



FOR IMMEDIATE RELEASE - September 8, 2020

**Carpenters Union Responds to Labour Board Chair
Labour Board Doesn't Get It**

Paradise – NL Carpenters Union, Local 579 is responding to the statement made on September 2, 2020 from Labour Relations Board Chairperson, David Conway.

Mr. Conway says the Labour Relations Board holds a position of privileged trust within the labour relations community in Newfoundland & Labrador. Mike Williams, President of Local 579 responded saying, “is the Chair of the Board tone-deaf? This statement is absolutely false in light of the recent actions of the Board. Workers have no trust and faith in the Board.”

Mr. Conway says the Board is a representative tribunal made up of an equal number of employee and employer representatives along with two neutral vice-chairpersons and a neutral chairperson. Mr. Williams says the Board does not have sufficient employee representation from the construction sector, which is a significant oversight.

Trades NL Executive Director, Darin King, agrees. He wrote Labour Minister Gerry Byrne asking for more individuals with a construction background to be placed on the Board. Traditionally there have been as many as 5, and on average 3, individuals with construction experience on the board and this has assisted in the timely and expeditious review of applications. At present there is one person only from the construction industry.

According to the Board's statement, it has professional administrative staff that are responsible for its day-to-day operations, but Mike Williams and other labour leaders in the province say the Board is seriously understaffed and is unable to perform its duties in a timely manner. “The failure of the government to properly fund and staff the Board has resulted in serious problems at the Board causing it to lose the trust in the labour relations community,” says Williams.

Trades NL also raised this issue with the Minister noting that a critical position, that of Deputy Chief Executive Officer, is currently vacant. This position is critical to supporting the CEO and board in ensuring the timely review, movement and management of files and the position should be filled immediately.

The Board acknowledged to the union that its action has caused serious concerns but has yet to apologize. Says Mr. Williams, “the Board apologized to us and said it is willing to accept full responsibility for its action, but it has yet to issue a public apology. I don't think they get it. This would be the first step in any legitimate attempt to restore workers' trust and faith.”

The Board says it will cooperate with the Privacy Commissioner but fails to mention that it was in contact with the Privacy Commissioner's Office within hours of discovering it had breached the privacy of workers employed at the Grieg NL site in Marystown. Mike Williams says the details of these discussions and the information provided to the Privacy Commissioner should be made public.



“It is critical to note that following these discussions with the Privacy Commissioner, the Board issued a statement to the impacted workers that falsely characterized the employer’s position. Workers were told that the email containing signed union cards had not been opened or read by the employer, but these initial assurances were incorrect. The employer later informed the Board that it had been opened and read, and the Board had to re-contact the impacted workers,” he said.

The Board’s decision to issue a statement with a notice of procedural changes is in direct contradiction to its earlier public statement that it will not comment because the issue is an active matter before the Board. The Board has two sets of contradictory policy. The Board must release any and all communication between the Chair, CEO and any staff of the board with the Premiers Office, the Minister of Labour’s Office, Executive Council, or any official of the provincial. This includes any phone conversations concerning this matter. Should the Chair refuse to be open and transparent on this request, a formal request for information will be filed.

Mr. Williams also expressed disappointment in the position taken by Minister Byrne, who has brushed his hands clear of this matter. In Minister Byrne’s response to Trades NL, he stated: “The Labour Relations Board is an independent, impartial tribunal that acts within the statutory authority of the Labour Relations Act. I have confirmed with the Board Chair that this matter is exclusively within the Board’s jurisdiction and I am unable to comment.” Organized labour disagrees.

The public and workers must have trust and faith in the Labour Relations Board to protect workers’ rights and to operate fairly and impartially. It is essential and in the best interest of the people of this province that the Labour Relations Board operate from a privileged place of trust as the Board Chair claims. Right now, it does not. Mr. Williams said that for this to happen, the Minister must be fully engaged and commit to a full review of the Board and legislation. “It is not satisfactory for government to leave this matter entirely in the hands of the Board and not recognize its own important role in ensuring worker trust and faith in the Board is restored, he said.

Mr. Williams says he will have more to say about the Board’s proposed procedural changes over the next few days.

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