"On the Line"

Days of Protest

They marched from all corners of the city. Early in the morning on Thursday, 14 October 1976, thousands of union members came out into the rainy streets and brought the city of Saint John to a standstill. One group started at the entrance to the dry dock on Bayside Drive and marched across the Courtenay Bay Causeway. Others gathered at the Reversing Falls Bridge and the Harbour Bridge on the west side and crossed from there. The largest contingent proceeded up Thorne Avenue to City Road and Garden Street, led by Federation of Labour President Paul LePage, Canadian Labour Congress Secretary-Treasurer Donald Montgomery, and Larry Hanley, a young activist from Local 601 of the Canadian Paperworkers Union who was the coordinator for the protest. Stopping traffic, the demonstrators marched towards the
centre of the city, joking, singing, and shouting slogans, their banners carrying the names of dozens of local unions and their hand-lettered signs spelling out the messages of the day: “We’re Out to Fight Controls,” “Where Are Our Freedoms?” “What Happened to Price Controls?” and “Why Us?” When they arrived at King’s Square, their numbers were 5,000 strong, and they filled the street as they continued down the hill to assemble in front of City Hall. Smaller demonstrations were organized by labour councils across the province. There were marches of 1,500 workers in Moncton and Edmundston, 1,000 in Newcastle, 400 in Bathurst, 350 in Fredericton, 200 in Campbellton and Dalhousie. In addition to those who were in the streets, thousands more stayed off work. Overall, reports phoned in to the Federation offices that day indicated that about 24,000 members of affiliated unions remained off work and almost 10,000 workers participated in demonstrations.

These New Brunswick workers were among the more than one million workers who participated in what has been described as Canada’s first country-wide general strike. Organized by the Canadian Labour Congress, the “Day of Protest” was directed at the programme of wage controls introduced by the federal government twelve months earlier. Under this plan, all wage agreements were limited to increases of 8, 6, and 4 percent in each of the programme’s three years. This was the government’s answer to what they saw as wage settlements that were too favourable to workers. Prices had been rising at more than 10 percent per year, and unions had been bargaining hard to keep up; when possible, they were also cutting into corporate profits and making gains in real wages, tipping the balance of the national income away from corporations and towards wages and salaries. The “anti-inflation” plan claimed it would restrain prices as well as wages but exempted key items such as housing, energy, and food. In practice, the controls were about weakening the bargaining power of unions. They were administered by a board that policed all collective agreements, intervening in provincial jurisdiction under a loose constitutional interpretation of the federal government’s peacetime emergency powers. The restrictions on collective bargaining came as a shock to those who had taken the prime minister at his word when he campaigned
against wage controls in the 1974 election on the grounds that they were unfair and unenforceable. Moreover, the announcement alarmed those who considered Pierre Elliott Trudeau to be a friend of labour, a reformer whose 1972 Canada Labour Code had endorsed collective bargaining as a legitimate means of providing “a just share of the fruits of progress to all.” Suddenly the promise of his famous “just society” was evaporating, and the 1976 “Day of Protest” served notice that Canadian workers would defend past gains and continue to seek a greater share of the country’s wealth.³

In New Brunswick, where Premier Richard Hatfield was one of the first provincial premiers to support Trudeau’s plan, the most immediate opposition came from unions that were in the middle of contract negotiations. An instructive example was provided by Canadian Paperworkers Union Local 30 and International Brotherhood of Electrical Workers Local 1888, who were completing an agreement with Irving Pulp and Paper at their Saint John mill. The paper industry as a whole had been earning unprecedented profits in the early 1970s, and employers were eager to gang up on the new independent paperworkers union, which had separated amicably from the American-based international union in the industry. In this case the Irwins, despite their anti-union reputation, preferred to sign an agreement: “He figured what he was doing was fair to his employees,” recalled CPU veteran Paul Young; they wanted to “do their own thing” rather than join the “cartel” in fighting the union. When the contract was signed in November 1975, it provided a 23.8 percent increase in the first year and 2 percent in the second year. By this time three other paper mills in New Brunswick, including the MacMillan Rothesay mill and St. Anne–Nackawic and Miramichi Timber Resources, were also on strike, and the CPU hoped that the Irving settlement would set the standard for their 50,000 members across the country. The agreement exceeded the guidelines, however, and the situation became even more confusing in December when the Anti-Inflation Board announced that the Irving workers would nonetheless be allowed a 14 percent increase. The company appealed the decision and continued to pay the higher rates in the new contract until they were finally forced to comply and were fined $25,000 for defying the controls. This was the first major episode of resistance
CITY HALL
Saint John and District Labour Council President George Vair speaks to the crowds in front of City Hall during the 1976 Day of Protest. In the front row to the right are protest coordinator Larry Hanley, Donald Montgomery of the Canadian Labour Congress, and Paul LePage of the New Brunswick Federation of Labour. Source: Saint John and District Labour Council.

DAY OF PROTEST
Demonstrators filled the street as they proceeded down the hill from King’s Square in Saint John on 14 October 1976. They were marching in the Day of Protest against the wage controls imposed by Prime Minister Pierre Elliott Trudeau a year earlier. Source: Saint John and District Labour Council.
to the wage controls in New Brunswick. It showed that workers would continue to bargain for the settlements they wanted, and sometimes they would succeed.⁴

Throughout the winter months, local unions and labour councils continued to agitate against the controls, and on 5 May the Federation of Labour organized a major protest at the legislature in Fredericton. With 3,000 supporters cheering approval, President LePage read an “Anti-Inflation Declaration” to the crowd, calling for “fair and equitable solutions to inflation” and taped the document to the doors of the legislature. Later that month, the Canadian Labour Congress met in Québec City and adopted a policy statement, under the title “Labour’s Manifesto for Canada,” that called for a balanced solution to the problems of managing the economy based on more participation for labour in social and economic planning. They also adopted a short “Program of Action” that authorized the CLC to call “a general work stoppage, or stoppages, if and when necessary” in order to restore collective bargaining rights. The idea of a general strike was strongly supported by CUPE’s Lofty MacMillan, the former NBFL president, who ran unsuccessfully for the CLC presidency.

LePage returned to New Brunswick saying that a national strike was on the way, and when the Federation held its annual convention a few weeks later in June, he described the controls as “the gravest threat to free collective bargaining and the trade union movement since organized labour gained the legislative right to bargain collectively.” The Saint John and District Labour Council, which had already organized its own Wage Controls Committee and was holding public meetings and protests, submitted a resolution calling for a general strike against wage controls. There was much support, although one delegate urged caution, warning that “if labour entered a confrontation with the government by calling a general strike, it could be the ‘War Measures Act’ of 1970 all over again.” Others preferred to voice support for the New Democratic Party, whose new federal leader Ed Broadbent remained consistent in denouncing the controls. The general strike resolution passed almost unanimously, and LePage noted that they were the first provincial federation to endorse the plan. The most dramatic moments in the June convention came when provincial Minister of Labour and Manpower Rodman

“On the Line” 151
Logan addressed delegates on the need for a “cooperative relationship” with the provincial government. When he finished, he was dressed down by LePage: “By entering into the Federal Government’s programme of wage and price controls, your government has undermined free collective bargaining and changed labour’s course from cooperation to civil disobedience.”

A year later, at the Federation meetings in May 1977, LePage counted New Brunswick’s participation in the Day of Protest a success: “With approximately one-half of our 45,000 membership off the job and almost one-quarter actively participating in demonstrations, it is safe to say that trade union members in New Brunswick have not and do not accept wage controls.” LePage also underlined the historic importance of the event — “one million trade union members off the job in support of a single cause was unprecedented in the annals of Canadian trade union history.” The impact on government policy was more difficult to measure. By the time of the Day of Protest, Trudeau had already announced that the controls would not be extended, and when the province’s new Minister of Labour and Manpower, Paul Creaghan, addressed delegates at the 1977 convention, he agreed that “the time has come to discontinue wage and price controls.”

Ultimately, the controls were brought to an end six months early in 1978. George Vair, who was president of the Saint John and District Labour Council at the time of the Day of Protest and has written a detailed account of local events, concluded that the government achieved few of its stated objectives: “When the controls ended, the inflation rate was 9.4 percent. The programme had been successful in transferring millions of dollars of negotiated wages out of the pockets of workers and back into the coffers of corporations.” Apart from the bureaucratic costs of administering the programme and considering hundreds of appeals, there were also the political costs. By the time of the 1979 federal election, union members were mobilizing under the slogan “Wage controls. Remember?” The Liberals lost the election and Trudeau prepared to go into retirement. Meanwhile, workers had drawn lessons from the experience that prepared them for a long round of attacks on union rights and economic standards in the years ahead. They would be on the line again.
Moderates and Militants

At the Federation conventions in the 1970s, LePage regularly called on the province to provide more encouragement for collective bargaining by strengthening labour laws and denying government assistance to anti-union employers. There were plenty of examples, including a flagrant situation at the Japanese-owned Cirtex Knitting plant in Caraquet, which opened in 1974 with substantial federal and provincial assistance. When the Canadian Seafood and Allied Workers were certified to represent the workers, there was no contract, and a long strike followed. In January 1976, the company decided to sign an agreement with a different union, literally leaving members of the officially recognized union out in the cold. By the end of the year, the company had decided to close doors permanently. When Mathilda Blanchard reported on the struggle at the 1977 convention and thanked the Federation for supporting the strike fund, she received a standing ovation. She was also elected as one of the Federation’s vice-presidents.⁸

On the other side of the province, there was another example of the trouble workers were having in securing first agreements. Workers at a new plywood mill in McAdam operated by the Georgia-Pacific Corporation voted heavily in 1977 for the Canadian Paperworkers. After gaining certification, they faced a multinational corporation that refused to deal with the CPU. The company took their objections twice to the Industrial Relations Board and then to the Court of Queen’s Bench and the Supreme Court of New Brunswick. At the 1978 convention, Aurèle Ferlatte, now the CPU’s Atlantic region vice-president, appealed for support. In response, the Federation urged the province to suspend the company’s woodcutting rights and the federal government to discontinue its regional development grants. By this stage, having exhausted all avenues of evasion, Georgia-Pacific agreed to begin negotiations.⁹

The 1978 Federation convention was notably raucous. It began with what the Telegraph-Journal described as “a stinging attack” on the provincial government for failing to reduce unemployment, raise standards, and protect workers’ rights. After reviewing the province’s many failures, LePage concluded that “the time is long overdue where organized labour in this
province becomes far more active politically” and called for the election of New Democratic Party governments both provincially and federally. Although many delegates wore NDP buttons, no specific resolutions concerning support for the party were considered. However, when Premier Hatfield’s latest minister of labour and manpower was introduced — the third minister to hold the post in three years — there was a request from the floor not to allow Lawrence Garvie to speak. LePage ruled the motion out of order. Some twenty delegates walked out, and others interrupted the speech with boos and jeers. Garvie carried on, thanking the Federation for continuing to propose reforms to provincial labour laws and “the responsible attitude of the Federation which it has demonstrated in its deliberations.”

Looking Ahead The Federation executive elected in 1977 included (seated, from left) Mathilda Blanchard; President Paul LePage, Secretary-Treasurer Alvin Blakely, Phillip Booker; and (standing, from left) Gary Murray, John McEwen, Rodolphe Beaulieu, Tim McCarthy, and Harrison Harvey. Three of these men, Booker, McEwen, and McCarthy, were future presidents of the Federation. Source: Telegraph-Journal Archives.
speak in 1981), this was the last occasion on which the minister of labour addressed the Federation convention.

