

# Fairness on the line



The case for anti-scab legislation in Canada



# CALLING FOR A FULL BAN ON SCABS FOR STRIKES AS WELL AS LOCKOUTS

We call on the Liberal government to strengthen their 2021 platform commitment, and amend the Labour Code to prohibit the use of scabs when a union employer in a federally regulated industry has locked out employees or when unionized workers in a federally regulated industry engage in legal strike activity.



## FAIRNESS ON THE LINE

In May 2021, Unifor released a discussion paper called Fairness on the line: [The case for anti-scab legislation in Canada](#). In that paper, we laid out the case that the use of scabs during strikes and lockouts:

- ◀ Undermines the collective power of workers;
- ◀ Unnecessarily prolongs labour disputes;  
Removes the essential power that the withdrawal of labour is supposed to give workers to help end a dispute, that is, the ability to apply economic pressure;
- ◀ Contributes to higher-conflict picket lines;
- ◀ Jeopardizes workplace safety;
- ◀ De-stabilizes normalized labour relations between workers and their employers; and
- ◀ Removes the employer incentive to negotiate and settle fair contracts.



## THE 2021 LIBERAL PLATFORM COMMITTED TO PROHIBIT SCABS FOR LOCKOUTS ONLY

Released in the lead-up to the last federal election, the [2021 Liberal platform](#) included a commitment to, “prohibit the use of replacement workers, ‘scabs,’ when a union employer in a federally regulated industry has locked out employees.”

## BANNING SCABS ONLY DURING LOCKOUTS IS INADEQUATE AND UNACCEPTABLE



However, as we showed in [Fairness on the line](#), banning the use of scabs only during employer-triggered lockouts wouldn't go nearly far enough to correct the huge power imbalance that exists between workers and employers during labour negotiations.

The Liberal government must prohibit the use of scabs when a union employer in a federally regulated industry has locked out employees or when unionized workers in a federally regulated industry engage in legal strike activity.

## LABOUR DISPUTES UNCOMMON, BUT SCAB BANS NEEDED FOR LOCKOUTS AND STRIKES

In the seven years between 2013 and 2020, there were approximately 5,600 rounds of Unifor negotiations. Most agreements are settled without labour disputes, and in that time strikes or lockouts occurred in just 2% of these negotiations. The negative impacts caused by the use of scabs harm workers during strikes as well as lockouts, and workers deserve full and equal protections in both situations. The goal of the scab ban is to promote normalized labour relations between unionized workers and their employers, and there is no good reason to impose a scab ban during lockouts but not during strikes.







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