



PAS DE VICTOIRE  
*SANS LUTTE!*  
*NO STRUGGLE,*  
NO VICTORY!

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CANADIAN UNION OF POSTAL WORKERS  
SYNDICAT DES TRAVAILLEURS ET TRAVAILLEUSES DES POSTES

REPORT ON  
**EXTERNAL  
ORGANIZING**

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# Building our Union — Building our Power

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As musician and activist Steve Earle says during his performances, “If you’ve got a boss, you need a union.” Groups of workers, united, have been at the vanguard of social progress, and CUPW understands this fact well. From our founding wildcat strike in 1965, to our forty-two day strike that resulted in paid maternity leave, to our long campaign to organize RSMCs into the union, postal workers have consistently demonstrated the power of working class solidarity through organizing and action.

Unfortunately, across Canada and Quebec, unionization rates have fallen. While nearly 38% of workers belonged to a union in 1984, by 2014 that number had fallen to just under 29%.<sup>1</sup> This decline follows the same timeline as rise of neo-liberalism and the explicit anti-worker economic policies that accompany it. Shifts in employment from industrial and manufacturing sectors to retail and service sectors, combined with attacks on unionized workplaces themselves facilitated the drop in union density. Free trade deals allowed companies to more easily move operations across borders, putting downward pressure on wages across Canada and Quebec, leaving workers scrambling to make ends meet.

Postal workers have seen this change happen around them. Successive governments have tried to impose cuts to the postal service. Some have actively worked to privatize it. However, in the public sector, the level of unionization has stayed fairly consistent, hovering around 70%. The majority of the decline has occurred in the private sector. As of 2014, the rate of unionization in the private sector sat at 15.2%.<sup>2</sup> The result of that decline has been increase in temporary and part-time work, and work with lower pay and little to no benefits.

If we know that unionized workers make on average \$5.28 more per hour<sup>3</sup>, and enjoy health and retirement benefits that the majority of non-unionized workers lack, why is it that more workers aren’t joining unions? The reasons are complex and varied.

For one thing, changes to labour laws over the last decades have strongly favoured the bosses. In many jurisdictions across Canada, the process of certifying a union is designed to be difficult. Even with a strong majority of workers who have signed cards, many provinces force a vote to confirm their desire to join the union, and in the time between the submitting an application and the vote, the employer will embark on anti-union campaigns, often hiring firms who specialize in breaking union drives.

For another, the way work is organized has shifted. The increase in part-time and temporary work leads to workers needing multiple jobs, or being constantly afraid of losing the job they currently have. That, combined with long hours with little pay and a rising cost of living makes it difficult for workers to justify taking those first steps towards joining a union. Fear can be a powerful motivator, but it can also be paralyzing.

These explanations may seem overwhelming, but they should not discourage us from fighting to organize these workers. In fact, it is precisely because these conditions exist that we should double down on our efforts to bring more workers in to the union.

## **CUPW as an Organizing Union**

Organizing workers is something that the union deeply believes in. Our orientation towards the question of organizing can be found in our constitution:

*“The Union realizes that the existence of large numbers of unorganized workers allows for massive employer exploitation and oppression of these workers and fundamentally undermines the strength of the entire labour movement.” (CUPW Constitution Policy B-9)*

We set out to try to organize some of the most precarious workers across Canada and Quebec. Working at Canada Post, we did not have to look far.

As a union so closely tied to one employer, we have often focussed our efforts on unorganized workers that directly interact with the post office. Our largest victory in this regard, is successfully organizing the 6,600 Rural and Suburban Mail Carriers into CUPW. As former CUPW National President Deborah Bourque and CUPW Director of Research Geoff Bickerton put it, “In terms of strategic significance... there was no group more important than rural and suburban mail carriers.”<sup>4</sup>

Organizing workers who work for Canada Post just makes sense. They often do the same or similar work as our current members, while being exploited at a much higher rate. These workers face insecurity in their employment, as Canada Post tenders work to the lowest bidder in order to bust the union and build CPC profits. In addition to RSMCs, Combined Urban Service drivers; call centre workers; and cleaners are (or have been) represented by CUPW. We have seen many times the struggles these workers face as a contract changes hands.