LePage also came in for criticism in 1978 when the Campbellton-Dalhousie District Labour Council called for the withdrawal of the Federation president from the Industrial Relations Board. Their concern was that membership on this quasi-judicial board that administered the Industrial Relations Act and other laws limited the president’s freedom to criticize anti-union employers. Others argued that service on the board enabled the president to be more fully informed about cases and to better defend workers’ interests. The resolution was defeated, but a long debate took place a year later on a resolution to prohibit all officers from sitting on the Industrial Relations Board. This too was defeated. Following the 1978 convention, LePage was bitterly offended when Blanchard, who was defeated as a candidate for re-election as a vice-president in 1978, charged that the Federation was too much of a “one-man show and the man’s name is Paul LePage.” She had been especially critical of LePage for failing to defend the Cirtex workers more effectively as a member of the Industrial Relations Board. 11

By 1980, LePage was ready to step down. With the exception of Whitebone, he was the longest-serving president of the Federation. Although sometimes out of step with more militant members, LePage was always re-elected by acclamation, and none doubted his skill in managing the Federation’s affairs. During his time in office, the affiliated membership had more than doubled, to a historic level of more than 48,000 members at the end of the 1970s. On behalf of the delegates, vice-president Tim McCarthy paid tribute to LePage in these words: “All he ever brought this federation is credibility, and all he has ever done is good for the working people of this province.” LePage’s achievements also included increased cooperation with the other federations of labour in the region and the creation of ARLEC, the Atlantic Region Labour Education Centre, based at St. Francis Xavier University, to provide training for rank and file union activists. As the 1980 convention came to a close, delegates presented LePage with a set of golf clubs, gave him a standing ovation and broke into a singing of “Solidarity Forever.”
As usual, LePage did not mince words: “I’ve been called a dictator, and I guess that’s true to a certain extent. But you’ve got to be either a leader or a follower, and you’ve got to be a bit of a dictator to be a leader.” He also recalled his arrival as a stranger to the province more than twenty-five years earlier and said: “Now there’s not too many places I can go in this province where somebody won’t stop me on the street and say ‘Hi, Paul.’ I am one of the most fortunate people in the world.”

At least three names were mooted to succeed LePage, and each of them did become president of the Federation over the next several years. Tim McCarthy was a vice-president for Northumberland-Kent, and Larry Hanley was vice-president for Saint John-Charlotte; both worked at paper mills represented by the CPU. McCarthy declined nomination, and the thirty-one-year-old Hanley finished second to Phil Booker, the longtime vice-president for the Fredericton area. His labour credentials went back to the embattled early days of the Fredericton police union in the 1950s, where he was president of the local; after seventeen years on the force, Booker became a staff representative for the Canadian Union of Public Employees in 1970. He has recalled that the day he accepted theCUPEposition, he was offered an unexpected appointment as deputy chief of police, but he never regretted his decision to stay with the union. Booker’s election flyer underlined the importance of his background as a public employee: “At this point in our province’s history, it is the public employee who is being hit hardest by management. 

PHIL BOOKER He had worked in the woods before joining the Royal Canadian Air Force during the Second World War. In the 1950s he helped build the policemen’s union in Fredericton. Booker (1919–2009) became Federation president in 1980: “Public employees are being used as scapegoats by governments. . . . Canadians can take things up to a point, and then they don’t take anymore.” Source: Provincial Archives of New Brunswick, New Brunswick Federation of Labour fonds, mc1819, box 192.
Public employees are being used as scapegoats by governments to remove blame from themselves. And the politicians use that myth to charge us more taxes. But then they cut back the services we used to receive. This is the fight in our society right now — for all of us.” Booker later told the Telegraph-Journal that he planned to follow a steady course: “I’m a moderate, neither a hawk nor a dove. I wouldn’t call this a cautious approach. I’d call it a mature approach.” Booker left no doubt he would be a staunch defender of union rights, including the right to strike when other solutions failed: “It’s certainly in the best interest of Canada as a democracy for workers to have that right. Canadians can take things up to a point, and then they don’t take anymore.”

Like LePage, Booker faced frustrations. Once more there was a dramatic example of an employer who was able to defeat workers who wanted union representation. It happened in Dalhousie, usually considered a strong union town. When workers at the Sobeys store there joined the Retail, Wholesale and Department Store Union, they were unable to conclude a first contract and were forced to go on strike in December 1980. As one worker recalled, “they thought it was quite funny that we would try to organize. And they tried to break us, and we wouldn’t. We were very strong.” Two months later, Sobeys decided to close the store on the grounds that it was not a “viable” operation. At the 1981 convention in Moncton, Booker reported on the Federation’s support for a province-wide boycott of all non-union Sobeys stores and led a march to the store at Highfield Square.

Although there would be no first-contract legislation for New Brunswick workers, Booker had some success in advancing labour’s legislative goals. He was especially pleased with the appointment of a new Occupational Health and Safety Commission with a mandate to improve the regulation of workplace conditions; three of the six commissioners were to be nominated by the Federation. He also noted amendments to the Workmen’s Compensation Act that provided for the use of workers’ advocates in hearing cases and also increased benefits, expanded coverage, and improved the definitions of “industrial disease” and “pre-existing conditions.” Many of these changes followed the recommendations of a study committee on which the Federation
was represented by Ed Levert of the Steelworkers and Larry Hanley of the Paperworkers. Booker also expected soon to see the province enact an overdue employment standards code and amendments to the Industrial Relations Act. In the light of this progress, the executive decided to invite the current Minister of Labour and Manpower to address the 1981 convention. Before she spoke, however, DeWare was forced to wait at the head table and listen to a debate on whether labour should refuse to participate in consultations that were loaded in favour of government and management.\textsuperscript{15}

One trying internal situation for organized labour in Canada was also coming to a head at this time. That was the suspension of the building trades unions from the Canadian Labour Congress for non-payment of dues. The dispute had little to do with conditions in New Brunswick. Indeed, the 1980 convention had taken steps to provide for a separate vice-president-at-large to give the building trades stronger representation on the executive. However, the \textsc{clc} suspension, which took effect only a few weeks before the 1981 convention, rendered twelve unions ineligible to participate in the Federation, including mainstays such as the Carpenters and the Electrical Workers. When a motion from the floor asked that the disputed delegates be seated as observers, Booker ruled the request out of order, stating that this would constitute a form of recognition. His ruling was sustained by a standing vote, with about one-third of the delegates opposed. The exclusion of the building trades proved a lasting setback for the Federation. These were among the oldest and strongest union locals in the province, and the Federation was losing almost 10,000 members as well as 18 percent of its annual revenue. Before the end of the 1981 convention, delegates passed an emergency resolution calling for the resumption of negotiations. However, the \textsc{clc} seemed to underestimate the impact of the suspensions on smaller provincial bodies such as the Federation and was not prepared to make any allowances. The Fredericton and District Labour Council, for instance, was advised by the \textsc{clc} that it was entirely out of order for them to allow participation of “persons whose parent organizations are intent on destroying the Congress.”\textsuperscript{16}
As in 1980, the contest for president matched Booker against Larry Hanley. This time the younger man won by a reported margin of eight votes. Delegates seemed to be closely divided on whether they preferred Booker’s moderate ways or Hanley’s more militant message. Hanley belonged to a new generation who had come of age in the 1960s. Born in Saint John in 1948, he grew up in the culture of the union movement. His father had been a member of the old Canadian Seamen’s Union and then worked at the sugar refinery and the paper mill. At one stage, when the elder Hanley was blacklisted in Saint John, he moved the family to Alabama to find work. That was during the early days of the civil rights movement in the United States, and the younger Hanley returned to New Brunswick with a well-developed social conscience. He went into the Rothesay paper mill after high school and was soon recognized as a leader in his union local. He attended courses at ARLEC and the Labour College of Canada and was elected president of the Saint John and District Labour Council in 1977. As early as 1972, Hanley identified himself as a critic of the existing union establishment. As he put it in a union newspaper, he was keen to recapture the labour movement’s sense of mission: “The labour movement as I understand it, originated to create a life worth living as a man, not as a servant or a serf to industry.” He was elected President of the Federation in 1980. Source: Courtesy of Mary Hanley.
and workers’ compensation that owed much to the bureaucratic obstacles his father encountered after losing his leg in an industrial accident.\textsuperscript{17}

Convention delegates knew that Hanley was the key organizer behind the well-planned Day of Protest in Saint John in 1976. They were also aware of his part in a campaign against the export of nuclear fuel supplies to Argentina. This was a notable example of support for workers in a distant country who appealed directly for support from Canadian workers, and the response in New Brunswick owed much to Hanley’s passion for international solidarity. In May 1979, he accompanied Enrique Tabak, a member of the Group for the Defence of Civil Rights in Argentina, to the Federation convention, where Tabak delivered a moving appeal for support in their struggle to defend union rights in Argentina against the military dictatorship. Delegates gave him a standing ovation and passed a resolution calling for the restoration of human, civil, and union rights and the suspension of nuclear sales to Argentina. On 3 July 1979, Saint John longshoremen refused to load a shipment of heavy water bound to supply a CANDU reactor in Argentina. The “NO CANDU

\textbf{NO HOT CARGO} On 3 July 1979, Saint John longshoremen refused to load a shipment of heavy water bound for Argentina. They were supporting the Federation’s appeal for the restoration of human rights and the suspension of nuclear exports to Argentina. The picket line received support from social and human rights activists, including (left) Keay Halstead, Ten Days for World Development, and Ann Breault, Catholic Women’s League. The protest forced the military dictatorship of the time to release more than a dozen political prisoners. Source: \textit{Telegraph-Journal} Archives.
for Argentina” campaign resulted in the release of more than a dozen political prisoners and the abandonment of a second Canadian nuclear reactor sale to Argentina.18

The election of Hanley was reported in the newspapers as a “militant takeover,” and Hanley did not resist the description. Delegates had been calling for “more militant action” from their Federation, he said, adding that he wanted to make the Federation “a little less of an institution to the average worker”: “We will be a visible force at any legal strike or other action by the unions in the province. We will strive to get closer to the workers and establish solidarity within the Federation.” Hanley was among the delegates who supported seating the building trades as observers, and, in the interests of labour solidarity, he wanted to keep the door open for their return. He also planned to “stay away from the banquet circuit” and spend more time “where it counts — with the workers.” An editorial in the Telegraph-Journal cast a skeptical eye over the convention and the election of Hanley, warning that “militancy and solidarity” must be balanced by “responsibility and accommodation.” In an interview with the newspaper, Hanley explained that “militancy is not a bad word in the trade union movement” but that confrontations could be avoided where there was respect for labour’s rights: “When there is a total lack of respect, that’s when you have confrontation.”19

Hanley had no success in bringing the building trades back into the fold, but as expected, he focused much attention on the labour councils, which he saw as a strategic local level in plans for greater provincial solidarity. The NBFL executive held joint meetings with the labour councils and encouraged them to establish “action committees.” In Fredericton the Federation sponsored a Day of Action against high unemployment and high interest rates, and in Chatham they collaborated in a Miramichi Day of Concern about local economic conditions. At the 1982 convention, the executive was expanded to include presidents of the seven labour councils. Fears that labour would withdraw from all contact with the provincial government were exaggerated, as Hanley and other officers met regularly with government officials and submitted briefs on several issues. The new Occupational Health and Safety Act
was amended to strengthen the right of workers to refuse unsafe work, and a new Employment Standards Act consolidated the laws governing working conditions in the province. Looking ahead, the Federation produced a list of major amendments to the Industrial Relations Act required “to minimize employer interference in the right to organize and to streamline and simplify the process of obtaining certification of a new union.” Meanwhile, the Federation had been invited to sit on several new boards, including the Advisory Council on the Status of Women.

More troubling was the province’s decision in January to use emergency powers to end a legal strike. The federal government had done the same more than a dozen times since 1950, most recently against postal workers in 1978, but this was the first use of such powers in New Brunswick. The situation involved a strike by non-teaching school board employees, members of CUPE Local 1253, and as a result the province was in this case acting as both employer and lawmaker. The 1982 convention called for repeal of Bill 18 on the grounds that such legislation was in violation of the new Canadian Charter of Rights and Freedoms, which appeared to protect union rights under the constitutional guarantees for “freedom of association.” The shift from “consent” to “coercion” in labour relations was threatening to become a widespread trend in labour relations; back-to-work legislation had been used across Canada only three times in the 1950s and a dozen times in the 1960s, but more than forty times in the 1970s. Two former presidents took the time to speak to the issue. Paul LePage argued that the general public must be convinced of the importance of protecting the right to strike for all workers. Lofty MacMillan, also in attendance at the 1982 convention, told delegates that it was time to put in power a government “that will respect the working men and women of this province.”

