

Lobby Training Package for a ban on Temporary Replacement Workers

First of all, we want to thank you for being part of this important lobbying effort.

The following is the sequence of how your lobbying efforts with your local M.P.P. should occur....there maybe some variance with these steps, so be prepared to have some flexibility.

1. Spend some time prior to your meeting reviewing the established arguments and rebuttals for the passing of Anti-Temporary Replacement Worker Legislation in Ontario.

That information can be found within this package. It is always important to remember that an MPP has a very well defined code of responsibilities to their constituents. When a lobbyist is trying to gain support for a particular bill, they must remember that an MPP is guided in their actions according to the following principals:

- a) Their party-line on the issues of the bill
- b) Their own personal assessment of the effects the bill will have on their community's constituents and community businesses
- c) Their obligation to fulfil the majority of their constituents "wants" to remain in a favourable voting position (To serve this purpose; the more petition signatures that you can leave with an MPP in favour of your argument the more effective your persuasion will be.)

It is important for you to have researched as much as possible, what the member's past voting track record has been on different issues or bills. Certainly it is important for you to know what the member's past record has been on replacement worker legislation. You will find in this package the names of the members who have spoken in favour of this legislation, or spoken against the repeal of this legislation. .

2. The local lobbyist should have prepared themselves with the opening introductions and statements (identifying themselves by name and through their mailing address and home location and then introducing an associate only by name and association.

In the event you have a M.P.P. who has not been active on anti replacement worker legislation, a complimentary comment on your part for the member's past performance is preferable during the initial stages of your conversation. Setting the M.P.P. at ease, knowing that you support them (where possible) is advisable to better achieving your goal. An initial negative or confrontational conversation on the member's past performance will not serve our cause and might set the stage for a disagreeable lobbying effort.

You are there to gain support and likewise to ensure that you do not in any way negatively influence any level of support for the bill. As way of example, you might say that you were very happy that the M.P.P. had voted in support of/or against a particular bill, because that is how you felt that bill as well. This will establish some common ground and it demonstrates your respect for the member's actions and thus, giving an initial starting point for your conversation on asking for what their stance is on anti replacement worker legislation. Your primary goal is to obtain accurate and useful information to set a strategy in place to ensure the bill will reach final approval

Lobbyist states their case on why they believe the bill should be passed. You will find listed below what the potential arguments your M.P.P. might present and what your responses can be to that argument: They are provided to you to better prepare yourself for your conversation and

rebuttal if necessary. There is no need to broach on these topics if the M.P.P. is not prepared to do so. Remember you only have limited time for your appointment, so pace yourself; there is a lot you have to accomplish in a short period of time. It is important to complete a lobby effort than it is to pursue the argument. You will quickly be able to assess whether your M.P.P. supports this legislation or not. That is all you really need to know to continue. You still have a lot of work to do. Carry on, pace yourself to complete your lobby obligations before the end of the meeting.

ARGUMENTS AGAINST:

1 (a)

- Premier McGuinty has publicly acknowledged the negative impact that labour disputes have on people,
- The government has always encouraged the parties involved in labour disputes to get back to the bargaining table,
- To that end, the Ministry of Labour have highly skilled staff who want to assist the parties to reach an agreement

YOUR RESPONSE TO THIS ARGUMENT:

- Past practices of the McGuinty government has been to allow private business and labour to resolve disputes on their own,
- The use of mediators is generally discretionary and they intervene when strikes are lengthy (often the result of the use of replacement workers),
- When strikes are lengthy, it is costly to the company, strikers and the communities in which they occur (e.g. Vale/USW Sudbury strike, which took almost a year before the Ministry of Labour intervened),
- Although there maybe some relevance to mediators becoming involved after a set period of time has expired in labour disputes, that is not likely to occur in Ontario, particularly with the government's stated position that they have no business interfering in private industry and labour disputes,

AGAINST:

(1) b:

- Using Sudbury as an example doesn't necessarily apply to other ridings.

YOUR RESPONSE:

- Your should say that you understand that, but point out that there is an increasing trend of new companies, many of them foreign owned, coming into communities around Ontario. They have huge corporate funding, corporate relations and business practices that in your opinion have the ability to erode pensions, benefits and base wages. The companies come in Ontario with federal guidelines and we need provincial members of parliament who are committed to helping protect the net benefit of this growth proportionate to the net benefits for workers as well as their communities,
- The initiative in having replacement worker legislation is to improve the bargaining process in the long-term. With Ontario soliciting increasing foreign
- Corporate investments, you believe that the net benefits for the member's constituents, the workers, and their community, are enhanced and protected by good labour relations.

AGAINST:

(2)

- In 2008, 97% of collective bargaining situations were resolved without work stoppages.

YOUR RESPONSE:

- Let's put the 3% that did end up in going on strike in 2008 in real numbers....that means 213,000 people....furthermore, there are 7, 175,000 in Ontario's labour force and this number is expanding at a rate of 1.3% yearly. Is it an acceptable risk to you and your party that 213,000 people are being subjected to poor labour relations? I believe that your not want to dismiss the well being of 213,000 workers....they are our neighbours, our friends and our families.

AGAINST:

(3)

- Research conducted in Minnesota (2000) showed that there is a significant reduction in the gross employment numbers in a jurisdiction that has banned replacement workers,
- Investment levels decrease in provinces where replacement workers are banned,
- Less investment translates into fewer jobs.

