



## Union finance bill passes, two others left to die as Senate wraps up business

The Globe and Mail, The Canadian Press, June 30, 2015

Three bills passed by the House of Commons had their fates decided by the Senate on the eve of Canada Day — one was pushed through by the Conservative majority, while the other two died without a word being spoken.

A third didn't even get a mention, failing to come as far in the legislative process as it did two years ago.

Combined, they were the last acts of the Senate as it trudged into the summer after two years of scandal or questionable spending by 34 senators, and ethical questions surrounding one additional member of the upper chamber.

The Senate's final vote before its summer break was a 35-22 result that passed Bill C-377 two years after senators originally gutted the legislation — an act of defiance by 16 Conservatives against their own government.

On Tuesday, only three Conservative senators voted against the legislation — John Wallace, Nancy Ruth and Diane Bellemare — while a fourth, Doug Black, abstained.

The bill requires unions to publicly disclose all transactions over \$5,000, reveal the details of officers or executives who make over \$100,000, and provide that information to the Canada Revenue Agency, which would publicly post the information to its website.

Conservatives argued the bill will shed light on union finances. A group that lobbied for the Senate to pass the bill applauded the final vote.

"Transparency and accountability are fundamental to democracy," Terrance Oakey, president of Merit Canada, said in a statement.

"If labour organizations want to enjoy the dual benefits of mandatory dues collection and beneficial tax treatment, they must earn it by operating in a transparent manner."

The federal privacy commissioner raised concerns about the scope of the bill, seven provinces denounced it as unconstitutional and numerous other labour associations have called for its defeat.

That led Senate Liberals to argue the bill's passage would trigger a court challenge that the government would likely lose.

Opposition leader James Cowan told the chamber during the last few hours of debate on the bill that its passage "provide ammunition to those who argue for (the Senate's) abolition."

Former Conservative senator Hugh Segal, who led the uprising against the bill two years ago, had previously told The Canadian Press that the passage of C-377 could hurt the Conservatives in dozens of ridings where labour unions could influence the outcome of the fall vote.

"Why somebody would decide that kind of suicidal, ideologically narrow excess is in the national or the party's interests or the prime minister's interests is completely beyond me," Segal said in an interview last week.

In a statement Tuesday, minutes after the final vote on C-377, Liberal Leader Justin Trudeau vowed to repeal the law should his party form the next government.

Before the C-377 vote, the Senate allowed three other high-profile private member's bills to die Tuesday without giving two a word of debate and letting a third become buried at committee.

Government Senate leader Claude Carignan delayed debate in his name on a transgender rights bill introduced by NDP MP Randall Garrison that was passed with bipartisan support in the House of Commons, effectively killing the legislation.

That move spared senators from having to vote on a bill that supporters said had been effectively gutted and stripped of any power during Senate committee hearings.

Senators were also denied the chance to debate committee amendments to a bill aimed at stripping convicted parliamentarians of their pensions, which also died an unceremonious death.

A third bill passed by the House of Commons with bipartisan support — one that would allow single-game sports betting — was left to wallow in a Senate committee and was never referred back to the Senate for further debate.

All other bills the Senate didn't pass Tuesday will die on the order paper.

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# Former Tory senator aghast over passage of "suicidal" anti-union bill C-377

National Observer, By The Canadian Press, July 1st 2015

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# Syndicats, barreaux et provinces montent au créneau

Hugo de Grandpré, La Presse, le 1<sup>er</sup> juillet 2015

Après quatre années de débats au Parlement et de vives controverses, le Sénat a finalement adopté le projet de loi C-377 sur la transparence financière des syndicats, hier, au moment d'ajourner ses travaux jusqu'aux élections du mois d'octobre. Mais la victoire pourrait être de courte durée pour le gouvernement Harper : de nombreux syndicats, provinces, barreaux et autres groupes affirment que le projet est inconstitutionnel... Le point en cinq temps sur ce débat qui risque fort de se retrouver devant les tribunaux.