The most dramatic events of the year took place at the St. Anne–Nackawic paper mill, where union officers were jailed for their part in a local sympathy strike. The mill, which was located on the upper reaches of the headpond created by the Mactaquac hydroelectric dam on the St. John River, was considered one of the success stories of economic development in the 1970s.
The mill’s four hundred workers were vigorously represented by CPU Local 219, which played an active part in community life and helped make the single-industry town more a labour town than a company town. When thirty office workers at the mill, who were members of the same union and had been working without a contract since the previous August, went on strike on 29 May 1981, millworkers refused to cross the picket line. The company appealed to the provincial Court of Queen’s Bench for an injunction ordering them to return to work. When workers refused to obey, Local 219 officers Doug Homer, Tim Noel, and Glen McGuire were jailed for contempt of court. The Federation immediately organized a demonstration outside the York County Jail in downtown Fredericton, where Hanley stated that the Federation “has long expressed concerns over the willingness of the courts to involve themselves in industrial relations matters which are best handled by labour relations boards.” He also sent telegrams to Premier Hatfield and leaders of the Liberals and the NDP calling for legislation to give workers the right to respect legal picket lines. The crisis continued on 22 June, when the millworkers again went out to support the office workers and were joined by two hundred additional union members from across the province. This time one of the officers, Tim Noel, was sentenced to ten days in jail. Work did not resume until 3 July, when the office workers finally secured a settlement. The union meanwhile faced fines of $40,000, and the company filed a claim for $900,000 in damages arising from the shutdown. The Supreme Court of Canada later denied the company’s claim for damages, but the events confirmed that under existing labour laws, workers who respected picket lines and engaged in expressions of labour solidarity did so at the risk of court orders, fines, and imprisonment.21

In another sector of the economy, the Federation was lending support to the long fight for collective bargaining rights for inshore fishermen. The organization of the Maritime Fishermen’s Union at Baie Ste. Anne in March 1977 was the latest round in centuries of struggle to break the hold of merchants and processors over the price of fish. This time the fishermen would have the support of organized labour. When they were invited to the Federation
of Labour meetings in 1977, the MFU already had nineteen locals in New Brunswick, mainly among Acadian workers in the southeast and northeast. The new union soon discovered that the fish processors and lobster plants were unwilling to negotiate with them. And under existing labour laws, fishers were not considered “employees” and their union did not have the right to apply for certification. The Federation’s endorsement, as well as that of the CLC, gave the MFU political and financial support, and in 1982 the Hatfield government finally agreed to enact the Fisheries Bargaining Act, which established a system of collective bargaining in the fisheries. Like the Public Service Labour Relations Act of 1968, this measure extended union rights to large numbers of previously excluded workers. As Sue Callhoun writes, it was a “major victory”: “The union had begun the fight in 1974, and since then, there had been committees, studies and reports nearly every year that had recommended collective bargaining for fishermen. After eight years, fishermen in New Brunswick finally had the right to negotiate the price of fish.” The campaign included a mix of mobilization, publicity, lobbying, and direct action. The turning point may well have come on the wharf in Caraquet in September 1979, when the MFU led a five-day protest against the season opening of the herring stock to the large seiners that left little for the inshore boats to harvest. When the RCMP used tear gas to break up the occupation of the wharf, the Federation supported a “day of solidarity” at the Caraquet arena. Fisherman Herménégilde Robichaud and MFU
executive secretary Gilles Thériault were later convicted of public mischief for their part in the local “herring war.” Calhoun concludes that the events at Caraquet showed that the MFU was dedicated to the fishers’ interests and had public support: “Of all the battles that the union had fought and would fight, it was the one that strengthened and increased the membership, that won over the public.”

Hanley’s lively term as President came to an end at the 1982 convention. Although his dedication and skill were evident, there were signs early in the convention that his return to office was not assured. In a debate on a resolution to resume annual briefs to the cabinet, Hanley left the chair to oppose the motion: “We are really talking about a question of philosophy,” he said.

UNION RECOGNITION The RCMP breaks up an MFU demonstration on the wharf at Caraquet in September 1979. The Federation supported the long campaign for union recognition, which was achieved with the enactment of the Fisheries Bargaining Act in 1982. Source: Centre d’études acadiennes Anselme-Chiasson, E-15751.
“Do we go out and talk to our workers in the street or do we do it through press conferences with Hatfield?” Despite concern that this might signify a return to a “cap-in-hand” approach to government, the resolution was adopted by a seven-vote margin. The election of president was also decided by the same margin, as Hanley was defeated by Tim McCarthy, president of CPU Local 689 at the Boise Cascade paper mill in Newcastle. Having served as a vice-president since 1969, the soft-spoken McCarthy was the senior member of the Federation executive. Born in County Cork, Ireland, in 1929, he had trained as a pipefitter and later as an electrician. He came to Canada in 1955 and worked on construction at Williams Lake, British Columbia, where he met and married a woman from Newcastle. They moved east, and McCarthy worked first at Heath Steele Mines before taking employment at the paper mill, then known as Miramichi Timber Resources. McCarthy was active on the labour council and served several terms as a town councillor in Newcastle. His victory over Hanley was described in the newspapers as a return to a “moderate” approach, but McCarthy insisted that his “personal style” should not be considered a sign of weakness. There would be “consultation” and “dialogue,” but the labour movement would not be abandoning other tools, including protests and demonstrations. For his part, Hanley said he believed that his leadership had helped to reinvigorate the Federation and renew the involvement of “rank-and-file” members.24
Strengthening Participation

By the 1980s, the Federation was prepared to address at least one historic weakness by directing more attention to the needs of women workers. This was a result of the activism of women themselves, who were entering the labour force in large numbers and also joining unions. By 1984, for instance, women accounted for 41.2 percent of the work force in the province and 33.4 percent of union membership. The participation of women within the Federation was also rising to a new level. The 106 women delegates at the meetings in 1984 accounted for 27 percent of the delegates, a significant increase over the situation as recently as 1976, when the 42 women were only 14 percent of the total. In addition to the many women members in the public sector unions, especially in the hospitals and schools, a large number of women fish plant workers had joined the Canadian Seafood and Allied Workers, and five locals from Caraquet and Shippagan were represented at the 1982 convention. Also, a new Union of Bank Employees sponsored by the CLC was having some initial success, much of it the result of organizing work by Moncton’s Kathryn-Ann Leger. As Linda Dufour, who worked at the local branch of Central Trust, explained at the time of the Edmundston convention in 1982, issues such as job security, salary, staffing, turnover, and promotion provoked them to join the union: “We have no regrets. We feel more secure.”

Women who worked in the province’s nursing homes, which were funded by public monies but privately operated, were also joining unions. By 1981, workers had won union certification at more than twenty of these establishments across the province. In rural Queens County, employees faced unusually extreme conditions at the Bethel Nursing Home at Mill Cove. When Jean Moss and other workers invited CUPE organizer Joan Blacquier to meet with them, Blacquier recalled that “the air was blue” with stories of long hours, low wages, little training, missed pays, paternalism, intimidation, and abusive treatment. They also told her about practices that endangered the health and safety of the residents. All this was taking place under the aegis of an independent evangelical minister whose family owned and operated the nursing home, the gas station, motel, restaurant, and general store as well as a funeral
home. To Blacquier’s surprise, it took only a few days for the women to collect more than enough signed union cards to organize CUPE Local 2464 and apply for certification in January 1981; a vote was held in February and a certification order issued in March. Signing a contract was another matter, and the local went out on strike at the end of August.

The impasse did not end soon. Members and families parked cars and trucks along the Trans-Canada Highway to block access to the home, and truck drivers were warned by CB radio not to make their usual stops at Mill Cove. Injunctions later limited the picket line to six people and two cars, and the new union members settled in for a long siege, supported by small strike pays and contributions from the Federation and other supporters. Meanwhile, sworn affidavits concerning irregularities in financial practices and nursing care at the home were submitted to Premier Hatfield by Jean Moss and by a doctor and a registered nurse who had previously worked at the home. Following an inspection, Minister of Health Brenda Robertson ordered the home closed, and the one hundred residents were relocated by ambulance to hospitals. The Federation and CUPE called for expropriation of the home. Instead, the province arranged for a purchase by new investors, and the new Mill Cove Nursing Home reopened in September 1982. It had taken a full thirteen months on the line, but the workers finally had a contract. In this local battle, a small group of workers helped consolidate the place of unions in the province’s nursing homes. They also demonstrated that unions could succeed in winning public support and respect for low-paid women workers. As Phil Booker, who regularly stood on the picket line from midnight to 8 a.m., later recalled, “This local, from the time it started, I think, as a crew had probably more guts than I ever saw in people in a local before or since.”

In addition to organizing workers in places such as Mill Cove, Blacquier, who was CUPE New Brunswick’s first woman staff representative, also played a leading part in advancing the place of women within the Federation. A Women’s Committee, originally announced by Paul LePage, began work in October 1980. When Blacquier, as chair, gave the committee’s first report in 1981, she explained that their goals were to increase the participation of
WOMEN’S COMMITTEE  The Federation took up the cause of pay equity soon after a Women’s Committee was established in 1980. Members of the committee in 1986 were (from left) Delalene Pickering, Pierrette Cyr, Mariette Richard, Marina Grant, Mona Beaulieu, and Valentine Ward (chair). Source: Telegraph-Journal Archives.

women in the labour movement, to raise the awareness of women’s issues, and to push for legislation in areas such as maternity leave, daycare, and equal pay for work of equal value. At this time Blacquier was also elected Federation vice-president for Carleton-York-Sunbury, the first of her five terms. In 1984, Kathryn-Ann Leger, who had succeeded Blacquier as chair of the Women’s Committee, was elected vice-president for Kings–Westmorland–Albert and also served five terms. After these pioneers had shown the way, women would no longer be limited to an occasional presence on the executive.

The participation of women was underlined when the 1984 convention considered a constitutional amendment to establish a vice-president for women’s issues. As in the past, this proposal sparked a heated debate, with a number of delegates objecting to “tokenism” and “special treatment.” Tom Appleton of the Energy and Chemical Workers Union in Saint John opposed the amendment on the grounds that “what we’re saying here is that the previous executives have failed to do their jobs”; an hour later he returned to the microphone to say that his views had been changed by the debate and asked
for unanimous support for the proposal. For her part, Leger said she was not surprised by the long debate, as many men and women delegates “are still not informed on women’s issues,” and the distinction between “equal pay for equal work” and “equal pay for work of equal value” was an example of one issue that required considerable public and membership education. The amendment passed without a recorded vote, and a CUPE delegate from the hospital local in Edmundston, Mona Beaulieu, was elected to fill the new post. Recognizing the place of women in the Federation also came to the fore at this time in a discussion of the name of the Federation. Delegates from CUPE Local 821 at the Georges Dumont Hospital in Moncton proposed that the official name in French be revised in order to signify the inclusion of both female and male workers. The change was approved in 1986 and the term “Fédération des travailleurs et travailleuses du Nouveau-Brunswick” came into common use in the 1990s.

In the following years the committee’s work focused on holding conferences and workshops for members and preparing information on issues such as sexual harassment and abuse, parental leave, child care, health and safety, pensions, benefits, and the supposed “flexibility” of part-time work. In 1985 the Committee also took issue with a new television film, Labour of Love, which the CBC described as a “romantic, fictional comedy” about a strike on the Miramichi; on behalf of the Federation executive, Tim McCarthy wrote CBC President Pierre Juneau to condemn the film for “its poor portrayal of the Miramichi area, its people and their way of life, as well as for the degrading manner in which it depicted organized labour, women and local service organizations.” By 1986 the Women’s Committee was focusing on the issue of pay equity. They objected to the province’s “blatant omission” of pay equity from a discussion paper of more than a hundred pages on changes to the Employment Standards Act and argued that “the undervaluation of ‘women’s work’ is tantamount to segregated minimum wages.” In a statement released for International Women’s Day, 8 March 1987, the Committee argued that “equal pay for work of equal value is a fundamental right which is covered under section 15 of the Charter of Rights and Freedoms.”
the beginning of a major campaign, to be directed at both public and private sectors. The 1987 convention unanimously endorsed “equal pay for work of equal value” as a priority.  

The discussion of gender balance in the Federation’s official name in the French language was also a reminder that the organization was committed to a policy of bilingualism. The growing level of Acadian participation, particularly through the affiliation of union locals in the north, in the fisheries, and in the public sector, placed new demands on the Federation. By 1986, the Federation estimated that its affiliated members included 25,249 English and 13,595 French members. For some years the Federation had taken steps to deliver services in French as well as in English, and a policy of practical bilingualism had taken root within the organization. Beginning in 1972, the conventions offered simultaneous translation, and in 1975 the resolutions were available in both languages. There were formal declarations in 1979, when a constitutional amendment provided for publication of the Constitution and policies in both languages, and Article 1 was amended to recognize the right of members to use both languages at the convention and at executive or committee meetings. In 1980 the Federation made all convention documents available in both languages for the first time, and all briefs, press releases, and newsletters were subsequently made available in both languages. The updated edition of the Constitution in 1984 confirmed that “Fédération des travailleurs du Nouveau-Brunswick” had equal status as the official name of the organization. As president, Paul LePage often assured delegates that he could respond to members in either language. However, this was more difficult for his successors, as neither Booker, Hanley, nor McCarthy was bilingual. The election of a bilingual secretary-treasurer was one informal solution, as was the case earlier when Valerie Bourgeois held the position during Lofty MacMillan’s presidency, and the same applied when Jean Thébeau held the office in 1980–81.  