During this mandate, we have continued to target these companies, and to organize these workers. We must keep doing so to ensure that workers are protected regardless of who holds the contract with Canada Post.

We have also engaged in organizing efforts of precarious workers outside of the post office, but performing similar work to that which our current membership does. These campaigns have centred on workers who bosses have designated them as *independent contractors*. Couriers, like our current members working for TForce Final Mile (formerly Dynamex), and bike messengers in Toronto, Ottawa and Montreal are typical cases. These workers face constant pressures from their employers, who classify them not as employees, but as self-employed. In reality, these companies control all meaningful aspects of the workers' lives, and use the vagueness in the law to shirk their responsibilities as employers. They attempt to avoid paying their share for basic rights like Employment Insurance, Canada or Quebec Pension Plan contributions, and workers compensation premiums, leaving it up to the workers themselves to foot the bill and assume all the risk. Organizing these workers can improve their lives, and help to provide a bulwark against further deterioration of working conditions across the industry.

But there is room for CUPW to improve as an organizing union.

The vast majority of our membership falls under the scope of two major collective agreements, and our structure was created to accommodate that reality. Local presidents and stewards are almost exclusively Canada Post employees, and in the vast majority of cases, volunteers. Their knowledge is rooted in the life of the post office. At the same time, new members, not covered by the Urban or RSMC collective agreements, can sometimes feel adrift in a CUPW local. General membership meetings, bulletins, and campaigns of the union don't often speak to their reality as private sector bargaining unit members, and that lack of belonging can lead to decertifications later on.

There is no one-size-fits-all solution, but a number of steps can be taken to help private sector bargaining unit members see themselves in the union. Upon certification of a new bargaining unit, the union should host a basic "Welcome to CUPW" course for those members that can be administered in four to eight hours. Similarly, after a first collective agreement is signed, a "Know your Rights" course should be given. This, along with a basic shop steward course that moves away from postal-specific collective agreement language would provide workers confidence when dealing with the boss.

It is also important to develop dedicated Web space for private sector bargaining units. Having a space where workers can easily find information relevant to their workplace is critical to feeling seen by their union.

In instances where the new bargaining unit is sufficiently large, it is important that we consider setting up a local separate from the existing ones. When doing so, it will be critical to provide robust training to newly elected local officers. In the event that CUPW certifies one or more very large workplaces, we may want to consider the creation of an affiliate system, where the unit acts independently but is still linked and pays dues to CUPW. This latter option would require significant discussion, and constitutional changes, but is worth mentioning as we look ahead to our organizing plan.

## **Planning to Win:**

### **A Long-Term Approach to Organizing**

Our greatest successes in organizing as a union have come from a long-term vision. When we worked to organize the RSMCs, it was understood that the task in front of us required a substantial investment in both time and resources. In fact, CUPW started thinking of organizing the RSMCs in the 1980s, and in 1996 the delegates to that year's national convention officially authorized CUPW to organize RSMCs. By 1997, the union had created the Organization of Rural Route Mail Couriers (ORRMC), and dedicated tens of thousands of hours per year to our organizing efforts until we were ready to sign cards. This process took over five years, and included public demonstrations, media campaigns, worker training, community outreach, and more. It was because of the strength shown by the RSMCs, and the determination shown by the union that we were successful in bringing 6,600 workers into CUPW. That same level of planning will be required for us to build our power into the future, and we have started that process.

Our first task was to look at the recommendations from the last convention, particularly those coming out of the 2015 Report to National Convention on External Organizing. In the report, postal, communications, transport, and the warehousing /logistics sectors were identified as organizing priorities. While we have continued to organize in many of these sectors – and you can read more about what has happened with our private sector bargaining units in this report's appendix – our long-term strategy is around the transportation, warehousing and logistics sectors.

