

## **New Brunswick needs to do more!**

Every year on December 10, the *United Nations Organization* invites us to renew our commitment to the *Universal Declaration of Human Rights*.

The theme this year is STAND UP FOR SOMEONE'S RIGHTS TODAY! It emphasizes the premise of the *Declaration* according to which every one of us, everywhere and at all times, should be able to enjoy all the human rights and that it is everyone's responsibility to support them...

This responsibility to ensure that these rights are respected belongs to all citizens, corporations and governments.

On this day, it is important to remember Article 23 of the *Universal Declaration of Human Rights* which recognizes the right of male and female workers to: *just and favourable remuneration ensuring for themselves and their family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection; the right to equal pay for equal work and the right to form and to join trade unions for the protection of their interests.*

Approximately 20,000 workers in New Brunswick only receive the minimum wage of \$10.65 an hour. As the Common Front for Social Justice showed in its 2015 report *An Economic Reality: Living on Minimum Wage*, this minimum salary does not enable a worker and his or her family to enjoy a decent quality of life. All seven of the scenarios studied (one person, a single-parent family or a couple with two children) have a budget deficit at the end of the year. The deficit can be as low as \$1,501 for a couple with two minimum salaries and one child, and as high as \$12,661 for a couple with two children and one salary

Because workers needed the force of the law to limit exploitation and to ensure the respect of their fundamental rights, governments had to impose a minimum salary and minimum employment standards. The only recourse for non-unionized workers is the law that ensures minimum standards.

In New Brunswick, like the minimum salary, these standards are in urgent need of improvement. For example, even if employers are obliged to grant sick leave, they are under no obligation to provide any remuneration; minimum standards also allow the employer to pay overtime work at a lower rate than the normal hourly rate; and there are no provisions regarding pension plans and additional health insurance. Workers employed with only the minimum standards of protection live in poverty in their retirement.

In 1948 when the *Declaration* was adopted, only the right to equal pay for the same work was guaranteed. But experience has shown that this is not enough. To ensure equality, it should be equal pay for work of equal value. Canada undertook to respect this principle when it ratified in 1972 the International Labour Convention No. 100 that prohibited discrimination in remuneration on the grounds of gender.

According to the New Brunswick Coalition for Pay Equity, in 2015 female workers in the province were earning 88.8% of the salary of men. Female and male workers in New Brunswick are still waiting for the commitment to equality to be applied in the private sector but in also in the community sector.

The *Declaration* recognizes for everyone: *the right to form and to join trade unions for the protection of their interests.*

There is a correlation between inferior working conditions and the absence of a union.

The right to unionize in order to obtain a salary and decent working conditions that are in keeping with human dignity is legally recognized in Canada and in our province, but in a far too limited manner. Consequently, unionization is too difficult. Unionizing requires a lot of energy and resources in order to overcome the obstacles put in place by employers who are against unions and the right to collective bargaining.

Employers use intimidation tactics such as the dismissal of the organization committee leaders, the threat of contracting out part of the work, the attempt to reduce the workers' bargaining power by excluding a large number of workers from the bargaining unit under the pretext that they have supervisory positions, or the use of legal tactics to drag out the unionizing process or the negotiations of collective agreements.

The New Brunswick Industrial Relations Act must be improved and measures added in order to impose a first collective agreement on recalcitrant employers and in order to prohibit strike breakers.

Measures to impose a first collective agreement would prevent employers from dragging out negotiations or bargaining in bad faith. As is the case elsewhere, the law imposes time limits for reaching a first collective agreement and, in the absence of a settlement, a mechanism for arbitration that would impose a first agreement of the type that will regulate labour relations in the newly unionized workplace.

An anti-strike breaker law would prevent employers from using strike breakers to take the jobs of workers who exercise their right to strike in order to support their demands and defend their interests.

The *United Nations Organization* reminds us that we must always defend the *Universal Declaration of Human Rights* and that the struggle for human rights is always valid. It is up to us, all the citizens of New Brunswick, to demand that our government respect Article 23 of the *Declaration* and that it correct the serious loopholes in the regime for the protection of male and female workers.

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