The progress was slow, however, and at the 1985 convention, which took place in Edmundston, delegates from the labour council in Moncton called for a special meeting to examine the problems of increasing Acadian participation.
An “NBFL Conference on Issues Facing Acadian and Francophone Workers” took place in Fredericton in March 1986, with Richard Mercier of the CLC as keynote speaker and simultaneous translation throughout. With sixty-four delegates in attendance, including McCarthy and other officers, the discussion ranged broadly. The workshops considered issues such as delays in building a community college in Dieppe and the need for a workers’ rehabilitation centre in the north of the province. They noted too that francophones in the province were disproportionately affected by low incomes and that provincial labour laws remained an obstacle to higher levels of unionization. The province was asked to provide funding for language training for union leaders, and delegates pointed to the need to re-establish a daily French-language newspaper in the province since the shutdown of *L’Évangéline*. 

A number of recommendations addressed the functioning of the Federation itself: translation services at executive council meetings, a bilingual assistant to the executive secretary, nomination of bilingual representatives to provincial boards, more Federation activities in the north, more weekend courses for union members in both languages, and more francophone speakers at conventions. Delegates also reported a perception that, when translation services were available, there were sometimes not enough headsets and that some members did not take the trouble to listen to speakers in French. The idea of separate federations for French and English workers was raised but rejected as an option that would undermine union solidarity in the province.33

Although they had not achieved a “fully bilingual federation of labour,” McCarthy told the Federation meeting in Moncton a few months later, he was pleased with the results and the steps being taken. The latest was the addition of a vice-presidency for the Acadian Peninsula. However, he considered a proposed “co-presidents” arrangement unworkable and suggested it might be better to elect two vice-presidents, one from each language group. From McCarthy’s point of view, attention to the needs of francophone members was part of a larger strategy of building labour solidarity: “Workers can ill-afford to be divided over language or any other issue for that matter.”34 Gilles Thériault of the Maritime Fishermen’s Union spoke in support of a resolution submitted by the Acadian Peninsula labour council calling for a co-presidency. Unfortunately, said Thériault, there was a “communication problem” within the Federation. “It is not in the spirit of division that we bring this,” he said. “We just want to fully participate in the federation.” For example, he noted that while it was possible for a unilingual anglophone to become president of the Federation, it would be virtually impossible for a unilingual francophone to function as president. Other delegates, both English and Acadian, shared Thériault’s concerns, but few were prepared to support the proposal for two presidents. “If we don’t stop dividing, we’re going to be conquered,” stated Ronald Paulin of the Bathurst paperworkers, who earned a standing ovation when he added: “If we put more energy into fighting management and the jeezless government, we’d all be winners.”35
While the proposal was defeated, the debate helped confirm the commitment to serving members in both languages. Four of the twelve officers elected in 1986 were Acadians, although one of them, Blair Doucet of the Steelworkers in Bathurst, had been raised in an English-speaking environment and did not consider himself bilingual. The election of another Acadian president (Melanson had been the only one to date) was still some years away. However, the partnership between an anglophone president and a francophone secretary-treasurer was re-established when Maurice Clavette of the Paperworkers in Edmundston (who replaced the incumbent provisionally in 1986) was acclaimed to the post in 1987 and served until 2001. In addition, in 1987 the Federation was able to secure the loan of a francophone executive assistant from the CLC for a two-year period before later hiring a more permanent staff member. The visibility of the Federation among francophones was enhanced by efforts to include Edmundston in the rotation of convention locations, which had been limited to Moncton in recent years. Delegates met in Edmundston three times during the 1980s (1982, 1985, 1989) and with similar frequency in the 1990s, experiences that helped to introduce hundreds of union members to a francophone community with strong union traditions. On one of these occasions, a local reporter observed that although most of the discussion at the convention was in English, “les délégués étaient visiblement heureux d’avoir passé trois jours dans la République du Madawaska.”

Language issues certainly remained secondary for the large numbers of both anglophone and francophone workers represented by Locals 5385 and 7085 of the Steelworkers, who were engaged in a long struggle at Brunswick Mining and Smelting in northern New Brunswick that started in the summer of 1990. Although this was the largest and most productive lead and zinc operation in Canada, the 1,500 unionized workers had settled for minor increases in wages in the 1980s and were determined to make gains in the next round and reduce the contracting out of work to non-union companies. In addition, health and safety were a major concern, as a study released in June 1990 found that 69 percent of the workers tested had hearing loss and 24 percent had high levels of metal in their blood. When strikes started at both
the mine and the smelter, the courts issued injunctions limiting the number of pickets to no more than six at any location, which enabled the company to continue operations at a low level using replacement workers and contractors. When a train was blocked from reaching the mine site, the union was fined $4,000, and there would be even larger fines against individuals and the locals during the following weeks. This led to the establishment of a picket line by the spouses and partners of striking workers, who told reporters: “Comme nos maris sont limité dans leurs actions par une injonction, nous avons décidé de les remplacer et nous avons l’intention de maintenir nos piquets de grève et de bloquer l’acces aux sites jusqu’à ce que nous obtenions des résultats positifs”; the injunction was soon amended to include “any person aware of the injunction.” The strike, which lasted until the following May, had a huge impact on the local economy, but the union succeeded in maintaining community support, in part by ensuring that statements were issued in both languages. One, for instance, was addressed not only to union members but “à tous les citoyens de la région Chaleur qui croient à la justice — l’honnêteté — les droits et la liberté.” Another reminded the community that the company “has forgotten that the resources belong to the people of the province” and “are not willing to share their wealth with the community at large.”

**Plan of Action**

Over his nine years as president, McCarthy earned the respect of members for his dedication to strengthening the Federation and bridging differences between moderates and militants. Hanley challenged him unsuccessfully in 1983, and Brian Murphy, a Steelworkers delegate from Bathurst, ran against him in 1985, but otherwise McCarthy was acclaimed to office until he stepped down in 1991. Although he rarely raised his voice and was attentive to procedural detail, McCarthy proved to be an able organizer and a strong defender of union rights. As one delegate remarked, McCarthy seemed to have “the ways of a bureaucrat but the heart of a trade unionist.” His patience was sorely tested during his years in office. Membership numbers remained stable, just
short of the 40,000 members often mentioned in news reports, but instead of advancing their agenda for reform of labour laws and renewal of the union movement, the Federation was repeatedly called upon to resist attacks on the status of workers and unions.

It was alarming to find that governments often seemed to be leading the way. Since the end of wage controls in 1977, organized labour had bargained hard to “catch up” with rising prices. Meanwhile, the federal government in 1982 brought in wage controls that were directed at employees in the federal public service but expected to set an example for other employers. Existing contracts were arbitrarily extended for an additional two years, and any scheduled increases were limited to 6 and 5 percent for that period.\textsuperscript{40} In New Brunswick, the Hatfield government followed the lead by announcing “voluntary” guidelines, a prescription that sounded less severe but had a chilling effect on negotiations with provincial employees. Meanwhile, employers in the private sector were showing more reluctance to deal with unions, and some were taking advantage of opportunities to hire replacement workers and avoid contract negotiations. The situation did not improve with the election of Brian Mulroney’s Progressive Conservative federal government in 1984 and Frank McKenna’s Liberal government in New Brunswick in 1987, who in due course proved to be more determined than their predecessors to weaken employment standards, reduce public services, and limit the influence of unions. When McCarthy reported to the Federation’s 1985 convention, he warned that there were challenging times ahead: “Labour is increasingly under attack by big business, conservative governments and other right-wing elements who seek to make unions the scapegoats for society’s ills.”\textsuperscript{41}

It would take more than resolutions to meet this challenge. When the 1986 convention met in Moncton, under the theme “Workers’ Options,” the Federation adopted an “action plan” for informing, organizing, and mobilizing union members. It started with a package of legal reforms needed to stabilize the labour relations system. At the top of the list was “first agreement arbitration” to ensure that workers who chose to join a union were not prevented from achieving a first contract. There was more. Certification
should be speedy when there was majority support for a union. The hiring of replacement workers during strikes should be fully prohibited. Equal treatment for full-time and part-time workers should be guaranteed. Equal pay for work of equal value should be legislated. Workers’ compensation should be reformed to provide the right to return to work and receive training as needed. In the medium term, solidarity within the union movement should be strengthened, and in the longer term, support for the New Democratic Party should be encouraged because it was “the only proven vehicle for Canadian working people to achieve their legislative goals.” The “action plan” also recognized the need to reach a broader public. Delegates would need to “take our message back to the membership” and build an understanding that “the solutions we’re fighting for will make a difference to them and other working people.” To achieve this, unions needed to make more effort to educate their own members and to convince the public that unions were serving the general interest.42

In Moncton itself there was an obvious example of how the unions could help defend community interests. The city’s largest industrial employer, the Canadian National Railway, was threatening to shut down operations, eliminating 1,200 jobs directly and another 800 related jobs. On behalf of the Federation, McCarthy had already written the Minister of Transport in 1985 to warn about the severe consequences of such a plan, and the Federation was a leading participant in the local “Save Our Shops” campaign. Petitions went forward to each of the Atlantic premiers calling for unity in defence of the railway shops as an economic engine that injected tens of millions of dollars into the regional economy every year. Another petition called on Parliament to stop any moves to downgrade or close the Moncton operations. A flyer entitled “Your Voice Could Save 2000 Jobs” warned that closing the shops would be the end of Moncton’s “proud, century-old heritage as a great railroad town” and would destroy a tradition of achievement and expertise among local workers, “dismantling a team of hundreds of experienced skilled workers, including boilermakers, blacksmiths, carmen, electricians, machinists, pipefitters, and sheet metal workers.”43
The situation received close attention from one of the visiting speakers at the 1986 Moncton convention who was now one of the most prominent labour leaders in Canada. Valerie Bourgeois had started work as a machinist’s apprentice at CN in 1952, and was active in IAM Local 594 as well as the labour council and the Federation (he was secretary-treasurer from 1963 to 1969). After working for the union in Montréal and Ottawa, he was elected IAM vice-president for Canada in 1985. When he spoke to the delegates, Bourgeois focused his attention on the plan to remove Moncton’s “historic right” to the railway shops as part of the Maritime provinces’ contribution to the Canadian economy: “To say such a move is scandalous and irresponsible is an understatement. It is economically unsound, socially reprehensible, and politically stupid.” He congratulated the “Save Our Shops” committee for mobilizing public support, but warned that downsizing, shutdowns, and backdoor forms of privatization were “but one part of the current insane ideological rush towards ‘laissez-faire’ by our conservative government”: “Throw in deregulation, abolishment of generic drugs, major cutbacks of such programmes as unemployment insurance and medicare funding, to name just a few things, and you have Brian Mulroney’s vision of a new Canada.” Instead, the IAM took the view that, as a Crown corporation, the CNR was always “more than a business” and should promote local development rather than aggravate unemployment and regional disparities: “The CNR was designed and has traditionally been used as an instrument of economic development in Canada.” Source: Provincial Archives of New Brunswick, New Brunswick Federation of Labour fonds, MCI819, box 192.
cultural, political and economic development in Canada.” After passing a resolution of support, the four hundred delegates then marched down Main Street to the CN Terminal Building, chanting “Save Our Shops” and singing new words to an old union song: “The shops belong to Moncton, / They shall not be moved.” The CN workers attracted wide support, and Moncton’s Progressive Conservative MP Dennis Cochrane stated in Parliament that closing the shops was “totally unacceptable and will not be tolerated,” but in the end his government did nothing to stop CN from making the fatal announcement and starting to wind down operations.44

The potential of a well-organized campaign was also demonstrated when the Federation supported a province-wide boycott of Coca-Cola products in 1987–88. For several years Brunswick Bottling, who distributed Coke products from plants and warehouses in Edmundston, Saint John, and Moncton, had been attempting to evade provisions in their union contract, especially by laying off experienced workers and union activists. In 1987 the company showed little interest in renewing the collective agreement, and when the members of RWDSU Local 1065 went on strike that spring, the company continued operations with pro-company employees and new replacement workers. The Coke strike became a major test for union rights, including the right to participate in union activities without fear of losing employment. With support from the Federation, the striking workers took their message to shopping malls, grocery stores, and ferry terminals, and sympathetic union workers asked to have Coke machines removed from workplaces and lunchrooms. To help raise funds for strike pay, the Federation adopted an innovative “adopt-a-striker” campaign under which unions supported individual workers with strike pay of $100 a week. In another well-publicized tactic, the Federation sponsored a touring “Anti-Scabmobile” that travelled from town to town to spread the boycott and raise funds. As the conflict dragged on from May into December, labour councils and local unions organized Christmas parties for the strikers and their families. The long strike also drew attention to the need for the province to consider prohibiting the use of replacement workers during legal strikes. A large crowd demonstrated at the opening of the legislature in
1988 and presented Minister of Labour Mike McKee with a petition bearing more than ten thousand signatures in support of “anti-scab” legislation.

