

REVENGE, NOT RESTRAINT

An Overview of the Sacred Legislative Package

The budget introduced by the the Social Credit Government on July 7, 1983, together with the bills which accompanied it, do not represent a financial restraint program. The only restraint is on human rights, freedoms and opportunities. Such things as the removal of rent control, the phasing out of the Rentalsmans Office, the abolition of regional planning, the plan to wipe out job security for public sector employees, and the vastly diminished Human Rights Code represent radical social changes designed to restructure our society in favour of property rights and against individual liberties and freedom.

Human Rights Act - Bill 27

Major revision of the human right legislation have been made, with the Commission dissolved, its offices closed, and the Human Rights Code repealed. Commission chairman Charles Paris has publicly stated that these changes " ... have nothing to do with restraint. This is a deliberate philosophical attack on the very concept of human rights legislation."

The old, relatively-independent board had recommended that the government strengthen the Commission's autonomy. Instead, the new law gives the Minister of Labour, Bob McClelland, significantly greater power. In Charles Paris's words, "it totally politicizes human rights". All members of the new five-member council which replaces the old commission will be appointed by the Cabinet.

With no human rights branch offices to go to and no officers to investigate complaints, a complainant must now approach the new government appointed council which may investigate. But who will do the investigation?

Having made access to an adjudication procedure more difficult, the government has significantly reduced the kinds of actions which can be considered violations of human rights. The general ground of "discrimination without reasonable cause" has been eliminated; all complaints must now be based on specific grounds such as race, religion or sex. Examples of categories no longer covered by human rights legislation include pregnant women, welfare recipients, and homosexuals. People can now be refused such things as service or housing on the basis of their being pregnant, on welfare, or suspected of being homosexuals.

Under the old code, the onus, in questions of employment discrimination was on the company to prove that it had "reasonable cause" to refuse to hire an individual. The burden of proof in the new code is on the person making the complaint. More critically, a person filing charges must now prove intent to discriminate as well as the actual discrimination. In addition, the previous bar to discrimination in "employment, promotion or advancement" has been narrowed simply to "employment".

Even if a complaint were successful, the powers of the new council are significantly restricted: all the council can do is issue a cease and desist order and award lost wages or out-of-pocket expenses. There is no longer a provision for punitive damages.

Residential Tenancy Act - Bill 5

Renters have lost their former, relatively accessible protection. The government has repealed the office of the Rentalsman and the right to rent review, as of June, 1984. Even more insidiously, there is no longer an avenue by which a tenant can dispute a landlord's decision without going to court. This means that most tenants, and certainly all low income tenants without the resources to go to court, will be effectively denied any protection.

There has also been a major philosophical change in the concept of tenant-landlord relations, since landlords will now be able to evict tenants without any cause whatsoever. Even Victorian common law of the last century provided a tenant with some sort of recourse to the court when evicted without cause. This will not be the case in B.C. in 1984.

Employment Standards Amendment Act - Bill 26

The Employment Standard Board's has been abolished and its responsibilities have been transferred to a single director. The Director's former powers of investigation and preliminary judgment are delegated to Industrial Relations Officers.

Employment Standards will no longer be minimum standards for all workers. A collective agreement can now be considered an agreement to waive the provisions of this act if the minimum standards or higher cannot be achieved at the bargaining table. Where a collective agreement is silent the minimum standards of the Act apply. This is an incentive to employers to take a hard line on standards inferior to those provided in the Act.

Other changes include the fact that directors and officers of corporations are no longer liable for workers' wages when a company goes into bankruptcy or receivership. Severance pay will no longer be based on total wages including overtime; that will be restricted to basic salary. An award can no longer include financial loss or damages when an employer is found to have threatened and coerced an employee; instead, a person can only claim reasonable and out-of-pocket expenses. Finally, the proposed changes restrict any claim under the act to the last six months' period of employment with the employer. It was previously open ended and therefore subject only to fairness and reasonableness.

Public Sector Restraint Act - Bill 3

One quarter of the Province's workforce has been disenfranchised from the right to grieve dismissal without cause. This is not simply the removal of job security clauses and the right of government to cut-back on government expenditures by reducing the number of public employees. This is the removal of all seniority rights and protections of a worker's job from harassment for union activities, personal reasons or any other reasons. A worker can be fired for no reason at all or worse, for an invalid reason: such as, for example that the supervisor does not like him or her. And there is no recourse.

Compensation Stabilization Amendment Act - Bill 11

One quarter of the Province's workforce can no longer fully negotiate money items. The compensation stabilization legislation limits any change in any

form of compensation to between a 5% decrease and a 5% increase. And there will be no pay raises without increases in "productivity"—a euphemism for longer working hours.

