



Open Letter to the Honourable Seamus O'Regan,  
Minister of Labour and Seniors of Canada

Ottawa, June 6, 2024

## **SUBJECT: Ports, Railways, Customs Services Must Become Essential**

Dear Minister,

In accordance with the recently unanimously passed Bill C-58 by the Members of Parliament, which is anticipated to be imminently ratified in the upper chamber, the utilization of "scabs" during a strike or lockout within federally regulated enterprises will be prohibited.

We live in a democracy, and one of the milestones of such a system is the right to strike for workers. Therefore, let it be known that this right shall be fully exercised as it rightfully deserves.

But if certain activities, paralyzed by a strike or a lockout, come to harm a large segment of the population, or even all citizens and businesses, are we still in a democracy?

A hindered flow of goods and people, in this case by boat and by train, seems to me to be an attack on our democratic foundations. It's as if we passively choose to injure the majority to protect the rights of a few thousand workers.

This reminds me of that famous question asked by psychologists to test our morality and judgment: "To save the lives of thousands of people, would you agree to throw your best friend in front of a train?"

Let's try to find a permanent, systemic solution, without making any victims. Not even one.

So, the question to ask is: how can we ensure the continuity of activities in ports, on railways, and at the Canada Border Services Agency?

One possible avenue: granting them the status of essential services INDEFINITELY, and thereby granting their workers salaries and conditions that defy all competition, based on scientifically indisputable statistics from both the employer's and the employee's perspectives.

### **ADMINISTRATEURS**

#### **Chairman of the board**

- Jean-Maxim Lebrun, lawyer and partner, Dunton Rainville

#### **Vice-President and consumer representative**

- Marc-André Harnois, executive director, Consumer Association for Quality in Construction (ACQC)

#### **Secretary and merchant representative**

- Nicolas Couture, merchant-owner, Couture Timber Mart

#### **Treasurer and supplier representative**

- Paul Faulkner, marketing and sales manager, Dural

#### **Directors, partner**

- Ken Jenkins, President & CEO, Castle Building Centers Group
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- Daniel Lampron, VP & Head of Operations, Patrick Morin Group
- Eric Palmer, Vice President & General Manager, Sexton Group
- Andrew Iacobucci, President, RONA
- Paul Williams, Vice-President, Building Supplies, AD Canada

#### **Directors, associations, and professional corporations**

- Maxime Rodrigue, president and CEO, Association of Construction and Housing Professionals of Quebec (APCHQ)

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The Canadian Labour Code prohibits both parties from initiating a strike or lockout when a collective agreement is in effect. And here's where the problem lies: negotiation strategies from both unions and employers degenerate into pressure tactics, delays, so much so that these collective agreements regularly expire without any resolution.

We're in Groundhog Day since the law limits the duration of any collective agreement to five years. In practice, signed agreements often only last three years, inevitably leading to this cycle of futile dialogues that drag down our economy and social peace...

I believe we must accept that maintaining such services at all times comes with a price, and we must lucidly accept to pay it; exceptional salaries and conditions will be so much cheaper than the financial and political cost incurred by service interruptions, especially since we always know the start date of such conflicts, but never their end date.

Thus, an employee who chooses to work for these infrastructures will enjoy the best conditions in the country but will agree in return to forfeit the ability to hold our society hostage, also known as the right to strike. Their employers, on the other hand, will agree to act as exceptional payers and will eradicate the anxiety-inducing atmosphere they endure... and cause us!

I kindly request you to accept, Mr. Minister, the expression of my respectful consideration."

Richard Darveau  
President and CEO  
Well Made Here / Bien fait ici

**P.S.:** *Well Made Here / Bien fait ici* is a federally chartered non-profit organization collectively co-founded in October 2018 by purchasing groups and their networks of retailers and suppliers. Over 6000 hardware and construction materials, manufactured in Canada and meeting all current construction standards and codes, are currently accredited by the program, and sold in over 3000 renovation centers across the country.