With no solutions in sight, in May 1988 McCarthy, together with union representatives, appealed directly to the Canadian Labour Congress, which was meeting in Vancouver. With support from Buzz Hargrove of the Canadian Auto Workers, they convinced all the unions representing Coca-Cola operations in Canada to support a national boycott of Coke products unless the dispute was settled within thirty days. After CLC President Shirley Carr announced this decision to the convention, she received a telephone call from Coca-Cola headquarters in Atlanta. Over the next several weeks, the corporation stepped in aggressively in order to avoid a national boycott, which also threatened to become international, by forcing Brunswick Bottling to sell out to their own distribution branch. In the negotiations that followed, it took only five hours to reach an agreement — with all workers rehired, seniority rules preserved, and a raise in pay. This was a remarkable achievement for a relatively small group of eighty workers who were on the picket line for fourteen months. Their determination made a difference, and so too did the support they received locally, provincially, and nationally. As one striker’s wife recalled: “The support we received during the strike was excellent. It was a lot better than I expected. I thought we were going to go through the strike and everybody would back away saying it is not their fight. That’s not the way it turned out. We got excellent support. We got a lot more support than we anticipated because we were fighting for our rights.” At the end of the conflict the Federation of Labour prepared a certificate entitled “Strength and Solidarity,” which was presented to all strikers: “Your courage, militancy and solidarity, and that of your family, has become an example for all workers in our province. You are an integral part of modern labour history.”

The campaign had raised the issue of replacement workers once again, but overall “the plan of action” was not winning the day. With employers taking a “you’re lucky to have a job” attitude, McCarthy warned delegates at the 1987 convention, it was not time to be complacent about defending union rights. Several labour councils had organized public events on labour
law reforms, workers’ compensation, and technological change, but others had not. It was also important, he added, to continue advancing new priorities, especially the retraining of workers to meet technological change and the establishment of pay equity principles in provincial legislation.\textsuperscript{46} At this time, several steps were taken to improve the functioning of the Federation. Delegates endorsed a plan to elect the president and other officers for two-year terms in order to improve continuity in their work. A more controversial reform came to the floor when delegates debated a plan to require all affiliated union locals to become members of their local labour councils, on the grounds that this would strengthen grassroots participation in the union movement. The measure was defeated, and when the issue was revisited in 1988 it was again defeated, but closely, on a standing vote of 85 to 74.\textsuperscript{47}

Federation leaders were also hopeful about changes in New Brunswick politics. With the Hatfield government drifting towards collapse in 1987, the prospects were uncertain. For some years there had been signs that voters were taking a larger interest in social democratic politics. In 1978, the Parti Acadien demonstrated the ability of a left-leaning party to attract support when Armand Plourde, an activist priest in Kedgwick, came within 170 votes of winning a

\textbf{COKE BOYCOTT} During a strike against the distributors of Coca-Cola in the province, the Federation supported a boycott and campaigned for fair labour laws to prevent employers from using replacement workers during labour disputes. Federation President Tim McCarthy listens as striking worker Steve Frost addresses supporters in Moncton in 1988. Source: Provincial Archives of New Brunswick, New Brunswick Federation of Labour fonds, mc1819, box 192.
seat in Restigouche West. In the NDP itself, J. Albert Richardson had stepped down as party leader in 1976 but continued to strengthen ties with organized labour as Federation secretary-treasurer from 1981 to 1986. His successor as party leader, Kent County teacher and environmentalist John LaBossière, helped broaden the party’s appeal. The same was also true of George Little, a Saint John area high school teacher with a Scottish background who became leader in 1980. Little’s polished platform style and his command of social democratic ideas made him a popular speaker at the Federation conventions throughout his term. In 1982 the NDP finally made a breakthrough in the Tantramar riding by electing Bob Hall, a teacher who was also mayor of the village of Port Elgin. A second member, Peter Trites, was elected in a 1984 Saint John by-election but later left to sit with the Liberals. The NDP achieved a new level of support in these years, and in the 1982, 1987, and 1991 elections attracted more than 10 percent of the provincial vote. At the 1987 convention, McCarthy was pleased to note that almost half the party’s candidates were trade unionists. There was no hope of the NDP forming a government, he added, “but it would be really sweet to hold the balance of power.”

Meanwhile, at the federal level the Mulroney government’s plans for a free trade agreement with the United States were ringing alarm bells for organized labour. The CLC’s executive vice-president Nancy Riche had already warned the Federation in 1986 that the government was going down a dangerous road that threatened Canadian sovereignty at many levels. From labour’s point of view, the “level playing field” advocated by the Americans was a danger to social programmes such as unemployment insurance and medicare as well as to regional development efforts to assist industries and communities. With the government embracing a continentalist free-market ideology, a wave of restructuring, privatization, and deregulation was expected to follow. Collective bargaining itself would also be directly affected as employers tried to impose inferior American wage and benefit packages on Canadian workers. In many ways the free trade debate was raising old questions about the relationship between business and government in managing economic and social policies in Canada. The statement adopted by the Federation in 1986, with
its mix of social democratic and nationalist ideals, called for an alternative approach with a better balance: “Free trade is not a substitute for economic leadership. Governments federally and provincially have a responsibility to intervene to create viable economies which serve the interests of working people and are not totally dependent on the market mentality. Canadians must be free to choose their economic future rather than have it imposed on them as a result of businesses pursuing their self-interest in a continental market.”  

The 1988 election was widely understood by Canadians as a referendum on the free trade agreement, with the Liberals, under John Turner, and the NDP, led by Ed Broadbent, both making strenuous arguments against closer integration with the American economy. The election was still months away, however, when the prime minister and his entourage arrived in Moncton in May for the annual meeting of the provincial Progressive Conservative Party. There they faced a large crowd protesting government policies in general and the shutdown of the CN shops in particular. In the dense bottleneck of protesters, politicians, and police in front of the Beaver Curling Club, the prime minister’s wife was badly jostled. In the same melee, veteran CN employee and former Federation secretary-treasurer Greg Murphy was tackled by police forces, wrestled to the ground, and arrested; he suffered cuts and bruises and was taken to hospital suffering from chest pains. Mila Mulroney herself was winded by the incident and later said she had been elbowed in the stomach. Other observers claimed she was hit by an anti-privatization placard. 

The prime minister was not slow to lash out at organized labour for a deliberate attack on his wife, and MP Dennis Cochrane and Liberal candidate Mayor George Rideout called for union leaders to apologize to the prime minister. The police found no evidence to lay assault charges. However, Murphy himself later took legal action by charging that the city police were responsible for “an unprovoked and unjustified attack on an innocent protester.” In this he had the support of the Federation, which provided legal aid for his case. A Federation statement blamed poor security and unnecessary force for causing an unfortunate incident: “Damaged reputations, personal anguish and negative publicity have followed unfounded accusations by
Prime Minister Mulroney and other elected officials that labour protesters were responsible for assaulting his wife and violently attacking women and children.”50 Although the protesters were defended by the CLC’s Shirley Carr and other labour leaders, the bad publicity offended the Federation’s image of itself as a responsible participant in a legitimate public protest. It also contributed to the polarization of opinion in the country. While the opposition parties won a majority of votes in the November election, the government was returned with a reduced number of seats. In New Brunswick the results divided evenly between Liberals and Conservatives, a loss of four seats for the government. The NDP, with almost 10 percent of the vote, again failed to win a seat. In Moncton, the final CN layoffs took place just as the election campaign officially began, and Cochrane was among the defeated MPs. As union leaders had warned, within a few years Canadian National was one of the major public corporations, including Air Canada and Petro-Canada, that were turned over to the private sector.

The questions raised in debates about the economic future of the province and the country could not be easily answered. The unions alone did not have the power to force governments and corporations to make social and economic decisions that were responsive to the needs of workers and their communities. To achieve more, organized labour needed allies, and the Federation was an active participant in groups such as the New Brunswick Health Coalition and the Atlantic Coalition for Fair Unemployment Insurance. In 1985 they assisted the Provincial Alliance in protesting cutbacks in government services, which included handing out “Demerit Awards” to cabinet ministers “who have shown contempt for the citizens of New Brunswick by attempting to dismantle and destroy those social programs, services and working conditions which New Brunswickers have fought long and hard to achieve.”51

Some alliances also raised difficult questions for union members, especially in establishing the balance between economic development and environmental protection. In the 1970s, for instance, delegates debated the spruce budworm spray on several occasions, and in 1987, despite concerns voiced by Saint John unions, they voted against the construction of a second nuclear power station.
at Point Lepreau. By 1990, the Federation had established an ad hoc committee on the environment, with two members sitting as Federation representatives on the board of directors of the Conservation Council of New Brunswick; the following year it was added to the list of standing committees, with a mandate to promote knowledge of environmental issues among union members.52

When social and economic issues were debated at the broadest level, there was also interest in the ideas of the supposedly more “conservative” elements in civil society such as the churches. The social gospel, a major influence on early-twentieth-century labour and social reformers, enjoyed a revival in the late 1970s and 1980s. An influential document issued by the Catholic bishops of Atlantic Canada in 1979 under the title “To Establish a Kingdom of Justice” quoted a recent pastoral message: “The riches of Canada are unequally shared. This inequality, which keeps so many people poor, is a social sin.” The document also identified regional disparity and underdevelopment in Atlantic Canada as moral issues and drew attention to the wide range of social movements, including the trade unions, whose history and activity demonstrated “the tenacious versatility of our people” in the struggle for social justice.53

When the Social Affairs Commission of the Conference of Catholic Bishops produced “Ethical Reflections on the Economic Crisis” in 1983, the Campbellton-Dalhousie and Saint John labour councils presented resolutions welcoming this widely circulated appeal for the assertion of ethical priorities in economic life; “This option calls for economic policies which realize that the needs of the poor have priority over the wants of the rich; that the rights of workers are more important than the maximization of profits; that the participation of marginalized groups takes precedence over the preservation of a system which excludes them.” Again, the labour unions were endorsed as key figures in this struggle: “Labour unions should be asked to play a more decisive and responsible role in developing strategies for economic recovery and employment. This requires the restoration of collective bargaining rights where they have been suspended, collaboration between unions and the unemployed and unorganized workers, and assurances that labour unions will have an effective role in developing economic policies.” 54
McKenna vs. the Unions

When Tim McCarthy announced his retirement as Federation president in 1991, he found it difficult to end on a note of optimism. It had been a difficult year. More than four hundred members of the paperworkers union at the Irving Rothesay mill had been on the picket line for eleven months, and the Federation launched a province-wide boycott of Irving products before the strike was finally settled in February 1991. In the north, the steelworkers had been out since July and did not reach an agreement until May 1991. At Sussex, members of the United Food and Commercial Workers were locked out by Dairytown Products in January, and their jobs were taken over by local replacement workers and professional strikebreakers. “The past year has been a trying one for many in the labour movement in New Brunswick and across Canada,” McCarthy concluded. “Attacks on workers by government and the many labour disputes in our province make this year’s convention theme, ‘Changes! Solutions! Actions!’ most appropriate. For together, we must examine the adverse changes that have taken place in recent times, seek solutions to the problems and challenges facing us, and finally take action to ensure a united and strong labour movement that will meet the needs of present and future workers.”

