

**STATEMENT to the MOTION—KEVIN O'REILLY, MLA FRAME LAKE**

**MOTION 31-18(3):  
REQUEST FOR GOVERNMENT OF THE NORTHWEST TERRITORIES TO ENTER  
BINDING ARBITRATION WITH UNION OF NORTHERN WORKERS,**

**February 8, 2019**

**MR. O'REILLY:** Merci, Monsieur le President. I want to thank all my colleagues who have gotten up and spoken today.

I have tried to choose my words carefully, as I know that a lot of people are listening, watching, or will read what happens in the House here today. I am proud of my Yellowknife colleagues for bringing this motion forward, and I am pleased to support it. Our constituents, and indeed all the residents of the Northwest Territories, deserve to know where we stand on this motion. This is the defining moment and the biggest test we face in the 18<sup>th</sup> Assembly. I believe in collective bargaining and acknowledge that the mediation is occurring right now as we speak. I urge both sides to come prepared and hope for a successful outcome.

However, the Union of Northern Workers has formally offered and requested binding arbitration. We haven't responded. This is the off-ramp for what is now a very risky and serious situation. There is no other plan and no process if negotiations fail. We need to do everything we can to prevent a strike and binding arbitration will do that. There are no legal barriers to binding arbitration and the parties can set whatever conditions they want on that process, including timelines, the scope of the arbitrator, salary increment ranges, you name it. There is lots of experience to draw on.

Of all the issues during my time as an MLA, this one has brought forward the most emails, phone calls, and conversations. The messages are not some cookie-cutter campaign, but very sincere, often expressing frustration and desperation with the position of this government and the impacts a strike will have.

I have worked very hard to avoid a strike and all that will bring, much of which we cannot predict, but we know it will be bad, very bad. I will never forget the sight and sounds of sirens heading out to Giant Mine in 1992 and 1993. That terrible strike tore Yellowknife apart, and the scars are still here. The strike at CBC was also very painful. How ironic that we are on the cusp of our first-ever territorial government-wide employee strike 27 years later and 4 km away from Giant Mine, yet appear to have learned so little from that infamous and tragic episode in our history.

Those of us in this House have little influence over what the Union of Northern Workers does, but when I have been contacted and met with representatives, I have urged moderation and a focus on getting a deal at the negotiating table. I do not condone some of the recent events of this week.

What we do have some influence over as Regular MLAs, and indeed a duty to act, is to attempt to work with our colleagues in Cabinet to bring these negotiations to a successful conclusion before a strike. I am disappointed and distressed that Cabinet

has done very little to de-escalate this situation and more recently has enflamed it with deliberately provocative communications and actions.

As MLAs, we must know what is going on, ask tough questions, and have input into decisions. That's not interference in any sense of the word. That's our job as MLAs. I should have demanded sooner to have some meaningful input into the UNW negotiations mandate. I don't need or want to be at the table, but I should know what is going and what the range of the offer will be.

Cabinet has never sought our input on the negotiations mandate, let alone told us what is in the mandate of the negotiators. That mandate has largely been framed by Cabinet's fiscal strategy that I have disagreed with at every opportunity. I called on the Minister of Finance to ensure that our negotiators have a mandate to offer binding arbitration at the table if the negotiations are not successfully concluded during this mediation. I have not received any assurances that the negotiators' mandate includes binding arbitration and thus have very little confidence in Cabinet's current approach.

My confidence was shaken even further late yesterday upon hearing and seeing that some GNWT supervisors are distributing an Employee Acknowledgement & Waiver form for crossing picket lines. Employees would acknowledge they are making a free decision to cross a picket line and that they will not hold GNWT responsible for anything that may happen. In the labour world, this is union busting and deliberately provocative. This action from our government came after Regular MLAs specifically requested in writing that the Minister refrain from such actions. Clearly, Cabinet has not listened to regular MLAs and has ignored our advice yet again. Everything I have tried with this Cabinet on this issue has failed.

This situation is now spiralling out of control. A strike will change us all, and those divisions have already started. Yellowknife and the regional centres will feel the initial brunt of a strike, but make no mistake, those impacts will certainly spread out across the entire Northwest Territories. That is not the legacy that any of us should want.

While this motion is not binding, the Premier and this Cabinet have the ability to avoid a disruptive and divisive strike at this point. I implore you, I beg you, I plead with you to turn this around right now and show the leadership the Northwest Territories need. The risk of a strike is just too big. Stop the provocative actions, live up to the leadership you were entrusted with, and agree to binding arbitration now. Mahsi, Mr. Speaker.

efeated.