YOUR RESPONSE:

- You can remind the Member that every province experiences resource booms and other situational economic factors,
- These booms and bust situations maybe more relevant to the statistics that the Minnesota study came up with as opposed to where replacement worker legislation exists,
- To say there should be no labour legislation so investment opportunities can be enhanced is to accept that workers in Ontario can have their wages, benefits and rights to a good living, put in jeopardy.....do you want to put your constituents at that type of risk?
- Historically, we have lost jobs to poor economic times, not because of labour laws,
- Once again a reminder that our current Ontario government has said that the practice of using replacement workers is unacceptable for public service workers, but the rest of Ontario's workers can be exposed to possible exploitation? The continuation of this sort of unequal labour rights and hypocritical polices is just wrong. As one of your constituents, I have to believe that you can only want equality for all of the workers in your community.

AGAINST:

(4)

- A 2008 study from the University of Toronto concluded that where's there a ban on using temporary replacement workers, there is double the likelihood that the strike will last longer and the strike will usually last 50% longer.
- The original bill had too many restricting factors that did not allow company staff to operate emergency systems, etc. during a strike.

YOUR RESPONSE:

- In 2009, Savage and Butovsky concluded that with the introduction of anti-scab legislation, it has not lead to the creation of “strike happy” unions that are run by unreasonable and irrational negotiators, in fact there was little evidence to suggest a strong relationship between jurisdictions using anti-replacement worker legislation and increased wage demands or settlements. Unions are not interested in negotiating an employer out of business
- Your closing argument should be based on the compassionate argument of the detrimental effects of a prolonged strike on the worker, the family, the community workers who work in secondary and tertiary industries, the community businesses, the community and provincial tax-based income and welfare rates affected, and finally the affects on the replacement worker that is forced to go through a line to keep their jobs because of the current lack of legislation

3. Ask your M.P.P., “Under what circumstances would you support a ban on temporary replacement workers in Ontario. Ask the question directly as outlined. This is a very important question. You may need to record the answer, read it back to the M.P.P> so that you both agree on their statement. There is no harm in letting this M.P.P. know their statements are going on record. Their statements are public, they are public servants.

Give them a copy of the terminology of the First Reading(a copy of this is attached to these instructions; and ask them if they would identify what changes would be required for them to support it. You can work though it together, or the M.P.P. can get it back to you at a later date when completed.

Hand the M.P.P a copy of the current proposed legislation and ask if they would review and refine the current proposed legislation and get back to you with a summary of what revisions were needed in order for them to see themselves as being able to attend and vote favourably on the bill being passed.

Ask the M.P.P.if they would step up to this request for the constituents in their riding that are interested in the member’s opinions on this bill. If the member accepts the bill and states they will look into it, or do it, reconfirm their answer so it is clear. If they say they will do it ask when it would be appropriate to touch base on this again. They do not need to consent to accept this copy of the bill or do this at all.

Record what took place at a later date on the Lobby Information Form. Remember, always get clear concise and confirmed answers to record. M.P.P.s are used to confirming their answers. They know why you are asking for clarity.

4. Ask the M.P.P. to stand and read the petition in the house, based on the existing petition signatures. (minimum ten signatures from a riding required) You will find attached to this lobbying package, a blank petition form; feel free to photocopy as many as you need. This strategy is used effectively to get more exposure in the legislature and hopefully more support from other members in the house. There are defined sets of conduct that must be followed when doing this action:

- This request must come from a lobbyist who is a registered voter in the M.P.P.’s riding.

- The lobbyist must have a minimum of 10 legible petition signature on the formal petition form, filled out correctly. The more signatures the better; it shows the strength of our cause and it will have an impact on the M.P.P.
- The petition is to be presented to the M.P.P. by the local lobbyist with the request that they please present the petition to the house on behalf of the signatories of the petition.
- If you are met with a positive response to reading the petition on the floor, as the M.P.P. to please follow up with the local lobbyist to inform them when they will be reading it, so you can watch on the CPAC channel. Leave your contact information with the M.P.P. for this purpose. It will be determined if you need to follow up on this at a later date. You may need to, but in that event you will be contacted and assisted through that process.

Only a M.P.P. must follow the above code of conduct. A member who is appointed as a Minister does not, and generally will not. However, you may request of a Minister that they have their Parliamentary Assistant do this for them. The Minister is then obligated under the code to have their assistant perform this duty. You should understand that an M.P.P. or Minister may be apprehensive about doing this, based on their past voting practices, or their party line; even though it is a requirement of the code of conduct.

The lobbyist must get a firm “aye” or “nay” to this request. If you are presented with a negative response, there is nothing you as a lobbyist can do about that. You should follow up with this question for clarity on your request, “Am I to understand that you will not stand and read the petition on the floor? What you need to do is ensure that you record your conversation, and that your request was verbally refused in the appropriate area on your Lobby Information Form that is to be submitted. The refusal will be followed up on and investigated at a later date if deemed necessary.

Members who commit to stand must be clearly stated as well, so confirm their statement with them and record it at a later date as an affirmative response on the Lobby Information Form

5 After discussion are complete, Assess the MPP on a scale of 1-4 where they believe they stand on being able to support this bill with an attended vote. Outline the descriptions of the scale of 1-4 where they believe they stand on being able to support this bill with an attended vote.

1. Supportive
2. Could Support
3. Opposed
4. Aggressive

6. Fill out the remainder of the Data collections sheet and fax it to 705-969-3538