CLC Secretary-Treasurer Richard Mercier thanked McCarthy for his years of service as president and warned that he was retiring too early. He also singled out McCarthy’s success in promoting cooperation between language groups in the Federation: “The manner in which you have insured that anglophones and francophones of New Brunswick work together for their brothers and sisters is nothing short of remarkable. Those who are looking for models of cooperation between the two groups do not have to go far.”

The choice of a new president involved two candidates from northern communities, Blair Doucet of the Steelworkers Local 5385 in Bathurst and John McEwen of the Paperworkers Local 263 in Dalhousie. Doucet had served as a vice-president since 1985, but McEwen’s longer experience since 1973 as vice-president for Restigouche helped win his election. McEwen’s biography revealed another example of the local citizen-worker who was at home in the
union movement. Born in Campbellton in 1941, McEwen graduated from high school in Dalhousie and went to work in the International Paper mill in 1961. There he became a member of the United Papermakers and Paperworkers, later one of the founding unions of the CPU. In the local, he occupied offices from shop steward to president, and like other activists across the region, McEwen attended courses at ARLEC and the Labour College of Canada. In 1972 he became president of the Campbellton-Dalhousie District Labour Council. He was also active in the NDP, credit unions, and special needs associations.

In McEwen the delegates were choosing a seasoned union leader with strong workplace and community roots and a personal sense of the importance of solidarity among union members. As he once told union members, “The strength of the labour movement comes from within, and the belief that we are all brothers and sisters, ready to support each other in time of need.”

Meanwhile, the new provincial government, elected in the 1987 landslide, was receiving close scrutiny from the Federation. The new Liberal administration was dominated by a young Chatham lawyer who had grown up in a rural working-class family near Sussex. After going to St. Francis Xavier University and graduating from law school at the University of New Brunswick, Frank McKenna earned a reputation as a scrappy fighter on behalf of his clients, most notably in defending local boxing hero Yvon DuRelle on murder charges. When he became party leader in 1984, McKenna had little familiarity with organized labour and would become the first premier in more than half a century to have never attended a session of the Federation of Labour before or after taking office. During his first term there was disappointment among union leaders with the lack of anti-scab legislation and doubts about the Liberals’ commitment to pay equity and protection of casual workers, which they believed had been promised during the election campaign. Doubts only increased as the direction of McKenna’s “Agenda for Change” became clearer. As biographer Philip Lee has noted, McKenna’s background had prepared him for “the politics of self-reliance”; in power, this soon translated into an “entrepreneurial politics” in which the premier was the province’s chief executive officer and New Brunswick was “open for business.”

“On the Line” 187
By the time of the 1989 Federation convention, the new leader of the provincial NDP, Elizabeth Weir, was also making her impact. Trained as a lawyer, she had a strong union background in her own family, who were working-class immigrants from Northern Ireland; she taught labour law at the University of New Brunswick in the early 1980s, where she chaired the Collective Bargaining Committee of the faculty union before leaving to work as provincial secretary for the NDP in 1983. On becoming NDP leader in 1988, she demonstrated much of the same public presence and ready intelligence as her predecessor George Little. Although McKenna was a Liberal, Weir was not slow to connect him to Prime Minister Mulroney for their common support of free trade and reduced social spending. She also told delegates that she could see the influence of British Prime Minister Margaret Thatcher and American President Ronald Reagan, who were commonly seen as the leaders of the new wave of neoliberalism in international capitalism.

The Federation continued to resist this new turn in public policy. In 1990 the Federation adopted a policy statement entitled “Countering the Corporate Agenda”—“An agenda that would remake Canada in the image dictated by the largest corporations in this country. An agenda with no consideration for social and economic justice for ordinary Canadians.” Besides failing to act on reforms, in 1990 McKenna was also accused of failing to protest the closure of bases at CFB Chatham and CFB Moncton or to defend seasonal employees and others affected by rising premiums and reduced benefits under the unemployment insurance system. The provincial government was also seen as a willing accomplice of the federal government in implementing the Goods and Services Tax, which came into effect in 1991.
and would expand the scope of the provincial sales tax when the two taxes were “harmonized,” as happened in 1997. Corporations in Canada were moving dangerously close to “zero taxes,” charged McEwen in 1990, while the overall tax burden was shifting heavily to individuals earning lower and middle incomes. At the 1991 convention, a Federation “report card” assessing the McKenna record on labour relations, technological change, employment standards, pay equity, health and safety, and workers’ compensation produced a near-failing mark of D.61

The situation worsened when the province started to cut spending. The province’s financial dilemma was in large part due to reductions in the constitutionally mandated transfer payments that provinces received from the federal government. In effect, the federal government had decided to interpret its responsibilities narrowly and download fiscal problems onto the provinces. Some provinces were better able to absorb the cuts, but New Brunswick was not among them. Unlikely to change minds in Ottawa, the province decided instead to take aim at its own employees, even though the province’s public sector workers were among the lowest paid in Canada. In 1991, Bill 73 was modestly called the Expenditure Management Act. The unions described it more accurately as a wage freeze. The plan was presented as a fiscal measure rather than a labour relations issue. Under the rationale that public spending must be reduced in order to avoid tax increases, save jobs, and eliminate the deficit, the plan was to delay all public sector wage increases for one year. The unions accused the government of duplicity in negotiating agreements through the normal collective bargaining process in 1990, knowing full well that they would soon bring in special legislation to exempt themselves from the agreements.

Soon after the legislation was announced, union members from all parts of the province arrived on 17 April for a huge demonstration in the front of the legislature in Fredericton. This included workers from CUPE and other affiliates, but the protest also attracted support from other public sector unions such as the New Brunswick Nurses Union, the New Brunswick Public Employees Association, and the New Brunswick Teachers’ Federation. With
some 4,000 to 5,000 protestors, the demonstration was described in the press as the biggest in the city’s history. Federation president McCarthy told the crowd that “an insult to the public employees of this province is an insult to all workers in this province.” In a similar vein, CUPE national Secretary-Treasurer Judy Darcy stated that public employees were already carrying their share of the burden, with most living on modest incomes and many below the poverty line; she accused the government of using “cheap tricks” to divide workers against each other. Premier McKenna, who was leaving for a business meeting in Saint John, took his share of abuse from workers gathering at the Lady Beaverbrook Rink prior to the main protest and later said he was not surprised by their reactions: “We knew it would be very controversial. It’s what you could expect. They’re frustrated and angry, and I’m the source of their anger. I don’t blame them.”

After this, there was no hope the government would back down. Meeting in Edmundston in June, the Federation endorsed the newly formed Coalition of Public Employees. An emergency resolution charged the province with bargaining in bad faith and breaking legal contracts, contrary to provincial labour law and international labour conventions. As Federation Vice-President Bob Davidson of CUPE put it, “The government waited until it got the best deals from the unions, then hit us with the freeze, something that completely undermines our collective bargaining rights.” After two hours of discussion and debate, there was unanimous support and a standing ovation. The Federation decided to produce anti-McKenna radio and television ads featuring the theme “Honesty. Not a lot to ask.” President McEwen said that it would be necessary to “change the government’s attitudes in dealing with workers . . . or change the government.”

When a provincial election took place in September, it was apparent that the McKenna magic was tarnished but that the opposition was badly divided. Elizabeth Weir had already won a reputation as an articulate, but unelected and unofficial, Leader of the Opposition. Thanks to hard work in building an alliance of labour, women, environmental, and anti-poverty activists in her riding, she succeeded in winning Saint John South for the NDP.
The Progressive Conservatives won only three seats, and the title of Official Opposition went to the eight members elected under the banner of the Confederation of Regions Party. This new party, whose main policy was their opposition to official bilingualism, attracted most of their electoral support in the region surrounding the capital city, where many public employees lived. It was a protest vote against the McKenna government, but it was hardly satisfying to Federation leaders to see the corrosive anti-French politics of COR become a lightning rod for concerns about cutbacks in government employment and public services.64

In the spring of 1992, the International Labour Organization was still investigating union complaints that the 1991 legislation violated international labour standards.65 The provincial government did not wait for a decision before deciding to repeat the experiment. A new Expenditure Management Act, introduced as Bill 42, extended existing agreements in the public sector for two more years, with any pay increases limited to no more than 1 and 2 percent in the first years. Again, the province was singling out public employees for special measures, and the “exceptionalism” of 1991 now threatened to become normal practice. The Coalition of Public Employees returned to action, and their rallying cry focused directly on the premier: “In McKenna No Trust.” They delivered that message on buttons, banners, and billboards as well as in radio and television spots and full-page newspaper ads. The theme was that McKenna was betraying the principles of “bargaining in good faith” and using his legislative power to overturn legal contracts: “The McKenna Government under the guise of financial responsibility, is dismantling the values that make New Brunswick worth living in. . . . Is this the kind of Government you deserve?”66

The union campaign framed the issue around the “honesty” of the government and launched a public debate that continued throughout April and May. The New Brunswick Government Employees Union repeated its argument that greater fairness in the New Brunswick tax system would go a long way to resolving the province’s fiscal problems. The New Brunswick Teachers’ Federation urged the government to “honour its commitments to its employees” and stated that they were preparing as usual for their upcoming
contract negotiations. New Brunswick Nurses Union President Linda Silas, the daughter of a union millworker in Dalhousie, considered the government’s proposition “a real insult” and stated that the nurses were prepared to go “as far as needed” to save their contract. By the third week of May, members of CUPE and the Nurses Union had voted by large margins to go on strike unless the government withdrew its legislation.

Meanwhile, with UNB law professor Tom Kuttner acting as a mediator, Finance Minister Allan Maher had agreed to meet with a team from the two unions. While these negotiations were taking place and the strike deadline loomed closer, the controversial legislation passed final reading and became
law. Following several overnight negotiating sessions, Kuttner arranged a compromise with the Nurses Union, under which they were able to hold onto significant scheduled wage increases by delaying implementation for fifteen months; the nurses decided to postpone any strike action and refer the proposal to their members.\textsuperscript{69} CUPE, however, had no major pending increases at stake and was not prepared to compromise. When the strike deadline passed at midnight on Sunday, 31 May, the union rallied members to join picket lines in front of hospitals, schools, highway garages, liquor stores, ferry docks, and government offices.

In the middle of this crisis, the Federation of Labour opened its annual convention that Sunday evening at the Hotel Beauséjour in Moncton. The strike situation received priority. CUPE strike coordinator Bob Davidson presented a short video reviewing the past year’s fight against the breaking of collective agreements, and Lofty MacMillan, who was by this time living an active retirement in Campbellton, followed with an appeal to delegates to support public employees in their battle with the government. The Federation executive then introduced an emergency resolution stating that the labour movement was prepared to mobilize financial, moral, and picket line support and, if it became necessary, escalate their support to include a general withdrawal of services — a diplomatic term for a general strike.\textsuperscript{70} The debate was punctuated with loud applause, cheering and foot stomping, and the media turned out in force at a press conference to hear McEwen announce the decision: “Any attack by the McKenna government on public sector workers, whether it be by punitive measures or decertification of unions, will be interpreted by the federation as an attack on the labour movement as a whole. The entire provincial labour movement is now engaged in a struggle of critical importance.”\textsuperscript{71} McEwen later elaborated by contrasting the McKenna policies with those of his predecessors Louis Robichaud and Richard Hatfield and pointing out that CUPE had acted in good faith by negotiating minimal wage increases in recent years. According to McEwen, the province did not seem to understand its responsibilities under the collective bargaining system: “There is a difference between the members of the legislature serving as a government and
the government acting as an employer. It is a slight nuance but an important one. It may be difficult for the government to wear the two hats, but it must do it and respect the difference between the two.”

While the Federation was announcing its support, on 1 June there was some hope of a settlement. A last-minute deal arranged by CUPE negotiators with mediator Kuttner was presented to an emergency meeting of more than two hundred local union presidents. After a heated debate, the proposal was voted down almost unanimously, an indication that the union’s efforts to keep members informed of the issues at stake had produced results. With CUPE’s new national president Judy Darcy now on the ground to assist, the confrontation was drawing attention across the country, and the union was preparing to bring in Canada’s best-known labour leader, CLC President Bob White, to rally support among other unions.

