

NAVISTAR

Navistar is another difficult situation. On June 30th, 2009, they said to the workers, "You're laid off. We do not need your skills. We do not need you right now because trucks are not selling". During the course of this layoff, we continued negotiating with the employer to see if we could get a competitive agreement and we met often. My assistant Bob Chernecki stayed in close contact with Navistar during the layoff period. It was understood that there was the possibility that Navistar would not reopen, because truck manufacturing was at an all-time low due to an all-time low sales volume as a result of the global financial crisis. Nobody in the United States was buying big trucks.

We worked hard for a couple of years to get a bargained settlement. Workers stayed supportive of their union. Over those two years, we held five membership meetings to keep our members engaged, to inspire them and let them know that we were working as hard as possible, even though we were dealing with a rotten employer. Ultimately, I said to the employer that these workers, under a thousand of them, had to know about their future. Are you going to reopen or are you not going to reopen? Are we going to get a collective agreement or are we not? Do you have a desire to keep the place open? They made a decision to close it. They said, "No use in negotiating anymore. We intend to close it. We do not see the market picking up, and we see the Chatham plant as a victim of the economic challenges in Canada".

We immediately went into workplace closure negotiations trying to get decent severance packages, trying to get as many people eligible for pension opportunities as possible, everything that you do in a workplace closure. At every meeting, we were making tiny steps. It was a gut wrenching job. Then, the employer put their final proposal on the table, and it provided less severance than was required by law for the majority of the people that worked there. Yes, some people who were not entitled to severance were getting severance, but the majority of the people were getting less than they were entitled to.

They rejected the idea that up to 120 people were eligible to grow into a retirement plan somewhere down the road when eligibility requirements were met. They said, "No, they are excluded". We said, "We cannot do this. The Financial Services Commission of Ontario which regulates pensions will not tolerate it". We met with the Commission, and they told us our argument was sound. We were not going to abandon those 120 members. The company said, "That is our final proposal".

Again, we called our membership together. The Local 127 union hall was packed. Local 35, the office and technical folks, also participated. There was a lot of anxiety which you can understand after three years of not working. They believed that we were closer to a closure agreement and possibly even ratifying one that day. We told them that we are not taking the deal, that the deal fell short of what workers are entitled to, and that we are going to fight these guys through the Courts instead of the bargaining table, to win justice.

Our Legal Department under the guidance of Lewis Gottheil, said that we might have a reasonable argument under the unjust termination provision of the *Ontario Labour Relations Act*. We stood at the front of that packed hall, full of anxiety, frustration and disappointment after three years, and we asked them to trust our union. We said that we would not abandon the workers, no matter if it takes two years, three years or five years, but we cannot take the proposal on the table even though it does benefit some. Our union is about the collective good of the entire membership and not being isolated to a smaller group of folks who would have gotten a benefit as a result of the closure agreement. After three years of not working and facing the terrible stresses and financial pressures of not having a job, every single worker who stood up at the microphone supported their union.

They were so angry. They said, "Fight them to the end. One penny more or one penny less, I expect to see my union fighting". That is exactly what we are going to deliver to Local 35 and Local 127 over the next couple of months.

I want to thank the bargaining committee. Kathy Wiebenga the chair, has been very strong and had so much ability. Her energy and resources would have been such an asset for our union. Thank you to Doug Wright, Larry Duquette, Frank Fiala, Ray Martin, Jim Witherow, Local 127 president Rick Reaume, former president, Aaron Neaves, and the Local 35 office committee Sonny Galea, the chair, and Joe Lucier. Imagine representing your membership, then the boss lays you off during the course of negotiations for two years, and then after two years, they give you a plant closure letter, and then a year after the plant closure letter, we still do not have an agreement, but they remain very supportive of the union. I sincerely want to thank the leadership for their support.