As our work at Canada Post shifts ever more towards parcel delivery, it is important to view ourselves as part of global supply chain rather than outside of it. The exclusive privilege does not extend to that work, and as a result, major customers have increased power over our work through threat of cancelling contracts. In the same way, Canada Post uses those customers to pressure postal workers during negotiations through intentionally turning away business. We saw this in 2016 and 2018, and can expect to see it again in the future. In this new landscape, CUPW, as a union primarily tied to one employer, has limited options available to fight back. We believe that our best course of action is to organize worksites across the transportation, warehousing, and logistics industry to build a strong base across the supply chain as a whole. This can allow us to choke production at key junctures, pressuring the bosses to meet our demands during collective bargaining.

Because the companies operating in these sectors are large, powerful, and use precarious labour in staffing them, our strategy cannot resemble most typical organizing drives. Instead, we need to think outside of our usual frame and create the conditions that give us the best chance to win. We have started to implement two cornerstones of our organizing strategy going forward: a robust worker recruitment program and the creation of workers' organizing centres. What are these cornerstones and how do they function? Here is a brief overview.

## **Worker Recruitment**

Many typical organizing drives rely on workers reaching out to the union because the problems at work have reached a tipping point. The worker, sometimes acting alone, and other times as a representative for a group at the job site, wants information on how to form a union to deal with the issues they are facing. This is called a *hot shop*. In these instances, the union organizer will take in the information, assess the likelihood of whether the campaign will be successful and, depending on the size of the workplace, move quickly to meet with workers to sign cards.

Other drives start by identifying targets based on preferred industries and corporate research. From there unions search for ways to make first contact with workers in hopes of establishing a presence in the targeted site. Under the guidance of an organizer, those workers leverage their knowledge and relationships to build the union to a majority of workers inside before making the campaign public and forcing a vote for union recognition.

While CUPW engages in the first kind of organizing drive on a case-by-case basis, it is the second kind that is of more interest to us. Still, a two-pronged problem presents itself. How can we increase our chances of making first contact with workers inside our strategic targets, and how can we boost the likelihood that the contacts we make are workers committed to building the union at their work? To help answer those questions, CUPW hired three organizers in 2017 to lay a foundation for long-term success.

The organizers use existing relationships they have developed to make initial connections with potential workers. These connections can come from social justice and community groups, colleges and universities, or other fields where the organizers have ties. In addition, they build new relationships through getting involved in community campaigns, through canvassing, and through coalition work. The organizers also host trainings in their communities to help build workers' skills, and to find potential recruits.

In recruiting, we look for people willing volunteer with CUPW, agreeing to work to unionize the target facility. CUPW helps them throughout the process, and develops their skills as a workplace organizer. They learn how to effectively map a workplace, identify leaders, and build a list that we can draw on to expand the organizing drive.

## **Workers' Organizing Centres**

To help aid in our recruitment, and in turn to help deepen CUPW's connection to the communities we organize in, we have undertaken to open workers' organizing centres, or pair with existing ones, in strategic locations across Canada and Quebec, with the first such centre opening shortly in the Greater Toronto Area.

Communities connected and/or adjacent to transportation and logistics hubs are strategic locations for CUPW to put down roots and organize, and workers' organizing centres allows for better connections with a precarious workforce. Additionally, many of the workers employed by companies we are targeting are first- and second-generation immigrants. Building relationships with immigrant communities, whose members often forced into the precarious workplaces we are targeting, leads to opportunities for mobilization around common issues. Creating a space in these communities where workers can gather, share, and learn together shows that CUPW is not simply there to sign cards and run.

We've seen a desperate need for a know-your-rights framework in these industries, and a workers' centre establishes a space and the resources for workers to learn these rights. We will achieve this through workshops, drop-in hours, legal advice hours, and referral of casework. Most importantly, a centre also crucially develops our presence and name recognition in targeted regions. When workers think of organizing, they will think of CUPW. The centres' focus, of being for transportation and logistics workers, allows us to focus on a sector that we strategically want to organize.

While opening such a site may seem strange, the model of workers' centres is one that is familiar to CUPW – we established and continue to operate a successful workers' centre in Winnipeg, Manitoba, and have used the model in previous campaigns, such as the Toronto bike courier campaign earlier this decade.