The province was also taking action. With the largest union in the province out on an illegal strike and public services in disarray, the government secured an injunction to prohibit mass picketing at government buildings. The province also took steps to apply for decertification of CUPE as a bargaining agent and threatened to sue the union for millions of dollars in lost sales at the province’s liquor stores. McKenna told reporters that he was engaged in a high-stakes power struggle with the unions: “It comes down at this stage to who is going to manage the affairs of New Brunswick — the duly-elected government or the leadership of CUPE. It’s my view that order must prevail and that as the government of the province of New Brunswick we have to stand on behalf of the people.” Speaking at the Federation meetings, however, NDP leader Weir warned that McKenna had made a political miscalculation: “If McKenna thought labour unions in this province would roll over and play dead, he thought wrong. Workers in this province saw the McKenna government’s wage freeze for what it was, not just a grab at their pay-cheques, but a power grab for their collective bargaining rights.” McKenna had underestimated the support for unions among the general public, and the attack on unions was part of the government’s “real agenda” of removing the ability of New Brunswickers to resist the government’s bottom-line business mentality.
In its last session, Weir charged, “the government gutted community school boards, gouged rural hospital boards, robbed small woodlot owners of their ability to make a decent living, cut hospital beds, eliminated teaching jobs, bilked the environmental trust fund, ripped up and shredded collective agreements and reduced injured workers’ benefits.”

By this stage, McKenna was finally ready to listen to new advice. Although he did not see alternatives, there is some evidence that McKenna was troubled by his own chosen course of action. Some weeks earlier, in April 1992, when he was trapped in the air for several suspenseful hours on a small plane whose landing gear had failed, he included the following words in a short note to family members: “I regret the pain that I am causing our employees and others in New Brunswick. I really do care for them.” The key intervention came from Fernand Landry, a trusted friend to whom McKenna already owed much for his initial success in provincial politics. During McKenna’s first term, Landry had served as deputy minister in the premier’s office before leaving to teach law at the Université de Moncton; his spouse Aldéa Landry

“FREE COLLECTIVE BARGAINING” In the spring of 1992, public sector employees, including nurses and hospital workers, fought the Frank McKenna government to a standstill in order to defend their right to collective bargaining. At this picket line outside a Moncton hospital, the prominence of women workers was especially visible. Source: Telegraph-Journal Archives.
was an even more prominent power broker in opening doors for McKenna; she served as deputy premier and minister of intergovernmental affairs but was defeated in the 1991 election. Since the days when he lectured at the UNB law school when McKenna was a student there, Fernand Landry had also acquired professional experience as a labour arbitrator, and in 1992 he knew that McKenna was heading down a dead-end road. During that critical week in early June, he convinced the premier to sit down with CUPE national president Judy Darcy. In the Landry living room, they started to work out a deal that allowed both sides to claim success.\(^{78}\)

Under the arrangement, CUPE was exempted from the wage freeze while agreeing to an additional contract extension that included an 18-month period without increases, followed by a 2 percent raise later. To assist the government in reaching an agreement, CUPE undertook to provide the province with an interest-free $700,000 loan; for its part, the government agreed there would be no disciplinary or punitive actions arising from the four-day illegal strike. While the province could claim that the solution was fiscally acceptable, CUPE was able to announce a major victory for the defence of union rights in New Brunswick. It was a complicated settlement, but CUPE had succeeded in fighting the government to a standstill, and the deal would be approved by the union membership. In effect, the principle of respecting the collective bargaining process was upheld by purchasing the government’s acquiescence.\(^{79}\)

In these tests of union rights and labour solidarity in 1991 and 1992, the Federation’s support proved vital. Although the government preferred to deal with the unions one at a time, and even had some success in dividing the Coalition of Public Employees, the Federation by its nature had no specific collective bargaining goals. Instead, its mandate was to speak for the general interests of organized labour in the province. Federation President McEwen himself was from a major union that was not directly involved in the contract disputes at stake, but by rallying support among the unions and helping to present labour’s case to the public, the Federation had helped to win a battle for the preservation of union rights.\(^{80}\)
“Make It Fair”

The truce that followed was uneasy, and during the remaining years of the McKenna regime there was little sign that the old levels of guarded respect and negotiation between the Federation and the government would be restored. There were more than a few sources of friction. One amendment to provincial labour law increased the penalties for illegal strikes. Another allowed employers to request a secret ballot of union members on contract offers, without reference to the union officers. In another measure, school board employees were asked to agree to the contracting out of work covered by their contract. There was a rising sense of anxiety at Federation meetings, where the secretary-treasurer seemed to report a drop in membership almost every year and advised caution in expenditures. Leaders worried about the influence of the organization, and the 1993 convention took the trouble to reaffirm the Federation’s main purpose in dealing with the government: “To secure provincial legislation which will safeguard and protect the principle of free collective bargaining, the rights of workers, and the security and welfare of all people. To promote workers’ issues and ensure that the government of the day is clear on labour’s position.”

A year later, a less hopeful resolution stated that “the labour movement of this province is on the road to destruction” and that plans for a general strike, as discussed in 1992, might need to be reactivated. This was amended in favour of a potentially even more radical proposition — to build a practical form of solidarity among unions by creating a “common front in the negotiating of collective agreements.”

In these years, labour disputes seemed to be more frequent and to last longer, and the assault on public sector workers was followed by attacks on workers in the private sector as well. The most vexing was the Dairy-town lockout, which by 1995 was in its fifth year. Although their products remained under a union boycott, the dairy was operating with strikebreakers and there were no signs of a settlement. Situations such as this led the Federation to renew the call for anti-scab legislation. At the 1994 convention, delegates heard from the president of the Quebec Federation of Labour, who explained the success of anti-scab laws in protecting workers’ jobs and
stabilizing labour relations. British Columbia and Ontario had also enacted similar laws, thanks to the election of NDP governments in the early 1990s. According to McEwen, a formal brief calling for such a law in New Brunswick was “favourably received” by the Minister of Advanced Education and Labour, but the premier spoke against it, which seemed to put an end to the discussion. Meanwhile, in March 1995, NDP Leader Weir introduced a private member’s bill to prohibit the use of replacement workers during the course of a legal strike or lockout. Instead of being unceremoniously cast aside, Bill 21 passed first reading, which opened the door to a full airing of the issue before the Law Amendments Committee, including public hearings. This allowed various unions to make the case in more detail than usually heard by legislators. For instance, a brief from Local 1065 RWDSU included a list of more than twenty-five disputes since 1980 that involved the use of strikebreakers and the loss of almost 500,000 working days to New Brunswick workers. They also quoted Pierre Elliott Trudeau on the importance of the right to strike and summarized his view that it was hypocritical to defend strikebreaking as a “democratic” option, since workers could not go out on strike without majority support: “Si un groupe d’employés prend un vote de grève et que 70% de ces personnes votent contre la grève, les 30% qui ont voté pour la grève ne peuvent pas aller en grève.” In allowing the bill to proceed to this stage, the government was admitting the high level of concern about the issue. However, there was no further progress on Bill 21 or other reforms, as the legislature was dissolved and voters went to the polls at the end of the summer.

For many workers in the province, the most disturbing measure taken by the McKenna government was a series of reforms to workers’ compensation. This was a file that went back to the very origins of the Federation, when early labour leaders fought for the enactment of “no-fault” workers’ compensation in which the income security of injured workers and their families was guaranteed by a relatively simple state-administered system of insurance. Employers accepted this as a cost of doing business, and in return for the insurance provided, workers gave up their right to take legal action
against employers. By the early 1980s, the legislation had been updated and strengthened, and a separate Occupational Health and Safety Commission had been created, allowing New Brunswick to claim a model programme for both prevention and compensation with respect to workplace accidents.

Now, a Federation committee reported in 1993, “the cornerstones and founding principles are under attack and are being destroyed.” The 1994 convention considered no fewer than ten resolutions objecting to recent changes, one of which declared that the board might as well be renamed the “Employers Compensation Board.” In the first place, any injuries that resulted in less than four days of lost working time were excluded. Benefits were reduced in most cases from 90 to 80 percent of net income for the first thirty-nine weeks. The board was given more leeway to use its own judgment in weighing “the preponderance of evidence” in disputed cases. The very term “accident” was also redefined to exclude “disablement caused by mental stress,” other than in acute or traumatic situations. Worst of all, workers could no longer be certain they were insured for lost earnings. A controversial “deeming” process was assigning disabled workers to “new” job categories based on an assessment of their abilities and training, at which point compensation benefits were discontinued whether or not workers actually obtained employment — an arrangement that seemed designed to exclude workers from their insurance benefits and transfer them to unemployment or welfare rolls. According to the Federation’s Health and Safety Committee Report in 1995, this was a betrayal of the original philosophy of the programme: “The ‘deeming’ process is treating disabled workers like disposable commodities; throwing them on the ‘bone yard’. The mental anguish and human suffering cannot be described in words.” A resolution introduced by Local 263, Communications, Energy and Paperworkers, stated simply that the revised act violated “the original historic agreement between labour and business” and that the Federation should begin discussing a plan for a “worker controlled” compensation system.  

The province also seemed to be undermining the Occupational Health and Safety Commission, a body that the Federation considered to be one of its major achievements. In the Federation’s view, the policy of “Prevention
Foremost,” including the right to refuse unsafe work, was best promoted by a separate agency in which labour had a strong voice. The decision to place the commission under the authority of the Workmen’s Compensation Board seemed likely to weaken the mandate for health, safety, and prevention. The dilution was evident when a new merged Workplace Health, Safety and Compensation Commission came into being on 1 January 1995, and the Federation received only one of the three labour seats on the nine-member board. One part-time representative could hardly address all the complex issues of compensation and prevention that came before the board, and the Federation threatened to withdraw unless at least two representatives were provided.

“FIGHT FOR THE LIVING!” Unveiling of the Day of Mourning monument at Miramichi, 28 April 1995, to honour workers killed or injured on the job. The open honour roll on the front is accompanied by a famous labour slogan, “Fight for the Living! Mourn for the Dead.” Attending the ceremony were (from left): Ed Coleman; Paul Young; Tim McCarthy; Paul Stewart; Allan Goodfellow; Dick Martin, secretary-treasurer of the Canadian Labour Congress; Raymond Léger, president of the Miramichi and District Labour Council; Elizabeth Weir, Leader of the New Brunswick New Democratic Party; NBFL President John McEwen; and Ian Donovan. As a member of the provincial legislature, Weir introduced the province’s Workers Mourning Day Act, which was adopted in 2000. Source: Miramichi Leader Archives.
In a few short years, the Federation charged in 1995, the New Brunswick government had implemented changes that reduced the number of successful claims from more than 10,000 in 1992 to fewer than 5,000 in 1994 and gave the province a programme with the country’s worst benefits for workers and lowest payments by employers — and a 1994 surplus of $40 million.86

While the government was refusing to back down, there was rising interest in the newly invented Day of Mourning tradition. In 1984, the Canadian Labour Congress declared 28 April an annual day of remembrance for workers who had suffered death and injury as a result of workplace conditions. In the following years the tradition spread across the country as well as internationally.87 With the Federation fighting to defend the compensation system and safeguard health and safety policies, local labour councils built on public concern about these issues and gathered support for Day of Mourning memorials in their communities. They were remarkably successful in raising funds from unions, municipal governments, and other supporters, and in 1995 monuments were unveiled in civic squares and public parks in Edmundston, Moncton, Newcastle, and Bathurst. Later there would also be monuments in Shippagan, Atholville, and Saint John. Each had its own distinctions — there was an honour roll on the banks of the Miramichi and a granite stone shaped like a tear on the main street in Atholville — and several carried a famous labour slogan, attributed to the labour organizer Mother Jones: “Fight for the Living! Mourn for the Dead!” These memorials paid tribute to the many hundreds of workers who had died or been injured on the job in New Brunswick over the years. In the long run, the annual commemorative ceremonies also raised public awareness, including among schoolchildren and younger workers, about the importance of health and safety in the workplace.88