Even if the parties agree to an increase which falls within the guidelines, the legislation takes the unprecedented step of allowing the government's commissioner to restructure previously agreed upon provisions by removing money from one area and giving it to another.

Cutbacks in Public Services

The following programs have been eliminated and their staff fired:

1. Child Abuse Team - specifically set up to deal with child abuse quickly and effectively.
2. Family and Children Services.
3. Mental Retardation Services - the program set up to assist mentally handicapped people to exist in the community. The Socreds have eliminated this program at the same time they have announced the closing of Woodlands, Tranquille and Glendale Lodge, three large institutions caring for the mentally handicapped. Most patients are to be placed in the community, despite the lack of support services.
4. Shelter Aid For Elderly Renters - a rent subsidy by which the elderly were assisted in rental payments when their rent accounted for more than a fixed percentage of their pension.

5. Consumer Affairs Counselling: gone are the offices and counsellors who assisted individuals with complaints against businesses that were cheating them. This department handles thousands of complaints by working people - people who otherwise would not know that they have been charged too much or that their interest rates are too high. Only specialists know the in's and out's of consumer law and that information will now be much more difficult to obtain. People will be more prone to exploitation unless they seek redress through the lengthy and complex court system.

The philosophy of the cutback is summarized by this comment by the Minister of Consumer and Corporate Affairs: "I want to step back and see if, in responding to one or two percent of customers with problems, we have not been over regulating 99% of our businesses".

In fact, the department dealt with over 120,000 complaints and inquiries last year.

6. Criminal Injury Compensation Act - the budget has been cut by 20% from 2.7 million to 2.2 million.
7. Having removed counselling and advocacy services by closing the Human Rights Branch, abolishing the Employment Standards Board and the Consumer Protection Service, and making the courts the only means of recourse for complaints, the government has completed the circle by cutting legal aid. This eliminates legal assistance for a vast number of people.

The eligible income level for people receiving legal aid has been dropped to the poverty level - \$700 to \$1,000 of income per month, depending on dependants.

Motor Vehicle Amendment Act - Bill 23

Mandatory vehicle inspections have been removed for now; if they were to be reintroduced they would be privatized. The effect of privatization on the public will be measured in increased cost. Up until now, a B.C. citizen pays \$5 for a test. In Ontario, the rates charged by private garages to fulfill mandatory test requirements is \$50.

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Having cut back on services and individual liberties, the government next proposes to take more money directly from those who can least afford it. Virtually every tax or rate change they propose is regressive in that it imposes greater relative cost on the poor.

Income Tax Amendment Act - Bill 4

The Income Tax Amendment Act repeals the Personal Income Tax Credit and the Renters Credit, both of which had ceilings based on low or middle income levels. The renters credit eased the burden of high rents on poor people by allowing lower taxes, while the personal income tax credit did the same to compensate for living costs in general.

Having removed these progressive tax measures, the government has imposed several regressive tax and rate increases. These are:

1. Seven percent sales tax
2. Removal of tax break on purchases of small cars which are more energy efficient.
3. Taxes on illness - having explicitly stated in Cranbrook on April 12 that user fees for hospitals and doctors' services would not rise, Premier Bennett has increased fees for extended and long term care by 10.9%; emergency and minor visits by 150%; acute care beds by 13.3%; and day surgery by 14%.

In addition the Socreds have removed the "first home" home buyers grant of \$1,000 for those without dependents and \$2,500 for those with dependents.

At the same time that the government proposes to cut back individual rights and social services and impose a higher tax burden on the poor, it also proposes to centralize power while reducing accountability as much as possible.

Public Sector Restraint Act - Bill 3

They can now fire any one of 220,000 government employees without having to justify the action in any court.

Public Service Labour Relations Amendment Act - Bill 2

The government has total control over the working conditions of 40,000 employees. Revisions to the Public Service Labour Relations Act make any item affecting overtime, work assignment, hours of work, shift scheduling and definition, seniority, vacation scheduling, job classification, reassignment, relocation and job security non negotiable.

Education Interim Finance Amendment Act - Bill 6

The Ministry of Education will now have exclusive power to supervise the budgets and expenditures of individual school districts - including the right of school districts to have special education programs.

Under the old system of parent input, special education programs were adopted to meet the needs of individual communities. That system will be removed and Victoria will centrally control, by fiat, all that is taught to our children.

The quality of primary and secondary education will decline significantly with the elimination of 3,000 teaching positions and the implementation of a greater pupil-teacher ratio.

Institute of Technology Amendment Act - Bill 19

The Institute of Technology Amendment Act gives all power over course content and programs to Victoria. Victoria will "... determine courses or programs to be offered or cancelled".