With those two pillars forming integral parts of our organizing strategy, we have developed a plan that is broken into three phases: one year, two years, and five years. By using time-bound phases, we can better assess our strategy and the tactics we have chosen, and make adjustments. While not exhaustive, the three phases can be described as follows:

## **One Year**

Recruitment, leadership development, coalition building, and the establishment of our first worker's centre in the Greater Toronto Area are the primary objectives during the first year.

We will continue to foster positive relationships with community allies in our targeted cities, and approach potential recruits with a plan to win. We will develop the leadership of workers volunteering to organize their workplace with CUPW, providing them training, and one-on-one support. We will integrate them into union life to build deeper connections with our existing membership.

We will work with communities to develop targeted campaigns that speak to the issues that workers in our targeted sectors relate to. We will provide space for new workers to share their concerns, and provide tools, through trainings and actions for workers to build confidence.

We will launch a workers' centre that can provide some of these trainings and help coordinate campaigns. We will use the space as an opportunity to develop the skills and leadership of our current membership.

## **Two Years**

In addition to the objectives in year one, the expansion of the workers' organizing centre project, and the development of workplace committees capable of certifying a union, and establishing internal structures to welcome new members will be the primary objectives during the second year.

We will assess the success of our workers' organizing centre in the Greater Toronto Area, looking at certain key markers, including, but not limited to: usage, data collection, campaign profile and success, and organizing leads. We will make necessary adjustments, and provided the centre provides proof of concept, we will open a second centre in a different targeted area.

We will build workplace committees in sites where we have met a threshold of support and/or volunteers. This will likely be workplaces of a medium size. We will expand our mapping work to increase our likelihood of a strong majority prior to signing cards and applying for certification.

We will create processes to integrate new members into the union that recognize the differences between postal workers and private sector workers. We will create the infrastructure necessary to provide adequate representation.

We will continue to develop the skills and leadership of our current members by including them in campaigns, mentoring them, and developing their organizing skills.

## **Five Years**

In addition to the objectives described in years one and two, building underground majorities in large targets, and applying for certifications at those targets will be the primary objectives for years three, four, and five.

We will regularly assess our work to ensure that we make any necessary adjustments.

We will look at expanding the workers' organizing centre program to a third targeted area, either through the opening of a new centre, or through partnering with an existing one.

We will build underground organizing committees capable of covering worksites of 200-1000 workers at select targets in anticipation of card signing.

We will draw on the leadership we have cultivated in our current membership to help guide our organizing drives. We will use the relationships we have developed with community allies to launch public-facing campaigns and apply pressure on our targets at the appropriate times.

CUPW has intentionally saved our resources so that we can take on organizing campaigns of a scale we have not attempted since the RSMCs. We will need the resources if we are going to be successful. At the best of times, organizing workers into a union is not easy. As rates of unionization have declined and economic uncertainty has climbed, it has only become more difficult. But we should not shy away from it. Our own history and the history of the labour movement has shown what workers can do when they stand together and fight. If we want to win beyond the short-term, we are going to need to join with these workers to demand justice and equality. By organizing, we can demonstrate that an injury to one is an injury to all.

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## APPENDIX

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### **TForce Final Mile (Formerly Dynamex)**

CUPW represents approximately 400 members working for TForce Final Mile. Nine locals with four separate collective agreements represent the workers.

Our membership has changed significantly during the last mandate. In the BC Interior (Kelowna, Kamloops, Prince George) the bosses cancelled a number of their contracts with major customers in late 2016, resulting in layoffs. The Union was able to mitigate some of the hardship for our members through negotiating a memorandum of agreement that guaranteed payment of wages until a set date, regardless if a member's contract had already been cancelled, created a recall period of 18 months, and ensured seniority rights were upheld throughout the process.

On the other side of the coin, the employer was awarded delivery contracts with Amazon in both Victoria and Winnipeg. This created dozens of new jobs in those locations – all CUPW members.