## DIVULGATIONS OBLIGATOIRES

Appuyé par le bureau du premier ministre, le projet de loi déposé aux Communes par le député conservateur Russ Hiebert vise à forcer les syndicats canadiens à divulguer toute dépense de plus de 5000 \$ au ministre du Revenu du Canada, qui à son tour rendra ces dépenses publiques. Les syndicats devront aussi rendre publics le nom et le salaire de tout employé qui gagne plus de 100 000 \$ par année, de même qu'une évaluation du temps qu'ils consacrent à des activités de nature politique.

## NOMBREUX OPPOSANTS

Les critiques à l'égard de C-377 sont venues de toutes parts, même du syndicat des joueurs de la Ligue nationale de hockey. Une demi-douzaine de provinces s'y opposent, dont le Québec. Le Barreau du Québec remet sa constitutionnalité en doute, de même que tous les partis de l'opposition à Ottawa et même une sénatrice conservatrice, Diane Bellemare, qui a voté contre. « C'est un mauvais projet de loi », a tranché Mme Bellemare. Le NPD et le Parti libéral ont promis de l'abroger s'ils prennent le pouvoir le 19 octobre. « Les organisations membres de l'Alliance sociale contesteront devant les tribunaux la constitutionnalité du projet de loi C-377 », ont quant à eux fait savoir les syndicats membres de ce regroupement, dont la CSN, la FTQ et la CSQ.

## CHAMPS DE COMPÉTENCE ET VIE PRIVÉE

Les principales préoccupations portent sur les champs de compétence et la vie privée. « C'est beaucoup trop invasif et ce n'est pas du tout équilibré. Et en plus, ça va à l'encontre du partage des pouvoirs entre les provinces », dénonce la sénatrice Bellemare. Beaucoup sont d'avis que le

projet porte principalement sur les relations de travail et non sur la fiscalité fédérale. À ce titre, il empiète sur les champs de compétence provinciaux. Le commissaire à la protection de la vie privée du Canada, Daniel Therrien, s'inquiète quant à lui de voir trop de renseignements personnels publiés par le gouvernement sur l'internet, comme le nom de fournisseurs de services de plus de 5000 \$, les activités politiques d'employés des syndicats et le nom et le salaire d'employés gagnant plus de 100 000 \$. Les syndicats s'insurgent aussi contre le fait qu'ils sont les seuls à être soumis à de telles obligations, auxquelles échappent les associations patronales, entre autres.

## **LONGUE SAGA PARLEMENTAIRE**

Présenté aux Communes peu après les élections de 2011, C-377 a eu connu un parcours long et mouvementé au Parlement. En 2013, une quinzaine de sénateurs conservateurs ont refusé de l'adopter tel quel et l'ont renvoyé à la Chambre. Les troupes de Stephen Harper l'ont toutefois renvoyé à nouveau au Sénat, où l'opposition libérale a tenté de s'y opposer en multipliant les mesures dilatoires, mais en vain : les sénateurs conservateurs ont voté vendredi pour ignorer une décision du président de la Chambre haute et forcer un vote, qui a finalement passé hier par 35 voix contre 22.

## **CE QU'ILS ONT DIT**

« Le dernier geste du gouvernement Harper au cours de la 41e législature est de violer les règles. Cela résume assez bien ce que tant de Canadiens reprochent au gouvernement Harper : il contourne les règles pour arriver à ses fins. »

— James Cowan, leader du caucus des sénateurs libéraux

« Notre gouvernement a toujours prôné une plus grande transparence de la part des syndicats en ce qui a trait aux cotisations obligatoires que versent les Canadiens qui travaillent fort. » — Catherine Loubier, directrice des communications du premier ministre Stephen Harper

« Au Québec, nous avons déjà une obligation de faire connaître nos états financiers en vertu du Code du travail. [...] Donc, c'est purement par esprit de vengeance envers le mouvement syndical que le gouvernement Harper va de l'avant avec ce projet de loi là. » — Daniel Boyer, président de la FTQ

« À l'évidence, il s'agit d'une tentative des conservateurs de discréditer les syndicats, notamment sur le plan des revendications sociales, pour bureaucratiser leur fonctionnement et donner des armes supplémentaires aux patrons pour qu'ils soient informés du portrait financier des syndicats avant d'entreprendre une négociation. » — Pierre Patry, trésorier de la CSN

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