It is not rhetorical to say that this opens the door to censorship in education. It opens course programming to political manipulation and control, and thereby puts political interests ahead of the interests of students.

College and Institute Amendment Act - Bill 20

Changes in the act governing colleges and learning institutes such as PVI will abolish local councils and centralize all power and control directly with the Minister of Labour. This includes the determination of courses and programs offered. The effect, again, is to eliminate input from the community.

In addition, the government will now be able to borrow against college property for general government expenditures, even if this spending is completely unrelated to the college or its function.

Public Service Act amendments - Bill 17

The government can now hide or misrepresent the actual number of employees in the government service because staff establishment will no longer have to be presented to the legislature.

Worse, it gives Victoria rather than the physician the right to determine if specific care is necessary in individual cases.

The intent is clearly to force doctors out of the medicare system by interfering with their rights to practice, to determine levels of care, and to higher incomes.

The Employment Development Act promises expenditures of \$415 million in capital investment. The budget speech indicates that "...almost half of the total, \$205 million, will be used to accelerate work on basic economic development capital normally funded through Ministries". This refers to highway construction, dyking construction and agricultural development projects.

This is not new money but an allotment for contracting out work normally done by unionized workers in the Ministries.

Similarly, of the \$205 million that remains, \$170 million is allotted to provide jobs through health capital funding. Consider, however, that 2,500 beds are currently empty in B.C. because the staff needed to service the patients have been laid off. In Vancouver General Hospital alone, a capacity of 1,700 beds has been reduced to less than 1,200. At the same time, \$16 million was spent to build a parking lot across the street.

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This is not a restraint budget. The government has not reduced or restrained expenditures; in fact, spending has increased by 12.3% - almost triple what the rate of inflation would have required had the status quo been maintained without cutbacks in employment or services.

" OPERATION SOLIDARITY "

1. That all unions in B.C., through bi-lateral agreements respect, for the next four years, each others sanctity of established bargaining units.
2. That, under the leadership of the B.C. Federation of Labour Executive Council, we establish a Trade Union Solidarity Committee, which will be comprised of the Executive Council of the B.C. Federation of Labour and fair representation from non-affiliated unions, for the purpose of mounting an effective fight-back campaign against the vicious attack of government on social, economic, human and trade union rights.
3. That the B.C. trade union movement, under the leadership of the B.C. Federation of Labour, enter into a broad-based coalition with other groups such as the churches, the unemployed, peace groups, tenants' organizations, minority groups, small business groups, women's groups and any other groups who have a sense of moral and social responsibility to the overall community, for the purpose of:
 - a) Opposing the brutal attack of government against the social, economic and democratic fibre of this province.
 - b) To help individuals and groups directly affected by this governmental onslaught.
 - c) To start broad public discussion in this province in an effort to develop public policies for a social and economic recovery alternative designed to meet the real needs of people in the 1980's.
4. That we ask non-affiliates to pay an amount equal to Federation monthly per capita into a defence fund for the purpose of partially funding "Operation Solidarity".
5. That we set up regional Trade Union Solidarity Committees who, under the direction of the Provincial Committee, will do the work of building the coalition. These regional committees will work through the framework of local Labour Councils and will be involved in the overall mobilisation.
6. All trade unions in the province will hold special local union meetings to discuss with the membership the implications of the budget and the accompanying legislation on workers and the general public. Local unions shall engage in letter writing campaigns, post-card campaigns and lobbying. They shall also appoint delegates to the local Labour Council Solidarity Committees and also mobilise their membership for mass rallies.
7. The B.C. Federation of Labour, through the Communication Advisory Committee will start a massive membership and public education program in the form of radio spots, newspaper advertisements, bill-boards, pamphlets and briefing notes, beginning on Monday, July 18, 1983. This program will run for a minimum of two months.
8. "Operation Solidarity" will hold its first in a series of mass public rallies on Wednesday, July 27, 1983 starting at 3:00 p.m. at the steps of the Provincial Legislature in Victoria. All other groups which will form the broad-based coalition will be asked to participate. The Committee will set into motion organizational talent to assist regional coalitions to plan and execute regional mass rallies.
9. The Provincial Trade Union Solidarity Committee will work out all the major policy decisions on the fight-back campaign as far as B.C. labour is concerned, its chief spokesperson will be the President of the B.C. Federation of Labour. Each trade union group shall agree to allow the chief spokesperson of the Provincial Trade Union Solidarity Committee to make all public representations on behalf of the Committee.
10. "Operation Solidarity" will renew its mandate every twelve months through a delegated conference.