The Union coordinated the expiry of the four collective agreements in order to obtain greater leverage at the bargaining table, and in turn, harmonize language across the contracts. We have been negotiating with the company since 2018, and have just recently come to terms on a tentative agreement with the company for the Saskatoon and Red River local bargaining units. Negotiations continue for the remaining units.

### **Medical Carriers Ltd.**

In January of 2018, CUPW successfully organized drivers working for Medical Carriers Ltd. in Winnipeg. These workers delivery medical supplies throughout Winnipeg and the surrounding area.

During our attempts to negotiate a first collective agreement, the bosses have been unwilling to talk seriously. As a result, we filed for conciliation. This process has yet to bear fruit, with the employer still refusing to bargain in good faith. CUPW is considering an application under section 87 of the Manitoba Labour Relations Act to resolve impasse through a first collective agreement arbitration process.

### **Bee-Clean**

Many of the cleaners working at Canada Post facilities across Canada and Quebec are employed by Bee-Clean. CUPW has represented members doing this work in the Ontario Region for many years, and we recently signed workers up in the Atlantic Region.

Our members in Ontario belong to the Hamilton, Kitchener-Waterloo, and Windsor locals. Their collective agreement expired in 2015, and after a long period of negotiations, we were able to reach a negotiated settlement in 2017. The workers received significant wage increases, improvement in benefits, and union recognition if Canada Post changes locations. Their collective agreement expires in June of 2019. The demand-preparation process is underway.

The Union conducted research in the Atlantic Region to assess the viability of a successful organizing campaign targeting Bee-Clean workers across the region. Due to the diffuse nature of the workforce, the results of that research suggested that we start by focussing on areas where more workers are gathered – medium to large cities. The outcome of this was a successful certification of workers in the Fundy and Moncton local in October of 2018, and in the St. John’s local in February of 2019. The region is now working to bargain a first collective agreement.

### **Combined Urban Services (CUS) – Nor-Pel**

Part of the Union’s shifting strategy towards organizing CUS workers has been to target companies holding contracts in multiple locations and achieve the broadest certification possible. From our research, we discovered that there are only a handful of companies holding contracts covering over half of all LDUs serviced by CUS workers. Successfully organizing these companies, and having certification rights across provinces and regions, can help increase our leverage. One of these companies is Nor-Pel.

Workers who had been previously organized by CUPW with another CUS contractor, Pro-Ex, approached CUPW about re-joining the union under their new employer, Nor-Pel. In August of 2016, workers in the Breton, St. Stephen and New Glasgow locals voted to join the union. After the union was certified to represent Nor-Pel workers in the Atlantic, workers from Thunder Bay who were employed by the company contacted us. We launched an organizing drive, and in May of 2017 CUPW was certified as the bargaining agent for those workers. In 2018, we again targeted Nor-Pel, this time in Sudbury, Ontario. After a brief organizing drive, we were successful in bring those workers into CUPW.

The union attempted to get Nor-Pel to negotiate both the Atlantic and Thunder Bay contracts together. The employer refused, and challenged the jurisdiction of the bargaining certificates. While the jurisdictional issue was being resolved, we filed for conciliation in the Atlantic. When that did not bring the boss to the table, our members went on strike. After two days of strike action, Nor-Pel agreed to sit down with CUPW and the Federal Mediation and Conciliation Services. After several days of negotiations, the employer presented an offer to the Atlantic Region members for a vote under section 108.1 of the Canada Labour Code, which the membership ratified.

Negotiations took place over a number of days in Thunder Bay, and while the terms of a tentative agreement were reached, Nor-Pel lost the contract with Canada Post before an agreement could be put into effect. The union is currently assessing next steps.

The Nor-Pel employees in Sudbury are preparing for negotiations with the employer.

### **Combined Urban Services – Eazy Express**

Drivers working for Eazy Express in Burlington, Ontario joined CUPW in 2010. The employer refused to negotiate seriously for many years. Throughout all of this, the membership stayed united, standing together as a union, and in January 2019 finally achieved their first collective agreement. In it, they won stronger seniority provisions, grievance language, protections from discipline, and increased wages, among other items.

