

2023 Forest Industry Bargaining

USW LOCAL 1-417 UPDATE

Update #22 – October 11, 2024

IFLRA Counts Ratification of all Three Locals, 1-423 included; Four-year Deal Implemented

Following the tabulation of the three USW Locals voting on the Southern Interior Master Agreement renewal last week, Local 1-405 (Cranbrook/Kootenays) and Local 1-417 (Kamloops/Thompson) had a majority to ratify the Memorandum of Agreement; 76% and 80% respectively. Local 1-423 (Kelowna/Okanagan/Boundary) did not, with a 54% rejection.

The USW approached the employer association (IFLRA) and requested they agree to implement the terms of the agreement in the Cranbrook and Kamloops Locals and continue to deal with the outstanding issues, specifically the language change in Supplement 8 – Alternate Shifts, separately with the Kelowna Local on a without precedent basis; similar to what occurred in 2003 when the exact same voting pattern between the three locals occurred.

The IFLRA refused and informed the USW that they were calculating the retro-pay back to July 1 of 2023 for members of all three locals and, considering that an aggregate count of the entire membership of the three locals combined, ratified the agreement by a 67% margin. With the IFLRA relying on the past practice of all three Locals bargaining together for the better part of the last 60 years and a key BC Labour Relations Board decision concerning Local 1-417 in Kamloops trying to take out the Slocan Forest Products divisions in that local in 1997's round of bargaining, and the subsequent decision by the BCLRB to rule against the Locals (1999 "Kelly Decision"), Local 1-423 sought a legal opinion from Will Clement, partner with Koskie/Glavin law firm and Local 1-423's outside counsel. Clement said:

"I can advise that the law appears to be against Local 1-423 being permitted to separate itself from the other locals that are accepting the new Memorandum of Agreement where a majority of the employees in the combined voting constituency have voted to accept that agreement. The IFLRA appears likely to be seen as acting within its rights by treating the agreement as having been concluded and as binding on all of the locals in this circumstance. This leaves Local 1-423 as vulnerable to having any strike action declared unlawful, if a strike were to proceed, which can result in employers claiming damages from the Local for the economic impacts of an unlawful strike."

While Local 1-423 is not happy with the outcome, they're left with no choice but to abide by the recommendation of legal counsel. All three Locals now have a ratified agreement, and the process of calculating back pay and implementing the new premiums, rates, and benefits of the agreement that runs from July 1, 2023, to June 30, 2027, has begun.

All three locals in the Southern Interior will meet at a future date to best assess and evaluate the latest round of bargaining and will, through their Executive Boards and membership, discuss possible paths of bargaining in the future.

USW Southern Interior Bargaining Committee

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Phil Ducharme – President, USW 1-417

Grant Farquhar – President, USW 1-405

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