



Message Box on Bill C-377

October 2013

Background:

Conservatives claim that Bill C-377 is needed to ensure that unions are accountable about their finances. In fact, unions are already financially accountable, to their members. This bill is not about accountability but was designed to harass and weaken unions. After it passed in the House of Commons, the Senate held extended committee hearings on Bill C-377. Virtually no major organization that appeared before the Senate supported the bill. Merit Canada, which claims to speak for the construction industry, is the major proponent of Bill C-377. Merit is an ideological organization whose member groups represent less than one percent of Canada's construction contractors. In June 2013, Senators refused to pass Bill C-377 and returned it to the House of Commons with major amendments. Then the Prime Minister shut down Parliament and a new session has just begun. Conservative MPs are thumbing their noses at the Senators and have sent Bill C-377 back to them in its original form. In other words, the Senate has to deal with the same flawed bill all over again.

The information below is divided into: 1) Overall Message; 2) Important Talking Points supporting the overall message.

1. OVERALL MESSAGE

Bill C-377 is a discriminatory, unconstitutional, invasive and poorly-drafted bill that was not needed in the first place. Even Conservative Senators rejected it when it came before them in June. Senators, who are once again considering Bill C-377, should defeat it rather than continue trying to amend it.

Supporting Arguments:

- Bill C-377 is such bad legislation that the Senate refused to pass it and threw it back to the House of Commons with major amendments in June 2013.
- The Prime Minister shut down Parliament and a new session has just begun. Conservative MPs are thumbing their noses at the Senators' work and have sent Bill C-377 back to them in its original form. The Senate has to deal with the same flawed bill all over again. What a waste of time and money.
- The Conservatives claim that Bill C-377 is about financial transparency, but it is actually meant to harass and weaken unions.
- C-377 would force every labour organization in Canada to file detailed financial information, not only about the labour movement, but also about the individuals and companies who do business with us. That information would then be posted on a Canada Revenue Agency website.

- The bill is not needed, it discriminates against unions and it invades the privacy of individuals and the jurisdiction of the provinces. It is almost certainly unconstitutional. The Senate should defeat Bill C-377 rather than amending it.

2. IMPORTANT TALKING POINTS

Bill C-377 is not needed: Information on union finances is readily available to any members attending meetings of their locals, usually on a monthly basis and also at annual conventions. In addition, most provinces also have additional reporting requirements.

Bill C-377 discriminates against unions: Bill C-377 singles out unions for discriminatory treatment. The Conservatives would force unions to make public detailed financial information, but they are not forcing organizations representing doctors, lawyers, business organizations, accountants and others to produce similar detailed financial reports. The *Globe and Mail* newspaper described Bill C-377 as a “witch hunt.”

Bill C-377 invades the privacy of individuals: Bill C-377 would force every labour organization in Canada to file detailed financial information not only about the labour movement, but also about the individuals and companies who do business with us. This information would then be posted on a Canada Revenue Agency (CRA) website.

The federal Privacy Commissioner and the Canadian Bar Association both expressed their deep concern about this invasion of privacy.

Canadian mutual fund and life insurance companies also expressed alarm over how the privacy rights of their clients and investors would be violated in a bill that claims to be aimed mainly at labour unions.

Provinces are concerned about Bill C-377: Issues relating to labour fall largely within provincial jurisdiction, yet Bill C-377 will attempt to legislate in this field. Five provinces have expressed their opposition to Bill C-377 because of this intrusion.

Bill C-377 is widely opposed, and not just by unions: The list of those who say this is a bad bill includes five provinces, the Canadian Bar Association, the mutual fund industry, the life insurance industry, the federal Privacy Commissioner, and even 16 Conservative Senators.

Bill C-377 is supported only by a tiny group of anti-union contractors: There has been no call from union members for this legislation. Merit Canada, which claims to speak for the construction industry, is the biggest proponent of Bill C-377. Merit is an ideological organization whose member groups represent less than one percent of Canada’s construction contractors.

CONCLUDE:

Bill C-377 is a poorly-drafted bill which is not needed. It is discriminatory, unconstitutional, and an invasion of privacy. Senators should defeat Bill C-377 rather than trying to amend it.