### **Combined Urban Services – Pro-Ex**

CUPW organized Combined Urban Service workers with Pro-Ex during the 2011-2015 mandate, and shortly after the parties reached a collective agreement, the bosses dropped their contracts in Sydney, Port Hawkesbury and St. Stephen, while maintaining contracts in Annapolis Valley, Campbellton, and Edmundston. Since the time, the parties have negotiated a second collective agreement that provides sick leave entitlements and wage increases of up to 12% over 2 years.

The current agreement expires on April 30, 2019 and the union is in the process of preparing demands.

### **CUPE 1281**

Though outside of our traditional member-base, workers in Toronto, employed by the Canadian Union of Public Employees Local 1281, approached the union about joining CUPW. CUPE 1281 staff provide union representation and administrative support for more than 40 bargaining units – including the Canadian Federation of Students and the Canadian Media Guild. They joined the union in May of 2018, and successfully negotiated their first contract in December of 2018.

### **SQR Employment Services (Adecco)**

On July 6th 2012 the CIRB issued CUPW a bargaining certificate to represent the Adecco workers in the Custom and Postal Import Program working out of the Toronto, Montreal and Vancouver locations. The workers achieved a first collective agreement in 2014, but in June of 2015 Canada Post changed contract providers for the work and our members were terminated. We were unable to secure successorship for the workers. This is another example of the need to fundamentally change labour laws across Canada and Quebec to guarantee that when a contract changes hands, workers maintain their employment and the union maintains representation rights.

## **Medacom Atlantic**

CUPW represents medical dispatchers in both Nova Scotia and Prince Edward Island.

In PEI, members working for Medacom Atlantic successfully negotiated a new collective agreement with the company in June of 2018. When the workers first joined CUPW, their wages sat slightly above the provincial minimum. Through the determination of the membership over subsequent rounds of collective bargaining, members now earn up to \$25 per hour. This includes wage increases totalling 14.5% during the life of the new four-year agreement. Additionally, members saw improvements to the grievance procedure, increased annual leave entitlements, better protections for health and safety, among other improvements.

## **Emergency Medical Care (EMC)**

The dispatchers we represent in Nova Scotia work for Emergency Medical Care in Dartmouth, Nova Scotia. Medavie Blue Cross, the same company who owns Medacom Atlantic, owns EMC.

Bargaining has proved more difficult for our members at EMC. The provincial Liberal government introduced two bills in 2014 and 2015 that limit workers' rights to collectively bargain: Bill 37, and Bill 148.

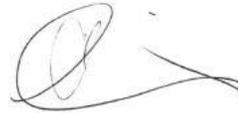
Bill 37 imposed language around "essential services" that forces both the union and employers to determine staffing levels prior to job action. This limits the effectiveness of strike action, as it could force more of our members to be at work during a strike than current staffing levels dictate.

In 2015, the provincial government passed Bill 148, the *Public Services Sustainability Act*. Despite its innocuous name, it imposed a two-year wage freeze on public sector workers, including our members at EMC. After those two years, it mandated minimal wage increases for the following three years. CUPW, along with a number of other unions representing public sector workers in the province has launched a constitutional challenge of Bill 148, arguing that it violates a union's rights to collectively bargain, and to strike over issues of wages and compensation – a process we know all too well as postal workers.

We are preparing for a new round of negotiations with the employer. Issues include wages, benefits and working conditions, as well as the employer's attempt to introduce a new classification of worker into the bargaining unit that could potentially threaten our current members' work.



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<sup>1</sup> Retrieved from Statistics Canada - <https://www150.statcan.gc.ca/n1/pub/11-630-x/11-630-x2015005-eng.htm>

<sup>2</sup> Ibid.

<sup>3</sup> Retrieved from Canadian Labour Congress - <http://canadianlabour.ca/why-unions>

<sup>4</sup> Bourque & Bickerton: Stepping out of the Legal Framework: Organizing Rural Route Couriers