the entire membership of the Saskatchewan Construction Association, which involves both union and non-union companies, I am writing to express our deep concern over a recent Labour Relations Board (LRB) decision concerning Saunders Electric. In this decision, the LRB has recognized a union agreement that is over 20 years old, even though the agreement is inactive and the employees and current owner of the company have changed. As a result of this decision, Saunders Electric must pay union dues dating back to 1984. We understand the company has 30 days to comply with the ruling. Since Saunders is a small, family owned company, this decision will in all likelihood force the owners out of business.

This decision of the LRB has major implications, not just for Saunders Electric, but for the entire construction industry. If not reversed, this decision will have a chilling effect on investment and economic development across our province.

The SCA and our member companies are demanding a quick and final remedy to this unprecedented threat to our industry and our members. Resurrecting old and abandoned collective agreements at any time, even those that are over 20 years old, flies in the face of any sense of reasonableness. We are urging the government to act now to remedy this patently unfair situation.

The SCA recognizes and supports any employees who want to be represented by a union. This is their democratic right, which must be protected. However, the SCA fully supports the right of employees to choose the union to represent them.

The SCA therefore is calling on your government to:

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1. Quickly establish abandonment rules that are reasonable and fair and reflect modern practices in other provinces. It is onerous and patently unfair that an inactive collective agreement can be resurrected. It is equally unfair that the government legislation allows the reactivation of old collective agreements by the LRB, some more than 20 years old, where both employees and employers have changed.

2. End the monopoly of the Building Trades in the construction industry. The SCA membership believes the Building Trade Union has an important role to play in the construction industry in Saskatchewan, but there should be a choice for employees. Our membership believes the monopoly position granted by provincial legislation is unfair and undemocratic. The SCA supports the right of union representation by employees, if that is their choice. However, the SCA is firmly against any such monopoly. Employees must have the right to choose which union represents their interests. The SCA therefore strongly supports the right for choice of unions that represent employees. We call on the government to act quickly to remove this monopoly of the Building Trade Unions.

Saskatchewan is on a roll. Our economy is surging ahead, creating thousands of jobs and attracting investment that is increasing our quality of life and providing opportunities for residents. Many expatriate Saskatchewanians are returning to a prosperous province. Our industry also is facing a chronic and serious labour shortage. Our province, and our industry which is building the foundation of our economic growth, cannot tolerate closure of companies, like Saunders Electric, if we want to sustain our economic momentum. Companies wishing to invest in our province will think twice about coming here, given the upheaval, uncertainty, and anachronistic labour laws in our province.

The decision of the LRB is one of the most serious threats to our industry and, by extension, to the provincial economy. The SCA is calling on the government to make the necessary legislative changes to bring balance and fairness to our industry by implementing fair abandonment rules and ensuring the freedom of choice for employees to choose which union they wish to represent their interests.

The issues raised in this letter are of grave concern to our members. We are requesting an immediate meeting with you and your officials as a first step in resolving the issues facing our industry.

Sincerely,

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Michael Fougere

CC: Honourable Brad Wall, Premier
Provincial Cabinet Ministers
Mike Carr, Associate Deputy Minister, Labour, Employee and Employer Services
SCA Board of Directors