Although the Parliament of Canada gave official recognition to the Day of Mourning in 1991, New Brunswick declined to enact similar legislation in 1994. At the request of the Federation, NDP Leader Elizabeth Weir later succeeded in introducing a Workers Mourning Day Act, which was passed by the legislature in 2000.89
Meanwhile, the Federation was also reconsidering the direction of its leadership. Although he was nominated for another two-year term as Federation president at the 1995 convention, there was no enthusiasm for the re-election of McEwen. Certainly he had some successes to report, notably in planning a provincial Workers’ Investment Fund, along the model of the Fonds de Solidarité du Québec. This was to be a venture capital fund governed by labour representatives and limiting its investments to opportunities within the province. Although no large returns were expected, there would be tax benefits for workers who were in a position to invest. More generally, McEwen was frustrated by the Federation’s failure to have more success in defending workers against the onslaught by government and employers. Although they had even held a special conference on “Building Union Solidarity” in 1994, he worried that the Federation was failing to “walk the talk and turn our rhetoric on solidarity to reality.” It was not clear how best to build solidarity, however. When a proposal for a general strike against the decertification of unions was debated, McEwen feared this would only divide the Federation. In 1995, he was also discouraged by the latest budget introduced by the Liberal government in Ottawa, which was swept to power in 1993 on a wave of repudiation of the Mulroney policies. Instead, Jean Chrétien’s Liberals, with Paul Martin as Minister of Finance, were now embarked on what McEwen called a “slash and burn approach to a lot of good public programmes and services.” New Brunswick was soon to lose a thousand federal jobs as a result of the latest cuts, and the ARLEC labour school was likely to be another casualty.90

There was enough discontent with McEwen’s leadership to produce a nominee from the floor at the 1995 convention. Blair Doucet, the Steelworkers delegate from Bathurst, nominated a candidate from Saint John who was becoming well-known in CUPE and had made a strong showing as an NDP candidate in Saint John West in 1991. Bob Hickes joined his first union when he was seventeen years old and went on to work for the Saint John School Board as a carpenter for twenty years. Like other local activists, he came up through the ranks of his union, CUPE Local 380, and in 1991 he became a
vice-president, later president, of Local 1253, the province-wide Council of School District Unions. In 1992 he became president of CUPE New Brunswick. The election of Hickes as Federation president was unexpected, but it was clear that he belonged to the next generation of union leaders in the province, and it was hoped that in tough times he would be an effective spokesman for the labour message.91

In the summer of 1995, the most urgent challenge for New Brunswick labour was the strike at the Irving Oil refinery in Saint John, which had started more than a year earlier in May 1994. The conflict was precipitated by a company plan to lengthen the work week without paying overtime rates. This was clearly a departure from standards in the industry, and after going through all the required stages of mediation, Local 691, since 1992 part of the new Communications, Energy and Paperworkers Union, called a strike. With 264 union workers out the gate, Irving Oil took full advantage of the situation, securing a court injunction to prohibit aggressive picketing. Operations continued with a small force of managers, specialists, and non-union workers, and work on a major upgrading of the technology also proceeded without interruption. Although a boycott of Irving Oil products was launched in July, with support from the Federation, neither the union nor the province was able to bring the company back to the bargaining table until a year later, in May 1995. Instead of dealing with the union, the company offered severance packages to all striking workers, making it clear that they intended to reduce the workforce by as much as half. In the hearings on Bill 21 in the summer of 1995, the strike served as an instructive example of the need for anti-scab legislation. Local 691 President Larry Washburn explained that this was no ordinary strike: “Deep and enduring resentment develops when striking workers learn that their jobs have been taken by neighbours, friends and co-workers. This kind of social poison should have no place in New Brunswick.”92

After more than two years on the picket line, the workers would have a humiliating settlement. When the union filed charges with the Labour and Employment Board, it had no choice but to rule that Irving Oil had violated provincial law by negotiating in bad faith and must “make every reasonable
effort to conclude a collective agreement.” Former Dalhousie University Dean of Law Innis Christie, who had also chaired the Nova Scotia Labour Relations Board, was brought in as a high-profile industrial commissioner. But the union was not pleased with the results of his investigation. Christie announced that the union had lost the strike. Some strikers had accepted severance packages or taken work elsewhere, and more than 50 had crossed the line to return to work. Only 143 of the original workers remained on strike, and they were forced to accept a settlement that violated seniority rules and included the dismissal of 37 employees. The number included union officers such as Washburn, who had more than twenty years’ experience at the plant as an industrial mechanic. In this protracted test of strength in a worsening economic climate, Irving Oil had succeeded in rolling back union standards and setting worker against worker. The return to work even included “ideological re-education” in the form of a mandatory “reorientation” stressing “excellence” and “team spirit.” The union was subsequently decertified, making Irving Oil the only non-unionized oil refinery in Canada.

The strike was a defeat not only for Local 691 but also for the cause of labour solidarity in the province. Despite their size and numbers, the Communications, Energy and Paperworkers were unable to protect their local at the largest oil refinery in Canada. It was also a defeat for the Federation of Labour. The labour relations system that the Federation had helped to create over many years had failed to deliver a fair settlement, and the agitation for anti-scab laws had also failed to produce results. As Federation president, Hickes participated in mediation and lobbying, and brought CLC President Bob White to a large protest rally on the steps of the legislature. In one speech to a rally of two thousand union supporters at the Exhibition Park Raceway in Saint John in 1995, Hickes even warned that organized labour would shut down the refinery if necessary. Despite all their efforts, the appeal to labour solidarity had failed. As in the resistance to McKenna in 1992, the situation was of interest well beyond New Brunswick — but in this case there were alarming conclusions to be drawn. As one student of the strike has noted, this confrontation between a major union and one of the country’s largest corporations demonstrated the
dangerous chill in the labour relations climate across North America: “We are living in the age of roll-back, that is a time when the hard-won social and economic gains of the working class are eroded and stripped away. The two-year strike at the Irving oil refinery in Saint John illustrates the shift in the balance of power between labour and business in favour of the latter.”

The roll-back was also visible in the huge reductions in federal transfer payments to the provinces. In responding to the waves of economic change since the 1970s, both Conservative and Liberal administrations had accepted the assumptions of neoliberal ideology about the high cost and low value of public spending and the superior benefits of low corporate taxes and weak unions. The general mantra was that there were no alternative ways to manage the economy. Promises such as a guaranteed annual income and a federal day-care programme disappeared, and after the 1995 budget, federal transfers to the provinces dropped by about 40 percent in the space of three years. At the 1996 Federation convention, Hickes warned that these kinds of cuts would have a devastating impact on New Brunswick’s ability to provide quality health, education, and social services and that the new scaled-down Canada Health and Social Transfer gave provinces more opportunities to reallocate funds and evade federal standards. The Canada Pension Plan was also being reviewed, with a view to encouraging workers to make their own arrangements for retirement income through private pensions and savings. At the same time, Unemployment Insurance (soon to be renamed Employment Insurance) was also under attack, with plans to reduce benefits and limit eligibility in preparation; many seasonal and part-time workers, especially women, would no longer qualify for support. Soon fewer than half the “insured” workers would still be able to expect support under another “insurance” programme that returned surpluses to general revenue. “Programme by programme,” charged Hickes, “provincial and federal governments have chipped away at the programmes that make Canada a country envied world wide. When comparing Canada to other countries, often our competitive advantages are listed as a healthy, well-housed, well-educated population. Why systematically take away all of the advantages that make Canada the envy of others? Is this progress?”
The Federation’s protests made little headway, and it would not be an easy matter to turn attention from the “fiscal deficit” to the “social deficit.” Yet in the winter of 1996, a mood of resistance was spreading in several parts of the province, notably among Acadians in the southeast and the north, where access to schools, health care, and services was always contentious and resource industries and seasonal workers were badly affected by the changes. The leadership in resistance to changes in Unemployment Insurance came from local coalitions led by trade unions, labour councils, and committees of unemployed workers, which also attracted support from municipal leaders and local clergy. They presented petitions, lobbied cabinet ministers, attended public meetings, and held their own public hearings as well. When MP Fernand Robichaud attacked Angela Vautour, one of the local protest leaders, at a public meeting in January, he was shouted down by a crowd of more than 500 people. In February, protesters organized demonstrations and marches in Tracadie, Moncton, Chatham, and Edmundston. In Bathurst, 4,000 people came out to hear CLC President Bob White and Bathurst
Bishop André Richard, who declared that rising unemployment was “an attack on human dignity and an assault on the poor.” A demonstration at Campbellton attracted more than 2,500 people to what L’Acadie Nouvelle called “un rassemblement historique” that included English, French, and First Nations participants from both New Brunswick, the Gaspé, and the Magdalen Islands. When Prince Charles paid a visit to the Village Historique Acadien in April, demonstrators assembled at the gates, with one representative from a group called Les futurs sans-abri de Restigouche (The Future Homeless of Restigouche) delivering a protest speech while dressed in period costume.97

These agitations produced only small modifications in the cuts, but in the 1997 federal election, discontent with federal policies caused two notable breakthroughs in New Brunswick. Despite her lack of formal political experience, Angela Vautour had become a local hero in the southeast and scored a gain for the NDP in the Liberal stronghold of Beauséjour-Petitcodiac, where she defeated Dominic LeBlanc, son of the popular Acadian Governor-General Roméo LeBlanc. In addition, Yvon Godin, a popular local labour leader from the United Steelworkers who had helped rally union support for the unemployed, topped the polls in Acadie-Bathurst. The victory of Godin was especially satisfying and was considered one of the more telling results in the country; although the Liberals were returned to power with a reduced majority, Godin had brought down a powerful Liberal cabinet minister, Minister of Defence Doug Young, who in his earlier portfolio as Minister of Employment and Immigration had been a leading spokesman for the cuts to unemployment insurance.98 Within a few months, the McKenna era in New Brunswick was also starting to come to a close, as the premier announced in October that he was stepping down. It had always been his intention to move on after ten years in power, but he left a distrustful public and a divided Liberal Party that went down to defeat in the next election.

For the Federation, this was an opportunity for new beginnings, but by the time of the 1997 convention, Hickes had decided that he was not able to continue as president due to the pressure of his workload with CUPE. Although repeatedly discussed over the years, a full-time presidency was well
beyond the Federation’s means. Indeed, the latest report showed an affiliated membership of 34,098 members, a drop of almost 5,000 in the previous five years. This was the result of shutdowns and reductions in employment as well as failures to win or maintain certifications or to attract new affiliates. In a changing economy, there would always be a need to organize workers, but even the simplest reforms to provincial labour law remained badly stalled. In February 1997, for instance, some one hundred locked-out workers from Allsco Building Supplies sat in the gallery at the legislature and watched the Liberals silently but unanimously vote down a bill to provide for first contract arbitration. When the 1997 convention prepared a new “Action Plan” for the years ahead, it was notable that many of the issues remained the same as ten years earlier. There was more to do, but to make progress on labour matters and on broader social issues, the Federation was going to need allies. In making this kind of strategic move, Hickes argued, the Federation could shore up public support for unionism and help lead the way on issues of common concern to all citizens of the province: “Labour must join forces with other social groups and tell our governments that we will not sit idly by and see our social programs destroyed. We owe it to our children and future generations of workers to stand up and be counted . . . to say NO to the corporate agenda and government policies that put the interests of the rich and powerful before the basic needs of people and communities.”

It was already happening. A province-wide Common Front for Social Justice had emerged out of the previous year’s winter of protests, with the Federation as one of the founding partners. When it was formally announced in March 1997, the Common Front represented twenty-five labour organizations and social reform groups with a combined membership of 130,000 people, a significant number in a province of New Brunswick’s size. It was notable that the labour groups included unions that did not belong to the Federation, such as the New Brunswick Building Trades Council, the New Brunswick Nurses Union, the New Brunswick Government Employees Union, and the New Brunswick Public Employees Association. The even larger number of social action groups ranged from the New Brunswick Senior Citizens Federation
to the Fédération des dames d’Acadie, the New Brunswick Native Indian Women’s Council, the New Brunswick Student Alliance, the Fédération des jeunes francophones du Nouveau-Brunswick, and the Conservation Council of New Brunswick. The Common Front would be co-chaired by representatives from both the labour and social members, initially Bob Hickes from the Federation and Steven Boyce of the Senior Citizens Federation.

Writing to Premier McKenna a few days after their first public event, Hickes and Boyce stated that “the objectives and the vision of this group are profound, seeking the establishment of a more humane society through a democratic and peaceful process. We believe that it is this kind of society that is presently threatened under your government, but we dare to hope that you still have sufficient compassion and understanding to realize that a large part of the population of New Brunswick can no longer cope with these ‘cuts that don’t heal.’” 100 According to a formal Mission Statement released on 11 March, the Common Front was concerned about “the erosion of the quality of life and of the democratic process” in the province, and their overarching aims were “to increase the value and the dignity of human work” and to “develop and promote alternative policies in order to create a society concerned mainly about human beings.” 101 It was a compelling theme and consistent with the history of the Federation in seeking allies and supporting broad social goals. Even in hard times, the Federation was continuing to pursue its original mandate to protect and advance the interests of workers.
Source: Courtesy of Raymond Léger.