

Speaking Notes on Bill 102

Monday, November 28th, 2011

Background

The Halifax Chamber of Commerce is a best practice business association representing over 1600 businesses in the Halifax and province. These businesses have around 90,000 employees.

The majority of our members are businesses of less than 20 employees and are not be unionized. This is consistent with the NS business profile.

The Chamber views issues through the lens of whether this will make our city and province more competitive. We want our positions on issues to be viewed as balanced, thoughtful and well researched.

We know we have the lowest provincial GDP growth in the country and some of the highest taxes. We know we need more economic growth. That comes from business, not government. Government just re-circulates our own tax dollars.

Our Position

The Halifax Chamber of Commerce has been actively voicing our concerns over introducing First Contract Arbitration (FCA) here in Nova Scotia. We are here to re-state those concerns. The Chamber has been doing research on the arguments both for and against the use of First Contract Arbitration, including a preliminary survey of its members. Of our members that participated in the survey, over 75% indicated they were not in favor of amending the Trade Union Act to include First Contract Arbitration.

To date, we have not been provided with a satisfactory rationale for why FCA is needed here in Nova Scotia. We have an excellent labour and workforce environment, experiencing one of the fewest numbers of lost days due to strikes or lockouts in all of Canada.

Our province has spent considerable time developing a jobsHere economic strategy. Its focus is developing the right skills for good jobs, helping business be more competitive globally and growing the economy through innovation.

How will this legislation support that focus? We currently have very good labor relations in this province. There are many good examples of contract negotiations with government, where everyone made compromises. From what I understand – under 35 labour disruptions since

2000 with only 6 related to first contract. We have over 15,000 businesses in the Halifax area alone, what are we trying to fix?

Whether or not there are some examples where First Contract Arbitration was useful or helpful, is not really the issue. In NS we can make our own way and business simply does not need another issue to consider before they set up shop here or decide whether to stay or leave.

What We're Looking For

With that in mind, and to support our labour and workforce environment, we feel the following areas would be more constructive issues the Labour Management Review Committee (LMRC) could focus on rather than implementing FCA in our province. These would include the following:

- Evaluating our labour relations experiences, including the performance of the Labour Board, and establishing best practices and benchmarks.
- Reviewing the role of conciliation services with a view to providing support earlier in the process of negotiation of a first collective agreement.
- Exploring whether the Trade Union Act should give the Labour Board the ability to make interim decisions.

We request that the Labour Management Review Committee's report regarding their recommendations to government be made publicly available. This is very much in line with the degree of openness and transparent accountability when addressing labour relations in Nova Scotia that was referenced when the LMRC was created.

Conclusion

So, in summary, will FCA make us more competitive globally? Will it make us more innovative? Will it help add to our skilled labour force? Will it create more good jobs? If we cannot answer, yes, then this will appear to be more government red tape and regulation that will not help business or grow our economy.

Thank you for your time.